

**City of Portland, Maine**  
**Inspections Division**  
**Inspection Results**  
**All Results**

Date	CBL	Business	Appl ID	Sch. Type	Status	Next Insp Date
<b>Complaint</b>						
<b>Residential</b>						
<b>SINGLE FAMILY</b>						
06/06/2013	044 B035001		25358	Inspection	Invalid Complaint	
5 STRATTON PL		Per e-mail from a concerned citizen, building is taking place in the basement of the unit. Appear to have removed a window to get construction material into the unit.			Closing as an invalid complaint. Conducted 5 different stop bys over 3 days and there was no sign of any contractors or work being conducted. Will reopen the complaint if needed.	
07/15/2014	044 B035001		28827	Inspection	Invalid Complaint	7/25/2014
5 STRATTON PL		Anonymous owner of another condo complaining about this owner using this property as a vacation rental. Provided copy of the on line ad for this property.			owner is renting for short term rentals (vacations). There is no code violation	
<b>Subtotal Listed:</b>		2				
<b>Building</b>						
<b>Residential</b>						
<b>SINGLE FAMILY</b>						
08/18/2017	044 B035001		201601993	Setbacks and Footings Prior to	Passed	
5 STRATTON PL		Setbacks & footings contact Wade Bryant 899-9830				
08/29/2017	044 B035001		201601993	Close-in Plumbing/Framing	Passed	
5 STRATTON PL		Close in plumbing, framing and electrical inspections Wade Bryant T: 899-9830				
08/29/2017	044 B035001		201601993	Electrical Close-in	Passed	
5 STRATTON PL		Close in plumbing, framing and electrical inspections Wade Bryant T: 899-9830				
12/01/2017	044 B035001		201601993	Final - Electric	Passed	
5 STRATTON PL		Final plumbing, electrical and final inspections. Contact Wade Bryant T: 899-9830				
12/01/2017	044 B035001		201601993	Final Inspection	Passed	
5 STRATTON PL		Final plumbing, electrical and final inspections. Contact Wade Bryant T: 899-9830				
<b>Subtotal Listed:</b>		5				
<b>Listed:</b>		7				

**City of Portland, Maine  
Inspections Division  
Complaints Detail Report**

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**Support Staff** Chuck Fagone

**Category/Complaint:** Building / Per e-mail from a concerned citizen, building is taking place in the basement of the unit. Appear to have removed a window to get construction material into the unit. **Census** 11.00

**Date And Time:** 06/04/2013 7:27 AM **Status:** Closed **Complaint No:** 25358

**Parcel ID:** 044 B035001 **Prop Addr:** 5 STRATTON PL

**Complainant:**

**Best Time To Reach:**

**Addr:**

**Mood:** 0

**Response to Complainant:** 0

LL Aware of Issue:

LL Name/Phone:

Inspection Outcome	Date	Status	Next Insp Date	Comment
	06/06/2013	Invalid Complaint		Closing as an invalid complaint. Conducted 5 different stop bys over 3 days and there was no sign of any contractors or work being conducted. Will reopen the complaint if needed.

**Category/Complaint:** Building / Anonymous owner of another condo complaining about this owner using this property as a vacation rental. Provided copy of the on line ad for this property. **Census** 11.00

**Date And Time:** 07/14/2014 10:09 AM **Status:** Closed **Complaint No:** 28827

**Parcel ID:** 044 B035001 **Prop Addr:** 5 STRATTON PL

**Complainant:**

**Best Time To Reach:**

**Addr:**

**Mood:**

**Response to Complainant:**

LL Aware of Issue:

LL Name/Phone:

Inspection Outcome	Date	Status	Next Insp Date	Comment
	07/15/2014	Invalid Complaint	7/25/2014	owner is renting for short term rentals (vacations). There is no code violation

**Total Nbr Of Complaints Reported:** 2



Kelley McDaniel &lt;kelleyimcdaniel@gmail.com&gt;

