



Darius G. Pridgen, Council President
Ellicott District Council Member
65 Niagara Square
City Hall 1315
Buffalo, NY 14202

Dear Council Member Pridgen-

I am writing to express concern about the growing prevalence of area residences renting out rooms or entire houses on a day-to-day basis. Currently there are 256 hosts in the metro Buffalo area listed on WWW.AirBnB.com, this number is bound to grow. In contrast, there are 3-4 bed and breakfasts operating in Buffalo that I assume are fully licensed, insured, and collecting hotel and sales taxes.

To provide a context, two years ago, my wife and I opened a bed and breakfast on Linwood Avenue. When we initially purchased the building, it was zoned as a commercial property. We went door to door to inform neighbors of our intentions and to make sure there were no objections to what we wanted to do with the property. Once we were ready to begin renovations we applied for the necessary permits. The permits did not come quickly because the staff at the city's Department of Permit and Inspection Services were having difficulty determining what kind of permits to issue for a bed and breakfast - it is first and foremost our home and residence, but the first two floors (Kitchen, dining room, parlors, bedrooms, etc.) are set up to share with our paying guests. After much discussion, the permits office determined, rightly so, that our building is a home and residence and therefore should be issued a residential building permit, however, *our 1870 house was to be treated as a new build*. To date, we have been required and done the following:

- Replace a number of thermal pane windows with casement windows for egress;
- A new wired smoke detector system throughout the house (existing one wasn't acceptable);
- The smoke detector system had to be wired into the Buffalo Fire Department, requiring additional equipment;
- Install tempered glass in a number of windows because our Second Empire home had a number of large windows that were less than 17" off the floor (new build code);
- Received a certificate of occupancy;
- Insurance for our home and business at a cost of \$4200 per year.

In order to pay for the above, which was in addition to the \$100,000 renovations to the house, we had to seek a second mortgage of \$50,000 to pay for the imposed requirements. Also, we were required to install a sprinkler system (this is our home!), which would require a second water line to the house, and to brick up the first floor windows on the south side of the house because our home was not 10 feet from the neighbor's property line. We attended a state board hearing to seek a variance from the above, which would have ruined us financially and altered the exterior of our historic district home. The variances were granted. In addition,



- We were required to apply for a license to operate a lodging house;
- We were required to visit Buffalo Police Headquarters to procure background checks necessary for the lodging house license;
- We were visited at home by a Buffalo Police officer to verify our identification;
- Our most recent fire inspection has now required us to install emergency lights on both stairways, additional signage on doors, and evacuation maps like in hotel rooms, all totaling over \$1200 – again, in our home;
- We are required to collect Sales and Hotel taxes (this has amounted to thousands of dollars for the state, county, and city from our business alone).

AirBnB hosts provide the same exact services that we do, but they are under insured, have not been licensed, have not jumped through any of the regulatory hoops imposed on us, have not been visited by fire inspectors to ensure safety, most do not collect sales tax or hotel tax (all of which makes our licensed bed and breakfast less competitive), and I suspect income generated goes unreported. During our most recent fire inspection, my wife asked the inspector a question about AirBnB and her impression was that he didn't seem to know what it was. This is a problem because AirBnB hosts fly under any regulatory radar. I would encourage you to Google questions about AirBnB – there is a lot of information out there. At this point in time, major cities from New York to Chicago to San Francisco have cracked down and imposed regulations to govern AirBnB's.

All we want out of this is a level playing field – no more double standard. We've played by the book. Either impose and enforce the same regulatory controls on AirBnB hosts that are currently imposed on us, or relieve us of said requirements.

Thank you-

Michael Parks, Innkeeper
Oscar's Bed and Breakfast
288 Linwood Avenue
Buffalo, NY 14209
716.381.8605

cc: B. Brown
B. Grant
J. Lorigo
M. Poloncarz