



ADMINISTRATIVE APPEALS BOARD STAFF REPORT

DATE: October 27, 2017

SUBJECT: APPEAL OF THE ADMINISTRATIVE DECISION THAT MS. LACIE BEATTY AND MS. DINA ELHISHY ARE PERMANENTLY INELIGIBLE TO OPERATE A VACATION RENTAL IN THE CITY OF PALM SPRINGS AND THE ADMINISTRATIVE FINE FOR OPERATING AN UNREGISTERED VACATION RENTAL PROPERTY LOCATED AT 400 N. SUNRISE WAY, UNIT 107, PALM SPRINGS, CALIFORNIA (Lacie Beatty, Dina Elhishy)

BY: Vacation Rental Compliance Department

SUMMARY

Lacie Beatty and Dina Elhishy 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 400 N. Sunrise Way, Unit 107, 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 LACIE BEATTY AND DINA ELHISHY ARE PERMANENTLY INELIGIBLE TO OPERATE A VACATION RENTAL IN THE CITY OF PALM SPRINGS, INCLUDING THE PROPERTY LOCATED AT 400 N. SUNRISE WAY, UNIT 107, 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 LACIE BEATTY AND DINA ELHISHY ARE PERMANENTLY INELIGIBLE TO OPERATE A VACATION RENTAL IN THE CITY OF PALM SPRINGS, INCLUDING THE PROPERTY LOCATED AT 400 N. SUNRISE WAY, UNIT 107, PALM SPRINGS, CALIFORNIA.

ITEM NO. 1.C.

- 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 LACIE BEATTY AND DINA ELHISHY FOR OPERATING AN UNREGISTERED VACATION RENTAL PROPERTY LOCATED AT 400 N. SUNRISE WAY, UNIT 107, 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 LACIE BEATTY AND DINA ELHISHY FOR OPERATING AN UNREGISTERED VACATION RENTAL PROPERTY LOCATED AT 400 N. SUNRISE WAY, UNIT 107, PALM SPRINGS, CALIFORNIA.

STAFF ANALYSIS:

The property located at 400 N. Sunrise Way, Unit 107, Palm Springs, and Lacie Beatty and Dina Elhishy 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. AB0007 – August 28, 2017

Advertisement of the property located at 400 N. Sunrise Way, Unit 107, Palm Springs was found on Airbnb.com website as "Charming Desert Oasis near Downtown w 3 pools" under advertisement number 15974028. (See attachment page number ~~21-28~~)

- Property advertisement webpage stated "Lacie and Dina" as hosts and notes 29 reviews (page 1 of 6).
- Property advertisement states: "On Fridays and Saturdays the minimum stay is 2 nights" (page 4 of 6) and "Weekly Discount: 12%" (page 3 of 6).

Additionally, the hosts responded to an inquiry for a two (2) night stay sent on August 11, 2017 stating "Yes dates are available feel free to book" and sent an invitation to book. (See attachment page number ~~29-39~~)

Based on the advertisement and response to inquiry, an administrative citation number AB0007 in the amount of \$5,000.00 was issued to Lacie Beatty and Dina Elhishy, 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 has not been completed.



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. _____ Overturning the Decision-\$5000.00 - pg 11
Administrative Hearing Notice - pg 13
Administrative Citation Appeal Form - pg 14
Administrative Citation AB0007 and Citation Letter - pg 16-20
Copy of Airbnb.com Advertisement 8/19/17 - pg 21-28
Copy of Airbnb.com Invitation to Book 8/11/17 - pg 29-32
Copy of title report - pg 33

RESOLUTION NO. ____

A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, UPHOLDING THE ADMINISTRATIVE DECISION THAT MS. LACIE BEATTY AND MS. DINA ELHISHY ARE PERMANENTLY INELIGIBLE TO OPERATE A VACATION RENTAL IN THE CITY OF PALM SPRINGS, INCLUDING THE PROPERTY LOCATED AT 400 N. Sunrise Way, Unit 107, PALM SPRINGS, CALIFORNIA

WHEREAS, Lacie Beatty and Dina Elhishy, did not obtain a Short Term Vacation Rental Registration Certificate for the property located at 400 N. Sunrise Way, Unit 107, 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 400 N. Sunrise Way, Unit 107, Palm Springs advertising as a Vacation Rental for less than 28 nights, and

