

Senate Local Government & Housing

05/02/2023 02:00 PM

HB23-1287 County Regul Related To Short-term Rentals

Typed Text of Testimony Submitted

Name, Position, Representing	Typed Text of Testimony
Kerry Hodgkins Against themselves	<p>I am against this bill as it is an overreach or governmental regulation (which I am generally in favor of) and doesn't provide adequate paths to ensure fair and equitable treatment of vacation rental owners. I would like to see clear guidelines on appealing decisions prior to having income stopped due to cancellation of bookings.</p> <p>I am a stay at home mom that runs a str and my family relies on this income. The idea that it could be cut off on the whim of a county official is scary. In our county, there are str operators having serious difficulties with the local government changing regulations very quickly with little communication. I do not believe they should have the option to just turn off a listing without serious &amp; adequate due process.</p>
Bradley Becker For themselves	<p>Hello, Please pass this bill. Short term rentals have devastated the local workforce in SALIDA CO. People against this bill are mostly non-residents of the smaller towns that are most affected. Please, again, pass this bill!</p>

Katrina Hughes  
4712 E US Hwy 50  
Salida CO 81201

## **RE: Opposing HB23-1287**

My name is Katrina Hughes; I purchased my home in unincorporated Chaffee County in 2021 after years of saving and planning strategically to make our family dream come true. This involved selling two properties in the Denver area with a plan to short term rent the Chaffee County home to help cover the mortgage and bills. I started my career in hospitality and love sharing our home and creating a 5-star experience for all that visit our home (the reviews back this up).

Short term rentals (specifically in the mountain towns of Colorado) seem to have been villainized. Most of us are not big corporations looking to make a killing. We are hardworking middle-class neighbors, working to provide a great experience for tourists and other locals alike. We create jobs for local cleaners, plumbers, property managers, etc.

While this bill calls out issues specific to ‘un-licensed’ or ‘un-permitted’ properties, there is not enough language to protect homeowners if an error occurs due the administration/county employees. What happens when someone makes a clerical error or misses an email, and then a homeowner is “out of compliance” with their STR? To provide the ability to simply turn off a listing without due process conflicts with all other government and business processes.

The local governments and counties already have the control they need through previously passed bills. As one example, Chaffee County has spent tens of thousands of dollars on a study to come up with the “right plan” as it relates to Short Term Rentals and how it impacts the local housing problems. The consultants that were hired and paid for by taxpayer money provided recommendations that are not being considered or followed as new regulation and rules are introduced. One example is the number of rentals allowed in the county; as you may be aware, it’s limited 310 permits. A number that the County Commissioners “don’t want to change” even as housing increases and other circumstances change. The study showed that 3% or even 6% do not have an impact on the housing issue we are currently experiencing; this is just one example of the control they already hold and passing HB23-1287 only provides additional opportunity to limit our rights through due process.

I second a fellow STR peer that sent the following concerns as it relates to HB23-1287.

- In March of 2020, the Colorado legislature and Governor signed off on HB 20-1093 which gave counties BROAD powers to regulate Vacation Rentals through licensing, fee assessments, fines, and legal licensure.
  - License holders can defend themselves through appeals and through the courts if they deem the action of the county unjustified.
  - Is HB23-1287 REALLY necessary given the licensing and policing powers the counties already possess?

- HB23-1287 undermines the “due process” rights that short-term rental license holders currently enjoy. The bill could be used to severely damage or punish a license holder BEFORE the legal process is complete.
  - I can think of no other private enterprise where a government body holds a “delete button” threat over the transactions necessary to maintain it WITHOUT “due process” rights.
- Some county short-term rental departments handle as many as 4500+ licenses with as little as 2 administrators. With such overhead... mistakes can be made. A single mistake in asking an OTA (online travel agency) to delete an account could cost a licensee MONTHS worth of work and bookings which cannot be retrieved.
  - To illustrate this point, please see the linked CBC article below regarding the fiasco currently being experienced by short-term rental license holders in Toronto. Toronto currently has the same powers that Colorado counties are requesting through HB23-1287.
  - [Hundreds of hosts booted from Airbnb after Toronto city audit, some for minor clerical errors.](#)

I appreciate your help and ask that you take this matter seriously as it impacts your neighbors and Colorado advocates.

