



# City of Austin

P.O. Box 1088, Austin, TX, 78767

## AUSTIN CODE DEPARTMENT

# Memorandum

To: Mayor and Council

From: José G. Roig, Interim Director, Austin Code Department *JGR*

Date: March 6, 2020

Subject: Short-Term Rental Program Analysis

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This memorandum is to provide Council with an update regarding the City of Austin Code Department (ACD) Short-Term Rental (STR) Program for the past four (4) fiscal years as a follow up to the recent STR litigation discussion.

### **STR Program Update Information**

This report provides a high-level view of ACD's STR Program with respect to licensing, enforcement, and quasi-judicial disposition of cases. The attached report provides an overview by fiscal year: FY17, FY18, FY19, and FY20-to date.


### **Pilot Project**

On May 1, 2019 ACD initiated a pilot project to utilize data provided by a third-party vendor (Host Compliance) as a resource to identify illegal STR advertisements. The data was verified by ACD personnel and complaints were subsequently created for follow-up by Code Inspectors.


This pilot project ended on January 31, 2020. However, enforcement activity is still occurring on properties identified during the project.

Please let us know if you have any questions regarding this information.

## Pilot Project:

 STR Vendor Project Metrics Pilot Project Results				
	Complied after Courtesy Notice	Complied after NOV	Complied after Citation	Applied for a license
Number of Properties	1825	1048	84	483
Total Number of Properties Researched/Investigated			2957	483

## Licensing:



Active STR Licenses

FY20 (as of 3/4/2020)

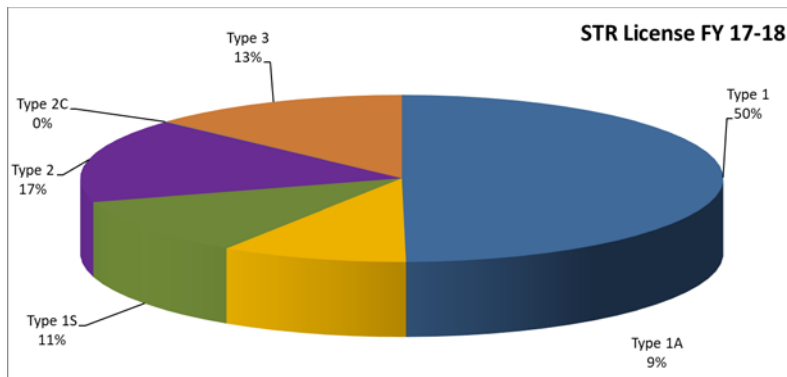
License Types	*Type 1	**Type 2	Type 3
Number of Licenses	1890	202	1112
Total Number of Active Licenses	3204		

\*Type 1 = This total includes all Type 1 licenses (Type 1 Primary, Type 1A, Type 1S)

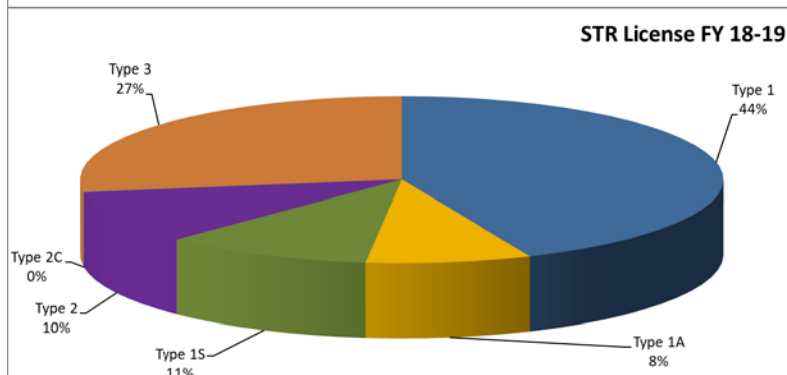
\*\*Type 2 = This total includes the Type 2C licenses