**Re: You asked me to send this to you this morning ...**

3 messages

Jon Jennings &lt;jpj@portlandmaine.gov&gt;

Fri, Oct 9, 2015 at 6:25 AM

To: kelleyimcdaniel@gmail.com, Michael Brennan &lt;mfpb@portlandmaine.gov&gt;

Cc: Danielle West-Chuhta &lt;DWCHUHTA@portlandmaine.gov&gt;, Mike Murray &lt;MSM@portlandmaine.gov&gt;

Kelley,

We have looked into this situation. Our inspections staff has done some research and it seems fairly clear that both of these properties are on the market as short term rentals. We are going to draft violation letters and have them sent.

I am sorry it has taken so long for the city to respond to you. Please do not hesitate to be in touch with me if I can be of any future assistance. I appreciate the Mayor bringing this to my attention.

Jon

Jon P. Jennings  
City Manager  
City of Portland  
389 Congress Street  
Portland, ME 04101  
(207) 874-8689 Office  
(207) 874-8669 Fax  
jpj@portlandmaine.gov  
portlandmaine.gov

&gt;&gt;&gt; Michael Brennan 10/01/15 12:36 PM &gt;&gt;&gt;

Kelley,

It was good to see you yesterday and thank you for the e-mail. I am copying the City Manager, Corporate Counsel and the Neighborhood Services Coordinator as they will be able to respond to your situation. Take care.  
Michael

&gt;&gt;&gt; Kelley McDaniel &lt;kelleyimcdaniel@gmail.com&gt; 10/1/2015 8:07 AM &gt;&gt;&gt;

I have been waiting for than a year ... for a response to my complaint about my neighboring homeowner using his property (a row house with which my home shares walls) as a lodging property for short-term vacation rentals through VRBO, which I understand is in violation of local zoning ordinances for an R-6 residential property.

Why should I pay my property taxes—approximately \$550 per month—when the city will not enforce its ordinances that protect my property investment?

I realize that I am not wealthy, nor do I have a big name in local circles. I am neither a member of the Chamber of Commerce, nor a real estate developer. I do not have a lobbyist who can offer to take you out for meals or golfing. I am just a regular, law-abiding, property-tax-paying citizen and voter and I do not know how to get your attention other than threatening to withhold my property taxes until my complaint is addressed.

On August 14, 2014—more than a year ago, I reported to the city inspections office that my neighboring homeowner, Steven French, was using his property as a host-absent short-term vacation rental. We live in a line of ten row houses: my family occupies #6, and Steve French owns #5. Short-term vacation rentals are in direct violation of local zoning ordinances. I am simply asking that you enforce the zoning ordinances. Enforce the regulations or take them off the books.

We purchased the #6 row house in the fall of 2011 and Steve French purchased #5 not long after. We had problems with Steve French's short-term vacation renters for two years. During the summer of 2014, I finally decided to investigate whether short-term vacation rentals were regulated in the city of Portland. What I discovered is that we live in an R-6 residential neighborhood. #5 Stratton Place is listed as a single-family residential property and it says that minimum "short-term rentals" must be at least 30 days. On August 14, 2014, I brought a copy of Steve French's VRBO listing to the city inspections office. I was told at that time that my understanding the zoning ordinance was correct and that "change of use" of property requires that neighboring property owners be informed and given the opportunity to formally object to the "change of use."

Despite additional calls, I never heard back from the city inspections office regarding my complaint against Steve French—who has never lived in the #5 Stratton Place property. It has been more than a year. What do I need to do to get someone in the city to respond to my complaint?

Over this past year, I continued to complain to Steve French about the behavior of his short-term renters. I have had to insist that he enforce his own "lodging house rules"—with varying degrees of success. Each week or so, there are new renters; with each new group of short-term renters, the problems start all over again.

