

Project Background and Meeting Objectives

The City of Oakland is preparing new regulations for the rental of residential dwelling units for periods of less than thirty (30) days. Short-Term Residential Rentals (STRRs) raise important questions about local priorities and the larger role they play in cities and neighborhoods. In cities with high housing demand, such as Oakland, there is a concern about the potential adverse impacts of STRRs on long-term housing supply and availability, affordability, and other impacts on our neighborhoods.

In July 2016, Oakland City Council directed the Planning & Building Department to obtain stakeholder input and bring forward policy options to City Council to regulate Short-Term Residential Rental Housing and Transient Residential Host Platforms (Resolution No. 86298 C.M.S.). Currently, STRRs are not specifically permitted in Oakland's Municipal Code. As of April 2023 (the date of STRR stakeholder meetings), there were 2,499 active Airbnb listings operating illegally in Oakland, and approximately 48.2% of Airbnb hosts operated multiple listings in Oakland (InsideAirbnb.com, 2023).

In April 2023, a summary of the proposed draft STRR regulations was shared with key stakeholders representing community groups and host platforms for feedback.

Location and Format

- Staff from the City's Strategic Planning Division held a one-hour virtual meeting with community stakeholders on April 20, 2023. Attendees included representatives for East Bay for Everyone, East Bay Housing Organizations, Homeless Advocacy Working Group, Oakland Tenants' Union, and UNITE HERE Local 2.
- Staff from the City's Strategic Planning Division held a one-hour virtual meeting on April 21, 2023, with representatives of Airbnb, Booking.com, and Expedia (owns and operates VRBO).
- Each meeting consisted of a slide presentation outlining the project background and key provisions of the proposed draft STRR regulations, followed by a guided discussion with attendees.

Q&A Themes

KEY TAKEAWAYS

- **Host Occupancy Requirements**
 - Community stakeholders support limiting STRRs to a host's permanent residence. They agree that hosts should likewise be limited to obtaining one (1) STRR license and only allowed to list one (1) STRR unit. They support the idea of using the Homeowners' Property Tax Exemption as a means for hosts to prove permanent residency.
 - Community stakeholders advocated for requiring hosts to show proof they occupy the STRR unit for over sixty (60) days prior to applying for a STRR license.

- Community stakeholders recommended that the City flag known units that cannot demonstrate proof of permanent residency.
- Both community and host platform stakeholders inquired about the ability of property owners to list ADUs for short-term rentals. However, Staff clarified that use of ADUs for STRRs is prohibited by CA State law.
- **Annual Rental Limits**
 - Community stakeholders strongly support a limit of renting a STRR unit for ninety (90) nights total per twelve- (12) month period for both hosted and un-hosted stays. They agree that monitoring hosted vs. un-hosted stays and setting different annual rental limits for each is challenging.
 - Staff clarified for both community stakeholders and host platforms that the new STRR regulations are for the rental of residential dwelling units for periods of less than thirty (30) days. Rentals of thirty (30) consecutive days or more would not count toward the annual STRR rental limit.
 - Host platforms inquired about the responsibility for enforcement of the ninety (90) night total annual rental limit. They expressed that they will not be able to determine if the host is listing across multiple host platforms and how many nights the STRR unit is rented via other host platforms.
- **STRR License Information & Validation**
 - Community stakeholders recommended that the valid STRR license number be posted in the STRR listing on host platform websites and on-site at the STRR unit.
 - Host platforms expressed concern about the process of validating the STRR license and other listing information posted on host platform websites.
- **Host Platform Accountability**
 - Community stakeholders recommended host platforms bear accountability for adhering to the provisions of the STRR regulations. In particular, they expressed support for imposing fines on host platforms that charge, collect or receive a fee in connection with a STRR listing without a valid license.
- **Obtaining City Business License**
 - Host platforms expressed concern about the requirement to maintain a City-issued business license when the company headquarters and/or offices are not located in Oakland.
- **Neighbor Complaints**
 - Community stakeholders expressed the need for neighbors to have adequate resources to report violations of the STRR regulations. Staff clarified that the City intends to select a third-party vendor to facilitate implementation of the STRR program, and the vendor will offer a 24-hour hotline for neighbors and other stakeholders to resolve minor, non-health and safety related STRR issues. The community stakeholders encouraged the City to proactively publicize this service to neighbors.