



ADMINISTRATIVE APPEALS BOARD STAFF REPORT

DATE: October 27, 2017

SUBJECT: APPEAL OF THE ADMINISTRATIVE DECISION THAT MR. CLEMENTE AMBROSANO AND MS. MARIA AMBROSANO ARE PERMANENTLY INELIBIBLE TO OPERATE A VACATION RENTAL IN THE CITY OF PALM SPRINGS AND THE ADMINISTRATIVE FINE FOR OPERATING AN UNREGISTERED VACATION RENTAL PROPERTY LOCATED AT 3155 E. RAMON ROAD, UNIT 710, PALM SPRINGS, CALIFORNIA (Clemente Ambrosano, Maria Ambrosano)

BY: Vacation Rental Compliance Department

SUMMARY

Clemente Ambrosano and Maria Ambrosano have requested an appeal of (1) the permanent ineligibility to operate a Vacation Rental in the City of Palm Springs; and (2) the administrative fine of \$5,000.00 for operating unregistered Vacation Rental property located at 3155 E. Ramon Road, Unit 710, Palm Springs.

RECOMMENDATION:

- 1) Open the Appeal Hearing and accept public testimony.
- 2) a. Adopt Resolution No. _____, A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, **UPHOLDING** THE ADMINISTRATIVE DECISION THAT CLEMENTE AMBROSANO AND MARIA AMBROSANO ARE PERMANENTLY INELIGIBLE TO OPERATE A VACATION RENTAL IN THE CITY OF PALM SPRINGS, INCLUDING THE PROPERTY LOCATED AT 3155 E. RAMON ROAD, UNIT 710, PALM SPRINGS, CALIFORNIA.
or
b. Adopt Resolution No. _____, A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, **OVERTURNING** THE ADMINISTRATIVE DECISION THAT CLEMENTE AMBROSANO AND MARIA AMBROSANO ARE PERMANENTLY INELIGIBLE TO OPERATE A VACATION RENTAL IN THE CITY OF PALM SPRINGS, INCLUDING THE PROPERTY LOCATED AT 3155 E. RAMON ROAD, UNIT 710, PALM SPRINGS, CALIFORNIA.

ITEM NO. 1.B.

- 3) a. Adopt Resolution No. _____, A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, **UPHOLDING** THE ADMINISTRATIVE FINE OF \$5,000 ISSUED TO CLEMENTE AMBROSANO AND MARIA AMBROSANO FOR OPERATING AN UNREGISTERED VACATION RENTAL PROPERTY LOCATED AT 3155 E. RAMON ROAD, UNIT 710, PALM SPRINGS, CALIFORNIA.
- or**
- b. Adopt Resolution No. _____, A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, **OVERTURNING** THE ADMINISTRATIVE FINE OF \$5,000.00 ISSUED TO CLEMENTE AMBROSANO AND MARIA AMBROSANO FOR OPERATING AN UNREGISTERED VACATION RENTAL PROPERTY LOCATED AT 3155 E. RAMON ROAD, UNIT 710, PALM SPRINGS, CALIFORNIA.

STAFF ANALYSIS:

The property located at 3155 E. Ramon Road, Unit 710, Palm Springs, and Clemente Ambrosano and Maria Ambrosano have never been issued a Vacation Rental Registration Certificate by the City of Palm Springs.

Staff has determined that the owners have advertised and operated as a Vacation Rental. The following Palm Springs Municipal Codes sections are applicable to this matter.

The Palm Springs Municipal Code §5.25.030 Definitions, reads as follows:

"Vacation Rental" means a single-family dwelling, or any portion thereof, utilized for occupancy for dwelling, lodging, or sleeping purposes without the Owner being present for a period of twenty-eight (28) consecutive days or less, ..."

Palm Springs Municipal Code §5.25.040(a) reads as follows:

The operation of a Vacation Rental or a Homeshare Interest without a Vacation Rental Registration Certificate is prohibited.

Palm Springs Municipal Code §5.25.090(c) reads as follows in regards to the administrative fines:

(c) Any person who operates a Vacation Rental without a Vacation Registration Certificate, shall be liable to the City for the payment of

transient occupancy tax pursuant to the provisions of the Palm Springs Municipal Code Chapter 3.24, including without limitation penalties and interest, payment of an administrative fine in the amount of Five Thousand Dollars (\$5,000.00), and permanent ineligibility to operate a Vacation Rental in the City..."

Operating A Vacation Rental Without A Vacation Rental Registration Certificate
Administrative Citation No. ET0005 – August 15, 2017

Advertisement of the property located at 3155 E. Ramon Road, Unit 710, Palm Springs was found on Airbnb.com website under advertisement number 118328762. (See attachment page number 21-26)

- Property advertisement webpage contained guest stay reviews dated as of April and May 2017 (page 3 of 5).
- Property advertisement states: "5 nights minimum stay" (page 3 of 5) and "Weekly Discount: 5%" (page 2 of 5).

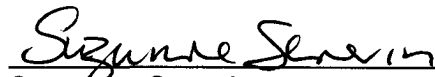
Additionally, the host responded to an inquiry for a three (3) night stay sent on August 14, 2017 answering questions and providing information on location of property from downtown and airport noise. An invitation to book was offered by the host. (See attachment page number 27-28)

Based on the advertisement and response to inquiry, an administrative citation number ET0005 in the amount of \$5,000.00 was issued to Clemente Ambrosano and Maria Ambrosano, the persons on title, for Operating a Vacation Rental Without a Registration Certificate. A Corrective Action Plan was included to stay the penalty of permanent ineligibility to operate a Vacation Rental in the City of Palm Springs. Administrative Citation was mailed via certified mail to the mailing address located on the title report, and receipt was confirmed by the Vacation Rental Compliance Department.

