

Sausalito City Council
420 Litho Street
Sausalito, CA 94965
Care of: dpagliari@ci.sausalito.ca.us

Honorable Councilmembers,

We are writing to express our deep concerns and disappointment with the City of Sausalito's current "enforcement" program against home-sharing.

A private investigator has been seen surveilling the homes of Sausalitans – including families with young children. He's been parking on private residential property, peering in windows and taking photos with a telephoto lens – all without a warrant. [Unwarranted inspections of rental property were recently recognized as a violation of the constitution's Fourth Amendment.](#)



What has our city come to? Criminals are not met with this degree of aggression in our city, yet our citizens are being subjected to stalking and scare tactics.

We have neighbors turning against neighbors for no other reason than a few lines of code from the 60's that are in no way relevant to today's technological and economic circumstances.



There are certainly some valid complaints against bad actor renters, but today's code is ineffective in putting an end to their activities. There are also unfounded and exaggerated complaints as well as neighbors standing on driveways and challenging dinner guests. What kind of community are we cultivating?

By registering home-sharers, the city can set clear rules and enforce against unregistered operation – not by having to prove the activity is happening in the first place. Home-sharing is a culture change that is much bigger than our city.

We know that the City has recently allocated \$50k for a contract code compliance officer. The Sausalito City Budget prepared by Treasurer Charles Francis and submitted by City Manager Adam Politzer, you recently thought that spending \$50k would be revenue-neutral because penalizing renters for back-transient occupancy taxes would fund the program. We believe that is an ill-advised approach.

Sausalito's outdated Municipal Code does not address today's environment, but there are many working models available. In fact, our home sharers group is prepared to submit a draft of proposed regulatory elements, prepared in conjunction with the land use attorney we have retained to represent our interests. We believe that this is the most sensible approach for both the City and responsible home-sharers.

Sausalito desperately needs the additional tax revenue, and short-term guests who stay for days instead of gliding through for an afternoon spend three times as much at local restaurants and businesses than they do on lodging.

Further, a recent US Northern District Court cited [a violation of the Constitution's Commerce Clause in the enforcement against AirBnB and HomeAway hosts in the City of San Francisco](#).

Therefore, we strongly urge City Council to immediately suspend this aggressive, intimidation-style enforcement of the vaguely worded Section 10.22.030 and Table 10.22-1 of Sausalito's Municipal Code until such time as clear, relevant sensible regulation on responsible home-sharing can be submitted, discussed and put to an open hearing.

We respectfully request this action be taken so both the City and Sausalito hosts can collaborate on sensible regulation that serves both the City and residents.

Respectfully submitted,

Members of the Sausalito home-sharers' group

Represented by officers: Kate Stohr, Robert Bruce, Melanie Meharchand and Alessandra Gallo

On behalf of: 40 active members of the Sausalito host community who are committed to sensible, smart regulation for responsible home-sharing