

Dear Board of Supervisors:

I am writing to you today on behalf of the Dulles Area Association of REALTORS® (DAAR) and its 1,300+ members across Loudoun County, regarding the proposed Zoning Ordinance Amendments related to short-term residential rentals.

Firstly, DAAR does not support any zoning ordinances on short-term rentals – or any regulations infringing on the property owner’s fundamental right to rent.

Whether an owner or renter occupies a home, and regardless of the duration of the occupancy, the use of a single-family home for living purposes is undeniably residential use. Therefore, short-term rentals should not be regulated under the county’s zoning code to begin with, as this violates the fundamental principle that ***zoning focuses on land use, and not the user of the land.***

Though we believe that there should not be any zoning regulations on short-term rentals, should the county choose to move forward with the proposed amendments, there are several issues DAAR finds to be particularly egregious and would like to address in order to maintain and protect private property rights in Loudoun County.

- 1. 15 Ft. Set Back:** DAAR asks that the county consider removing this amendment, as it is unreasonable to request existing properties be moved to accommodate, and the enforcement of such would hinder the rights of the property owner.
- 2. Occupancy Requirements:** DAAR does not support the requirement that owners must reside in the dwelling unit for any set number of days per year, nor that the dwelling unit may only be used as a short-term rental any set number of days.
- 3. Acreage Requirement:** DAAR requests that the minimum lot area be reconsidered.
- 4. Enforcement:** The precedent established in Loudoun County is that enforcement of regulations is complaint-driven, and the county should continue to honor that precedent. Furthermore, DAAR believes the proposed method of enforcement to be an unattainable requirement.

In addition to these issues, should the amendments pass, DAAR would like the Board of Supervisors to strongly consider a “grandfather clause” as to not infringe on the private property rights of homeowners in Loudoun County. Grandfathering would allow for properties already being used for short-term rental purposes, paying taxes, and adhering to the current

laws, to continue operating as such. DAAR also asks that special exceptions be made for properties currently zoned in areas that the proposed ordinances will affect.

Among the core rights of a property owner is the right to lease or rent their property. Short-term rental regulations, such as those in the proposed ZOAM and the current ordinance, can and do infringe upon this fundamental property right.

Thank you for your time and consideration,

A handwritten signature in black ink that reads "Amanda Brewer". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Amanda Brewer

Chief Executive Officer

Dulles Area Association of REALTORS®