



**WEST CHESTER TOWNSHIP
ADMINISTRATION**

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March 8, 2022

Re: HB 563

Chairman Wiggam, Vice Chair John, Ranking Member Kelly, and members of the committee:

Thank you for offering this hearing and for the opportunity to provide testimony in strong opposition of HB 563.

West Chester Township is the largest jurisdiction in Butler County and has grown from a population of less than 15,000 residents in 1970 to a population of nearly 65,000 as of the 2020 U.S. Census. People make the choice to live in West Chester for good reasons. We have achieved a mixture of residential amenities, a strong business climate, and local attractions to create a prosperous and inclusive community where families grow and businesses prosper. Much of the Township's residential property consists of single-family homes arranged in neighborhoods to provide a balance of quiet sanctuary in the home, and sense of community and commitment to place among neighbors.

There are multiple reasons West Chester Township Administration opposes this legislation. I could focus on the potential "boarding house" situations this would create and propose that in many cases boarding houses left unchecked can lead to harboring wanted criminals and can facilitate human trafficking by creating a safe harbor for perpetrators. But this would be reference to extreme cases that someone may brush off as isolated.

Therefore, West Chester prefers to point to the more fundamental negative impact of HB 563 on local communities and neighborhoods.

Let's be perfectly clear, this legislation permits a commercial use in a residential area. No bones about it. Homes in residential neighborhoods would be converted to lodging for those with no long-term vested interest in the community/neighborhood. As such, the legislation overlooks and leaves unchecked all of the negative impacts of commercial uses in residential neighborhoods.

- Safety issues related to ADA compliance & fire code.
- Increased traffic and parking in residential neighborhoods where children play.
- Neighbors/homeowners left to deal with unruly short-term tenants with no vested interest in the neighborhood. Loud parties, littering, people in and out who don't care about rules because they will likely not be back again. Absent owners in most cases who reap the financial benefit of running a business without the responsibility for meeting requirements to do so.

The proposed legislation is also not equitable from a taxation stand point. Property owners will continue to pay property taxes of course, but left unchecked without local zoning control of short-term boarding houses, there would be no obligation to pay lodging taxes. Therefore, these unregulated businesses under this proposed legislation gives unfair advantage to those who invest in hotels designed for short-term lodging and are compliant with lodging tax obligations.

For this reason, community convention and visitors' bureaus are also in opposition. Hotels play by the rules and have regulations they must follow. No industry was hit harder by the pandemic than the hotel industry and proposed HB 563 will compromise the hotel industry even further.

These reasons are enough to oppose the legislation. But when our residential taxpayers realize this legislation actually removes local control by eliminating our zoning enforcement ability to intervene and enforce, most questions will start with "Why?". The only reason left for us to offer our residents/neighbors will be that the State Legislature determined it was more important for your next door neighbor to make money off their property without being checked, than it was for invested property owners to expect they would be living in a neighborhood with others who they know and are equally invested in their property.

One thing is certain, our local state representatives are currently not taking the complaints from residents living near short-term rentals, but if HB 563 passes, they soon will be.

Land use regulations, including the regulation of short-term rentals, should be uniquely crafted to meet the needs of individual communities. In some Ohio communities' short-term rentals may not be problematic, and regulations have never been considered. These are often in communities where tourism is a significant priority.

But in communities where short-term rentals have interrupted the otherwise peaceful enjoyment of nearby or neighboring residential property owners, local legislative bodies have been empowered to find the balance of interests between

short-term rental operators and residents that is appropriate for their own individual community. House Bill 563 ties the collective hands of local leaders who have been elected to make these decisions for their communities, based on the best interest of their individual community.

The West Chester Township Board of Trustees is elected by their fellow residents and if the support for short-term rentals exists in the community, then legislative bodies will respond accordingly. And if these uses prove problematic and disruptive to neighbors, then reasonable restrictions on location, duration and density allows communities to balance the operation of short-term rentals with the rights of other residents to peacefully enjoy of their homes.

HB 563 is “one size fits all legislation” and not applicable to all communities in Ohio. It is certainly not applicable to West Chester. We are adamantly opposed.

Sincerely,

A handwritten signature in cursive script, appearing to read "Larry D. Burks".

Larry D. Burks, MPA, CED, ICMA-CM