**Vacation Rentals: News RoundUp**

Posted on **March 12, 2015** by berkeleytenants

**The Planning Commission will be discussing Vacation Rentals on March 18, 2015!**

SF’s New Vacation Rental Law Making Everyone Unhappy


“Residents were previously restricted from renting out their homes for periods of less than 30 days, according to a law that the city said protected housing rates and helped to regulate property rentals. The new law allows residents who live in the city for a minimum of nine months of the year to rent out rooms or residences for short stays for up to 90 days of business per year.… The legislation, he said, was “easily subvertible” and encourages homeowners to try to find a way around the restrictions. “A person has to declare that it’s their permanent residence, and anyone can say that about any place [and] this invites people to do all sort of things and then say ‘come catch me,’” he told SFGate.”

SF Already Discussing Changes; Can Law Be Enforced?


“But high-ranking city planning officials said there are loopholes in the current law that no amount of resources could fix.”

“The department said that without cooperation from the host platforms, it can’t enforce the requirement that there be 90 days of unhosted stays — those where the resident is not at the rented unit — when there is no cap on hosted stays. There has also been concern about the low number of short-term hosts who have taken steps to register under the law. Sixty residents successfully applied and received registration numbers, which are required to be included in the host’s listings on websites like Airbnb. But there are an estimated thousands of other listings that remain illegal. Sanchez said the department is “frustrated” that hundreds turned out to support the law’s adoption but there hasn’t been the same turnout to comply with it.”

SF City Attorney Sues Two Landlords


“Illegal short-term rental conversions of our scarce residential housing stock” are contributing to “a housing crisis of historic proportions,” Herrera said in a statement.

To illustrate, the suits cited the proliferation of short-term vacation rentals in San Francisco advertised on popular websites: 6,225 on Airbnb, 1,413 on VRBO and 1,351 on HomeAway, VRBO’s parent company.”

SF Tenant Advocates Sue Two Vacation Rental Firms


“The legal action comes a day after The City’s Short-Term Residential Rental Ordinance legalizing home rentals for periods of less than 30 days went into effect. Hooshmand said the new legislation allowing property owners or tenants to rent space short-term if they meet specific criteria will not rectify the various allegations against VRBO and HomeAway.

The new legislation, according to the Committee’s Executive Director Sara Shortt, does not include a strong enforcement mechanism and “actually gives us all the more resolve to put the brakes – in this case through litigation – because the new rules are not going to adequately protect tenants from displacement due to the short-term rentals industry.”
SF Sued by HomeAway – New Law Too Strict
“The lawsuit filed Monday by HomeAway says the law stymies competition and discriminates against both
vacation hosts by requiring them to be city residents and vacation-website companies by mandating they collect the
city’s 14 percent hotel taxes…”

Even Senator Diane Feinstein Opposes SF Law
http://www.sfgate.com/opinion/openforum/article/Don-t-hand-San-Francisco-over-to-Airbnb-5835325.php
“This is a shortsighted action that would destroy the integrity of zoning throughout San Francisco, allowing
commercial and hotel use in residential areas throughout the city.”

SF’s Current Vacation Rental Law – Overview

San Diego Begins Revision of Codes for Vacation Rentals
“In San Diego, the regulations that come closest to encompassing short-term rentals are those governing bed-and-
breakfasts where residents are renting out one or more rooms in a house in which they are living. In those cases,
special permits are needed that require owners to notify surrounding neighbors.”

New York State Bans Most Short-Term Rentals
http://www.nycinsiderguide.com/nyc-vacation-rentals#.VP5CQ44lRzp
“The short of it, is that unless the Landlord owns the entire building, it is illegal to rent or sublet a co-op, condo or
apartment for stays less than 30 days. In 2010, the NY State Governor passed a bill and NYC plans to crack down
on this law.”