I contacted VRBO in January 2015, and their official response was "[W]e forward your complaint to the vacation rental owner or property and request that they contact you as soon as possible to resolve this matter." The implication being that this is between me (as a homeowner) and Steve French (as a home owner). Zoning ordinances and local regulations don't seem to matter to VRBO either. It is up to city to enforce the city's regulations and I must insist that you do so.

(There may be honor among thieves, but there certainly is no honor or integrity in the "gig economy"—just old-fashioned greed and self-interest.)

The "worst" short-term vacation renters are the bridal showers, bachelor parties, and other wedding-related groups who refuse to comply even with Steve's (unenforced and unenforceable) lodging house rules. Their drunken parties typically result in the police being called. The "best" short-term vacation renters mostly follow the rules, but bother us with questions and requests:

"Where and how should I park?"  
 "How does garbage pick up work?"  
 "Can you recommend restaurants, sites, etc.?"  
 "Where can we buy such-and-such?"  
 "Well, where can we smoke?"

This is just one of the (many) problems with short-term vacation renters, they seem to expect all the concierge services of a legal lodging house. Most of the short-term vacation renters fall somewhere in between problematic and burdensome; and remember that there's a different group every week or so ... New renters, new problems. It's beyond frustrating.

We poured money into renovations when we bought our row house four years ago. We imagined living here for years, but because of all the difficulties caused by Steve French's lodging house, we do not want to live here anymore. The city's zoning ordinances were supposed to protect our investment in this property. How much has the value of this property declined due to the fact that it now shares walls with an "illegal" lodging house? We would not feel right lying-by-omission to prospective buyers, despite the fact that Steve French lied to all the neighbors when he bought his property (in 2012) and said that he'd be moving in soon.

Please consider this (another) official request to investigate Steven French and the #5 Stratton Place property for violation of the city's zoning ordinance for an R-6 residential neighborhood.

Attached is a timeline detailing correspondences regarding my complaint from August 14, 2014 through the present.

Sincerely,  
 Kelley McDaniel

—  
 Kelley McDaniel  
 6 Stratton Place  
 Portland, ME 04101  
 kelleymcdaniel@gmail.com

"Sometimes game-changing, immensely lucrative epiphanies lie on the far side of seemingly esoteric inquiries." - from "Questioning the Mission of College" by Frank Bruni, NYT, 4/20/13

Fri, Oct 9, 2015 at 7:19 AM

Kelley McDaniel <kelleymcdaniel@gmail.com>  
 To: Jon Jennings <jpj@portlandmaine.gov>  
 Cc: Michael Brennan <mfbp@portlandmaine.gov>, Danielle West-Chuhta <DWCHUHTA@portlandmaine.gov>, Mike Murray <MSM@portlandmaine.gov>

Jon,  
 Thank you for your response. Thank you also for your apology. And thank you investigating my complaint.

There are two things that confused me in your reply. I would appreciate further clarification.

- 1) You said "both of these properties are on the market as short-term rentals." The only property that I reported was #5 Stratton Place.
- 2) You said that "violation letters" would be sent. What does that mean? To whom will they be sent? Steve French? VRBO? The complainant (me)? What will these violation letters say? What happens next?

Thank you again for attention to this matter.

Best wishes,  
 Kelley  
 [Quoted text hidden]

Danielle West-Chuhta <DWCHUHTA@portlandmaine.gov>  
To: Kelley McDaniel <kelleyimcdaniel@gmail.com>

Fri, Oct 9, 2015 at 7:24 AM

I will be out of the office until Tuesday, October 13, 2015. If you need assistance, please contact Nancy or Lori at 874-8480.