Sincerely,

Katrina Hughes

To Whom it May Concern,

My name is John Young and I reside at 4712 E US HWY 50, Salida, Colorado. My wife Katrina and I own a licensed vacation rental property in unincorporated Chaffee County. We expended blood, sweat, and tears and invested the majority of our retirement savings over a three-year period to realize our DREAM of owning a Vacation Rental property in the mountains of Colorado. We absolutely love sharing our home and the Colorado experience with guests from around the world! Contrary to popular belief... most vacation rental properties are owned by hard-working, solidly middle-class families looking to offset the ever-increasing costs of caring for their families or in our case, save for retirement.

I am writing today because I have some serious “**due process**” concerns regarding House Bill HB23-1287. Specifically, the section highlighted below:

My concerns can be highlighted as follows:

- In March of 2020, the Colorado legislature and Governor signed off on HB 20-1093 which gave counties **BROAD** powers to regulate Vacation Rentals through licensing, fee assessments, fines, and legal licensure.
  - o License holders can defend themselves through appeals and through the courts if they deem the action of the county unjustified.
  - o **Is HB23-1287 REALLY necessary given the licensing and policing powers the counties already possess?**
- HB23-1287 undermines the “due process” rights that short-term rental license holders currently enjoy. The bill could be used to severely damage or punish a license holder **BEFORE** the legal process is complete.
  - o **I can think of no other private enterprise where a government body holds a “delete button” threat over the transactions necessary to maintain it *WITHOUT* “due process” rights.**
- Some county short-term rental departments handle as many as 4500+ licenses with as little as 2 administrators. With such overhead... mistakes can be made. A single mistake in asking an OTA (online travel agency) to delete an account could cost a licensee **MONTHS** worth of work and bookings which cannot be retrieved.
  - o To illustrate this point, please see the linked CBC article below regarding the fiasco currently being experienced by short-term rental license holders in Toronto. Toronto currently has the same powers that Colorado counties are requesting through HB23-1287.
  - o [Hundreds of hosts booted from Airbnb after Toronto city audit, some for minor clerical errors](#)

I appreciate your help and ask that you please send me a response letting me know if you can make SIGNIFICANT amendments to this Bill that would eliminate any “due process” concerns.

Thank you for your time and considering my request.

Sincerely,

John S Young

4712 E US HWY 50

Salida, Colorado 81201



LOGEPOLE  
OVERLOOK

**Rich and Beth Mason**

Lodgepole Overlook – Carriage House: [Link to Airbnb](#)

104 Lodgepole Cir  
Peak 7 Neighborhood  
Breckenridge, CO  
(c) 303-881-2412



May 1, 2023

Colorado Senate - Local Government & Housing Committee  
200 E Colfax  
Denver, CO 80203

Re: Vote **“No”** on **House Bill HB23-1287**

Dear Senate Committee Members,

My name is Rich Mason and I reside at 104 Lodgepole Circle in Breckenridge, Colorado. My wife Beth and I own a licensed vacation rental property in unincorporated Summit County on the lot adjacent to our home. Over a 4.5-year period (5000+ hours), we labored through blood, sweat, and tears to realize our DREAM of owning a Vacation Rental property. We absolutely love sharing our home and the Colorado experience with guests from around the world! Contrary to popular belief... the **VAST MAJORITY** of vacation rental properties are owned by hard-working, solidly middle-class families looking to offset the ever-increasing costs of caring for their families or in our case saving for retirement.

I am writing today because we have some serious “due process” concerns regarding **House Bill HB23-1287**. Specifically, the section highlighted below:

