



March 6, 2023

Via Email Delivery

The Honorable Nick DiCeglie
Florida Senate - District 18
310 Senate Office Building
404 South Monroe Street
Tallahassee, FL 32399-1100

RE: SB 714 Vacation Rentals
03/07/23 Agenda, Senate Committee on Regulated Industries

Dear Senator DiCeglie:

Our goal in sending this letter is to highlight the positive and negative policy changes that we see based on feedback from our members while offering solutions to address the concerns raised below. We greatly appreciate the effort that you and other stakeholders have put into this bill, and we look forward to working with you to determine the best solution for Florida's communities.

Focusing on the positive changes in this bill:

The bill allows local governments to trigger a license suspension if the owner has not properly registered with the city or if they are out of compliance with any local registration requirements. Local governments can also trigger a license suspension if the owner receives two or more code violations in a 90-day period. While education is often the most important step in achieving compliance, this provision should encourage vacation rental owners to follow all rules and regulations. (Lines 578-603)

- We appreciate the additional accountability measures for advertising platforms as it relates to displaying the state license number and local registration number and being able to verify this information with the Florida Department of Business and Professional Regulation (DBPR). Unlicensed activity continues to strain local public safety resources, and the changes in this bill are a step in the right direction to addressing this issue. (Lines 500-536).

While there have been many positive changes, there are a number of provisions in the bill that can be strengthened to better assist Florida's communities. The bill restricts the ability of local governments to limit occupancy. Almost every negative secondary impact seen in residential neighborhoods from short-term rentals stems from occupancy. The number of people staying in a vacation rental directly impacts the amount of noise, trash produced, and the number of cars in the driveway, on the street, or in the yard. Many local ordinances have occupancy limits currently in place. Many existing ordinances limit occupancy to two people per bedroom plus an additional two (4 bedroom house = maximum occupancy of 10), or the occupancy is tied to the square



footage of the dwelling (1 person per 200 sq. ft.). If cities are prohibited from addressing occupancy, we suggest that a statewide standard be adopted of two people per bedroom, plus an additional two be added to the bill.

The bill also limits the amount that cities can charge for their local registration program to \$50 per individual property and \$100 for a collective registration. It costs most cities more than \$50 to operate their registration program, and that limit means the remaining costs of the registration program would be subsidized by the local taxpayers. We recommend allowing local governments to charge what it costs for them to administer the program. Additionally, collective registration is not defined in the bill, and it is unclear how many properties would be eligible for collective registration. DBPR currently allows for state collective licensing for up to 75 houses or units at various locations.

Finally, the bill places significant new responsibilities on DBPR. Their ability to ensure advertising platforms are displaying license numbers for every property and removing listings from the platform for failure to provide proof of licensure is questionable based on the department's past performance records. In order for this new regulatory structure to work efficiently for all involved parties, the agency must be able to respond in a timely manner. When a property owner has their license suspended or revoked, the bill requires DBPR to notify the appropriate advertising platforms of this change but does not set a time frame for them to do so. The advertising platform then has a 15-day window after receiving this notification to remove the listing. In practice, this could lead to extended periods of unlicensed activity. The bill also gives DBPR discretion as it relates to suspending or revoking a short-term rental license for noncompliance with state law or local registration requirements. Any violation of the law should be taken seriously and enforced accordingly.

We respectfully ask that you consider these concerns as the bill moves through the committee process. Short-term rentals are an essential part of the state's tourism economy, but they are also businesses operating in family neighborhoods. The Florida League of Cities believes that both the state and local governments have a role to play in ensuring that these properties are operating safely and in a manner that maintains a balance of property rights for Florida's long-term residents who may live next door.

Respectfully,



Tara Taggart Chilton
Legislative Advocate
Florida League of Cities, Inc.

Cc: Chair Gruters and Members of the Senate Committee on Regulated Industries