NY City Council Considers Innovative Enforcement
“(Short-term renters) are coming in at all hours, bringing people they meet into the apartment and it’s then
impacting the quality of life, in that there are strangers in their building,” Mendez said. “It’s a breach of peace
and quiet in your home because of the noise and people traffic.”
Governor Andrew Cuomo, Schneiderman and Mayor Bill de Blasio announced the launch of a joint enforcement
task force last week called the Tenant Harassment Prevention Task Force that will investigate and bring
enforcement actions against landlords who harass tenants. Under Lancman and Mendez’s tenant harassment bill,
illegal hotel conversions would be included in that definition of harassment. It would fall under the jurisdiction of
the task force and would be subject to its investigations and enforcement actions.”

NY City Council Discusses Enforcement, Housing Crisis
http://www.nytimes.com/2015/01/21/nyregion/hearing-pits-tenants-who-denounce-airbnb-against-those-who-
profit-from-it.html?_r=0
“At the hearing on Tuesday, which focused on Airbnb, members of the City Council took turns fuming over what
they called a reckless enterprise that put neighborhoods in jeopardy and sapped an already-weak affordable
housing market. Speaking before a crowd of hundreds who waved placards reading “My Home Is Not a Hotel,”
they variously compared Airbnb to a “marauding army” and an “epidemic.”
“No one should have to live in a building or next to someone where the apartment is being used as an illegal hotel,
people coming and going, traipsing in and out, no idea who they are,” Councilman Corey Johnson, a Democrat
from Manhattan, said.
The hearing, which focused on how the city enforced a state law barring people from renting an apartment for
under 30 days unless the apartment’s resident also stays there, grew into a wide-ranging face-off between two
groups of city residents who each said they were being battered by the growing cost of housing.”
Guardian Summary of the Debate on Vacation Rentals
“While the heat is on in Barcelona – where Airbnb have just been fined €30,000 for breaching local tourism laws – the company is also under attack in a growing number of other cities. In New York it is currently in the midst of a prolonged legal dispute with the attorney general, while authorities in San Francisco, New Orleans, Malibu and other US cities are also mounting crackdowns. In Berlin – where Airbnb has been partly blamed for increasing rents – city officials have created a new housing law banning regular short-term letting of rooms without permission from the authorities, something that could have a big impact on the number of Airbnb hosts in the city.”

Spain Makes Nationwide Law
“In the UK you could not rent your home out as a furnished holiday let without meeting set standards in safety and cleanliness, and declaring your earnings to the tax man. And this is essentially what the new law in Spain sets out to do.”

Barcelona Suspends New Licenses
“…the rights of local residents were being undermined and community life was suffering, due to the volumes of tourist apartments springing up in local neighbourhoods.”

Paris Actually Enforces Vacation Rental Laws
“As in New York and Barcelona, officials in the French capital say companies such as Airbnb Inc. have spawned a cottage industry of scofflaw landlords who are cheating citizens out of housing and depriving localities of much-needed revenue from the growth in international travel.
Paris Mayor Anne Hidalgo has a 20-person team making unannounced visits to apartments whose owners are suspected of, or turned in by nosy neighbors for, unlawfully renting to visitors.”
<table>
<thead>
<tr>
<th>Listing Description</th>
<th>Price</th>
<th>Address</th>
<th>Near</th>
<th>Other Details</th>
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<tbody>
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<td>near down town and UC Berkely</td>
<td>$120</td>
<td>Francisco</td>
<td></td>
<td>$3,600</td>
</tr>
<tr>
<td>North Berkeley, Apartment near BART</td>
<td>$100</td>
<td>Francisco</td>
<td>1640 Francisco</td>
<td>$3,000</td>
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<td>Sunny, large, Friendly neighborhood</td>
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<td>Francisco</td>
<td>1642 Francisco</td>
<td>$3,900</td>
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<td>$120</td>
<td>Francisco</td>
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<td>$3,600</td>
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<td>$97</td>
<td>Hilgard</td>
<td>2580 Hilgard</td>
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<td>Sunny 1 bedroom apartment near UC</td>
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<td>Berkeley, Gourmet Ghetto Apartment</td>
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<tr>
<td>Sunny furnished, one-bedroom apartm</td>
<td>$115</td>
<td>Walnut</td>
<td></td>
<td>$3,450</td>
</tr>
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<td>Berkeley Charm Apartment</td>
<td>$115</td>
<td>1511 Walnut</td>
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<td></td>
<td>$1,389</td>
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<td>$41,670</td>
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</table>
Hey, I'm Claude!
San Francisco, California, United States · Member since July 2011

From Berkeley, I like to ski and play tennis

Reviews (130)
Reviews From Guests

The apartment is nice and near to the Bart and in a really quiet, attractive part of town. Berkeley is just beautiful. It was just a few minutes from useful shops, but was very quiet day and night; not even a hum of traffic. Claude had left us a bottle of wine, some water, a loaf of bread and some fresh fruit. The key collection etc went smoothly and Claude was quick to email if we ...