WHEREAS, Administrative Citation No. AB0007 Operating a Vacation Rental without a Vacation Rental Registration Certificate, was issued on August 28, 2017, to Lacie Beatty and Dina Elhishy for the property located at 400 N. Sunrise Way, Unit 107, Palm Springs; and

WHEREAS, Lacie Beatty and Dina Elhishy for the property located at 400 N. Sunrise Way, Unit 107, Palm Springs, filed an administrative appeal of the Administrative Citation No. AB0007 Operating a Vacation Rental without a Vacation Rental Registration Certificate in the amount of \$5,000.00 for the property located at 400 N. Sunrise Way, Unit 107, 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 400 N. Sunrise Way, Unit 107, Palm Springs.

SECTION 3. The Administrative Appeals Board upholds the administrative decision for Lacie Beatty and Dina Elhishy's permanent ineligibility to operate a Vacation Rental in the City of Palm Springs, including the property located at 400 N. Sunrise Way, Unit 107, 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 MS. LACIE BEATTY AND MS. DINA ELHISHY ARE PERMANENTLY INELIGIBLE TO OPERATE A VACATION RENTAL IN THE CITY OF PALM SPRINGS, INCLUDING THE PROPERTY LOCATED AT 400 N. SUNRISE WAY, UNIT 107, PALM SPRINGS, CALIFORNIA

WHEREAS, Lacie Beatty and Dina Elhishy, did not obtain a Short Term Vacation Rental Registration Certificate for the property located at 400 N. Sunrise Way, Unit 107, 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 400 N. Sunrise Way, Unit 107, Palm Springs advertising as a Vacation Rental for less than 28 nights, and

WHEREAS, Administrative Citation No. AB0007 Operating a Vacation Rental without a Vacation Rental Registration Certificate, was issued on August 28, 2017, to Lacie Beatty and Dina Elhishy for the property located at 400 N. Sunrise Way, Unit 107, Palm Springs; and

WHEREAS, Lacie Beatty and Dina Elhishy for the property located at 400 N. Sunrise Way, Unit 107, Palm Springs, filed an administrative appeal of the Administrative Citation No. AB0007 Operating a Vacation Rental without a Vacation Rental Registration Certificate in the amount of \$5,000.00 for the property located at 400 N. Sunrise Way, Unit 107, 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 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 400 N. Sunrise Way, Unit 107, Palm Springs.

SECTION 3. The Administrative Appeals Board overturns the administrative decision for Lacie Beatty and Dina Elhishy's permanent ineligibility to operate a Vacation Rental in the City of Palm Springs, including the property located at 400 N. Sunrise Way, Unit 107, 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 MS. LACIE BEATTY AND MS. DINA ELHISHY FOR OPERATING AN UNREGISTERED VACATION RENTAL PROPERTY LOCATED AT 400 N. SUNRISE WAY, UNIT 107, PALM SPRINGS, CALIFORNIA

WHEREAS, Lacie Beatty and Dina Elshishy, did not obtain a Short Term Vacation Rental Registration Certificate for the property located at 400 N. Sunrise Way, Unit 107, 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 400 N. Sunrise Way, Unit 107, Palm Springs advertising as a Vacation Rental for less than 28 nights, and

WHEREAS, Administrative Citation No. AB0007 Operating a Vacation Rental without a Vacation Rental Registration Certificate, was issued on August 28, 2017, to Lacie Beatty and Dina Elshishy for the property located at 400 N. Sunrise Way, Unit 107, Palm Springs; and

WHEREAS, Lacie Beatty and Dina Elshishy for the property located at 400 N. Sunrise Way, Unit 107, Palm Springs, filed an administrative appeal of the Administrative Citation No. AB0007 Operating a Vacation Rental without a Vacation Rental Registration Certificate in the amount of \$5,000.00 for the property located at 400 N. Sunrise Way, Unit 107, 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 fine of \$5000.00 for operating a Vacation Rental located at 400 N. Sunrise Way, Unit 107, Palm Springs.

SECTION 3. The Administrative Appeals Board upholds the administrative fine of \$5,000.00 to Lacie Beatty and Dina Elhishy for operating an unregistered Vacation Rental at 400 N. Sunrise Way, Unit 107, 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.

