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Revision

Short-Term Rentals Represent a Big Problem in the Florida Keys

The short-term rental problem is a very hot topic for the citizens of the Florida Keys, and the vigorous debates have divided the community in two. The litigation reached its height when Monroe County decided to get involved. As a result of the controversy, in January, 1999, Monroe County banned short-term rentals of fewer than 28 days in most residential neighborhoods. Violating the ordinance carries a maximum penalty of 60 days in jail and a \$500 fine (“Tourists,” pars. 2-3).

In Shivilani’s report, “Monroe County’s Registered Voters’ Views on Tourism and Related Issues,” it clearly states:

89% [of the residents] did not agree that the benefits of tourism are greater than the costs, and 79% disagreed that their communities benefit from tourism. Greater than half agreed that tourism forces up prices and draws money away from local projects, and over 84% agreed that tourism harms the natural environment. (55)

The results of the aforementioned survey appear to support Monroe County’s decision to ban short-term rentals.

There are several groups involved in the ongoing litigation:

- Real estate agents are the people who do a specific job: They market, sell, rent or lease your property to a third party. Also, they assist you in purchasing, renting or leasing a property.
- Homeowners are the permanent residents who own property. They live year round in the Keys.
- Property owners are the people who own property, but do not necessarily live there year round. They prefer to rent the property to short- or long-term renters.
- Renters are the people who visit an area for a limited time (short-term renters or tourists) or for a longer period of time (long-term renters).
- Business owners are those who own a private business and depend on the tourist flow for having a profitable business.

Short-term rentals became a big problem for the community—as it tore apart an otherwise unified group of residents. On one side of the debate are those protesting against the ban on short-term rentals; on the other side are those who agree with Monroe County’s decision to ban short-term rentals.

Homeowners represent the primary group opposed to short-term rentals. They are defending the peace and quiet of their neighborhoods from loud parties, lack of privacy and other disruptions they say are caused by short-term renters. As a result, Monroe County “has severely restricted short-term rentals” (“Residents,” par. 9).

Some of the real estate agents agree with the ban on short-term rentals. I wrote an email to Mr. Bill Enochs—rental manager for RE/MAX, Tropical Realty in Key Largo—and I asked his opinion about the short-term rental problem. From his reply we find out that:

Short-term tenants are a problem. They tend to be party animals and are not very considerate of the problems they create....They are rough on the property, [and] the damage rate is very high....They are also inconsiderate of the neighbors, parking several cars in the street or in front of the neighbors' drives, loud party[ing] at all hours of the night, fight[ing] and swearing. (Par. 6)

Some of the local business owners are against short-term rentals. They feel that they will benefit from the ban on short-term rentals—especially hotel/motel business owners—because they have a better chance to rent all of their rooms.

However, not all business owners oppose short-term rentals. Since the county's ban took effect, many business owners in the Keys have attacked Monroe County's ordinance, citing a significant drop in tourism. “ ‘We're dying,’ said Linda Michaud, who owns a gift and souvenir store on Summerland Key” (“Vacation,” par. 7).

Property owners are pro short-term rentals, opposing the homeowners. They have been renting their second homes on a full- or part-time basis to generate income or offset some of their ownership expenses. They say they have a right to rent out their homes and add that the ban has caused “economic hardship” to tourist business—due to the lack of lodging availability in parts of the Keys (“Vacation,” par. 1).

Referring to these specific property owners, Bill Enochs wrote:

The owners who rent to short-term renters are for the most part absentee owners who have purchased a property for their own occasional use or for retirement in the future. They do not live here and do not have to deal with the problems created by short-term renters, on a personal basis. Their ideal scenario is to live up north and let someone else help pay for the place in the Keys. They want maximum income and minimum involvement. (Par.8)

Short-term renters, also, oppose the ban, because they feel that they would be forced to pay the higher prices of renting a hotel room—versus the less expensive option of a short-term private property rental. Renting a hotel room is neither as comfortable nor as personal as renting a private home—a factor which many visiting vacationers desire. Frequently, it's difficult to find any vacancy at the local hotels and motels; and it can be very frustrating to visitors, since it may force them to postpone their trip to the Keys. Some short-term renters have cancelled their trips to the Keys, and they are not planning to return. "I'll find something else to do," Jim Barnette said. "Why go where you're not wanted?" he added ("Tourists," pars. 4-6).