Staff is noting that the Corrective Action Plan was completed and submitted by the Ambrosano's who chose not to apply for a Vacation Rental Registration Certificate.



Boris Stark
Vacation Rental Compliance Official



Suzanne Severin
Vacation Rental Compliance Official

Attachments:

- Resolution no. _____ Upholding the Decision-Permanent Ineligibility - pg 5
- Resolution no. _____ Overturning the Decision-Permanent Ineligibility - pg 7
- Resolution no. _____ Upholding the Decision-\$5000.00 - pg 9
- Resolution no. _____ Upholding the Decision-\$5000.00 - pg 11
- Administrative Hearing Notice - pg 13
- Administrative Citation Appeal Form - pg 14, 15
- Administrative Citation ET0005 8/15/17 - pg 16 - 20
- Copy of Airbnb.com Advertisement 8/14/17 - pg 21 - 26
- Copy of Airbnb.com Invitation to Book 8/14/17 - pg 27, 28
- Completed Corrective Action Plan - pg 29
- Copy of the title report - pg 30

RESOLUTION NO. ____

A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, UPHOLDING THE ADMINISTRATIVE DECISION THAT MR. CLEMENTE AMBROSANO AND MS. MARIA AMBROSANO ARE PERMANENTLY INELIGIBLE TO OPERATE A VACATION RENTAL IN THE CITY OF PALM SPRINGS, INCLUDING THE PROPERTY LOCATED AT 3155 E. RAMON ROAD, UNIT 710, PALM SPRINGS, CALIFORNIA

WHEREAS, Clemente Ambrosano and Maria Ambrosano, did not obtain a Short Term Vacation Rental Registration Certificate for the property located at 3155 E. Ramon Road, Unit 710, Palm Springs pursuant to Palm Springs Municipal Code Chapter 5.25; and

WHEREAS, the City investigated in detail and located the property with the address of 3155 E. Ramon Road, Unit 710, Palm Springs advertising as a Vacation Rental for less than 28 nights, and

WHEREAS, Administrative Citation No. ET0005 Operating a Vacation Rental without a Vacation Rental Registration Certificate, was issued on August 15, 2017, to Clemente Ambrosano and Maria Ambrosano for the property located at 3155 E. Ramon Road, Unit 710, Palm Springs; and

WHEREAS, Clemente Ambrosano and Maria Ambrosano for the property located at 3155 E. Ramon Road, Unit 710, Palm Springs, filed an administrative appeal of the Administrative Citation No. ET0005 Operating a Vacation Rental without a Vacation Rental Registration Certificate in the amount of \$5,000.00 for the property located at 3155 E. Ramon Road, Unit 710, Palm Springs with the City Clerk and paid the appeal fee; and

WHEREAS, the Administrative Appeals Board opened and conducted a duly noticed Administrative Appeal Hearing on October 27, 2017; and

WHEREAS, the Administrative Appeals Board has carefully reviewed and considered all the evidence presented in connection with said appeal on October 27, 2017.

THE ADMINISTRATIVE APPEALS BOARD HEREBY FINDS, after due consideration given to the relevancy, weight and credibility of testimony and evidence, and based upon a preponderance of the evidence in accordance with the Board's procedures, as follows:

SECTION 1. That the foregoing Recitals are true and correct and are incorporated herein by this reference.

SECTION 2. The appellants failed to present adequate evidence to overturn the administrative decision for the permanent ineligibility to operate a Vacation Rental in the City of Palm Springs, including the property located at 3155 E. Ramon Road, Unit 710, Palm Springs.

SECTION 3. The Administrative Appeals Board upholds the administrative decision for Clemente Ambrosano and Maria Ambrosano's permanent ineligibility to operate a Vacation Rental in the City of Palm Springs, including the property located at 3155 E. Ramon Road, Unit 710, Palm Springs.

SECTION 4. The Administrative Appeals Board directs the City Clerk to deliver a copy of this Resolution to each party and to file a disposition report with the Palm Springs City Council.

PASSED, APPROVED, AND ADOPTED BY THE PALM SPRINGS ADMINISTRATIVE APPEALS BOARD THIS 27th DAY OF OCTOBER, 2017.

JAMES REED
Chair

ATTEST:

KATHLEEN D. HART, MMC
Interim City Clerk

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

I, KATHLEEN D. HART, Interim City Clerk of the City of Palm Springs, do hereby certify that Resolution No. _____ is a full, true and correct copy, and was duly adopted at a meeting of the Administrative Appeals Board of the City of Palm Springs on the 27th day of October 2017, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:
RECUSE:

KATHLEEN D. HART, MMC
Interim City Clerk

RESOLUTION NO. ____

A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, OVERTURNING THE ADMINISTRATIVE DECISION THAT MR. CLEMENTE AMBROSANO AND MS. MARIA AMBROSANO ARE PERMANENTLY INELIGIBLE TO OPERATE A VACATION RENTAL IN THE CITY OF PALM SPRINGS, INCLUDING THE PROPERTY LOCATED AT 3155 E. RAMON ROAD, UNIT 710, PALM SPRINGS, CALIFORNIA

WHEREAS, Clemente Ambrosano and Maria Ambrosano, did not obtain a Short Term Vacation Rental Registration Certificate for the property located at 3155 E. Ramon Road, Unit 710, Palm Springs pursuant to Palm Springs Municipal Code Chapter 5.25; and

WHEREAS, the City investigated in detail and located the property with the address of 3155 E. Ramon Road, Unit 710, Palm Springs advertising as a Vacation Rental for less than 28 nights, and

WHEREAS, Administrative Citation No. ET0005 Operating a Vacation Rental without a Vacation Rental Registration Certificate, was issued on August 15, 2017, to Clemente Ambrosano and Maria Ambrosano for the property located at 3155 E. Ramon Road, Unit 710, Palm Springs; and

WHEREAS, Clement Ambrosano and Maria Ambrosano for the property located at 3155 E. Ramon Road, Unit 710, Palm Springs, filed an administrative appeal of the Administrative Citation No. ET0005 Operating a Vacation Rental without a Vacation Rental Registration Certificate in the amount of \$5,000.00 for the property located at 3155 E. Ramon Road, Unit 710, Palm Springs with the City Clerk and paid the appeal fee; and

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THE ADMINISTRATIVE APPEALS BOARD HEREBY FINDS, after due consideration given to the relevancy, weight and credibility of testimony and evidence, and based upon a preponderance of the evidence in accordance with the Board's procedures, as follows:

SECTION 1. That the foregoing Recitals are true and correct and are incorporated herein by this reference.

