



POLICY STATEMENT SHORT-TERM RENTALS

Background

In the past decade, the popularity of short-term rentals has grown at a rate that has far out-paced governmental regulation. Several municipalities in the commonwealth have adopted regulations designed to “rein in” short-term rentals and address their perceived impacts on residential neighborhoods. This regulation is having a significant impact on property owners’ rights to rent their property on a short-term basis. Private property rights are fundamental to our free-market economic system and are protected by the 5th and 14th Amendments to the United States Constitution. The continued strength of our nation’s economy depends on the preservation of the right to freely own, use and transfer real property. The Pennsylvania Association of Realtors® recognizes the need to address short-term rental regulations in order to balance private property rights while promoting the safe and quiet enjoyment of neighborhoods.

Introduction

Since PAR’s inception in 1920, a component of PAR’s mission has been “preservation of real property rights.” PAR acknowledges that all levels of government need to have and exercise the authority to regulate private property to protect the health, safety and welfare of its citizens. PAR recognizes that short-term rentals are crucial to our commonwealth’s economy and drive tourism spending, which generates economic benefit through multiple channels. Currently, there are no statewide statutes or regulations regarding STRs. Instead, all restrictions fall to the local jurisdictions where the rental properties are located.

Recommendations

PAR’s position is to advocate for legislative oversight to regulate municipalities’ authority to control STRs.

- PAR encourages the legislature to set a standard for municipalities to follow when enforcing STR regulations.
- The legislature should clearly define; transient use and short-term rental.
- The legislature should ban municipalities from directly or indirectly prohibiting short-term rentals.
- Municipalities may reasonably regulate for the purpose of protecting the public’s health and safety.
- Municipalities should adopt and enforce a uniform nuisance control policy.

January 2020