

Sophia Cassam

From: Linda Bannerman <lindaj@teleport.com>
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To: Vacation Rental Comments
Subject: Oppose vacation rental caps to be placed in public comments
Attachments: Letter to council. 51322.pdf

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Please read this prior to the council meeting scheduled for May 17 and post in the public comment section.

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Linda Bannerman, MA, LMHC (WA), LPC (TX), Intern (HI)
www.lindabannerman.com
lindaj@teleport.com
360-261-4434

San Juan County Council P.O. Box 947
Friday Harbor, WA 98250

May 13, 2022

Dear Ms. Minnie, Ms. Wolf and Mr. Stephens,

I write in specific response to arguments made by Ms. Wolf during the council meeting on March 8, 2022, regarding proposed CAPS on vacation rentals in San Juan County.

During this discussion, Ms. Wolf argued in favor of tight CAPs because, in part, the “Comp Plan charged us (the council) to create housing at all different income levels.” Ms. Wolf argued this to be a reason we should now strictly limit the number of rental permits in the belief that somehow, VRs create income disparity in our county.

I urge council to reject Ms. Wolf’s arguments for several reasons:

Indeed, if council is to act upon the Comp Plan’s directive to create housing at all different income levels, council should be ENCOURAGING vacation rental permits rather than setting CAPS.

Council has heard repeated testimony from constituents that being able to use one’s property as a short term rental is what has allowed these “missing middle” (as Ms. Wolf aptly describes them) to be *able* to afford to live here. They are our neighbors who use their property to keep a family home, to finally retire here, or to keep their home should some emergency, perhaps a family emergency, pull them off island for a year or two. I urge council to study the demographics of our vacation rental owners in our county rather than to apply “data” from studies of cities nothing like our home. **Vacation rentals insure there is a diversity of income here.** Study what has happened in communities where vacation rentals have been CAPed and you will see that such a move actually drastically increased the income divide as then only the wealthy can afford to buy those homes the missing middle could no longer afford because the wealthy don’t need to rent their houses out at all to be able to afford to have them here when they wish to visit. This has happened in communities all across our country when CAPs

have been put in place. I'm a good example. I bought my home with VR from just such a couple who owned five homes all across the country. They visited Orcas one or twice a year and did not rent out the cottage because they did not need to. I could not have afforded to buy this home without the option of renting the cottage as I am middle class. We take excellent care of our home and cottage and follow closely the 2018 regulations. Our income depends upon it. And we love our guests. Without fail they are quiet, considerate, respectful and delightful. I have been a long term landlord as well. That experience was fraught with expensive damage to my property and disturbances to neighbors there were no regulations to control. I won't ever do that again.

Ms. Wolf further argued that vacation rentals "drive up housing costs" and cited Sandy Friel's factually unsupported testimony during public comment as "evidence." Ms. Wolf claimed there was a "misconception" that there was a "lack of data" to support council's proposal to set CAPs in response to this problem and insisted that there is data, citing Forbes and the Harvard Law Review as data that short term rentals drive rises in housing prices. There are several problems with this argument.

Both Forbes and Harvard Law Review cite studies guilty of the common research error of confusing correlation with causation. The methodologies of the studies simply pinpoint cities where there has been an increase in short term rentals and then examine housing values as presented in Zillow and show that both increase. But this does not mean the increase in short term rentals *caused* the increase in housing prices. Indeed, housing prices are rising *everywhere*, including areas where there are few or no short term rentals.

And while Forbes and Harvard Review do present concerns based upon studies funded by a threatened hotel industry and often qualified by terms like "seems," "suggests," and "may," here are concluding remarks in the very articles Ms. Wolff has relied upon:

**"Researchers acknowledged more research is needed. . . .
Countless families depend on Airbnb to pay their rent and stay in**

their homes which has become even more important amidst the current crisis. “

and from Forbes:

“ Whilst it’s easy to slay Airbnb as the cause of rising prices and lack of rental stock in popular cities, one can’t help but wonder if they aren’t merely the backdoor escape for landlords that have been cornered into an impossible scenario, with everything from scrapped tenant fee bans to zero mortgage relief, to a list of compliancy legislation so lengthy that it’s near impossible to self-manage a property, counting against them. Perhaps Airbnb is just the tip of the iceberg, where an unforgiving approach to landlords and a lack of government capacity to deliver on their house-building promises are the bulk of the problem that’s propping up Airbnb as the visible, easily targeted problem.” (<https://www.forbes.com/sites/garybarker/2020/02/21/the-airbnb-effect-on-housing-and-rent/?sh=6ac8aa422226>)

