



# CITY OF HUNTINGTON BEACH

## SHORT-TERM RENTAL

### FREQUENTLY ASKED QUESTIONS

#### **What is a short-term rental (STR)?**

A short-term rental means a residential dwelling unit, or portion thereof, that is offered or provided to a paying guest(s) by a Short-Term Rental Host or Operator for thirty (30) or fewer consecutive nights. The term “Short-Term Rental” shall not include hotels, motels, inns, or bed and breakfast inns.

#### **What is a hosted/“owner-occupied” stay?**

A hosted stay means a short-term rental at a primary residence whereby the Host occupies the short-term rental property and remains on-site and resides in a habitable dwelling unit or portion thereof throughout the Guest’s stay.

#### **What is an un-hosted/“owner un-occupied” stay?**

An un-hosted stay means a short-term rental in Sunset Beach, where there is no Host and the Operator resides off-site during the Guest’s stay.

#### **What is a short-term rental Host?**

A short-term rental Host is a property owner who is an occupier of the property at the time of, and for the duration of, the Short-Term Rental.

#### **What is a short-term rental Operator?**

A short-term rental Operator is a property owner of a dwelling unit in Sunset Beach, or portion thereof, who offers or provides that dwelling unit for an Un-Hosted Short-Term Rental.

#### **Where are Short-Term Rentals allowed?**

The City of Huntington Beach allows short-term rentals in owner-occupied residential dwelling units in Zone 1 (all areas of the City excluding Sunset Beach) and in Zone 2 (Sunset Beach). Short-term rentals are permitted in Zone 2 for existing owner un-occupied residential dwelling units who obtain a permit within six (6) months of the effective date of the resolution establishing the permit fee. After six (6) months, no new permits for owner un-occupied residential dwelling units will be issued.

#### **When will the Short-Term Rental Ordinance take effect?**

The Ordinance became effective on February 19, 2021.

#### **Do I need a Short-Term Rental Permit?**

Yes, a valid annual Short-Term Rental Permit is required to operate a short-term rental unit.

#### **How do I apply for a Short-Term Rental permit?**

Complete an application for a Short-Term Rental permit and submit all required documents with an application fee of \$624. Once the Short-Term Rental Permit is accepted and approved, you will then apply for a Business License at

<https://www.huntingtonbeachca.gov/government/departments/planning/short-term-rentals-in-hb.cfm>.

### **How long is a short-term rental permit valid for?**

A short-term rental permit is valid for one year from the date of issuance. Short-term rental permits may be renewed annually. Failure to submit a renewal application to the City at least thirty (30) days prior to the expiration of the STR Permit shall render the STR Permit and permission to operate an STR null and void.

### **Who can obtain a Short-Term Rental permit?**

A property owner can obtain a permit for hosted/owner-occupied short-term rental or an operator can obtain a permit for unhosted/owner un-occupied short-term rental.

### **Do I need an inspection?**

A Third Party inspection certification is required to be submitted to confirm life/safety requirements. In addition, an inspection by the Code Enforcement Division is needed prior to issuance of the short-term rental permit. You will be contacted to schedule an inspection upon submittal of a complete application.

### **Is a short-term rental subject to Transient Occupancy Tax (TOT) and Tourism Business Improvement District (TBID) assessment?**

Yes. Short-term rentals are subject to a 10 percent transient occupancy tax as well as a 4 percent Tourism Business Improvement District assessment. The property owner shall be responsible for the collection and remittance of transient occupancy taxes and the TBID assessment to the City. Quarterly TOT and TBID payments are due and payable on or before the last business day of the month immediately following the month for which the payment is due.

### **What are the responsibilities of a short-term rental Host/Operator?**

It is important for hosts and operators to be familiar with and adhere to the provisions of Huntington Beach Municipal Code Chapter 5.120 and understand they are responsible for ensuring they are good short-term rental hosts/operators. Hosts/Operators are also ultimately responsible for ensuring their renters and guests comply with the operational requirements set forth in HBMC Chapter 5.120. Failure of hosts or operators to ensure compliance with HBMC Chapter 5.120 may result in revocation of the permit.

### **What is a Local Contact Person?**

A Local Contact Person is the Host, Operator, or a person designated to respond to and take remedial action regarding short-term rental issues or complaints. A Local Contact Person must be available 24 hours/day, 7 days/week to respond within 1 hour to complaints and take action to resolve complaints regarding the condition, operation, or conduct of the short-term rental or its occupants. The Host shall be the Local Contact Person for a hosted short-term rental.

### **What are the insurance requirements?**

Proof of general liability insurance is required prior to permit issuance and upon annual permit renewal.

### **How many Short-Term Rental permits can a property owner have?**

Only one short-term rental permit shall be granted to a Host or Operator within the City of Huntington Beach (including Sunset Beach).

**How many Short-Term Rental permits can a property have?**

One (1) short-term rental permit is issued per property. Only (1) short-term rental permit is issued for multi-family properties up to three (3) units. Three (3) Short-Term Permits are allowed for multi-family properties with four (4) or more units.

**Is a short-term rental allowed in a condominium or multi-family project?**

Yes, if it is allowed by the Homeowners Association.

**Are short-term rentals allowed in residences located within a Homeowners Association?**

Only if the CC&Rs allow short-term rentals. A short-term rental must comply with the rules of a homeowners' or condominium association. The City will not issue a permit if the use is not allowed by the CC&Rs.

**Can I rent a portion of my home as a short-term rental?**

Yes, as a part of the hosted/owner-occupied short-term rental.

**Can I rent a unit that was approved under an affordable housing policy as a short-term rental?**

No. Dwelling units approved as affordable housing units may not be used as short-term rentals.

**Can I have an Accessory Dwelling Unit (ADU) as a Short-Term Rental?**

A Short-term rental shall be a legally permitted dwelling unit. Accessory Dwelling Units or Junior Accessory Dwelling Units may be permitted as a short-term rental only if the unit was legally established prior to the effective date of this Ordinance.

**When do I mail out the Neighborhood Notice?**

City staff will notify the applicant when to mail out the Neighborhood Notice.

**How will short-term rental rules be enforced?**

The City of Huntington Beach will actively monitor short-term rental activity to determine compliance with the law. Those found to be violating the city law may be subject to fines and other legal actions.

**How can I complain about a short-term rental in my neighborhood?**

All permitted short-term rental properties are required to post the local contact person's name and phone number outside the unit. The local contact person is required to respond to calls within one hour. If a local contact person is not responsive, or if there is no visible permit, please fill out an Online Complaint Form at

[https://www.huntingtonbeachca.gov/services/report-issue/report.cfm?ID=4300\\_2894](https://www.huntingtonbeachca.gov/services/report-issue/report.cfm?ID=4300_2894).

**Where can I find additional information about Short-Term Rentals?**

The Ordinance, permit application, inspection checklist and other information is available at <https://www.huntingtonbeachca.gov/government/departments/planning/short-term-rentals-in-hb.cfm>