12 (B) REQUIRING A VACATION RENTAL SERVICE TO REMOVE A  
 13 LISTING FOR A SHORT-TERM RENTAL FROM THE VACATION RENTAL  
 14 SERVICE'S WEBSITE OR OTHER DIGITAL PLATFORM AFTER NOTIFICATION BY  
 15 THE COUNTY THAT THE OWNER OF THE LISTED LODGING UNIT HAS HAD THE  
 16 OWNER'S LOCAL SHORT-TERM RENTAL LICENSE OR PERMIT SUSPENDED OR  
 17 REVOKED OR HAS BEEN ISSUED A NOTICE OF VIOLATION OR SIMILAR LEGAL  
 18 PROCESS FOR NOT POSSESSING A VALID LOCAL SHORT-TERM RENTAL  
 19 LICENSE OR PERMIT OR THAT THE COUNTY HAS A PROHIBITION ON  
 20 SHORT-TERM RENTALS THAT APPLIES TO THE LODGING UNIT. THE  
 21 NOTIFICATION MUST IDENTIFY THE LISTING'S UNIFORM RESOURCE LOCATOR  
 22 (URL) OR OTHER SPECIFIED DIGITAL LOCATION TO BE REMOVED AND  
 23 STATE THE REASON FOR THE REMOVAL. THE VACATION RENTAL SERVICE  
 24 SHALL REMOVE THE LISTING FROM THE WEBSITE OR OTHER DIGITAL  
 25 PLATFORM WITHIN SEVEN DAYS OF RECEIVING THE NOTIFICATION FROM  
 26 THE COUNTY.  
 27 (IV) IF A VACATION RENTAL SERVICE PROVIDES ADDITIONAL

-3- 1287

Our concerns can be highlighted as follows:

- In March of 2020, the Colorado legislature passed and the Governor signed HB 20-1093 which gave counties BROAD powers to regulate Vacation Rentals through legal licensure, fee assessments, and fines.
  - License holders can defend themselves through appeals and through the courts if they deem the action of the county unjustified.
- HB23-1287 undermines the “due process” rights that short-term rental license holders currently enjoy. The bill could be used to severely damage or punish a license holder **BEFORE** the legal process is complete.
  - **I can think of no other private enterprise where a government body holds a “delete button” threat over the transactions necessary to maintain it *WITHOUT* “due process” rights.**
- Some county short-term rental departments handle as many as 4500+ licenses with as little as 2 administrators. With such overhead... mistakes can be made. A single mistake in asking an OTA (online travel agency) to delete an account could cost a licensee **MONTHS** worth of work and bookings which cannot be retrieved.
  - To illustrate this point, please see the linked CBC article below regarding the fiasco currently being experienced by short-term rental license holders in Toronto. Toronto currently has the same powers that Colorado counties are requesting through HB23-1287.
  - [Hundreds of hosts booted from Airbnb after Toronto city audit, some for minor clerical errors](#)

I appreciate your help and ask that you please **VOTE “NO”** on this Bill. Colorado counties already have more than enough enforcement power over private vacation rentals owned by hard-working middle-class families. They don’t need the additional option of a “delete button” with “due process” concerns.

Thank you for your time and considering my request.

Sincerely,

Rich Mason  
104 Lodgepole Cir  
Peak 7 Neighborhood  
Summit County  
Phone: 303-881-2412



Testimony of Paul Seago, Expedia Group Government Affairs Director in Support of HB 23-1287

Good afternoon, Chair Jaquez Lewis and distinguished members of the Senate Local Government and Housing Committee. My name is Paul Seago and I am Director of U.S. State and Local Government Affairs Engagement for Expedia Group. Expedia Group is a family of global travel brands, including Expedia, Hotels.com, and vacation rental leader Vrbo.

Thank you for the opportunity to submit testimony regarding our support for HB 23-1287. I would also like to thank Sen. Roberts and Sen. Will for their sponsorship of this bill in the Senate. I would also like to thank CCAT for their work on this legislation and their willingness to help us get where we are today. This bill is an example of what can happen when stakeholders come together and work collaboratively on solutions that are workable for all sides.

Expedia Group supports HB 23-1287 because we want to be a resource to the communities in which our partners offer vacation rentals. We believe travel is a force for good, and we believe that vacation rentals are an important part of the travel eco-system, providing options for travelers to experience Colorado in the ways that best fit their needs.

We want to be a resource and partner with local government to find solutions to create smart and enforceable regulations on vacation rentals. We believe a properly regulated vacation rental market provides economic benefits for owners, local businesses, and communities. A properly regulated market is good for the industry. This bill helps to provide that kind of beneficial market.

This bill requires platforms to make sure that our partners input a local license number, if their county has such a requirement. The platform then displays that number in their online listing. If the county notifies the platform that the license number entered is invalid, or has suspended or revoked, the platform will remove that listing from view on our website. This will give Colorado counties additional tools to make sure that vacation rentals are a well-functioning part of their tourism economy.

Thank you for the opportunity to submit this testimony. We ask for your support and your vote in favor of HB 23-1287.