

PRINCE GEORGE'S COUNTY COUNCIL

COMMITTEE REPORT

2020 Legislative Session

Reference No.: CB-37-2020

Draft No.: 1

Committee: Committee of the Whole

Date: 06/18/2020

Action: HELD

REPORT:

Committee Action: CB-37: Held in the Committee of the Whole
Until Further Consideration on the June 23, 2020 Committee of the Whole Agenda

The Committee of the Whole convened on June 18, 2020, to discuss this legislation, which modifies the licensing provisions of short-term rentals and provides an adjudication process for related violations. This bill makes definitional changes and requires additional platform reporting requirements. The bill provides for an Administrative Hearing Unit that would hear appeals rather than the Board of Appeals. The bill authorizes the Director of the Department of Permitting, Inspections, and Enforcement to impose a notice of violation and/or an Administrative Citation for Violations.

The Committee of the Whole received testimony on the bill from Dwayne Mingo representing the Prince George's County Association of Realtors (PGCAR). There were a number of requested amendments included in his testimony. The Committee of the Whole also received testimony on the bill from Airbnb requesting the County Council to defer the legislation to facilitate industry comment.

There was the following discussion. Director Bolling and her staff provided an overview of the bill and took questions from the County Council members. PGCAR expressed concerns about the legislation's impact on a person's ability to pre-rent or post-rent their property in connection with a real estate purchaser. Council member Glaros requested that legal staff review an exemption language amendment regarding Settlement Occupancy Agreements and licensing requirements requested by Mr. Mingo and draft, for the Committee of the Whole, an exemption language amendment taking into account PGCAR's concern. Council member Glaros asked about the status of the implementation of short-term rental registration and Mr. Cunningham, Deputy Director of the Department of Permitting, Inspections, and Enforcement indicated that registrations were low. Ms. Yvette Gayles with the Department of Permitting, Inspections, and Enforcement provided that currently 65 applicants became permitted and another 60 applications were in the process. Council member Glaros asked the Director for a separate document regarding tax detail and the number of persons registered. Council member Dernoga, in concert with Council member Glaros' request, directed legal staff to draft an exemption language amendment also taking into account PGCAR's Settlement Occupancy Agreements and licensing requirements concern.

Council member Dernoga asked Ms. Skinner’s opinion about whether there was a U.S. Constitution Fourth Amendment issue with Airbnb operations and the Federal Communications Act. Ms. Skinner of the Office of Law indicated that this bill posed no violations of the Act. The Department of Permitting, Inspections, and Enforcement indicated that they and the Office of Finance need the addresses of the taxpayers covered under the short-term rental law. The Chair indicated support for the bill, with the requested amendment, to be drafted and to be considered at the June 23, 2020 Committee of the Whole.

Sakinda Skinner of the Office of Law, provided that the bill was in proper legislative form and had no legal impediments to its adoption.

Terry Bell, the County Executive’s Council Liaison, provided that Ms. Bolling, the Director of the Department of Permitting, Inspections, and Enforcement and her staff would be providing remarks.

After the discussion, the Committee of the Whole held CB-37-2020 (DR-1) until further consideration on the June 23, 2020 Committee of the Whole Agenda.