Kelley McDaniel &lt;kelleymcdaniel@gmail.com&gt;

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**5 Stratton Sale & Moving Schedule**

1 message

**Steven French** <stevenefrench@gmail.com>

Tue, Nov 17, 2015 at 10:21 PM

To: Dana McDaniel <danaimcdaniel@gmail.com>, Jim Osborn <tgw.osborn@gmx.com>, Erica <erica\_schair@yahoo.com>, Ivan Cardona <icardona001@gmail.com>, Tan & Joy Larrabee <nathaniellarrabee@gmail.com>, Kelly McDaniel and Dana <kelleymcdaniel@gmail.com>, Kym Scott & Gabe Brown <kmyscott@yahoo.com>, Julia Dilger <ms.dilger@gmail.com>, Craig Dilger <craigdilger@gmail.com>, Annette Kraus <ahkraus@hotmail.com>, chelsea.e.peters@gmail.com, matthewjamespeters@gmail.com, Richard Machlin <richmachlin@gmail.com>, Amy Nolan Osborn <amy.nolan.osborn@gmail.com>

Hello Stratton Place Residents,

Some of you will be glad to know I have decided to sell #5 Stratton. Unfortunately I was unable to use the property as I hoped I would be able to when purchased...it is a great spot in a great little city. Thank you to those of you have been understanding and friendly over the past few years (no thanks to the others...you know who you are).

The recent comp from #3 was very unfortunate and cost me significantly on this sale as it caused the bank appraisals to come in well below market value. Good news for the rest of the row owners is that I took that hit, and now you all have a much more appropriate comp from #5 to help your valuations.

Sorry that living out of state I couldn't be more involved in the efforts to preserve the green and I wish you the best it's a special place.

There is a PODS container coming on Thursday this week and will be picked up on the following Monday, to be placed in my allocated parking space for loading (with room for cars to get by).

Best of luck,  
Steve

Kelley McDaniel  
 6 Stratton Place  
 Portland, ME 04101  
[kellyjmcDaniel@gmail.com](mailto:kellyjmcDaniel@gmail.com)  
 September 12, 2015

For three years, my neighbor Steve French has had #5 Stratton Place listed on VRBO as a vacation rental with a 4-day minimum stay. According to the webpage, "This listing was first published here in 2012." On Saturday, July 26, 2014, the listing was modified to include the following note: "Note: Due to local regulations we have a 30 day minimum stay." The listing has since reverted back to "Minimum stay 4-30 days."

The short-term renters have been problematic for us—we live in the adjoining row house at #6—and our efforts to compel the homeowner to oversee his renters and enforce the rules around parking, smoking, noise, snow removal, garbage, etc. have been in vain; he says that he informs his guests of the rules and neighborhood expectations; however there is no one on the premises who enforces the rules.

For example, during the 2014 summer, two families/groups of renters refused to move their vehicles upon request. The most recent renter told me that he would not move his vehicle (a Chrysler Town & Country measuring 16 feet and 10.8 inches) despite the rule that vehicles over 15 feet should park on the street, and in spite of my telling him that the way he was parked was preventing me from parking across from my home; he flat-out refused, saying that his family was only going to be there three more days, thus highlighting two of the problems with short-term renters: 1) they are not compelled to follow the rules and 2) they don't care about the impact of their behavior on the neighbors because of their short-term stay.

So, I started researching short-term vacation rentals and after I found the VRBO listing for #5 Stratton and read the zoning regulations for an R-6 residential neighborhood, I decided to go to the city and ask what my rights are as a homeowner and report a complaint against my adjoining neighbor for what seemed to be a violation of the City of Portland Code of Ordinances.

Below is a timeline detailing the correspondences that I have had regarding my complaint about Steve French using Stratton #5 as a short-term vacation rental. (Prior to July 2014, my spouse conducted all correspondences with Steve French regarding problems with his short-term vacation renters.)