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RESOLUTION NO. ____

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WHEREAS, the City investigated in detail and located the property with the address of 400 N. Sunrise Way, Unit 107, Palm Springs advertising as a Vacation Rental for less than 28 nights, 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 presented adequate evidence to overturn the administrative fine of \$5,000.00 for operating an unregistered Vacation Rental located at 400 N. Sunrise Way, Unit 107, Palm Springs.

SECTION 3. The Administrative Appeals Board overturns the administrative fine of \$5,000.00 to Lacie Beatty and Dina Elhishy for operating an unregistered Vacation Rental located at 400 N. Sunrise Way, Unit 107, 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)

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- AYES:
- 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: Dina Elhishy
Lacie Beatty
1910 W. Palmyra Avenue, #131
Orange, CA 92868

DATE: October 16, 2017

delhishy@yahoo.com
lbeatty87@live.com

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 at 400 N. Sunrise Way, Unit #107.


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



RECEIVED
CITY OF PALM SPRINGS
2017 SEP -5 AM 9:09
OFFICE OF THE 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: Dina Elhishy and Lacie Beatty

Mailing Address: 1910 W. Palmyra ave. unit #131

City, State, Zip: Orange, CA 92868

Contact Telephone: (951) 892-9070 / (714) 234-7617 Fax: _____

Email: delhishy@yahoo.com / lbeatty87@live.com

I request an appeal of the Administrative Citation:

Citation Number: AB0007 Date of Citation: 8/28/2017

Vacation Rental Property Address, if applicable: 400 N. Sunrise Way unit 107
Palm Springs, CA 92262

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.
Administrative Citation # AB0007 order to pay an administrative fine in the amount of Five thousand dollars. (\$5000.00).
- 2) Specify the grounds for the appeal.
- Willing to comply with City Code that we were not aware of since we are not residing at the City of Palm Springs and intention to stop renting our unit as vacation rental
- 3) Specify the relief you are seeking.
Fine forgiveness.

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

^[[5i

CITY OF PALM SPRINGS

RECD BY: CR 01000095701
PAYOR: ELHISHY/BEATTY
TODAY'S DATE: 09/05/17
REGISTER DATE: 09/05/17 TIME: 10:26

DESCRIPTION	AMOUNT
OTHER CHARGES SVCS	\$728.00
CUST ID: APPEAL CITE AB0007	
TOTAL DUE:	\$728.00

CHECK PAID:	\$728.00
CHECK NO: 8907	
TENDERED:	\$728.00
CHANGE:	\$.00

^[[4i

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: 08/28/2017 Property Address: 400 N Sunrise Way Unit 107
Palm Springs, CA, 92262

Lacie Beatty & Dina Elhishy
400 N Sunrise Way Unit 107
Palm Springs, CA, 92262

**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 # AB0007. 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.

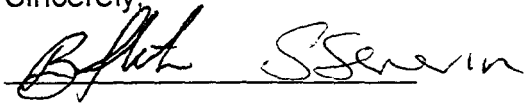
**IF YOU DO NOT WISH TO ADMIT THE VIOLATIONS,
YOU HAVE THE RIGHT TO APPEAL THIS CITATION**

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 # 15974028 on the date of 08/19/2017. 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 _____ 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] CONSECUTIVE DAYS OR LESS WITHOUT A VACATION RENTAL HOMESHARE REGISTRATION CERTIFICATE). _____ INITIALS

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 REGISTRATION CERTIFICATE BY THE CITY OF PALM SPRINGS. _____ INITIALS

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

I AGREE TO A FINANCIAL AUDIT OF VACATION RENTAL GUEST STAYS THAT OCCURRED AT MY PROPERTY FOR THE PURPOSE OF ESTABLISHING 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. _____ INITIALS

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 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. _____ INITIALS

I AGREE TO A FINANCIAL AUDIT OF VACATION RENTAL GUEST STAYS THAT OCCURRED AT MY PROPERTY FOR THE PURPOSE OF ESTABLISHING 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. _____ INITIALS

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

AB0007



CITY OF PALM SPRINGS
Vacation Rental Enforcement
Administrative Citation

DATE 8/19/17 DAY OF WEEK Saturday TIME 11:10 AM
PM

LOCATION OF VIOLATION
400 N Sunrise Way Unit 107

- Agent
- Property Owner
- Other

NAME (First, Middle, Last): Lois Betty & Dina Elhishy DL or ID

ADDRESS 400 N Sunrise Way Unit 107, Palm Springs, CA CITY STATE ZIP

You are being issued an Administrative Citation for the following Code 92262 provision(s).

