

## **PUBLIC SAFETY COMMITTEE**

May 1, 2020

An meeting of the Public Safety Committee was held this date beginning at 2:00 p.m by video conference.

Notice of this meeting was sent to all local news media.

### **PRESENT**

Councilmember Shahid, Chair, Councilmember Seekings, Councilmember Sakran, Councilmember Shealy

**Staff:** Jennifer Cook, Steve Ruemelin, Dan Riccio, Jeremy Collins, Tracy McKee, Susan Herdina, Dan Curia, and Bethany Whitaker.

The meeting was opened with an invocation provided by Councilmember Shealy.

### **Update on STR/livability enforcement**

Dan Riccio stated that he had make a presentation/review to get everyone on the same page. In 2017, the Short Term Rental Taskforce was created and on April 10, 2018, City Council adopted a short term rental ordinance. In June of 2018, they hired and trained three code enforcement officers. Those officers were solely dedicated to short term rental enforcement. On July 10, 2018, that was the first day citizens could apply for short term rentals and get permits. They began enforcement in August of 2018 after they purchased the software to help with the enforcement process. The strength of the ordinance is that it was straight forward and not hard to prove. Advertising without a permit was a violation. As an addendum to that, if someone didn't include the permit on their advertisement on the online portals, they were in violation. Over time, they noticed there was a lot of advertising of additional rooms that were not preapproved for the permit, and cases were made against those types of occurrences as well. They needed the tools for enforcement. At the beginning, through the procurement process, they contracted with a software compliance company. That company basically provided software that monitored those rental websites 24/7. The GIS Department provided all incorporated City parcel ID's. All those parcel ID's were uploaded into the software program. That software would weed out those that did and didn't have a permit. The software could extract information from the online platforms that the end user couldn't see. It utilized an API, which was an Application and Program Interface that could see that information. It could then compile the information and locate the property. It also allowed them to see how much money the individuals had made on their rentals. That allowed them to compile a case. After it was vetted through the company, it came to his people. From the beginning, he made it a point to make sure they followed up each and every case and cross check all the information. That way, it was hard to challenge. They also responded to the locations to gather evidence such as the keyless entries and/or cleaning services. They documented that and any other issues occurring at the property. Then, they issued a cease and desist letter to each violator. At that point, if they didn't comply, they would proceed to a court summons that was either hand delivered or issued by a process server. They found

that a lot of cases were by process server because the owners were out of town. They recouped that money when the case was complete when they asked for restitution for the amount of money it took to hire that process server. They had one prosecutor, Carolyn Blue, who prosecuted all the short term rental cases. Total to date, 646 permits had been issued as of July 10, 2018. There had been 1,718 advertisements removed since enforcement began. That was direct involvement from officers making contact with individuals. 1,209 advertisements were currently ongoing. So far, they had issued 241 criminal summons. 198 of those had be adjudicated. 43 cases were pending court hearings. Most of those were probably jury trials at this point. 75 houses had been sold and returned to the housing market as a result of the enforcement, and 110 properties had been returned back to the long-term renting status. There was now additional software options for their enforcement and they had more online platforms to monitor, which made their stats go up for the number being advertised. Their keys to success were having officers dedicated only to short term rental enforcement, officers crosschecking all the information provided to reduce the risks of dismissals or appeals, and frequent pretrial meetings with staff and prosecutor to ensure consistency and accuracy.

Councilmember Sakran said he had heard of companies that came in and signed long term leases at properties and then turn around and short term rent them. He asked if Mr. Riccio had heard of that. Mr. Riccio said they had heard of that and experienced it. As the court cases went forward and they saw those types of activities happening, they would get more information for the judge such as the leases. They had been having less complaints than normal with the pandemic. That situation took a little longer though and a little more work, but they were working on getting each case done one at a time. Councilmember Seekings said an example of that was a few guys started a company and leased an entire floor of 21 George Street which was a condo complex, and then turned around and made them all short term rentals. The merger of the compliance companies helped. The other thing was, on the backside of the economic downturn, they would probably see an uptick in the attempts to turn apartment complexes into short term rentals, so they should be ready for that. Chairman Shahid said he thought they had been very successful. Councilmember Shealy asked if the stay at home ordinance was helping or hurting and if it was backing up. Mr. Riccio said that the next court availability was in July. That was part of the reason, but most of the cases were individuals that had multiple charges and who had requested jury trials.

**Executive Session in accordance with S.C. Code Section 30-4-70(a)(1) to review candidate applications for Municipal Court Judge**

On the motion of Councilmember Shealy, seconded by Councilmember Sakran, the Committee voted unanimously to go into Executive Session at 2:15 p.m.

On the motion of Councilmember Shealy, seconded by Councilmember Sakran, the Committee voted unanimously to come out of Executive Session at 2:36 p.m.

Chairman Shahid said that no action was taken while in Executive Session.

On the motion of Councilmember Seekings, seconded by Councilmember Shealy, the Committee voted unanimously to interview the following applicants for the Municipal Court Judge position: Emmanuel

Ferguson, Katie Marko, Debra Gammons, Kristi Harrington, Margie Pizarro, David Michel, Jennifer Williams, Lindsey Byrd, Kelly LaPlante, Curtis Dayson, and Charlie Bourne.

Having no further business, the Committee adjourned at 2:38 p.m.

Bethany Whitaker  
Council Secretary