Date & Time	Description of correspondence
Monday, July 14, 2014 – (approx.) 9am	I went to City Hall (room 315) and spoke to a man who was sitting at the reception desk about my complaint. He made a copy of the VRBO ad and said that it was sent to an inspector. He asked me if I would put my name on my complaint and I said that I would prefer it to be anonymous. He also told me that short-term rentals are not allowed in my neighborhood without a permit and that the permit process requires informing the neighbors of "change of use" of the property, which the neighbors can then organize and try to fight.
Monday, July 21, 2014 – 9:23am	I read the PPH article " <b>Person-to-person vacation rentals jump in area causing a stir</b> " and saw that the city spokesperson, Jessica Grondin was quoted as saying that "the service in technically illegal in Portland, under laws that any residential property rented out for fewer than 30 days must register as a lodging property... [and] the city has not received any complaints about it," so, I called Jessica Grondin and left a message asking why my complaint (from a week before) didn't count. I was worried that it may have been because I had asked my complaint to be anonymous.
Monday, July 21, 2014 – 2:19pm	I called the Inspections Division and left a message saying that I was

	concerned about the status of a complaint that I had made the previous week.
Monday, July 21, 2014 – 4:28pm	I received a call back from Jonathan Rioux (at Jessica Grondin's request) who explained that the city does not track complaints in a way that would allow them to say if they had received any (which is how it <u>should</u> have been reported in the PPH article, rather than saying that "the city has not received any complaints") and he asked for my complaint information again. He also said that I was free to contact him again if I had additional questions or concerns. He said that anonymous complaints are difficult to investigate and tried to explain why; what I got out of his explanation was that if I wanted help from the city, I was going to have to go on record and be explicit.
Thursday, July 24, 2014 – 4:36pm	I wrote an e-mail to Steve French outlining my complaint and I cc'd it to Jonathan Rioux. I also bcc'd it to neighbors. (See below.)
Thursday, July 24, 2014 – 6:16pm	I received an e-mail reply from neighbors who said, "We share your concerns and have attempted to address them but to no avail.... Please let us know what response you get."
Thursday, July 24, 2014 – 8:37pm	I re-sent the e-mail when I realized that my original e-mail had been sent to the <u>incorrect</u> e-mail for Steve French.
Saturday, July 26, 2014 – 12:06pm	I received the following reply from Steve French, "Kelley, I am sorry to hear the rental situation is such an issue for you. I will look again at 12-month rental possibilities, I tried this last year but was unable to get it rented that way. Steve" (*Copied below.)
Saturday, July 26, 2014 – 4:25pm & 4:26	I forwarded Steve's reply to neighbors, saying that I found his reply unsatisfactory and that "I will craft a reply and, again, cc it to Jonathan Rioux."
Saturday, July 26, 2014 – 7:13pm	I sent another e-mail to Steve French, cc'd to Jonathan Rioux and bcc'd neighbors. (*Copied below.)
Sunday, July 27, 2014 – 2:17am	I saw that Steve French made the modification described above on his VRBO page and I sent an e-mail to neighbors.
Sunday, July 27, 2014 – 9:31am	I received a reply from neighbors. They said that they "sent a brief note to J. Rioux supporting your initial e-mail and telling him that if he is willing to take this on we would be happy to provide additional information." They also went into detail about some of the problems that they have experienced with Steve, as well as their frustrations trying to get help from the city zoning department.
Monday, July 28, 2014 – 10:42am	I left a message on Jonathan Rioux's voice mail asking him to call me back because I would like to know the status of my complaint and saying that I am feeling like the city is not communicating with me or addressing my complaint, which I originally lodged two weeks ago.
Wednesday, July 30, 2014 – 10:42am	I called Jonathan Rioux again and asked him to call me back and let me know the status of my complaint. I explained that I was feeling really frustrated by the lack of communication and begged him to call me back before I leave for a two-week vacation. I said that if I have not heard back from the city by the time I return on August 18 <sup>th</sup> , I will ask my City Council Representative to look into it, but that I really hope to hear something before I leave on Monday, August 4 <sup>th</sup> .
Thursday, December 18, 2014 – 5pm	I attended a Holiday Open House with the Portland City Mayor and City Council in hopes of talking about my concerns re: enforcement of municipal regulations of short-term vacation rentals in residential neighborhoods. I was told by the mayor that short-term vacation



