

## Vacation Rental Enforcement Quarterly Report

Date of report: January 31, 2023

The Department of Planning issues quarterly reports on transient vacation rental (TVR) enforcement. This report is for the period from October 1 to December 31, 2022, and provides data for advertisements, COM Connect (SCF) complaints received, notices of warning (NOW) and violation (NOV), and fines assessed and collected for illegal vacation rental activity in Maui County. Through agreements with Airbnb and Expedia, all advertisements without a correct TMK are also removed from those platforms. An average of approximately 120 each month are being removed from both hosting platforms for incorrect TMK entry, whether advertisers were legally allowed to operate or not.

# Ads	# SCF	# NOW	# NOV	Fines Assessed	Fines Collected	# SCF Closed	# PZ-E Pending
*NA	25	3	0	0	0	12	6

### Legend:

# Ads: This is the number of advertisements for new, unique vacation rentals reviewed by Host Compliance and referred to Department staff for further research and possible action.

# SCF: Complaints are received by the Department via the County’s COM Connect system operated by See Click Fix. This number represents SCF complaints received alleging Illegal Short Term Rental.

**NOTE:** The KIVA Permit system previously used by the County including the complaint filing system of Requests For Service (RFS) was retired in calendar year 2022.

# NOW: This is the number of Notices of Warning issued to property owners to inform them that the Department has reason to believe there may be illegal vacation rental activity on their property. A NOW will include a compliance deadline, potential fines, and steps for the property owner to resolve the alleged violation to avoid a NOV.

# NOV: This is the number of Notices of Violation issued to property owners after the NOW does not resolve the illegal activity. NOVs are sent after the Department confirms a violation exists, and include fines and a compliance deadline.

Fines Assessed: Initial and daily fines as listed in the NOV. The initial fine is a one-time fine; daily fines accrue until the violation is corrected. This includes fines for illegal vacation rental advertising and operating.

Fines Collected: Fines are collected after the property owner and the department agree on resolution of a violation, which may take months or years after the NOV was issued depending on the complexity of the case. Fines are sometimes reduced during an appeal hearing or settlement process; therefore, assessed fines may not equal collected fines.

# SCF Closed: SCF complaints received are reviewed and may be converted to Code Cases in the County’s MAPPS system (tracked in the following configuration “PZ-EYYY-#####”, example PZ-E2023-00001)

# PZ-E Pending: SCF complaints received and reviewed warranting conversation to a Code Case which are subject to an ongoing investigation.

*\*The Department is soliciting proposals for consultant support for online advertisement tracking and enforcement. Reporting on advertisement numbers is expected to resume in March of 2023.*