- | Count | PSMC | Description |
|-------|---------------------|---|
| 1. | <u>5.25.040 (a)</u> | <u>Operating a vacation rental without a Vacation Rental Registration Certificate</u> |
| 2. | | <u>a Vacation Rental 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 \$ 5,000.00

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: _____

Patrick Clifford VRED
Name and Dept. of Issuing Enforcement Officer

[Signature]
Signature

8/23/17
Date of Issuance

- 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

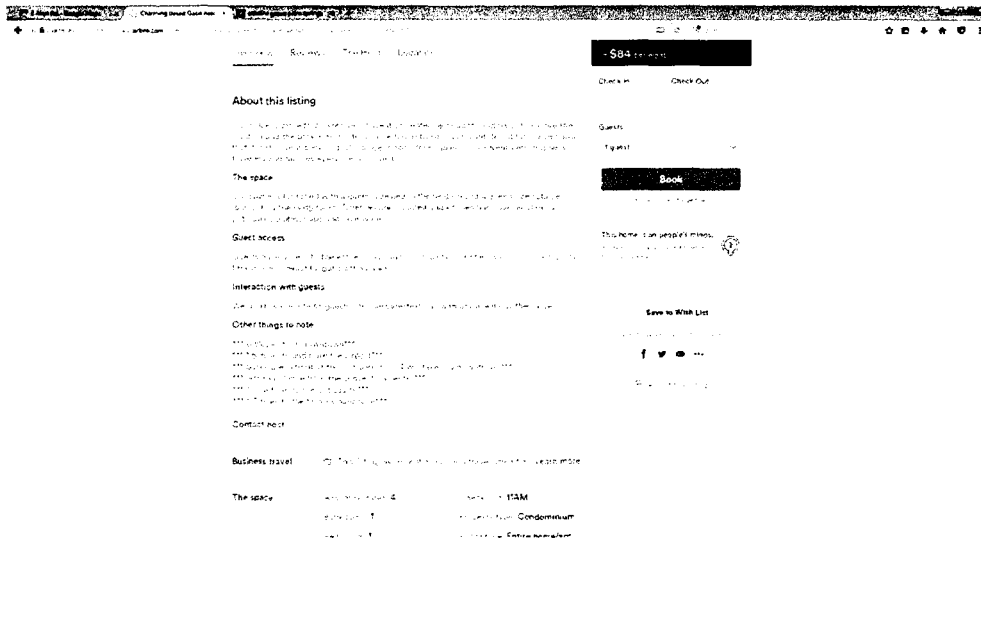
A responsible party receiving an administrative citation may appeal such citation within fifteen (15) calendar days from the date the citation is mailed. The provisions of Palm Springs Municipal Code Chapter 2.50 will apply to appeals. An appeal must be filed in writing by using the applicable request 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:





🔍 Palm Springs, CA, United States

View Photos

Charming Desert Oasis near Downtown w 3 pools!!
Palm Springs, CA, United States ★★★★★ 29 reviews



Lacie and
Dina



Entire home/apt



5 guests



1 bedroom



2 beds

⚡ From **\$71** per night

Check In

Check Out

mm/dd/yyyy

Guests

1 guest

Book

You won't be charged yet

This home is on people's minds.

It's been viewed 307 times in the past week.

Save to Wish List

685 travelers saved this place



Report this listing

Our place is close to downtown, convention center, restaurants and bars. You'll love the location and the proximity it is to local restaurants, bars and nightlife but far enough away that it isn't in your backyard. Our place is good for couples, solo adventurers, business travelers and families everyone will love it!

The space

Our space is furnished with a queen size bed in the he drop and a queen size sofa bed (pull out) in the living room. Toiletries are included and kitchen has cooking utensils, pots/pans, plates, cups and silverware.

Guest access

Guests have access to the entire condo and community amenities which include 3 pools, fitness room, beautiful patio sitting area.

Interaction with guests

We don't live on site so guests can message/text/call with any questions they have.

