

Drew Roslund
19649 Sunshine Way
Bend, OR 97702

October 7, 2010

Mr. Ron Brean, Mayor
Yachats City Council
P.O. Box 345
Yachats, OR 97498

RE: Ordinance 291

Dear Mayor Brean and City Council,

I request that you eliminate or consider an alternative to the inspection fee that is proposed within part '4.08.040 Inspection, License and annual fee' of the proposed Ordinance 291. I understand that the proposal is to require an inspection of all transient rentals for ordinance compliance every five years and charge a fee for the inspection.

My wife and I own a home at 2090 Overleaf Loop that we lived in for 8 years with our family until 2004. At that time, we started to rent out this home on a 'transient basis' and continue to do so. I also participate in the administration and management of six other Overleaf Village homes in the transient rental program through the Overleaf Lodge. All seven of these homes have a City of Yachats transient rental license.

I understand that the City will incur costs to rigorously enforce the parking, access and other code regulations that initiated this ordinance revision. Additionally, I realize that for those of us who are abiding by the code requirements will only be assessed the fee every 5 years. I also appreciate that this inspection will positively affect all transient rental owners in Yachats if city code is rigorously enforced on the rogue transient rentals in town. However, this is another government fee. Increased fees and taxes at all government levels (being it from the state, federal government or local county or municipality) are eroding my ability to operate successful businesses. My wife and I pay \$40 per year, or \$200 over the course of 5 years, in fees to Yachats for our transient rental license. I wonder why I have to pay an annual fee to the City's general fund for the privilege to rent my home when I already provide the entire capital facility, pay the utilities and labor to maintain and clean my home that subsequently provides a portion of the revenue (transient rental tax) that funds around 76% of the City's general fund. The City has no investment or liability in my rental home, but receives a huge annual benefit. My \$200 in fees to Yachats over the course of 5 years should cover the cost for a parking and access inspection once.

I also feel that it will be an overreaction to require an inspection every five years. There might be a rare change in some element or layout of an existing rental, but parking, access and other features in the overwhelming majority of transient rentals will remain static over time. It seems redundant, a waste of time and resources and a record keeping

headache to go around once every five years to inspect a rental home for parking, access and other code compliance.

Finally, code enforcement, whether it is for transient rentals or any other property owner in Yachats, benefits everyone. The opportunity to rent out a home in an orderly and law abiding manner is a valuable right that increases everyone's home value, not just the owner who currently has their home as a transient rental. We all would have a smaller pool of potential home purchasers (less demand) if transient rentals were not allowed in Yachats, which effectively would lower the value of our homes. Enforcement of transient rental codes is a benefit to all property owners, just as is the enforcement of all other codes. All code enforcement is for the general welfare of the entire town, not a cost to Yachats by the law abiding folks who happen to have their home as a transient rental.

If you feel that this new fee must be approved, then I ask that you consider the following modifications to the existing proposal:

1. No fee assessment for the initial inspection nor at the time of the five year inspection. A fee is initiated by a second inspection and additional inspections within a five year period. The fee would be waived if no code violations were found. This would take a little more record keeping, but no more than if the City had to track home re-inspections every 5 years. —OR—
2. A fee is charged upon initial application for transient rental and all future inspections, but there would be no mandate to formally re-inspect every 5 years. A future inspection would be initiated by a complaint or initiated by the City with probable cause. The fee would be waived if no code violations were found.

I applaud you and staff for taking code enforcement of transient rental housing serious and that you have decided upon more rigorous enforcement. This will benefit all Yachats property owners. However, transient rental home owners already pay a premium in the form of the transient rental license fee every year and we should not have to pay additionally to offset the cost associated with a few rogue, or innocent, offenders of the ordinances. Let the offenders pay for their cost to the city.

Thank you for your time and consideration.

Sincerely,

Drew Roslund, Transient rental home owner