

PRINCE GEORGE'S COUNTY COUNCIL

COMMITTEE REPORT

2020 Legislative Session

Reference No.: CB-37-2020

Draft No.: 2

Committee: Committee of the Whole

Date: 06/23/2020

Action: FAV

REPORT:

Committee Vote: Favorable (11–0) (In favor: Council Members Turner, Hawkins, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Ivey, Streeter, and Taveras).

The Committee of the Whole convened on June 23, 2020, to discuss this legislation, which modifies the licensing provisions of short-term rentals and provides an adjudication process for related violations. At the June 18, 2020, Committee of the Whole, the bill was held to allow for the drafting of an amendment on Settlement Occupancy Agreements. The Chair directed that persons from the Office of Law, the Department of Permitting, Inspections, and Enforcement, Dwayne Mingo, representing the Prince George's County Association of Realtors (PGCAR), and Legislative Staff draft an amendment, as requested by Mr. Mingo.

The amendment was drafted, and included in DR-2, as follows:

Sec. 5-175.10 Exemptions. Notwithstanding the provisions of the Prince George's County Code, short-term rental licensing requirements within Prince George's County, Maryland shall not restrict or apply when a buyer or seller of real property enters into a Settlement Occupancy Agreement and shall be exempt from the licensing requirements set forth in this Division. (CB-37-2020) (DR-2), page 11, lines 19-23.

Director Bolling indicated that the Department supported DR-2. Ms. Skinner, of the Office of Law, provided that the exemption clause language was added to DR-2. Ms. Bell, the County Executive's Liaison to the County Council, indicated that there were no additional comments. Warren Burris, Policy Analyst, indicated that there were no additional comments.

The Committee of the Whole received testimony on DR-2 of the bill from Airbnb and Expedia. Alex Dagg spoke on the bill, on behalf of Airbnb. Alex Dagg, provided that the bill requests personally identifiable information, which presents legal issues. Further, issues outlined by Airbnb were contained in two pieces of correspondence from Roberto Celestin to the Council Chair dated, June 17, 2020 and June 22, 2020, and are contained in the Council's Virtual Binder dated June 23, 2020.

Legal issues were raised in the Expedia letter by Joseph Montano, dated June 23, 2020, which was forwarded to the Clerk by Bruce C. Bereano on June 22, 2020, for the record, and which is contained in the Council's Virtual Binder dated June 23, 2020.

Ms. Skinner summarized the legal authority provided in the Expedia correspondence and indicated that a legal process is needed. Council member Taveras asked whether Mr. Bereano, representing Expedia was threatening to sue. Ms. Skinner discussed whether the need for legal process would be codified and/or set forth in administrative regulations and indicated that a notice of remedies would be sufficient. The Chair indicated that the County Council looks forward to an upcoming legislative update on the bill.

After the discussion, the Committee of the Whole voted CB-37-2020 (DR-2) favorable 11-0.