Denver Short Term Rental Advisory Committee

December 14, 2021

Excise and Licenses
Public Comment

There will be time allotted at the **end** of the meeting for public comment.

Please use the “*raise hand*” feature on Zoom at any time during the meeting to indicate that you’d like to make a public comment at the end.

If you are calling in and cannot use the “*raise hand*” feature, you may sign up for public comment by emailing Alex.Vidal@denvergov.org at any point during the meeting.
Licensing & Enforcement Updates
STR Application Data

Pending Applications
- As of December 13, we had 240 total pending applications
  - 53 pending applications are awaiting applicant action
  - 186 pending applications are under review by EXL
  - 22 pending applications are under review by another city agency
  - 2 pending applications are awaiting a denial appeal hearing

New Applications
- We received 238 total applications during the month of October:
  - 119 applications for new STRs
  - 119 STR license renewal applications
- We received 388 total applications during the month of November:
  - 124 applications for new STRs
  - 264 STR license renewal applications
- We received 76 total applications during the month of December:
  - 28 applications for new STRs
  - 48 STR license renewal applications
New Application Data and Trends

Year 2019 2020 2021
MARCH

January 271
February 169
March 155
April 129
May 122
June 102
July 94
August 89
September 74
October 30
November 142
December 150

Month

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## Renewal Application Data and Trends

<table>
<thead>
<tr>
<th>MONTH</th>
<th>2019</th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>January</td>
<td>165</td>
<td>196</td>
<td>233</td>
</tr>
<tr>
<td>February</td>
<td>106</td>
<td>102</td>
<td>114</td>
</tr>
<tr>
<td>March</td>
<td>86</td>
<td>76</td>
<td>98</td>
</tr>
<tr>
<td>April</td>
<td>108</td>
<td>103</td>
<td>98</td>
</tr>
<tr>
<td>May</td>
<td>70</td>
<td>53</td>
<td>65</td>
</tr>
<tr>
<td>June</td>
<td>111</td>
<td>73</td>
<td>68</td>
</tr>
<tr>
<td>July</td>
<td>133</td>
<td>133</td>
<td>119</td>
</tr>
<tr>
<td>August</td>
<td>119</td>
<td>120</td>
<td>112</td>
</tr>
<tr>
<td>September</td>
<td>124</td>
<td>131</td>
<td>120</td>
</tr>
<tr>
<td>October</td>
<td>160</td>
<td>142</td>
<td>119</td>
</tr>
<tr>
<td>November</td>
<td>156</td>
<td>157</td>
<td>114</td>
</tr>
<tr>
<td>December</td>
<td>157</td>
<td>187</td>
<td>48</td>
</tr>
</tbody>
</table>
# Applications and Disciplinary Action

<table>
<thead>
<tr>
<th>New &amp; Renewal applications</th>
<th>Withdrawals</th>
<th>Closed Administratively</th>
<th>Calendar Records Requested</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>5 since last STRAC</td>
<td>16 since last STRAC</td>
<td>45 since last STRAC</td>
</tr>
<tr>
<td></td>
<td>52 within the past year</td>
<td>89 within the past year</td>
<td>240 total (since August 2020)</td>
</tr>
<tr>
<td></td>
<td>318 total</td>
<td>273 total</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sent</th>
<th>Returned</th>
</tr>
</thead>
<tbody>
<tr>
<td>Affidavits</td>
<td>27 since last STRAC</td>
</tr>
<tr>
<td></td>
<td>161 within the past year</td>
</tr>
<tr>
<td></td>
<td>813 total</td>
</tr>
</tbody>
</table>

Licenses ‘Show Caused’

- Zero outstanding orders to show cause
311 Data and Trends in 2021
### 311 Data and Trends

#### Call Type

<table>
<thead>
<tr>
<th>Call Type</th>
<th>2019</th>
<th>2020</th>
<th>2021 YTD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administrative Citation &amp; Notice of Violation</td>
<td>785</td>
<td>295</td>
<td>18</td>
</tr>
<tr>
<td>Applications &amp; Renewals</td>
<td>477</td>
<td>715</td>
<td>1639</td>
</tr>
<tr>
<td>Inquiries &amp; Questions</td>
<td>1288</td>
<td>575</td>
<td>474</td>
</tr>
<tr>
<td>Property Complaint</td>
<td>511</td>
<td>297</td>
<td>173</td>
</tr>
</tbody>
</table>
311 Data and Trends

<table>
<thead>
<tr>
<th></th>
<th>2019</th>
<th>2020</th>
<th>2021 YTD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Volume</td>
<td>3,126</td>
<td>1,887</td>
<td>2,304</td>
</tr>
</tbody>
</table>