SECTION 2. The appellants presented adequate evidence to overturn the administrative decision for the permanent ineligibility to operate a Vacation Rental in the City of Palm Springs, including the property located at 3155 E. Ramon Road, Unit 710, Palm Springs.

SECTION 3. The Administrative Appeals Board overturns the administrative decision for Clemente Ambrosano and Maria Ambrosano's permanent ineligibility to operate a Vacation Rental in the City of Palm Springs, including the property located at 3155 E. Ramon Road, Unit 710, Palm Springs.

SECTION 4. The Administrative Appeals Board directs the City Clerk to deliver a copy of this Resolution to each party and to file a disposition report with the Palm Springs City Council.

PASSED, APPROVED, AND ADOPTED BY THE PALM SPRINGS ADMINISTRATIVE APPEALS BOARD THIS 27th DAY OF OCTOBER, 2017.

JAMES REED
Chair

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- AYES:
- NOES:
- ABSENT:
- ABSTAIN:
- RECUSE:

KATHLEEN D. HART, MMC
Interim City Clerk

RESOLUTION NO. ____

A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, UPHOLDING THE ADMINISTRATIVE FINE OF \$5,000.00 TO MR. CLEMENTE AMBROSANO AND MS. MARIA AMBROSANO FOR OPERATING AN UNREGISTERED VACATION RENTAL PROPERTY LOCATED AT 3155 E. RAMON ROAD, UNIT 710, PALM SPRINGS, CALIFORNIA

WHEREAS, Clemente Ambrosano and Maria Ambrosano, did not obtain a Short Term Vacation Rental Registration Certificate for the property located at 3155 E. Ramon Road, Unit 710, Palm Springs pursuant to Palm Springs Municipal Code Chapter 5.25; and

WHEREAS, the City investigated in detail and located the property with the address of 3155 E. Ramon Road, Unit 710, Palm Springs advertising as a Vacation Rental for less than 28 nights, and

WHEREAS, Administrative Citation No. ET0005 Operating a Vacation Rental without a Vacation Rental Registration Certificate, was issued on August 15, 2017, to Clemente Ambrosano and Maria Ambrosano for the property located at 3155 E. Ramon Road, Unit 710, Palm Springs; and

WHEREAS, Clemente Ambrosano and Maria Ambrosano for the property located at 3155 E. Ramon Road, Unit 710, Palm Springs, filed an administrative appeal of the Administrative Citation No. ET0005 Operating a Vacation Rental without a Vacation Rental Registration Certificate in the amount of \$5,000.00 for the property located at 3155 E. Ramon Road, Unit 710, Palm Springs with the City Clerk and paid the appeal fee; and

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SECTION 1. That the foregoing Recitals are true and correct and are incorporated herein by this reference.

SECTION 2. The appellants failed to present adequate evidence to overturn the administrative fine of \$5000.00 for operating a Vacation Rental located at 3155 E. Ramon Road, Unit 710, Palm Springs.

SECTION 3. The Administrative Appeals Board upholds the administrative fine of \$5,000.00 to Clemente Ambrosano and Maria Ambrosano for operating an unregistered Vacation Rental at 3155 E. Ramon Road, Unit 710, Palm Springs.

SECTION 4. The Administrative Appeals Board directs the City Clerk to deliver a copy of this Resolution to each party and to file a disposition report with the Palm Springs City Council.

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JAMES REED
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SECTION 1. That the foregoing Recitals are true and correct and are incorporated herein by this reference.

SECTION 2. The appellants presented adequate evidence to overturn the administrative fine of \$5,000.00 for operating an unregistered Vacation Rental located at 3155 E. Ramon Road, Unit 710, Palm Springs.

SECTION 3. The Administrative Appeals Board overturns the administrative fine of \$5,000.00 to Clemente Ambrosano and Maria Ambrosano for operating an unregistered Vacation Rental located at 3155 E. Ramon Road, Unit 710, Palm Springs.

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PASSED, APPROVED, AND ADOPTED BY THE PALM SPRINGS ADMINISTRATIVE APPEALS BOARD THIS 27th DAY OF OCTOBER, 2017.

JAMES REED
Chair

ATTEST:

KATHLEEN D. HART, MMC
Interim City Clerk

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CITY OF PALM SPRINGS)

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NOES:
ABSENT:
ABSTAIN:
RECUSE:

KATHLEEN D. HART, MMC
Interim City Clerk

**NOTICE OF ADMINISTRATIVE HEARING
CITY OF PALM SPRINGS, CALIFORNIA**



**BEFORE THE
ADMINISTRATIVE APPEALS BOARD**

TO: Maria Ambrosano
806 Idaho Ave.
Santa Monica, CA 90403

DATE: October 16, 2017

clementeambrosano@sbcglobal.net

NOTICE IS HEREBY GIVEN, pursuant to Palm Springs Municipal Code §2.50.080(d), of the Appeal Hearing before the Administrative Appeals Board, on the decision of the Department of Vacation Rental Compliance, *Violation of the Palm Springs Municipal Code 5.25*, with respect to vacation rental operations located at 3155 E. Ramon Rd., #710.