Other things to note

- *** 6 blocks from downtown***
- *** 1.5 miles to and from the airport***
- *** buses are in front of the complex (bus 14 will take you downtown)***
- *** less than 1 mile from the convention center***
- *** 1 mile from spa resort casino***
- *** 1.7 miles to the famous hard rock***

Contact host

Business travel

This listing has essential business travel amenities. Learn more

The space

Accommodates: 5
Bathrooms: 1
Bedrooms: 1
Beds: 2
Check In: Anytime after 3PM

Check Out: 11AM
Property type: Condominium (/s/Palm-Springs--CA)
Room type: Entire home/apt
Self check-in: Lockbox

House Rules

Amenities

- Family/kid friendly
- Internet

+ 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

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

Family amenities

~~Baby bath~~

~~Baby monitor~~

~~Babysitter recommendations~~

~~Bathtub~~

~~Changing table~~

~~Children's books and toys~~

~~Children's dinnerware~~

~~Crib~~

~~Fireplace guards~~

- Kitchen

- Wireless Internet

- Laptop friendly workspace

~~Indoor fireplace~~

- TV

- Dryer

- Iron

- Hangers

- Washer

- Hair dryer

- Shampoo

- 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: \$35 / night after 2 guests
Cleaning Fee: \$85

Weekly Discount: 12%
Monthly Discount: (/s/Palm-Springs--CA?sublets=monthly) 30%

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)

House Rules

- No smoking
- Not suitable for pets
- No parties or events
- Check in is anytime after 3PM

- Please be respectful of our place and clean up after yourself.
- Our neighbors do not like to be disturbed so please do not bother them.
- Please keep noise levels down.
- Check out is promptly at 11:00am unless otherwise discussed prior to check in (we will do our best to accommodate special requests prior to arrival.) Check out will be confirmed by a message if for any reason check out is not confirmed on or before 11am you will be billed for another nights stay. No exceptions!
- Do not hang wet towels in the patio area this is for community rule and shall not be violated.
- Lost house key or pool key will result in a \$50 replacement charge.

Cancellations

Strict

Cancel up to 7 days before your trip and get a 50% refund. Cancel within 7 days of your trip and the reservation is non-refundable.

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

Safety features


- Smoke detector
- Carbon monoxide detector
- Fire extinguisher

Availability

On **Fridays and Saturdays** the minimum stay is **2 nights**. [View calendar](#)

29 Reviews ★★★★★

Accuracy	★★★★★	Location	★★★★★
Communication	★★★★★	Check In	★★★★★
Cleanliness	★★★★★	Value	★★★★★

 [\(/users/show/2730285\)](/users/show/2730285) **Stephanie** [\(/users/show/2730285\)](/users/show/2730285)
December 2016 [Report](#) [Helpful](#)

Very clean, quiet place. The bedroom is off a main road so you'll need to factor that in. Feels a safe place to stay

◀ 1 2 3 4 5

This host has 175 reviews for other properties.

[View other reviews \(/users/show/7011721\)](/users/show/7011721)

Hosted by Lacie And Dina

[\(/users/show/7011721\)](/users/show/7011721)

Orange, California, United States · Joined in June 2013



[\(/users/show/7011721\)](/users/show/7011721)



209 Reviews

[\(/users/show/7011721#reviews\)](/users/show/7011721#reviews)



Verified

Hey there we are Lacie and Dina,

We have been happily married for 4 wonderful years. We have lived in orange county for the last 10 yrs we love the area and our house and we are so happy to share it with our guests!

We love to travel and meet new people we have been verify privileged to have traveled to several fantastic places like Puerto Rico, Egypt, South Korea, Florida, Arizona, Nevada just to name a few. We have a great love for California and all it has to offer. If we are not home we are normally at our place in Palm Springs lounging by the pool.

We enjoy traveling, going to the beach, reading ,cooking, watching movies and most of all spending quality time together and with our dog Bentley!

We would love to share our place with you and be apart of your journey.

[Contact host](#)

Response rate: 100%

Response time: within an hour

The neighborhood

Lacie And Dina'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).

The neighborhood is peaceful and quiet. We have great neighbors please respect their privacy.

Getting around

** By Bike (8 minute ride to downtown) bikes are not included but can be rented at the local bike shop.

** Uber/Lyft (\$6-\$7 to bring you downtown)

** The BUZZ bus is a free bus that takes you up and down the palm springs strip.

** By car 5 minute drive to downtown.

Exact location information is provided after a booking is confirmed.

Similar listings

(/rooms/9181958?)



(/rooms/1233981?)



