



NEW YORK STATE SENATOR

Liz Krueger

On Behalf of Regular New Yorkers, Sen. Krueger Responds to Airbnb's "Three Principles"

LIZ KRUEGER October 3, 2013

| ISSUE: **HOUSING, RECREATION AND TOURISM**

Sen. Krueger issued the following statement in response to Airbnb's [recent blog post](#), which was circulated to media as part of an ongoing public relations and lobbying effort against New York's laws on short-term rentals.

A Response to Airbnb's "Three Principles"

1. We believe "regular people" who live in apartment buildings with neighbors who are also "regular people" need to respect their neighbors' right not to be frightened by groups of strangers having keys to their buildings, wandering the hallways, and sometimes partying and making lots of noise because they are on vacation.

We think we need stronger enforcement to protect the rights of regular people paying their rent, following the law, and expecting to be safe in their buildings.

2. "Hosts" who rent out their entire units may not be operating traditional hotels, but they are illegally turning their homes into commercial enterprises, putting themselves at risk and at bare minimum putting burdens on their neighbors.

"Hosts" are violating safety, housing, zoning, and tax laws and exacerbating New York City's affordable housing crisis. Every apartment turned into an illegal hotel unit with the assistance of Airbnb is another home unavailable to everyday New Yorkers. Disturbingly,

many of the host units in NYC are in buildings regulated under our rent stabilization laws and/or tax abatement programs intended to preserve affordable residential units. So taxpayers are unknowingly and unintentionally subsidizing this business model as it shrinks the universe of available residences. "Hosts" are also almost always unknowingly violating their own contractual agreements with their landlords, and putting themselves at risk for eviction.

3. We are glad to learn AirBnB is "eager to work with New York to remove bad actors in our community that are causing a disturbance to their neighbors" -- and if they're serious about that, we have suggestions.

One easy way for them to help is to specifically explain the state and city laws relating to this activity on their website, and have clear guidelines pop up as a splash page whenever a host is listing a unit in New York City or a guest is looking at NYC listings. After all, a tenant may see this as an easy way to make some fast cash, and clearly Airbnb is taking a cut, but the building owner has rights too and faces most of the liability if things go wrong.

If Airbnb wants to remove bad actors, they should require their hosts to provide addresses and apartment numbers.

Making clear what is and is not legal in a community is the best way to ensure fewer people will unknowingly break the law, risking eviction from their homes and/or fines from the government. If Airbnb cares about the regular people who advertise on its site, it has a duty to inform them of the potential consequences of listing New York City apartments on its website.

4. Finally, Airbnb is entitled to their position on our law -- but Airbnb shouldn't be entitled to ignore it.

Airbnb has hired lobbyists, met with legislators, and advocated changes to our law -- all of which they are entitled to do! But they shouldn't be entitled to ignore the law (and many of their hosts' lease agreements with their landlords!) just because it gets in the way of their making money.

Airbnb should be obligated to follow the law, and they should open their listings for inspection.