Hearing Date: Friday, October 27, 2017
Hearing Time: 8:30 a.m.
Location: Palm Springs Council Chambers
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262

AFFIDAVIT OF MAILING

State of California)
County of Riverside) ss.
City of Palm Springs)

I, KATHLEEN D. HART, Interim City Clerk, of the City of Palm Springs, California, do hereby certify that the Notice of Hearing before the Administrative Appeals Board was mailed to the parties at the address above, on or before Tuesday, October 17, 2017, in a sealed envelope, with postage prepaid, and depositing same in the U.S. Mail at Palm Springs, California.

I declare under penalty of perjury that the foregoing is true and correct.



Kathleen D. Hart, MMC
Interim City Clerk



City of Palm Springs
Department of Vacation Rental Compliance
 3200 E. Tahquitz Canyon Way
 P. O. BOX 2743, Palm Springs, CA 92263

WRITTEN NOTICE OF APPEAL FORM
For VACATION RENTAL CERTIFICATE SUSPENSION, REVOCATION or DENIAL

If you have received a Suspension, Revocation or Denial Notice of a Vacation Rental Registration Certificate from the City of Palm Springs Vacation Rental Compliance Department, please use this form to request an appeal. *You must include payment of the appeal fee with this form.*

Appellant Name: Maria & Clemente Ambrosano

Mailing Address: 806 Idaho Ave,

City, State, Zip: Santa Monica, CA 90403

Contact Telephone: 310-980-6653 Fax: _____

Email: Clemente.Ambrosano@SBCGlobal.net

I request an appeal of the Administrative Citation:

Citation Number: ET0005

Date of Citation: 8.14.17

Vacation Rental Property Address, if applicable: 3155 E. Ramon Rd Unit #710

PLEASE COMPLETE THE FOLLOWING: (You may use as many additional sheets as necessary. Please be detailed; you may also present facts and evidence at the time of the appeal).

- 1) State the specific action being appealed.
- 2) Specify the grounds for the appeal.
- 3) Specify the relief you are seeking.

*Please See
 Attached
 1 page*

This completed form must be sent to:

City of Palm Springs
Office of the City Clerk
 3200 E. Tahquitz Canyon Way, P. O. Box 2743, Palm Springs, CA 92263

August 31, 2017

City of Palm Springs
Department of Vacation Rental Compliance
3200 E. Tahquitz Canyon Way
P.O. Box 2743
Palm Springs, CA 92263

RE: APPEAL TO CITATION ET0005 – VACATION RENTAL

- 1. State the specific action being appealed.** Citation received from the City of Palm Springs in regards to Municipal Code 5.25.040(a), 5.25.090(c). Violation of vacation rental home.
- 2. Specify the grounds for the appeal.** We recently purchased our home and found that we could not afford the mortgage and needed financial assistance, thus the Airbnb listing. Airbnb has become very popular and surprisingly very easy to list a home with them. We had decided to do a trial run, short period of time where we would allow someone to share our home. We home-shared a room to the renters while there. We only had the house rented for a total of 5 days (end of April-beginning of May). The cost to have a room rented for 5 days was a total of \$349.00. We had decided that we did not like having people in our home that we did not know and had no further interest in renting our home. We put a block on the listing for months. After some time we did not realize the listing was still active. As a homeowner new to Palm Springs, the city ordinances we are not familiar with. We are appealing this citation because we only rented a portion of the house while we stayed in the remainder of the home for a total of 5 days. We would understand receiving this violation if we were regularly renting the home.
- 3. Specify the relief you are seeking.** We would like to ask to have the violation removed. The listing is no longer active. To have a \$5,000 fine on us puts a financial hardship on our family.

Clemente Ambrosano
310-980-6653
clementeambrosano@sbcglobal.net

ADMINISTRATIVE CITATION- \$5000.00



City of Palm Springs
Department of Vacation Rental Compliance
3200 E. Tahquitz Canyon Way, PO BOX 2743, Palm Springs, CA 92263
Facsimile: 760-322-8317

Date of Issuance: 8/15/2017

Property Address: 3155 E Ramon Rd, Unit 710, Palm Springs, CA 92264

Maria Ambrosano; Clemente Ambrosano
806 Idaho Ave,
Santa Monica, CA 90403-2805

Subject: Violation of the Palm Springs Municipal Code 5.25.040(a), 5.25.090(c)
Operating a Vacation Rental without a Vacation Rental Registration Certificate

You are hereby notified that a violation of Palm Springs Municipal Code Section 5.25.040(a) has been determined to exist with respect to your ownership and use of the property referenced above. Accordingly, you are receiving this Administrative Citation # ET0005. You are ordered to pay an **administrative fine** in the amount of **five thousand dollars (\$5000.00)**. Further, you must cease operating and advertising as a Vacation Rental **immediately**.

IN THE EVENT YOU WISH TO ADMIT THE VIOLATION(S) REFERENCED ABOVE AND WAIVE YOUR RIGHT TO APPEAL, the City will **allow you** to operate a Vacation Rental in the City of Palm Springs **provided you take all of the following actions:**

- (i) Pay the Administrative Citation in full within fifteen (15) days from the mailing date of this letter;
- (ii) Sign and deliver page three (3) of this letter, your "Corrective Action Plan," to the Vacation Rental Compliance Department no more than fifteen (15) calendar days from the mailing date of this letter;
- (iii) Pay any penalties and all transient occupancy taxes due at the time of the Vacation Rental Registration Certificate Application;
- (iv) Submit a completed application for a Vacation Rental Registration Certificate Application for the above-referenced property to the Vacation Rental Compliance Department within fifteen (15) calendar days from the mailing date of this letter;
- (v) Secure a Vacation Rental Registration Certificate for the above-referenced property from the Vacation Rental Compliance Department no more than sixty (60) days from the mailing date of this letter; *and*
- (vi) Maintain the Vacation Rental Registration Certificate for the above-referenced property in good standing throughout its annual term and renewal terms.

