

SENATE OF VIRGINIA

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6TH SENATORIAL DISTRICT
ALL OF ACCOMACK, NORTHAMPTON, AND
MATHEWS COUNTIES; AND PART OF THE CITIES
OF NORFOLK AND VIRGINIA BEACH

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LOCAL GOVERNMENT, CHAIR
AGRICULTURE, CONSERVATION AND
NATURAL RESOURCES
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EDUCATION AND HEALTH
RULES

January 24, 2023

Senator Lewis Statement on Senate Bill 1391: Short-Term Rentals

Our office has received significant feedback from community groups, constituents and leaders, and I would like to provide some points of clarification on SB1391, legislation to address Short Term Rental rules and regulations in the Commonwealth.

I want to be clear about what this legislation does NOT do:

- It does not allow for open short term rental proliferation.
- It does not supersede rules or provisions put forth by HOAs and/or property owners associations.
- It does not exempt properties owned and operated by licensed realtors from all provisions set forth in local ordinances - just certain provisions. For example, if a locality requires a conditional use permit to operate a short term rental property, Realtors are not exempted from that requirement. In addition, their permit can be denied renewal just like any other permit.
- It does not remove local authority to enforce noise ordinances, trash ordinances, zoning and/or building codes.
- It does not remove local authority to create and enforce short term rental ordinances for their localities as it pertains to properties not owned by licensed realtors.

What this legislation **does** do is ensure that short term rental properties that are managed by licensed realtors – who are regulated by the Commonwealth and must follow a specific code of ethics and conduct or risk losing their license – are able to operate safely and successfully and without some of the significant overreach that has happened recently. It ensures that properties that are exempt from the eight items listed in the Bill are operated by licensed professionals who are required to be responsive and available to their properties and to short term tenants. Licensed realtors who are regulated by the Commonwealth and a part of a community have every incentive to make sure that these short term rental properties are used responsibly.

This legislation admittedly does not solve all issues that have been put forth regarding the management – or lack thereof – of short term rentals, but it is one step forward for the Commonwealth in navigating a rapidly changing and expanding industry. The legislative process is just that - a process – and I fully expect this legislation to continue to evolve as we receive input from constituents and local governments.