Forbes further states that *cities* are most affected by what they coin the “Airbnb affect.” And it is important to notice that such studies, including Forbes, did base their studies on *cities* and often even in other countries, so different from our islands. They studied Amsterdam, Barcelona, Edinburg, LA, and mostly cities in the UK like London or Cologne, Germany. Those populations are very different from our own and investors see lucrative potentials there whereas they shy away from communities like our own where the cost of one house is so high it just doesn’t make good economic sense to turn such homes into short term rentals. Thus, applying the suggestions from Forbes and Harvard Review violates another basic principle of quality research: you must only compare populations with like populations.

So what DOES cause staggering increases in home prices we have seen in San Juan County and all across the nation if not short term rentals?

Just Google: “What causes home prices to increase?”

You will find no mention of an increase in short term rentals. You will find, instead, the very things we see so much of in our own San Juan County.

It is that supply is low and demand is high. Why is supply low?

Ask Laurie Goodman, VP at the Urban Institute, or Yale Law Professor David Schlucher who wrote *Stuck! The Law and Economics of Residential Stagnation*, or Thomas Wade of the American Action Forum, all experts in the field:

1. High construction costs. Have you been to a lumber yard lately? Just buying the lumber for a raised bed is shockingly higher than before the pandemic. We all know construction costs are much higher here.
2. Labor shortage. Yep. No labor? Houses can't be built at a speed to meet demand without labor.
3. Onerous restrictive local zoning. Few houses can be built when local regulations restrict options.
4. The pandemic has meant homeowners who might put homes on the market have been afraid to show their homes. Homes have been pulled off the market and homes that would have gone on the market didn't.

And why is demand high? According to these experts:

5. Flight from urban areas to more rural areas believed to be safer from the pandemic. Sound familiar? Demand here is high for that very reason. The pandemic and technology combined to mean 37% of the work force can now do their work from home, further driving families to places like our own and causing a spike on demand. Homes in San Juan county have certainly experienced this. And much of the "pain"

felt by those complaining, I suggest, may also be felt by the increased population from this phenomenon.

6. Mortgage rates have been historically low just when millennials are expanding families and buying homes. Technologically savvy millennials can look at a homes digitally and make offers on-sight-unseen and are doing so, outbidding one another. This has driven demand everywhere.

Demand is high. Supply is low. That is what is driving the rise in housing prices. VRs have very little to do with it.

So if council takes issue with Ms. Wolf's claims, such caution is backed by solid empirical research.

You will hear many more reasons to vote against CAPs in letters and comments from the "other half" of our community who oppose CAPs. These arguments say that your considered policy to CAP short term rentals will do very little if anything, to address our affordable housing crisis, that the proposed policy will cost the county literally millions in lodging and sales tax revenues, that the proposed policy will cause much "pain" to those employed by short term rental owners and to businesses like restaurants and other shops that rely on tourist revenue, that our own local court has ruled that an individual who just doesn't like a short term rental as a neighbor cannot cause that neighbor to lose their property right to use their property to support themselves and family as long as regulations are in place to address complaints, that the other neighbors might even really like a neighborhood with interesting people from other places, that short term rentals do no more to damage to our environment, use no more water, and cause no more loss of community than long term rentals or homeowners with family or friends or guests.

You are about to make a very important decision, one that will affect many more lives than the relatively small number of vocal people who simply don't like tourists and have been swayed by a rash of media

panic about VRs funded by the hotel industry. But you represent all of us and are elected to make policy that is best for our entire community.

Please make an informed policy. Don't ignore the facts. Weigh the relatively isolated and anecdotal "pain" reported by some against the "pain" CAPs will cause middle income families here, employees, business owners and even our locals who enjoy the benefits of the lodging taxes and so on. The neighborhood disturbances you hear of, many of which have turned out not to be caused by vacation renters after all, can be addressed through enforcement of the 2018 regulations. The pain CAPs will cause those struggling to make a way of life here on Orcas would not be so easily addressed.

Please do not pass CAPs. Study empirically what is happening here. The sky is not falling. Do not fall victim to the hotel industry financed internet craze against STRs. Please represent your entire community.

Respectfully,
Linda Bannerman
Orcas Island
Sea Forever Guest House