\$100 Casa Ponderosa

Entire house · 1 bed

★★★★★ 272

(/rooms/9181958?)

\$108 Poolside bedroom with king bed, se...

Private room · 1 bed

★★★★★ 144

(/rooms/1233981?)

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)

Pasadena (/s/Pasadena--CA)

Santa Monica (/s/Santa-Monica--CA)

Venice (/s/Venice--CA)

West Hollywood (/s/West-Hollywood--CA)

Big Bear City (/s/Big-Bear-City--CA)

Hermosa Beach (/s/Hermosa-Beach--CA)

Beverly Hills (/s/Beverly-Hills--CA)

Los Angeles (/s/Los-Angeles--CA)

San Diego (/s/San-Diego--CA)

Redondo Beach (/s/Redondo-Beach--CA)

Manhattan Beach (/s/Manhattan-Beach--CA)

Lillian (/s/Lillian--AL)

Aiea (/s/Aiea--HI)

Florence (/s/Florence--AL)

Seal Rock (/s/Seal-Rock--OR)

Nacogdoches (/s/Nacogdoches--TX)

Indian Beach (/s/Indian-Beach--NC)

English



Airbnb

Help (/help?from=footer)

Policies (/policies)

Terms (/terms)

Privacy (/terms/privacy_policy)

Discover

Trust & Safety (/trust)

Site Map (/sitemaps)

