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OPINION

# Consider the property rights of short-term rental neighbors

Dallas isn't following its own zoning rules.



More than two dozen "We say no to VRBO" signs line the blocks surrounding a Lochwood property that



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By Tom Forsyth

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Homeowners in single-family neighborhoods buy their homes trusting in their city's residential zoning rules. In Dallas, Section 51A of the development code clearly states that lodging is an excluded land use for residential zones in the city. Lodging includes hotels, motels and boarding homes. Both the city and state tax codes define short term rentals as lodging and therefore impose the hotel occupancy tax on them.

The city cannot have it both ways. If short-term rentals are construed as lodging in the tax code, then consistency demands they be considered as lodging in the development code. Based on a fair reading of our zoning laws, short-term rentals are commercial hotel entities, and they should only be allowed to operate in the same areas where hotels and lodging uses are currently permitted. If the city continues to allow short-term rentals to operate in residential zones, particularly single-family neighborhoods, then the city is ignoring its own rules and obliterating the fabric of its neighborhoods. Why even have zoning laws at all?

With no restraints on STRs, they have grown by 552% over the past five years and it is now estimated there are at least 6,000 STRs in Dallas, according to data compiled by Inside Airbnb. More than 85% of Airbnb listings are whole home or entire apartment units where the owner does not live on the property. In fact, 53% of those listings are owned by commercial investors who don't even live in Dallas.

Having no interest other than profits, these absentee owners do not reliably vet their guests or monitor their activities. Enforcement is left up to the neighbors



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resources to adequately respond to all 311/911 complaints.

**Related:** Dallas could kill single family short-term rentals if it isn't careful

But the bad actors are only part of the problem caused by short-term rentals. There are approximately 4,500 entire homes and apartment dwellings rented out on Airbnb that are now removed from our housing stock. The city of Dallas housing director tells us there is less than one-month supply of houses available. Homebuyers are paying premium prices for the few homes that are available.

At the Dallas Neighborhood Coalition, our vision is that homes rented out as short-term rentals in residential areas will become available for families who want to live here. Homes that stand vacant on many days will instead become filled again with families raising their kids, attending our schools, and going to work at Dallas businesses. Residents will have neighbors again and not faceless investors and strangers. Dallas employers will benefit when their employees can live nearby rather than commuting far distances. And we can help to mitigate the far worse scenario that occurs when the talent our businesses need goes elsewhere because of the lack of affordable housing in Dallas.

It is time for the city to put the interests of its citizens and our businesses ahead of the greed of the Airbnb & VRBO behemoths. We agree with those who say Dallas needs to protect the property rights of homeowners. We are talking about the property rights of more than 500,000 homeowners who live in Dallas vs. a few thousand short-term rental owner/operators, most of whom do not even live here.

*Tom Forsyth is organizer of the Dallas Neighborhood Coalition and president of the Oak Park Estates Neighborhood Association. He wrote this for The Dallas*



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