Tig
March 2015

I've used airbnb six times now. This was my first disappointing experience. The apartment wasn't awful, but it did not feel welcoming either. My first impression upon arriving was "hmm, I guess I can make this work" rather than "hooray, I'm here!" The apartment has the feel of a college dorm room: the basics are there, but they seem to have been scavenged from whatever was available.

Patrick
March 2015

Rental was clean and comfortable. Claude left out fruit and wine for us which was a nice touch. The apartment was spacious and provided plenty of space for two of us and a baby. Location was convenient and parking wasn't a problem.

Kristen
February 2015

The apartment was clean and charming. Claude and his family had a bottle of wine and a fruit bowl to welcome us.

Emma
February 2015

Claude has responded really fast all our messages. The arrangements for key where smooth and chilled. The house was comfortable and the neighborhood is really nice too. A few blocks walking distance from BART station. Everything went really well.

Near UC Berkeley - studio
Hilgard Avenue, Berkeley

North Berkeley, Apartment near BART
Francisco St, Berkeley

Near down town and UC Berkely

Near down town and UC Berkely
<table>
<thead>
<tr>
<th>Listing Description</th>
<th>Price</th>
<th>Location</th>
<th>3/22/2015 Price</th>
<th>3/22/2015 Note</th>
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<tr>
<td>Charming &amp; Spacious Elmwood Studio</td>
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<td>College</td>
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<tr>
<td>Elegant &amp; Spacious 1 BR in Elmwood</td>
<td>$125</td>
<td>College</td>
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<tr>
<td>colorful 1BR apartment in Elmwood</td>
<td>$125</td>
<td>College</td>
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<td>$95</td>
<td>Parker</td>
<td>$2,850</td>
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<td>Cozy and convenient southside cottage</td>
<td>$89</td>
<td>Regent</td>
<td>$2,670</td>
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<tr>
<td></td>
<td></td>
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<td>$35,790</td>
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</table>

Margaret Phillips

10 listings lives in San Carlos per Air BnB

Member Since 8/2013 - 91 Reviews 3/22/2015 lives on Alcatraz or Carson City NV per CoB

all 4 registered in RTS

Tenant Daniel Moore contacted Board
Hey, I'm Margaret!
San Carlos, California, United States • Member since August 2013

Born in England, now living in California for many years. Two (!!) graduate degrees from UC Berkeley. Frequent travel – tired of chain hotels. I have been an Airbnb guest in the US and several other countries and have appreciated the experience of staying in a real home, a place with warmth and character, in an interesting walkable neighborhood. That’s what my co-host (my husband Jack) and I offer you, too, in Berkeley – a vibrant town with an internationally renowned university, distinctive architecture, innovative restaurants, serious coffee houses, bookstores, parks, museums, theater, a lively music scene – and conveniently close to San Francisco.

Reviews (91)
Reviews From Guests

I stayed here for four nights recently. Margaret was extremely responsive and a pleasure to work with. The manager Binyam was responsive and kind, answering all of my questions promptly. I was welcomed with a vase of flowers, a bowl of fruit, and some juice and milk. The apartment was roomy for my needs. It is older and has some charms, a little rough around the edges.

Jean
March 2015

I stayed there for a full 5 weeks. The apartment is very nice and clean; it has everything that can make your stay comfortable and a very good kitchen. Margaret and Byniam (the building manager) were very friendly and helped me with anything I needed. The neighborhood is also very nice and very convenient to the UC campus. BART is a bit more far away, but two lines of buses run very closely and quickly get you to a BART station.