Some of the local real estate agents, also, oppose the ban. Despite all of the inconveniences caused by the short-term rental problem, they feel that the commission is worth it.

Some of the community members decided to fight back in court, in order to defend their right to rent their property for whatever period of time they choose. The defendants involved in the lawsuits are determined to overturn the decision to ban short-term rentals. It's a long process, and the outcome is still unknown. Chuck Vowels, president of the Monroe County Vacation Managers

Association and a broker with Latitude 24 Real Estate in Big Pine Key, said: “This is a good thing. We just got a ruling from a federal judge recommending certification of our class in the lawsuit. Essentially, it opens the door for the class action lawsuit to become a reality” (“Class,” par. 4).

The decision to ban short-term rentals has the potential to have a negative impact on local tourism. According to Shivlani’s report:

Tourism plays an important role in Monroe County. As the largest employer in the region, it affects practically every facet of the Florida Keys, including the economy, environment, society, and culture. As tourism has grown in the Keys, it has surpassed other forms of employment, including fishing, and commerce. (1)

It is not known what the long-term effects would be on the economy, but some of the businesses already claim to have suffered from the ban on short-term rentals. Most residents want a little less tourism and a little more money spent on infrastructure and the environment. Also, 50.7% say that “tourism does not result in more leisure activities and quality events for residents,” and 63.3% state that “tourism has made their daily activities more difficult” (Shivlani, 17). The results of this survey may hurt a drive to revoke the county’s ban on short-term rentals.

Although tourism would suffer from the ban on short-term rentals, the residents feel that the environment would benefit from it. It is believed that the local environment has suffered because of the effects caused by a large number of tourists; therefore, the fewer tourists, the better. “Over 84% [of the residents] agreed that tourism harms the natural environment,” and they worry about the “quality of parks and landscaping” (Shivlani, 55).

I live in the Keys, and I feel that tourism has a positive impact on jobs. Without jobs that pay well, young residents, like me, may be forced to leave. I believe in the owner's right to rent his home for as long as he likes—as long as the peace and quiet that we all need around our homes is not disturbed. We all have to work hard at trying to understand each other and make the Keys a civilized and pleasant place. I believe that not all tourists are negative influences to our community, and most tourists contribute to the Keys in a positive way. We cannot and should not limit people's stay because we don't want them. Who are we to decide who should be allowed to come to the Keys, and who are we to determine for how long they should stay? We should be thankful that we are living in a place where the entire world wants to come and visit. Would we have the same attitude, if we didn't have that option?

Some countries have had to become really creative—in their desire to become a tourist destination. For example, France is the country of good food, wine and perfumes; but winters can be long and cold. England has great monuments and castles; but the weather is rainy most of the time, and people get depressed easily. Egypt has the great pyramids and “uses” them to promote tourism—despite the hot weather and never ending sands. Nowhere in the world, do citizens think of turning away tourism. They do everything in their power to promote tourism, since it benefits their economy.

In Florida, our main asset is the beautiful weather, especially in the winter. Restrictions on tourism can have a very negative impact on the “sunshine image” that we like so much to promote. Some tourists may find new favorite destinations—the world, after all, is a big and beautiful place where

choices are almost infinite. Once a negative image is created, it is hard to escape it. We should be careful of what kind of image we project.

I want to believe that the main sign at the entrance to the Florida Keys will not be: “You’re not welcome here. We want your money, but we don’t want you.” I want to believe that the residents of the Florida Keys will be well known for their hospitality and friendly attitude towards tourism. I want to believe that everybody is welcome here. I want to believe...

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