**2019**
- Applications & Renewals: 33%
- Inquiries & Questions: 19%
- Property Complaints: 15%
- Administrative Citation and Notice of Violation: 30%
- Other: 3%

**2020**
- Applications & Renewals: 45%
- Inquiries & Questions: 19%
- Property Complaints: 18%
- Administrative Citation or Notice of Violation: 18%
- Other: 0%

**2021**
- Applications & Renewals: 71%
- Property Complaint: 8%
- Administrative Citation: 21%
- Other: 1%
## Lodger’s Tax Update*

<table>
<thead>
<tr>
<th></th>
<th>2017 Total</th>
<th>2018 Total</th>
<th>2019 Total</th>
<th>2020 Total</th>
<th>2021 YTD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lodger’s Tax collected</td>
<td>$3.5M</td>
<td>$8.36M</td>
<td>$10.6 M</td>
<td>$5.6 M</td>
<td>~ $7.6M*</td>
</tr>
<tr>
<td>% of Lodger’s Tax collected</td>
<td>7.5 %</td>
<td>10.1 %</td>
<td>11.9 %</td>
<td>~10.5 %</td>
<td></td>
</tr>
</tbody>
</table>

### Lodger's Tax (by month)

- January: $418,048
- February: $581,396
- March: $534,062
- April: $806,462
- May: $810,221
- June: $885,909
- July: $848,301
- August: $786,350
- September: $663,796
- October: $687,764
- November: $618,886
- December: $786,350

*Due to technology upgrades, all starred numbers are approximations and may not reflect actual amounts.*
Current Events
What’s happening in the world of short-term rentals?

Locally – Communities throughout Colorado passing or considering local taxes/fees, establishing caps/moratoriums, or regulating for first time.

Nationally – Demand rebounding; regulatory pushes in cities/towns in CA, CT, FL, GA, NY, OH, PA, TN, TX, VT; Maui debating removing 3K STRs, significant migration from Hawaii, housing affordability contributing (link). Teen parties promoted through social media still an issue (link).

Internationally - Vienna developing information sharing model similar to other EU countries such as Netherlands, France, and Spain (link).
Accessibility in the STR Market

• News, studies and anecdotes indicate lack of units, wrongfully advertised units, and discrimination

• The ADA and FHA largely do not cover STRs under exemptions (ADA exempts facilities with fewer than 5 rooms for rent; FHA doesn't cover transient accommodations)

• AirBnB has a non-discrimination policy and search filters to help disabled guests; compliance and accuracy still a concern

• EXL welcomes policy ideas to combat discrimination
Accessibility Challenges for Guests

- Finding a rental that works
  - Access needs can be highly variable
  - Search functions are limited, ads can lack info or mislead
- Discrimination by hosts
  - Deciding for the guest “you wouldn’t be comfortable here”
  - Denying the STR is available, then renting to others
- Addressing issues before, during or after rental
  - Hosts may not be easy to reach before or during rental
  - Resolving issues after rental is not ideal
Passed in 1990. Prohibits discrimination based on disabilities in all areas of public life, including jobs, schools, transportation, and all public and private places that are open to the general public.

Covers public accommodations, except facilities that:
- Have five rooms or less for rent and is proprietor's main residence
- Are not-available on walk/call-in basis, where room is specified upon reservation, and prior deposit/agreement is required
- Doesn't provide hotel amenities/services such as housekeeping
Search Filters & Non-Discrimination Policy

- Search Filters -
  - Parking, 32-inch entrance, step-free entrance/path
  - Step-free/wide bedroom entrance
  - Step-free/wide bathroom entrance & shower, grab bars, chair/shower
  - Ceiling or mobile hoist

- Non-Discrimination Policy ([link](#))
Challenges to Increasing Access

- Gathering data – Asking about accommodations on application.
  - Unclear what benefit this would provide guests w/ disabilities
  - Data not particularly useful for STR policy planning or action
  - Would need to add several questions to application (IT cost)

- Promoting disability access – Education, incentives, req’s, etc.
  - No readily available resources for these types of efforts

- Fighting discrimination - Legal or administrative action
  - No existing laws/regulations to enforce or leverage
STRAC Meeting Dates

- February 8, 2022
- May 10, 2022
- August 9, 2022
- November 1 or 15, 2022

Possible Topics

- STR Impact on Housing?
- Others?

• Meetings held 2nd Tuesday of month
• All meetings held via Zoom
• Additional meetings as needed
Please use the “raise hand” feature on Zoom to indicate that you’d like to make a public comment. If you are calling in and cannot use the “raise hand” feature, you may sign up for public comment by emailing Alex.Vidal@denvergov.org

Speakers are allotted two minutes to speak.

Alternatively, you may email written comments at any time to licenses@denvergov.org and they will be shared with the committee electronically.