



SENATE LOCAL GOVERNMENT COMMITTEE
OPPONENT TESTIMONY ON SENATE BILL 104
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Chair O'Brien, Vice Chair Gavarone, Ranking Member Hicks-Hudson, and members of the Senate Local Government Committee, we are grateful for the opportunity to submit written opponent testimony to SB 104 on behalf of our bipartisan coalition of mayors in Ohio's largest cities and suburbs.

As a bipartisan coalition representing cities across the state, we are sensitive to the fact that many of us, and the communities we serve, disagree on a range of policy issues. We have common interests and concerns, but we always reserve the right to address issues impacting our unique communities with local solutions that best meet our communities' needs. The issue raised in SB 104 - whether and how to regulate or even prohibit the licensing of short-term rentals - is an excellent example of something that many communities across Ohio have approached differently depending on a range of factors unique to each individual community. Thus, this issue is another in a long line of issues that benefit greatly from Ohio's constitutional right to home rule.

Home rule provides our cities with the inherent authority to regulate issues within our boundaries, and to serve the diverse needs of our populations with a close-to-home, small government approach. Short-term rentals present a potentially resource-intensive need for regulation at the local level, from ensuring residents and visitors who want to rent such homes will be safe and will get what they pay for to protecting landlords and property owners from damage and loss of property, to ensuring neighbors and communities remain safe and vibrant places where long-term residents coexist peacefully with short-term visitors. As a result, many cities throughout Ohio have enacted local ordinances and regulations to ensure that short-term rentals bring positive outcomes for all involved.

Our contention is that the application of home rule authority to address this policy issue is appropriate, and that the state would be vastly overstepping both its authority and good public policy in imposing the kinds of limitations and prohibitions proposed in SB 104. Ohio cities are more than capable of protecting residents' and visitors' safety, property, and well being. This is demonstrated by the fact that cities have imposed a range of similar but diverse registration and licensing requirements for short-term rental hosts that are designed to ensure that such rentals are safe for renters and property owners. Undoing years of work that cities have put into regulating this issue is unnecessary and harmful.

For example, the City of Dublin's almost-five-year-old ordinance limiting short-term rentals¹ would be almost entirely negated by SB 104, creating confusion for property owners and potentially disrupting neighbors and HOAs that relied on the local regulations in making now years-old decisions about whether to permit and how to manage such rentals.

Without the authority to regulate and limit the availability and use of short-term rentals in their communities, many cities would face anew disruptions and fights long ago resolved by the implementation of local policies that were adopted by locally-elected policymakers. For example, in the City of Fairfield, property owners whose neighbors might sell their house and backyard pool to short-term rental operators face the prospect of no local protection (aside from HOA rules, if there is an HOA) against the possibility of repeated parties next door on weekends.

These examples are just some of the concerns mayors and other city officials have raised to us during our evaluation of the policies proposed in SB 104. Many cities also have concerns about the ways investment in short-term rental properties has decreased available housing supply in already tight housing markets, exacerbating high housing costs for both renters and homeowners. These local concerns are entirely preempted by SB 104.

We urge you to prioritize the express wishes of Ohioans and their local-elected policymakers over the desires of online short-term rental operations and continue to allow local communities to make their own decisions about whether and how to regulate short-term rental properties within their neighborhoods. We strongly urge you to vote against advancing SB 104 out of committee.

Thank you for your time and consideration and for your continued partnership with Ohio's local governments and our mayors.

¹ See <https://dublinohiousa.gov/dev/dev/wp-content/uploads/2020/10/Short-Term-Rentals-10-12-20.pdf>.