Simone
March 2015

Margaret was a fantastic host. She was welcoming and provided a wealth of information prior to my arrival date that helped me prepare for the trip. The studio was beautiful, spacious, and clean. The pictures represented it well. Margaret and Binyam both checked up on me to make sure everything was going smoothly. As my first Airbnb experience, I consider this a huge success!

Chris
March 2015

My wife and I thoroughly enjoyed our extended visit to Berkeley and the Rockridge neighborhood in Oakland. Margaret’s apartment is large, clean and comfortable. This lodging is well situated to access numerous eateries on College Avenue. We thoroughly recommend Margaret’s AirBNB apartment.

Geoffrey
March 2015
Marina and Addy

Marina Ekman and Adelina Esquerra

Member since August 2013; 634 reviews as of 3/22/2014 (51 new reviews in one month)

Not in RTS

City has as Single Family Home

9 listings all at same property 2928 Ellsworth 052 158000900

5 "cottages" and 4 bedrooms in one "SFR"

photos show two tiny one-room ADUs in yard

some "cottages" appear to be basement units per reviews

Listings are labeled A B C D F G H I J

Lots of comments "never saw the hosts" in room rentals

Some comments indicate manager on site who is not owner

City shows no permits for new cottage/units but permits 2004 to add habitable space for hme office

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One review from room "d" - The room is on the ground floor, with cement floors, beneath the home in the picture not in it. In addition, there is one "bathroom," shared by five residents, and that "bathroom" consists of a toilet at one end of a fifteen-or-so foot hall (maybe 20 feet) and a room with a shower and sink in it at the other end; washing your hands after using the toilet is work. There seems to be another room upstairs, and two cottages in the back yard, and perhaps their toilet arrangements are better. The "kitchen" is also problematic. It's a counter with a microwave and a toaster oven on it, with no running water. Bottles of water are provided to heat in an electric device for tea. (Perhaps there is a real kitchen somewhere but there was nobody to ask about it). I never spoke with or laid eyes on "Marina and Addy." A not very friendly man who seems to be partly in their employ lives in one of the rooms on the ground floor. Residents throw their towels on the floor of the shower/sink room for replacement, I guess; once he picked several such towels up off the floor after 24 hours.
Hey, I'm Marina And Addy!

Berkeley, California, United States • Member since August 2013

I am an Author and Mother of a 5 year old fabulous child! I have a degree in Writing and Education. I am working on my 3rd Novel, the 1st you can find in Local Bookstores, soon to be Amazon! I am a native of Maine, yet an adoptee of California. I am a world traveler so I respect the needs of those on the road! Addy

I am a painter and photographer and Mother of 2! I work as an artist by hire, meaning, I work to develop a piece of art for individual taste, not to say I don't sneak in a bit of who I am :) I am also a world traveler and therefore I appreciate the comforts and abstractions of one's home. Marina

Reviews (634)

Reviews From Guests

We had a lovely experience. The place was as described. Perfectly clean and welcoming. We never felt that we were intruding upon them or being intruded upon. It felt quiet, safe and secluded, yet it was very conveniently located.

John
March 2015

Adorable cottage, very clean in a quiet neighborhood.

Megan
March 2015

Friendly and helpful hosts, communication was easy. Perfect location in Berkeley. The space was just the right size for two and the garden is absolutely beautiful.

Sarah
March 2015

We were enchanted as soon as we arrived - a calm peaceful street with the smell of jasmine in the air. The key pick up process was easy, and we adored the gardens surrounding the cottage. Inside Cottage J we found it to be spotlessly clean, beautifully furnished and decorated, and so many personal touches such as wine, coffee, tea, and deliciously scented shower products. We loved using the boardgames, especially some of the retro ones!! I would recommend this Airbnb property to anybody, and would love to visit again someday!