Pursuant to Section 5.25.090(c), each future violation arising from your continued operation as an unpermitted Vacation Rental will result in an administrative fine in the amount of not less than ten thousand dollars (\$10,000.00), and may result in the City of Palm Springs' pursuit of civil and/or criminal remedies against you.

As the owner of the property at issue or as the individual or entity responsible for the violation, you are individually responsible for correcting the violation.

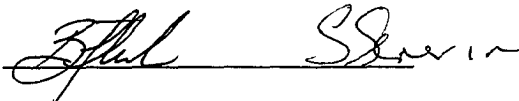
**IF YOU DO NOT WISH TO ADMIT THE VIOLATIONS,
YOU HAVE THE RIGHT TO APPEAL THIS CITATION**

Payment of this administrative fine must be made within fifteen (15) days from the mailing date of this letter. Should you file an appeal, the appeal and hearing provisions of Palm Springs Municipal Code, Chapter 2.50 will apply. If you choose to appeal this citation, payment of the administrative fine is suspended pending a final decision by the Administrative Appeals Board. However, you must pay the current appeal fee and submit the request for appeal form no later than fifteen (15) days from the mailing date of this letter. The appeal fee is non-refundable. Please see the City website at www.psvacationrentalcompliance.com for instructions. Note: Your administrative fine must be paid to the City's Citation Processing Center in Newport Beach; and your appeal form and appeal fee must be sent to the Palm Springs Office of the City Clerk.

The application for a Vacation Rental Registration Certificate can be found on the City website. Additional information concerning this violation is reflected below. **Your primary point of contact on this matter is Boris Stark or Suzanne Severin in the Vacation Rental Compliance Department office; at (760) 322-8370 or 8372 Monday through Thursday 8am-6pm.**

Thank you for your prompt attention to this matter.

Sincerely,



Description of the violations in this matter:

Palm Springs Municipal Code Section 5.25.040(a) prohibits the operation of a Vacation Rental or a Homeshare in the City of Palm Springs without a Vacation Rental Registration Certificate.

Section 5.25.090 (c) provides the fines and penalties for operation of a Vacation Rental in the City of Palm Springs without a Vacation Rental Registration Certificate.

We are aware that the property address above was advertised on www.airbnb.com website # 18328762 on the date of 08/14/2017. We have printed a copy of the advertisement(s) for our records. The City of Palm Springs has not issued a valid Vacation Rental Registration Certificate for this property.

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CORRECTIVE ACTION PLAN

- Register the property at 3155 E Ramon Rd, Unit 710, as a Vacation Rental with the City of Palm Springs and post required information on all advertising.
- Deliver the statement below to the Vacation Rental Compliance Department no more than fifteen (15) calendar days of the mailing date of the administrative citation/letter. You may submit this statement via email at vacation.rentals@palmspringsca.gov, via fax at 760-322-8317 or via USPS mail. It is the sender's responsibility to ensure the timely receipt by the Vacation Rental Compliance Department.

I UNDERSTAND AND AGREE THAT I MUST IMMEDIATELY CEASE OPERATING AND ADVERTISING THE PROPERTY ADDRESS LISTED ABOVE AS A VACATION RENTAL AND/OR HOMESHARE (RENTAL FOR TWENTY-EIGHT [28] _____ INITIALS CONSECUTIVE DAYS OR LESS WITHOUT A VACATION RENTAL HOMESHARE REGISTRATION CERTIFICATE).

I MAY NOT ADVERTISE OR OPERATE OR ALLOW THE ADVERTISING OR OPERATION OF THE PROPERTY AS A VACATION RENTAL AND/OR HOMESHARE UNTIL I HAVE BEEN ISSUED A VACATION RENTAL OR HOMESHARE _____ INITIALS REGISTRATION CERTIFICATE BY THE CITY OF PALM SPRINGS.

I ACKNOWLEDGE THE FINES AND PENALTIES STATED IN THE LETTER TO WHICH THIS CORRECTIVE ACTION PLAN IS ATTACHED AND IN THE PALM _____ INITIALS SPRINGS MUNICIPAL CODE FOR SUCH VIOLATIONS APPLY TO MY ACTIONS AND/OR OMISSIONS.

I AGREE TO A FINANCIAL AUDIT OF VACATION RENTAL GUEST STAYS THAT OCCURRED AT MY PROPERTY FOR THE PURPOSE OF ESTABLISHING _____ INITIALS TRANSIENT OCCUPANCY TAXES, REGISTRATION FEES AND PENALTIES OWED TO THE CITY OF PALM SPRINGS UNDER THE TERM AUDIT PER PSMC 3.24. I AGREE TO FURNISH THE CITY, UPON ITS REQUEST, WITH COPIES OF ALL BOOKING CONTRACTS AND/OR AGREEMENTS WITH BOOKING PLATFORMS AND THEIR USERS THAT OCCUPIED MY PROPERTY.

OR IF YOU CHOOSE NOT TO OPERATE YOUR VACATION RENTAL GOING FORWARD, PLEASE INITIAL THE SECTIONS BELOW

AS OF THE DATE BELOW I WILL **NO LONGER** OPERATE A VACATION RENTAL IN _____ INITIALS THE CITY OF PALM SPRINGS WITHOUT A VACATION RENTAL REGISTRATION CERTIFICATE. I FULLY UNDERSTAND THE CONSEQUENCES OF MY ACTIONS SHOULD I ADVERTISE OR OPERATE A VACATION RENTAL WITHOUT A VACATION RENTAL HOMESHARE REGISTRATION CERTIFICATE.

