



NEW YORK STATE SENATOR

Jeffrey D. Klein

## Airbnb and the Rentals of Doom: air mattresses in kitchens, beds in laundry rooms & bunk beds galore all to dangerously cram guests in apartments in violation of State & City code

JEFFREY D. KLEIN September 26, 2016

| ISSUE: **PUBLIC SAFETY, HAZARDS, AFFORDABLE HOUSING, INVESTIGATIONS**

*Senators Klein, Savino & Senator-elect Alcantara release new investigation on Airbnb ads that explicitly skirt laws*

*Legislators propose new measures; call on Governor Cuomo to sign Airbnb bill*

New York, NY — State Senators **Jeff Klein (D-Bronx/Westchester)**, **Diane Savino (D- SI/Brooklyn)** and **Democratic Senate Nominee Marisol Alcantara (D-Manhattan)** released a new investigation, “Tourist Tenements in the Making,” revealing shocking advertisements for apartments and homes across New York City where hosts offer accommodations for between 13 and over 30 guests. In order to fit so many visitors inside, investigators turned up shocking ads with mattresses placed in odd areas in serious violation of state and city housing codes.

“This truly is a case of Airbnb and the rentals of doom. It’s frightening to see listings where guests are offered dangerous accommodations that violate state and city housing codes. We must take legislative action to prevent potential tragedy that could occur from illegally packing people into spaces and hold sites like Airbnb accountable,” **said Senator Klein.**

“Cramming tourists into kitchens lined with air mattresses or lining up beds next to washers and dryers is nonsensical. It might be a cheap way to stay in New York City, but it certainly isn’t legal or safe. We need to ban one- and two-family homes from turning into dangerous short term rentals and stop companies like Airbnb from advertising places that already violate the law,” **said Senator Savino.**

“Sites like Airbnb have been granted far more leeway than their traditional counterparts due to the lack of regulation in New York State. We need to take the blurred lines these businesses walk and bold them. As shown through Senator Klein’s investigation, it is a must that legislation be signed into law by the Governor so the State can have meaningful and appropriate regulation to proactively prevent irresponsible or criminal activity from taking place. The unique business model of sharing services is not a reason to omit regulation, it is a reason to tighten regulation,” **said Senator Tony Avella.**

“When affordable housing is stolen from our community and converted into illegal hotels, rents go up and tenants suffer,” **said 31st Senate District Democratic Nominee Marisol Alcántara.** “From the Upper West Side to Inwood, Airbnb’s illegal rentals are giving predatory landlords new incentives to harass and evict struggling families. With the highest number of rent-stabilized apartments in the state, our diverse district has become a key battleground in the fight to protect our already scarce affordable housing. That’s why we need the pro-tenant safeguards passed by the Senate and Assembly this year signed into law immediately, before additional apartments are lost. And we need to go further next year, before the illegal hotel operators profiting off of Airbnb find new loopholes to exploit.”

The Independent Democratic Conference’s investigation examined advertisements on Airbnb for parties of 13 or more.

In New York City 110 hosts offered up apartments and homes to groups this large, and many configured their places in stunning ways — with air mattresses lined on kitchen floors, beds in laundry rooms and bunk beds in a dining room.

Of the 110 apartments, 91 advertised for overnight stays across the city. The remainder promoted their spaces for parties and movie sets. The majority of ads indicated that the rental could accommodate 16 or more people. While 16 is the cap on Airbnb, one host wrote in that accommodations could fit 32 guests.

Most of the ads were from Brooklyn, followed by Manhattan and Queens. The Bronx had one advertisement.

The sole advertisement in The Bronx, posted for ‘Fenton Lounge 2.0,’ came under scrutiny in December 2015 when Senator Klein exposed the house as a site for wild parties that included strippers, DJs spinning into the wee hours and neighborhood disturbances.

The Pelham Bay listing, yanked by Airbnb, resurfaced advertising accommodations for up to 16 people much to the chagrin of neighbors. Airbnb even marked the bad actor as a “super host.”

The Mayor’s Office of Special Enforcement recently cracked down on ‘Fenton Lounge 2.0’ issuing multiple violations for failure to provide a means of egress, failure to provide a fire alarm system and for a lack of a sprinkler system.

This illustrates how listings violate the Multiple Dwelling Law created to protect tenants as tenement buildings rose in the city. These laws explicitly prohibit more than four lodgers from boarding in a unit without direct access to an exit.

Other laws, including the Fire Code, appear to be violated. Fire extinguishers in hotels, for example, are routinely checked and safety plans are placed on doors so guests know how to safely exit a building.

The IDC will introduce two measures to protect tourists and residents from hazards created by short term rentals in homes.

First, the IDC plans to introduce legislation to ban one- and two-family homes from short term rentals by clarifying the Multiple Dwelling Law.

Another piece of legislation set to be introduced will hold Airbnb and sites like it accountable for ads that advertise illegal units and will fine the company for the postings.

The Senators also urged Governor Andrew Cuomo to sign legislation sponsored by Senator Andrew Lanza (R-SI) and Assemblywoman Linda Rosenthal (D-Manhattan) that bans the advertisement of illegal units on Airbnb and similar sites.

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#### RELATED LEGISLATION

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### **2015-S6340A**

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- Introduced
- ◦ In Committee Assembly
- In Committee Senate

- ○ On Floor Calendar Assembly
  - On Floor Calendar Senate
- ○ Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor

- [Relates to prohibiting advertising for the use of dwelling units in a class A multiple dwelling](#)

January 04, 2016

Senate Floor Calendar

Sponsored by [Andrew J. Lanza](#)

Do you support this bill?