	rentals are illegal in the city, and he also said that a new group formed as a result of a recent deadly apartment building fire would be looking at housing ordinances and inspections and that would include consideration/investigations of short-term vacation rentals, like Airbnb and VRBO.
January 11, 2015	I emailed a complaint directly to VRBO and I was assigned a case number: 12862267.
February 4, 2015	I received the following reply from VRBO: <i>"We [will] forward your complaint to the vacation rental owner or property manager and request that they contact you as soon as possible to resolve this matter."</i>
June 19, 2015- June 26, 2015	I e-mailed Steve French (and the neighbors) regarding the parking of his short-term renters. <i>"Please see that your short-term vacation renters adjust their parking so that we can all access the steps and the path."</i> To which Steve replied, <i>"I don't think it's possible..."</i> And to which a neighbor replied, <i>'we support Kelly's concerns, zoning ordinances are there to protect everyone's property and ... we have no idea if this business is adequately insured for its current use and without a property manager in the area there is no way to easily address the problems that arise. These rental activities are getting a lot of press throughout the country at the present so we are not alone in these concerns.'</i>
August 16, 2015	I e-mailed Steve French another complaint about a vehicle too big for the parking spot that parks there just before and after short-term renters. Steve replied, <i>"That is Kim who takes care of the house. I will remind her she should make more of an effort not to block the stairs."</i>
August 21, 2015-August 22, 2105	I emailed Steve French again about the parking of his short-term renters. He never replied.

Thursday, July 24, 2014 – 4:36pm

I wrote an e-mail to Steve French outlining my complaint and I cc'd it to Jonathan Rioux. I also bcc'd it to a neighbor.

Dear Steve French,

My name is Kelley McDaniel. I am the other neighbor/homeowner of Stratton #6. Your previous correspondences have been with Dana.

I am cc-ing Jonathan Rioux, the Deputy Director of Inspections of the Portland Urban & Planning Development Department on this email because I think that you have been short-term renting Stratton #5 for two years via VRBO (<http://www.vrbo.com/429841>) despite the fact that short-term rentals in residential neighborhoods in Portland--Stratton Place is an R-6 residential zone--seem to be a violation of local zoning ordinances. It is also my understanding that 30 days or fewer rentals must register as lodging properties. I checked with City Hall and it seems that Stratton #5 is not registered as a lodging property. I was told that part of the registering process involves informing the neighbors of "change of use" of the property. We do not have any record of being informed that the adjoining row house would be accommodating short-term renters for two plus years.

Recently, short-term vacation rentals have become a hot topic in the local media:

<http://bangordailynews.com/2014/05/27/business/maine-hotels-say-under-the-radar-room-rentals-are-illegal-undercut-business/>

<http://www.pressherald.com/2014/07/21/person-to-person-vacation-rentals-jump-in-portland-area-causing-a-stir/>

<http://portland.thephoenix.com/news/159058-selling-our-shares/>

There is a person in Portland, Oregon who has been very involved in developing regulations for short-term vacation rentals in his city and one of the charts that he created outlines very explicitly the problems with host-absent short-term vacation rental properties, which, it seems, is what you have been doing:

<http://the-airbnb-analyst.com/wp-content/uploads/2014/07/STRs-in-Portland.jpg>

As one of the adjoining homeowners, there are some issues that I have with your using Stratton #5 as a host-absent short-term vacation rental:

The behavior of your renters negatively impacts the quality of living in the Stratton Place neighborhood for us.

In a neighborhood of row houses like Stratton Place, where there is not a homeowners association, and the fact that living conditions are extremely intimate, the way that people behave on and around the property affects the neighbors more than it would if the houses did not share party walls.