Sacha
March 2015

Listings (9)

Lovely room in shared home - a
Ellsworth Street, Berkeley

Comfy room in shared home - b
Ellsworth Street, Berkeley

1 Bedroom Garden Cottage (J)
Marina and Addy

Lovely Room in Shared Home -c
Private room · 63 reviews · Berkeley

Stylish 1 BR Garden Apartment (G)
Entire home/apt · 70 reviews · Berkeley

$55

Comfy room in shared home -b
Private room · 76 reviews · Berkeley

$55

1 Bedroom Garden Cottage (J)
Entire home/apt · 74 reviews · Berkeley

$95

Lovely room in shared home -a
Private room · 88 reviews · Berkeley

$55

All 10 listings are at the same address but Air BnB puts pins on the map “near” where the rental is located

https://www.airbnb.com/rooms/1571439?si=7nS
**Oxford fourplex**

turned in feb 19 2013  

RSB made them register, I think  

http://www.oxford-apartments.com/berkeleyapartmentrental.htm  

ORSMSBY ADA  

no other berkeley properties

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THE OXFORD APARTMENTS, BERKELEY CA
Four separate furnished Berkeley apartments, one block from University of California campus, easy access to Lawrence Berkeley Lab

Tour the Oxford Apartments
Tour Apt. 1701 | Tour Apt. 1703 | Tour Apt. 1705 | Tour Apt. 1707

Four neat and sunny furnished one-bedroom apartments each with full kitchen, separate dining and living room, TV cable and telephone service, wireless Internet, laundry and courtyard. Fully furnished with housewares, utensils, linens—everything you need to live comfortably from the moment you arrive. Apartments available for short- and long-term rental.

These apartments are located one block north of the University of California, Berkeley campus and the shuttle bus to Lawrence Berkeley Lab. Walk to grocery stores, shops, banks, post office, public transportation and Berkeley's famous "Gourmet Ghetto."

Check our rates and availability, take a look at the complete list of furnishings provided, and take a tour of Oxford Apartments.

"A walker's paradise!" Check it out at Walk Score.

Map of Apartment Neighborhood in Berkeley, CA
This appears to be a renter subletting her apartments in SF, NY and Berkeley on Air BnB

Unless she is doing this for hire by the owners?

She uses different names (same photo) and does not link listings to her Air BnB profile

Some of these listings may be in new construction, not rent controlled units

Each listing claims this is her home.  aka Esperanza C Garcia

**Esperanza Garcia (and Hermann)**  aka Issa and Chazz

according to Air BnB she lives in SF

<table>
<thead>
<tr>
<th>Listing Description</th>
<th>Price</th>
<th>Address</th>
<th>Description</th>
<th>Link</th>
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<tbody>
<tr>
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<td>$79</td>
<td>1709 Shattuck</td>
<td>photo showed bld</td>
<td><a href="https://www.airbnb.com/rooms/1815553">https://www.airbnb.com/rooms/1815553</a></td>
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<td>$249</td>
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<td>in or next to 2032 Delaware</td>
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<td>$89</td>
<td>Delaware</td>
<td>this one might be taken down</td>
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<tr>
<td>2 Bed Modern Apt Downtown Berkeley</td>
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<td>Grant -older bld?</td>
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<td>Delaware</td>
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<td>130 UK pounds</td>
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<td>Grant</td>
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<td>photo showed building</td>
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<tr>
<td>Unregistered unit, no permits visible online at Planning</td>
<td>no RTS</td>
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<tr>
<td>CLINE SARAH T &amp; CORN JENNIFER</td>
<td>CoB SFR</td>
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<tr>
<td>1413 Allston</td>
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<tr>
<td>Beautiful light 2nd floor apartment</td>
<td>$85</td>
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*We live in the same building, so are available to help when needed.*

https://www.airbnb.com/rooms/4405143?s=57A4

REDFIN: 1413 Allston Way is a house in the Central neighborhood of Berkeley, CA 94702. This 1,771 square foot house sits on a 5,577 square foot lot and features 6 bedrooms and 3 bathrooms. This property was built in 1908 and last sold on June 06, 1997 for $320,000.
Beautiful light 2nd floor apartment
Berkeley, CA, United States  ★★★★★ (8)

About This Listing
Light, airy, beautiful second floor apartment on quiet Berkeley street. Garden views, shared hot tub, one bedroom (queen sized bed), full bath, large fully equipped kitchen, cheery gas fireplace, garden with creekside deck. Cozy and relaxing.

