



COUNCIL OF THE DISTRICT OF COLUMBIA  
1350 PENNSYLVANIA AVENUE, N.W.  
WASHINGTON, D.C. 20004

Phil Mendelson  
Chairman

Office:(202) 724-8032  
Fax: (202) 724-8085

July 29, 2019

Mr. Anthony Hood, Chairman  
Zoning Commission  
441 4<sup>th</sup> Street, NW Suite 210  
Washington, DC 20001

RE: Short Term Rental Housing

Dear Mr. Hood:

As you know, last October 17<sup>th</sup> all 13 members of the Council requested that the Zoning Commission initiate a text case to permit short term rentals (such as Airbnb) in residential zones. Concurrently, the Council adopted a licensing law (D.C. Law 22-307) for short term rentals. I appreciate that the Commission met immediately in response. I was present when the Commission requested the Office of Planning (OP) to prepare a report so that a text case could be initiated. I also appreciate that at most, if not all, meetings since then you or your colleagues have pressed the Office of Planning for that report. I have been told by multiple sources that the delay has been deliberate.

D.C. Law 22-307 is intended to go into effect October 1, 2019. In the meantime, estimates suggest that as much as 80% of currently existing short term rentals are illegal under the Zoning Regulations. It is unacceptable that the law is being thwarted by deliberate delay, and unacceptable that thousands of homeowners using the short term rental platforms are being kept illegal.

In an effort to re-start the process, I am submitting with this letter an application for a text amendment, and I am hereby requesting the Zoning Commission to set down the case and schedule a hearing. I do not claim that the attached text is as polished as you would have received from the Office of Planning, but they can revise it, and submit what I know they already have, as part of the hearing process without forcing you – and the public – to further delay.

For the Commission to consider this matter today, and to set down the case now, I request that the Commission waive its rule for timeliness to put this on today's meeting agenda. I also ask that the Commission waive its rule requiring a report at this juncture from the Office of Planning. With regard to these requests I note the following: the Council requested initiation of a text case last October – over 9 months ago; at numerous meetings since then, the Commission has asked OP for its report; therefore the public has had notice that this text case is forthcoming; further, because this is a preliminary matter the public is not prejudiced by the waiver. As for the Office of Planning, it has had ample opportunity to provide whatever report it wants (and said it would produce long ago). Finally, a weighing of the public interest favors proceeding without further delay to eliminate the ongoing illegality of short rentals.

Please let me know what else you require to move this text case along. Thank you.

Sincerely,

Phil Mendelson

PM/ms