



September 28, 2017

Montgomery County Council
100 Maryland Avenue
Rockville, MD 20850

RE: “Zoning Text Amendment 17-03, Accessory Residential Uses - Short-term Rental; and Bill 2-16, Transient Housing - Licensing and Registration”

Dear Council President Berliner and Members of the County Council,

I am writing you on behalf of the Greater Capital Area Association of REALTORS® (“GCAAR”) – the voice of Montgomery County and the District of Columbia’s more than 10,000 REALTORS®, property managers, title attorneys and other real estate professionals. On behalf of GCAAR, this letter is to express GCAAR’s support of “*Zoning Text Amendment 17-03, Accessory Residential Uses - Short-term Rental; and Bill 2-16, Transient Housing - Licensing and Registration,*” with one definitive amendment - changing the annual maximum number of days allowed when the owner is not present from 90 days to 180 days.

GCAAR understands the Council and many of Montgomery County’s diverse communities have given a great deal of time and thought to how short-term rentals should be regulated. While we understand a significant amount of consensus was reached at the PHED Committee, we strongly believe the annual maximum number of rental days when the owner is not present is too restrictive.

From a property rights perspective, we maintain a 180 day allowance for a family’s primary residence is more than reasonable. The fact that the usage is already restricted to primary residences ensures it is not for investment purposes, but rather as an alternative for those families who may need to leave their homes multiple times throughout the year. When viewed throughout the course of an entire year, 90 days could be exhausted if a family has even a few extended stays outside of the County. Coupled with the opportunities for family travel during the breaks from school in January, June through September, and December, the 90 day cap can be exhausted far too quickly.

We would also like to point to just a few additional instances where the 90 day limit would be too restrictive. For example, if a family were temporarily relocated for a job a few times a year, which is quite common in our region, it would be very important for them to be able to maintain their primary residence during their absence. A couple aging in place may visit their children for a couple months out of the year, and a prohibitive cap on short term rentals would restrict their ability to supplement their fixed income. A 180 day allowance for short-term rentals is a practical alternative to giving up one’s long-term residence completely.

We also want to emphasize the enforcement provisions will serve as a safeguard against even the possibility of disturbances that could be caused by extended stays. As long as the regulations do not jeopardize the overall benefits for the rest of the community, we believe that additional resources from an administrative standpoint could go a long way.

In closing, we strongly encourage you to revisit the 90 day maximum requirement to a more reasonable 180 days. We do not believe 180 days will compromise the integrity of the regulations, and with multi-program enforcement systems, we are confident it can be implemented effectively. Thank you for your consideration of our Association's perspective and, as always, we are happy to answer any questions.

Sincerely,

A handwritten signature in black ink that reads "Jamie Coley". The signature is written in a cursive, flowing style.

Jamie Coley, 2017 GCAAR President