## **Licensing (Cont.):**

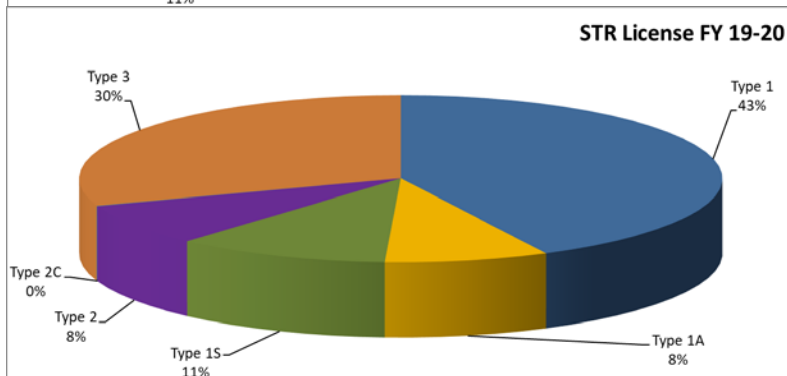
The chart FY20-Present total shows licenses that have been approved and renewed as of 03/03/2020. As more licenses are approved/renewed, the number will increase to total number of active licenses or higher located below.



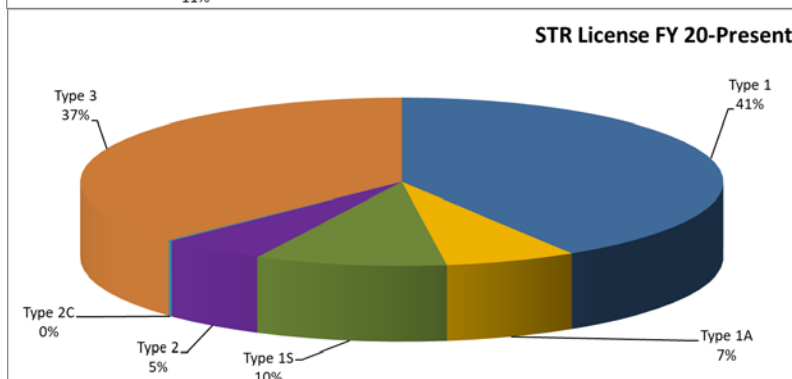
Licenses FY 17-18	
License	Number
Type 1	846
Type 1A	159
Type 1S	191
Type 2	279
Type 2C	1
Type 3	223
<b>Total</b>	<b>1699</b>



Licenses FY 18-19	
License	Number
Type 1	948
Type 1A	181
Type 1S	229
Type 2	223
Type 2C	2
Type 3	597
<b>Total</b>	<b>2180</b>




Licenses FY 19-20	
License	Number
Type 1	1209
Type 1A	234
Type 1S	305
Type 2	230
Type 2C	2
Type 3	861
<b>Total</b>	<b>2841</b>




Licenses FY 20-Present	
License	Number
Type 1	628
Type 1A	101
Type 1S	147
Type 2	80
Type 2C	3
Type 3	567
<b>Total</b>	<b>1526</b>
<b>Total Number Active Licenses</b>	<b>3204</b>


Please note: Type 2C(commercial) is only permitted in commercial zoning whereas the other license types do not have such restrictions. Also, no new Type 2 licenses will be granted, only renewed if done timely by owner.

## Enforcement:

 <b>STR Deficiencies, NOVs &amp; Citations FY17, FY18, FY19 &amp; FY20</b>				
	Deficiencies	NOVs	Administrative Hearing Citations	Total Number of Cases
FY 18	496	137	322	331
FY 19	1685	1218	283	1420
FY 20 (3/3/2020)	1337	729	82	1277
<b>Total Cases</b>	<b>3518</b>	<b>2084</b>	<b>687</b>	<b>3028</b>

## Quasi-Judicial Action:

 <b>Administrative Hearing Program (AHP) STR Violations FY17, FY18, FY19 &amp; FY20</b>								
Violation Type	FY 17		FY 18		FY 19		FY 20	
	Liabe	Non-Liabe	Liabe	Non-Liabe	Liabe	Non-Liabe	Liabe	Non-Liabe
Opr. Unlicensed STR	40	1	84	6	54	4	2	0
Advertising Unlicensed STR	5	0	18	3	125	19	80	8
Advertising Unlicensed STR, Over Occupancy	0	0	3	0	2	0	0	0
STR - Over Occupancy	4	0	5	2	4	0	0	0
STR - Assembly	1	0	0	0	0	0	0	0
<b>Total Cases</b>	<b>50</b>	<b>1</b>	<b>110</b>	<b>11</b>	<b>185</b>	<b>23</b>	<b>82</b>	<b>8</b>