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Signature: _____ Printed Name: _____
Date: _____

Please send this Page three (3) to:
City of Palm Springs
Department of Vacation Rental Compliance
3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262

ET0005



CITY OF PALM SPRINGS
Vacation Rental Enforcement
Administrative Citation

DATE DAY OF WEEK TIME AM
8-14-17 MONDAY 11:40 PM

LOCATION OF VIOLATION
3155 E Ramon Rd Unit 710, Palm Springs

Agent
 Property Owner
 Other

NAME (First, Middle, Last): DL or ID
Maria Ambrosano; Clemente Ambrosano

ADDRESS CITY STATE ZIP
806 Idaho Ave, Santa Monica, CA 90403-2805

You are being issued an Administrative Citation for the following Code provision(s).

Count	PSMC	Description
1.	<u>5.25.040(a)</u>	<u>Operating a Vacation Rental Without a Vacation Rental</u>
2.		<u>Without a Registration Certificate</u>
3.	<u>5.25.090(c)</u>	<u>Violations</u>

COMPLIANCE ORDER

You are ordered to correct or otherwise remedy this/these violations by: 15 Calendar Days From Mailing Date of Citation

You are further ordered to pay an Administrative Fine as prescribed in the schedule below for each count listed above. Payment must be paid in full by the compliance date to avoid additional penalties. The total CITATION PENALTY due is \$ 5000.00

ADMINISTRATIVE FINE SCHEDULE

First violation – Operating without a Vacation Registration Certificate \$5000.00 and permanent ineligibility to operate

Second violation – Operating without a Vacation Registration Certificate: \$10,000.00

First violation – Advertising without posting TOT/City ID number; operating without a contract; failure to provide contract summary; failure to pay TOT timely: \$2500.00 and 6 month suspension

Second violation – Advertising without posting TOT/City number; operating without a contract; failure to provide contract summary; failure to pay TOT timely: \$5,000.00 and revocation

Other/Description: _____

E. Torres VRCD
Name and Dept. of Issuing Enforcement Officer

8-15-17
Date of Issuance

ET
Signature

Type of Service
 Personal
 Mail

**CITY OF PALM SPRINGS
DEPARTMENT OF VACATION RENTAL COMPLIANCE
ADMINISTRATIVE CITATION
IMPORTANT INFORMATION - PLEASE READ
COMPLETELY AND CAREFULLY**

You have been issued an Administrative Citation for violation(s) as indicated on the reverse. ADDITIONAL VIOLATIONS MAY RESULT IN THE CRIMINAL PROSECUTION AND/OR ADDITIONAL ADMINISTRATIVE FINES.

HOW TO PAY THE FINE

The amount of fine is indicated on the front of the Administrative Citation. The fine must be paid within fifteen (15) calendar days from the date the citation is mailed. Payment can be made by credit/debit card on-line at www.CitationProcessingCenter.com or by calling 1-800-969-6158. Payments are also accepted in the form of a cashier's check, personal check, or money order payable to the City of Palm Springs. Payment of the fine does not excuse or discharge any responsibility and legal consequences for continuation or reported occurrences of the violation(s). Write the citation number on the check/money order, and mail it to the address below. **(DO NOT send your payment to the City of Palm Springs Offices.)**

City of Palm Springs Administrative Citation Program
P.O. Box 7275
Newport Beach, CA 92658-7275

HOW TO APPEAL THIS CITATION

A responsible party receiving an administrative citation may appeal such citation within fifteen (15) calendar days from the date the citation is mailed. The provisions of Palm Springs Municipal Code Chapter 2.50 will apply to appeals. An appeal must be filed in writing by using the applicable request for appeal form available from the City's website at www.palmspringsca.gov OR www.psvacationrentalcompliance.com. If you choose to appeal this citation, payment of the administrative fine is suspended pending a final decision by the Administrative Appeals Board. However, you must pay the current appeal fee and submit the request for appeal form to the Palm Springs Office of the City Clerk no later than fifteen (15) calendar days from the date the citation is mailed. **PAYMENT OF THE ADMINISTRATIVE FINE MUST BE SENT TO THE CITY'S CITATION PROCESSING CENTER IN NEWPORT BEACH SPECIFIED ABOVE. THE APPEAL FEE AND REQUEST FOR APPEAL FORM MUST BE SENT TO THE PALM SPRINGS OFFICE OF THE CITY CLERK.** For questions, please see the City website listed above or contact the City of Palm Springs Vacation Rental Compliance Department.

FAILURE TO ANSWER OR PAY PENALTY FOR VIOLATION(S)

Failure to pay the penalty or contest the citation within fifteen (15) calendar days may result in additional administrative fines and the recordation of a special lien against your property. In addition, notification may be made to the State of California Franchise Tax Board.

Palm Springs Municipal Code provides for the issuance of administrative citations for Municipal Code Violations. Fines are cumulative and citations may be issued each day the violation exists. Each and every day a violation is unaddressed constitutes a separate and distinct offense and shall be subject to citation.

Additional Enforcement Officer Notes:

 Search



[View Photos](#)

Palm Springs Retreat!

Palm Springs, CA, United States



 Entire home/apt

 4 guests

 2 bedrooms

 2 beds

From **\$140** per night

Check In

Check Out

Guests

Book

100% refundable · You won't be charged yet

[Report this listing](#)

Palm Springs!! 5 Mins from Palm Canyon! Great complex to enjoy a vacation! The unit is located on the second floor and has breathe taking views of the mountains and lush landscape. The unit has an open floor plan with high ceilings. A/C works wonderfully.