Contact Host
<table>
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<tr>
<th>Andy has three places on Ashby and one in Temescal</th>
<th></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>lives in Santa Cruz</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Spacious cottage apartment</td>
<td>$85</td>
<td>1703 Ashby</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stylish apartment with private yard</td>
<td>$99</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Charming flat, bright and spacious</td>
<td>$89</td>
<td></td>
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</tbody>
</table>

"This is one of three ground floor apartments on a private compound so there's no-one above or below you"

"I don't live on the property so you wont see me much. But I am always reachable by phone, text or email. The apartment is one of four units on the property."

|  | ASHBY AVE | NA | 538.04 | NAR |
| 1703 ASHBY AVE | NA | 1360.82 | NAR | 1 | 8/17/11 |
| 1711 ASHBY AVE | NA | 1771.61 | NAR | 1 | 2/25/12 |
| GOLDBERG ANDREW & RUTH | 2949 KING ST | NA | ? | RENTED | 0 | 8/1/11 |

King Address is Same Parcel 053 160402000
Robert and Anne Cabrera live in San Anselmo per profile.

**Robert and Anne have 5 listings - 4 in Berk**

<table>
<thead>
<tr>
<th>Type</th>
<th>Description</th>
<th>Price</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>entire</td>
<td>Studio Near N. Berkeley Rose Garden</td>
<td>$99</td>
<td>1108 Euclid</td>
</tr>
<tr>
<td>entire</td>
<td>Beautiful Updated 2BD near Campus</td>
<td>$135</td>
<td>2410 Dwight (10 plus)</td>
</tr>
<tr>
<td>room</td>
<td>Private Room in Charming Victorian</td>
<td>$85</td>
<td>23 hillside court</td>
</tr>
<tr>
<td>entire</td>
<td>Sunny, Spacious, in North Berkeley</td>
<td>$179</td>
<td>2000 Delaware (4 units)</td>
</tr>
</tbody>
</table>

NO UNIT B RTS - units 1-12 and "a"

**AirBnB has impact on neighboring renters:**

The only problem was noise from the apartment above, due to very creaky old floor boards and lack of sound insulation. The current residents of that apartment do not play loud music or TV, but they did an amazing amount of walking around, dragging stuff and slamming drawers, etc. after midnight. I complained to Robert after two nights of little sleep and he immediately contacted the neighbors and also provided us with their phone number. The neighbors responded well by being quieter on subsequent nights, although we needed to contact them a second time ourselves, after which adequate quiet prevailed.
Sunny, Spacious, in North Berkeley
Entire home/apt - 23 reviews - Berkeley

Private Room in Charming Victorian
Private room - 35 reviews - Berkeley

Beautiful Updated 2BD near Campus
Entire home/apt - 17 reviews - Berkeley

Creekside 2BD/2BA Walk to Downtown
Entire home/apt - Fairfax

Spacious apt with creek view.

Studio Near N. Berkeley Rose Garden

Cabrera
This rustic cottage is a garage
Charming North Berkeley Cottage $92/night

Our rustic cottage located behind our single family home sleeps 2. Centrally located. This little oasis is perfect for exploring the San Francisco Bay area with easy access to all that Berkeley and the Bay area have to offer. BART 2 blocks away.

In order to maintain cleanliness, we request that shoes be removed in the cottage. The floor is painted concrete with rugs. You are welcome to bring your own slippers!

It's a small, simple space and the large window, a skylight and the barn door make it feel expansive. We care about beauty, connection, and real things, the Cottage reflects that.

There is no kitchen available in the cottage but you shouldn't need one with the amazing restaurants located within just a few minutes or miles from our home. We ask that guests keep the cottage clean and make sure all food items are in sealed containers or the refrigerator to avoid North Berkeley’s notorious marching ant problem.

Carolyn
*Glamping* Tent in North Berkeley

Berkeley, CA, United States  ★★★★★ (14)

A private safari tent located behind a larger single family home. It comfortably sleeps 2 and is centrally located, just 7 houses away from the N. Berkeley Bart. Enjoy amazing food in the Gourmet Ghetto or relax in our blooming backyard.

About This Listing