 <b>Building Standards Commision (BSC) STR Appeals FY17, FY18, FY19 &amp; FY20</b>				
	Number of Appeals		Appeals *Granted	Appeals **Denied
	Suspensions	Denials		
FY 17	0	11	11	0
FY 18	0	6	6	0
FY 19	0	3	3	0
FY 20 (3/3/2020)	1	3	0	4
<b>Total Cases</b>	<b>1</b>	<b>23</b>	<b>20</b>	<b>4</b>
<b>*Granted</b> = Board Found in Favor of Appellant			<b>**Denied</b> = Board Found in Favor of City	

*The chart above represents owner appeals from Austin Codes decision to deny/and/or suspend an STR license.*

Short-Term Rental Licenses FY 2017-2018			Short-Term Rental Licenses FY 2018-2019			Short-Term Rental Licenses FY 2019-2020			Short-Term Rental Licenses FY 2020-Present		
Short-Term Rental Type	Council District	Total	Short-Term Rental Type	Council District	Total	Short-Term Rental Type	Council District	Total	Short-Term Rental Type	Council District	Total
Type 1	1	106	Type 1	1	118	Type 1	1	165	Type 1	1	86
	2	13		2	25		2	41		2	18
	3	138		3	140		3	212		3	122
	4	24		4	25		4	39		4	25
	5	136		5	149		5	180		5	80
	6	15		6	17		6	26		6	15
	7	34		7	47		7	54		7	30
	8	31		8	39		8	50		8	29
	9	258		9	294		9	322		9	166
	10	91		10	94		10	120		10	57
Type 1 Total		846	Type 1 Total		948	Type 1 Total		1209	Type 1 Total		628
Type 1-A	1	24	Type 1-A	1	29	Type 1-A	1	38	Type 1-A	1	12
	2	6		2	5		2	13		2	5
	3	27		3	28		3	37		3	20
	4	4		4	4		4	6		4	3
	5	26		5	31		5	36		5	15
	6	2		6	2		6	3		6	2
	7	6		7	7		7	13		7	5
	8	8		8	8		8	10		8	3
	9	41		9	54		9	57		9	31
	10	15		10	13		10	21		10	5
Type 1-A Total		159	Type 1-A Total		181	Type 1-A Total		234	Type 1-A Total		101
Type 1-Secondary	1	16	Type 1-Secondary	1	23	Type 1-Secondary	1	30	Type 1-Secondary	1	14
	2	1		2	2		2	3		3	29
	3	31		3	37		3	49		4	2
	4	2		4	4		4	6		5	23
	5	24		5	28		5	37		7	11
	6	2		6	2		6	3		8	1
	7	18		7	21		7	27		9	52
	8	1		8	1		8	6		10	15
	9	79		9	90		9	113	Type 1-Secondary Total		147
	10	17		10	21		10	31	Type 2	1	6
Type 1-Secondary Total		191	Type 1-Secondary Total		229	Type 1-Secondary Total		305		2	2
Type 2	1	30	Type 2	1	22	Type 2	1	19		3	14
	2	3		2	3		2	3		4	2
	3	55		3	42		3	42		5	12
	4	4		4	4		4	4		6	2
	5	42		5	34		5	36		7	9
	6	5		6	5		6	5		9	25
	7	20		7	16		7	17		10	8
	8	3		8	3		8	1	Type 2 Total		80
	9	88		9	73		9	78	Type 2 Commercial	1	2
	10	29		10	21		10	25		3	1
Type 2 Total		279	Type 2 Total		223	Type 2 Total		230	Type 2 Commercial Total		3
Type 2 Commercial	1	1	Type 2 Commercial	1	2	Type 2 Commercial	1	2	Type 3	1	25
Type 2 Commercial Total		1	Type 2 Commercial Total		2	Type 2 Commercial Total		2		3	139
Type 3	1	4	Type 3	1	11	Type 3	1	32		4	6
	3	54		3	169		2	1		5	53
	4	2		4	2		3	261		6	3
	5	24		5	63		4	12		7	26
	6	1		6	7		5	47		8	22
	7	1		7	5		6	2		9	282
	9	135		9	337		7	30		10	11
	10	2		10	3		8	8	Type 3 Total		567
Type 3 Total		223	Type 3 Total		597		9	465	Grand Total		1526
Grand Total		1699	Grand Total		2180		10	3			
						Type 3 Total		861			
						Grand Total		2841			