Contact host

The space

Bedrooms: 2

Beds: 2

Check In: 8AM - 5PM

Property type: Condominium (/s/Palm-Springs--CA)

Room type: Entire home/apt



House Rules

Amenities

Family/kid friendly

Kitchen

+ More

Elevator

Pets allowed

Family/kid friendly

Internet

Doorman

Kitchen

Buzzer/wireless-intercom

Wireless Internet

Smoking allowed

Gym

Breakfast

Free parking on premises

Suitable for events

Wheelchair accessible

Hot tub

Cable TV

Family amenities

Baby bath

Baby monitor

Babysitter recommendations

Bathtub

Changing table

Children's books and toys

Children's dinnerware

Crib

Fireplace guards

Free parking on premises

Hot tub

Pool (/s/palm-springs--ca?amenity=pool)

Laptop-friendly workspace

Indoor fireplace

TV

Dryer

Iron

Hangers

Washer

Hair dryer

Essentials

Heating

Air conditioning

Air purifier

Private entrance

Free parking on street

Paid parking off premises

Game console

High chair

Outlet covers

Pack 'n Play/travel crib

Room-darkening shades

Stair gates

Table corner guards

Window guards

Prices

Extra people: No Charge

Cleaning Fee: \$75

Weekly Discount: 5%

Monthly Discount: (/s/Palm-Springs--CA?sublets=monthly) 5%



Always communicate through Airbnb

To protect your payment, never transfer money or communicate outside of the Airbnb website or app.

Learn more (/help/article/199)



Bedroom 1

1 king bed



Bedroom 2

1 queen bed

House Rules

- No smoking
- Not suitable for pets
- No parties or events
- Check in time is 8AM - 5PM



Cancellations

Flexible — 100% refundable

Cancel up to 24 hours before your trip and get a full refund. Cancel within 24 hours of your trip and the first night is non-refundable.

[View details \(/home/cancellation_policies#flexible\)](/home/cancellation_policies#flexible)

Availability

- 5 nights minimum stay
- [View calendar](#)



2 Reviews

Search reviews



[\(/users/show/95290127\)](/users/show/95290127)

Curtis [\(/users/show/95290127\)](/users/show/95290127)

May 2017

Amazing 2 bedroom. Very spacious, clean and located close to everything! Staying here felt like I was at home. I visit Palm Springs a couple times a year and will definitely be trying to book this home again in the future! Thanks Maria for the great stay! :-)

[Report](#)



Helpful



[\(/users/show/68069922\)](/users/show/68069922)

Leonel [\(/users/show/68069922\)](/users/show/68069922)

April 2017

This was an absolutely gorgeous condo located in Palm Springs, 7 mins away from all the action of downtown. I totally recommend Maria & Clemente's condo for a nice peaceful weekend out in the desert. Everything that you see in the pictures provided are exactly as is. Nice decor and super cozy. Honestly it felt better than most hotels out here. Maria was fast with her replies and her husband was an awesome host. He greeted us and showed me around as if I was family. An amazing experience. There was absolutely everything you need for a mini vacation. From stocked kitchen to towels galore, this place exceeded my expectations and I will for sure be staying here again. You will not regret it. You do not have to leave the place, everything was

[Report](#) [Helpful](#)

Hosted by Maria

[\(/users/show/29634396\)](/users/show/29634396)

Santa Monica, California, United States · Joined in March 2015



[\(/users/show/2967\)](/users/show/2967)

3 Reviews

[\(/users/show/29634396#reviews\)](/users/show/29634396#reviews)



Verified

I was born and raised in Santa Monica. I am married and have 2 children. I am in my 30's and enjoy traveling and going to the beach.

Contact host

The neighborhood

Maria's home is located in Palm Springs, [\(/s/Palm-Springs--CA\)](/s/Palm-Springs--CA) California, [\(/s/California--United-States\)](/s/California--United-States) United States [\(/s/United-States\)](/s/United-States).

Open map

Exact location information is provided after a booking is confirmed.

Similar listings

[Overview](#) · [Reviews](#) · [The Host](#) · [Location](#)

\$74 Desert Gem, south Palm Desert

Entire place · 1 bed

NEW

(/rooms/19474667?)

Explore other options in and around Palm Springs

More places to stay in Palm Springs:

Apartments (/s/Palm-Springs--CA?type=apartment) · Houses (/s/Palm-Springs--CA?type=house) · Bed & Breakfasts (/s/Palm-Springs--CA?type=bnb) · Lofts (/s/Palm-Springs--CA?type=loft) · Villas (/s/Palm-Springs--CA?type=villa)

- Irvine Vacation Rentals (/s/Irvine--CA)
- Santa Monica (/s/Santa-Monica--CA)
- West Hollywood (/s/West-Hollywood--CA)
- Hermosa Beach (/s/Hermosa-Beach--CA)
- Los Angeles (/s/Los-Angeles--CA)
- Redondo Beach (/s/Redondo-Beach--CA)
- North Augusta (/s/North-Augusta--SC)
- Milford (/s/Milford--MA)
- Southport (/s/Southport--ME)

- Pasadena (/s/Pasadena--CA)
- Venice (/s/Venice--CA)
- Big Bear City (/s/Big-Bear-City--CA)
- Beverly Hills (/s/Beverly-Hills--CA)
- San Diego (/s/San-Diego--CA)
- Manhattan Beach (/s/Manhattan-Beach--CA)
- Kearny (/s/Kearny--NJ)
- Jackson (/s/Jackson--GA)
- Oak Lawn (/s/Oak-Lawn--IL)

English



USD



Overview **Reviews** The Most Location
+ More

From **\$140** per night
BOOK
Not refundable. (You will be charged yet)

Hosted by Maria

Santa Monica, California, United States · Joined in March 2019

Reviews Verified

I was born and raised in Santa Monica. I am married and have 2 children. I am in my 30's and enjoy traveling and going to the beach.