When issues arise among neighbors about smoking or parking or noise or snow removal, etc. arrangements can often be made informally; but we have to contact you about any problematic behavior of your short-term renters each time. You tend to respond that you will take care of it by informing your renters; however, you are not here to oversee them and enforce the rules. Your renters are not compelled to follow rules that you are not around to enforce, which leaves us with the burden of living with, or trying to deal with, the problems that your short-term renters cause.

Parking is one example. The parking spaces parallel to each row house allow approx. 17 feet of total space, including maneuvering room. You have a rule that only compact cars (no longer than 15 feet) are allowed to park across from #5 leaving 6-12 inches maneuvering space front and back, as well as parking vehicles angled away from the steps to allow access to the walking path and the green. Very few of your renters comply with this. Currently, there is a 17 foot van parked across from #5 that has been impeding the parking for #4 and #6, and blocking access to the stairs and the walking path. This is a common occurrence. Modifying the parking rules that you leave for your renters will not address this problem if you are not living there to ensure that the rules are followed.

You had said vaguely that you would be moving in soon. It's been two years. Most recently, you said that you don't know when you'll be able to move in. We have not been informed that #5 Stratton Place is anything other than a residential single-family home, and it is my understanding that, as adjoining neighbors, if #5 Stratton Place becomes a lodging property, we are required to be informed.

We are also very concerned that the short-term rentals that you have been running out of #5 Stratton Place over these two years have diminished neighborhood property values.

If you are not able to move in yourself, these problems could be ameliorated with a long-term (full-year) renter for the property.

Thank you.

- Kelley

Saturday, July 26, 2014 – 12:06pm

I received the following reply from Steve French,

Kelley,

I am sorry to hear the rental situation is such an issue for you.

I will look again at 12-month rental possibilities, I tried this last year and was unable to get it rented that way.

Steve

Saturday, July 26, 2014 – 7:13pm

I sent another e-mail to Steve French, cc'd to Jonathan Rioux and bcc'd neighbors.

Steve,

Thank you for replying so promptly; however, I am disappointed by your response. You seem to be trying to frame this as my issue and making excuses.

I visited City Hall and asked what my rights as a homeowner are when the adjoining homeowner is using his property for short-term vacation rentals. I was told that short-term vacation rentals are not permitted in our R-6 residential zone. I was also told that fewer than 30-day rentals require registering with the city as a lodging house and that the process requires informing the neighbors of "change of use" of the property. Based on what I was told at City Hall, you are not in compliance with these local ordinances and regulations.

For two years now, you have been telling us—all of the Stratton Place homeowners—that you plan to move into #5. Your story recently changed to: you don't know when you'll be moving in.

According to the details on your VRBO page advertising #5 Stratton Place, you have been making adjustments to the house based on comments by your short-term renters in order to make the house more appealing for short-term renters and to address their needs. This does not seem to be consistent with your intent to move in.

I do not know if you inform your renters that your property is not in compliance with local regulations and that you never informed the adjoining neighbors that #5 is being operated as an unofficial lodging house. I think that they have a right to know this, just like we had a right to know that the property adjoining ours was changed from a single-family residential home to a lodging house for short-term renters. I am surprised that VRBO and Home Away do not ask you to sign a contract assuring that the properties that you list with them are in compliance with local ordinances and regulations.

If you had followed the rules and we had been informed of your plans for the property, we would have had options. We would have had the opportunity to make our case against a lodging house permit in the middle of a set of row houses, or we could have asked for certain restrictions on the permit.

What I am asking now is that you do what you should have done when you first bought the property: use #5 the way it is intended according to city ordinances--as a single-family residence; or, apply with the City of Portland to register #5 as an official lodging house.

The city zoning ordinances are designed to protect all the homeowners in a neighborhood. I want you to have your rights as a homeowner. I also want to ensure that my rights as a homeowner are equally respected. That is why I am continuing to cc this correspondence to Jonathan Rioux, the Deputy Director of Inspections of the Portland Urban & Planning Development Department.

Sincerely,  
Kelley