

# LAND USE INITIATIVE

## QUARTERLY REPORT

### October - December 2020



The Land Use Initiative analyzes, upon request of a state and/or local association, proposed legislative and regulatory land-use and real estate transactional measures that impact the transfer of property and/or the interests of REALTORS®. Measures include comprehensive plans, amendments, legislation, ordinances or regulations. A

## SUMMARY OF REQUESTS

### 4<sup>th</sup> Quarter

- LUI Requests: 6
- Denied: 0
- Requests for STRs: 3

### 2020

- State Associations Requests: 7
- LUI Requests to Date: 51
- Approved: 48

### 2010 -2020

- Only 4 states did not request a LUI review

## TYPE OF ISSUES REVIEWED

Fifty percent of the analysis requests submitted focused on banning, guest limitation, registration, inspection and noise level requirements related to short-term rentals. Another dealt with layered county and municipal tenant protection regulations related to building habitability, rental agreements, landlord obligations, tenant right to cure, anti-lockout provisions, lead paint and bed bug disclosure. Others included analysis of imposing a new stormwater related infrastructure fee on existing properties and an "After the Fact" permit fee penalizing property owners for contractor's failure to complete or close permits.

To see the analysis of these measures and to review all analyses from 1999, visit the [LUI Database](#) (Login Required).

## 2020 Spotlight: Short-Term Rental

2020 was a banner year for jurisdictions proposing short-term rental ordinances. Associations' concerns included impact on tourism due to less available rentals; interference with a property owner's right to use their property as they see fit; revoking the right to rent altogether; impact of selling of second homes in which buyers acquire to use as rental properties; and substantial disadvantage to the owner when it comes time to sell the property regardless of if the new owner would like to use it for the same purpose.

Short-term rentals aren't new to 2020. In fact, the LUI reviewed a STR ordinance in Florida in 2000.

We anticipate more short-term rental ordinances to be proposed in 2021 and encourage Associations to review [NARs Short-term Rental White Paper](#) and search the [LUI Database](#) under "Residential Rental Property Regulation" and click on the subcategory "Short-Term Rentals".

# Land Use Initiative - 4th Quarter