Contact host



Save to Wish List

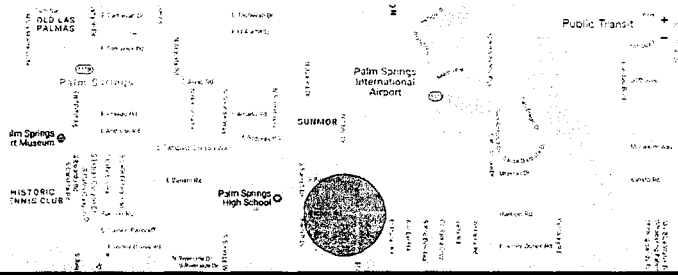
7 travelers saved this place



Report this listing

The neighborhood

Maria's home is located in Palm Springs, California, United States.



 Search



Ready to book?

Maria lets guests book instantly.

[Book now \(https://www.airbnb.com/payments/book?checkin=2017-09-07&checkout=2017-09-17&hosting_id=18328762&number_of_guests=4&ref=qt2_ccinfo\)](https://www.airbnb.com/payments/book?checkin=2017-09-07&checkout=2017-09-17&hosting_id=18328762&number_of_guests=4&ref=qt2_ccinfo)



[Send Message](#)

SAFETY TIP

For your safety and protection, only communicate and pay directly through Airbnb. Visit our Help Center (/help/article/209) to learn more about the benefits of booking through Airbnb.



Hi Fred. Thank you for your inquiry. The condo is not walkable distance from the strip. It is doable with uber. It's a 5-7 min drive. The airport is near however the flight path is not an issue. You don't hear or see the planes. Would you like to stay at our house?



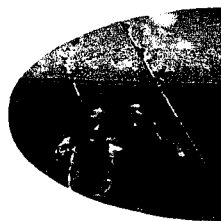
Today at 7:19 PM

INQUIRY SENT TODAY AT 6:34 PM

Hi Maria, My wife and I are looking forward to a few days in Palm Springs with another couple. We are all mature adults who will be respectful of your home. I am curious about getting to the downtown area. Is your home close enough to walk or can we get an Uber to take us? It also looks like the airport is not far from there, will there be much noise? Thank you.



Today at 6:34 PM



(/users/show/29634396)

 Verified

Maria (/users/show/29634396)

Santa Monica, CA
8 verifications • 3 reviews

Report

Trip details

Palm Springs Retreat! (/rooms/18328762)

Check in
Thu, Sep 7



>

Check out
Sun, Sep 17



Guests
4 adults

Payment

\$133.00 x 10 nights	\$1330.00
Cleaning fee	\$75.00
Service fee	\$153.00
Total	\$1558.00

Always communicate through Airbnb

To protect your payment, never transfer money or communicate outside of the Airbnb website or app.

[Learn more \(/help/article/199\)](/help/article/199)

English






USD



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[Terms \(/terms\)](/terms) [Privacy \(/terms/privacy_policy\)](/terms/privacy_policy) [Site Map \(/sitemaps\)](/sitemaps)

 (<https://www.facebook.com/airbnb>)  (<https://twitter.com/airbnb>)  (<https://instagram.com/airbnb>)

CORRECTIVE ACTION PLAN

- Register the property at 3155 E. Ramon Rd, Unit 710, as a Vacation Rental with the City of Palm Springs and post required information on all advertising.
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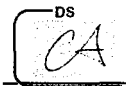
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DocuSigned by:  Signature: _____ Printed Name: Clemente Ambrosano
 Date: 8/31/2017
7C71701B067842F...

Please send this Page three (3) to:
City of Palm Springs
Department of Vacation Rental Compliance
3200 E. Tahquitz Canyon Way, Palm Springs, CA 92262

Property Profile

Property Data

Site Address:

3155 E Ramon Rd
Unit 710
Palm Springs, CA 92264

Mail Address:

806 Idaho Ave
Santa Monica, CA 90403

Primary Owner: AMBROSANO, MARIA; AMBROSANO, CLEMENTE

Secondary
Owner:
APN: 502-550-066

Census Tract: 9407.00

Housing Tract
Number: 14324

Legal Description: LOT:710 CITY:PALM SPRINGS TR#:14324 UNIT 710 CM 030/060 INT IN COMMON TR 14324 MB 112/049

Subdivision:
Property County: Riverside County

Property Characteristics

Bedrooms: 2

Year Built: 1979

Square Feet: 1230

Bathrooms: 2

Use Code: Condominium (Residential)

Lot Size: 1307 Sqft

Total Rooms:
Number of Units: 1

Garage:
Zoning:
Amenities:
Number of Stories: 1

Building Style:
Coords: 33.815555,-116.511846

Sale & Loan Information

Transfer Date:
12/30/2016

Seller: CRISCIONE, NICHOLAS A; ESTATE OF LOUISE M CRISCIONE,

Document: 2016-0584292

Transfer Value:
\$190,000.00

Cost/Sq Feet: 154

Title Company: Chicago Title Company

First Loan Amt:
\$152,000.00

Lender: New Penn Financial Llc

Assessed & Tax Information

Assessed Value: \$114,246.00

Percent Improvement: 0.8001

Homeowner Exemption: H

Land Value: \$22,840.00

Tax Amount: \$1,579.94

Tax Rate Area: 11-003

Improvement Value: \$91,406.00

Tax Status: Current

This informational product is being furnished free of charge as a customer service by Orange Coast Title Company (OCT) in conformance with the rules established by the California Department of Insurance. The information contained herein as well as any accompanying documents is not a full representation of the status of title to the property in question. The issuance of this information does not constitute a contract to issue a policy of title insurance on these same terms, neither express or implied. While the information contained herein is believed to be accurate, no liability is assumed by OCT either in contract, tort or otherwise for any error or omission contained herein and this information may not be relied upon in the acquisition or in any loan made on property by the recipient of this information without the issuance of a policy of title insurance.