

Your own neighborhood at risk!

KAREN HELDMEYER Guest commentary **Karen Heldmeyer is a City Councilor for District 2 in Santa Fe.**

Home, sweet home. A place to escape and relax. We all want this, but for many Santa Fe residents whose neighborhoods have been overtaken by the short-term-rental industry, that dream has faded. Life for them is “like living in the middle of a motel.”

Santa Fe has a law on the books that prohibits short-term rentals (less than a month) in residentially zoned neighborhoods. However, we have failed to enforce that law, and because of this, the short-term-rental industry has proliferated illegally.

I hear from many constituents about problems with short-term rentals: noise, traffic, garbage and, more importantly, a lack of privacy, a lack of respect, a lack of neighborhood feeling. One constituent, whose backyard abuts the front of a short-term rental, frequently finds strangers using his backyard as their patio. Another constituent was told by the owners of nearby short-term rentals that she had to prevent her son from jumping on his trampoline because it disturbed their “paying guests.”

By the time I hear these complaints, the neighbors have complained unsuccessfully to many people. The management companies don't want to upset the paying customers, various city departments say the complaints aren't about illegal activity or aren't a high priority and the city agency charged with enforcing the “30-day rule” says it can't do anything.

This is not because this law is difficult to enforce; other cities with similar laws readily enforce them. Lack of enforcement in this area is because of political pressure. We need to do better.

You might think this issue doesn't concern you, because this isn't a problem in your neighborhood. Watch out; it's spreading. What started as an east-side issue has spread to all the core downtown neighborhoods and as far as Casa Solana and the Kaune area. It's amazing what can be advertised as “minutes from the Plaza.” When neighborhoods have too many short-term rentals, they cease to be neighborhoods; some areas of town have already reached this tipping point.

The proliferation of short-term rentals in residential neighborhoods is one of the factors that has artificially inflated the median price of a home in Santa Fe. These houses are priced at a much higher level than true residences. When buyers (often naïve out-of-towners looking for a second home) balk at the price of a house, they are told by real estate people that they can recoup their costs by renting it for short terms. This conversion then reduces the overall supply of homes in Santa Fe, and this also increases the median price.

What can we do about this? My preference is that we enforce the existing law. It's not that difficult.

However, the industry is putting tremendous pressure on the city to change the law to allow virtually unfettered short-term rentals in any residential neighborhood. Although this seems to be at odds with recent council decisions (including the decision to outlaw fractional ownerships in residential neighborhoods), plans for a new law are going forward.

If we're going to consider a new law, what should it be? We can look to many other tourist-oriented cities that have had to face this problem. They haven't all reached the same solution, but we can and should learn from their experiences. This will require research and study, but that is what is needed if we are going to preserve our neighborhoods.

One rental-industry insider told me after the latest meeting on short-term rentals, “The [core downtown] neighborhoods are dead. Get over it.” I hope she's wrong! To ensure that our neighborhoods remain neighborhoods, we need to have strict laws about short-term rentals and strict enforcement of those laws.