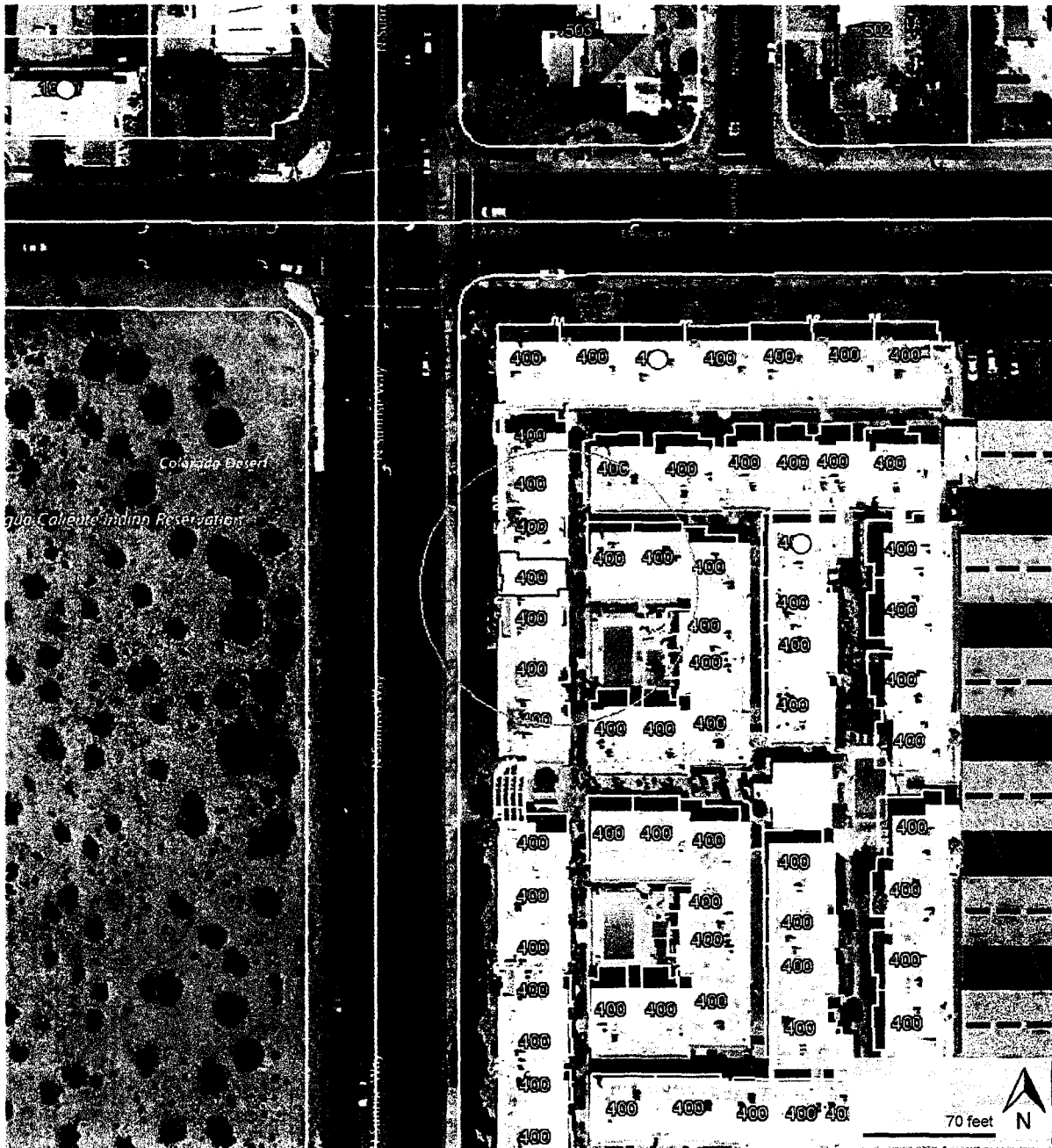
Hosting

Why Host (/host/homes?from_footer=1)

Responsible Hosting (/help/responsible-hosting)

USD







Nikolai Dorian <nikolaidorian@gmail.com>

Invitation to book Lacie And Dina's home in Palm Springs

1 message

Airbnb <automated@airbnb.com>
To: nikolaidorian@gmail.com

Fri, Aug 11, 2017 at 10:29 AM



**Lacie And Dina has invited you
to book their home in Palm
Springs!**

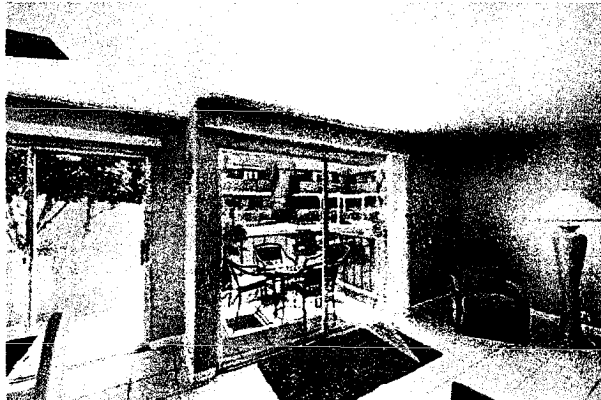
After reading your message, Lacie And Dina invited you to book
Charming Desert Oasis near Downtown w 3 pools!! for Oct 2 - 4.



You have until 5:29 PM on Aug 12 to book your
reservation before their invitation expires.

[Book now](#)

Others could still book this home for your dates. We recommend
booking soon if this is your first choice.



**Charming Desert Oasis near Downtown
w 3 pools!!**

Entire home/apt hosted by Lacie And Dina



Mon
Oct 02, 2017
Anytime after 3PM

Wed
Oct 04, 2017
11AM

Guests

1 adult

Total cost

\$286

Sent with ♥ from Airbnb

Airbnb, Inc., 888 Brannan St, San Francisco, CA 94103

[Earn travel credit](#)



Nikolai Dorian <nikolaidorian@gmail.com>

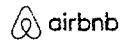
RE: Inquiry at Charming Desert Oasis near Downtown w 3 pools!! for Oct 2 - 4, 2017

1 message

Lacie And Dina (Airbnb) <express@airbnb.com>
Reply-To: "Lacie And Dina (Airbnb)" <245cgcnx3mjr3t3zb7y5s1n15s77@reply.airbnb.com>
To: nikolaidorian@gmail.com

Fri, Aug 11, 2017 at 10:29 AM

Respond to Lacie And Dina by replying directly to this email.



Hi Nikolai! Yes dates are available feel free to book. :)



Lacie And Dina

5 Verifications

205 Reviews

Inquiry



Charming Desert Oasis near Downtown w 3 pools!!
Condominium - Entire home/apt • 1 Guest • You would pay (will be confirmed once a reservation is made)



Check-In

Mon, October 2, 2017

Checkout

Wed, October 4, 2017

Book it

Gmail - RE: Inquiry at Charming Desert Oasis near Downtown w 3 pools... <https://mail.google.com/mail/?ui=2&ik=2967e7d8ad&jsver=RKK5Ah8...>

Reply



Sent with ♥ from Airbnb
[Email preferences](#)

Property Profile

Property Data

Site Address:	Primary Owner:	BEATTY, LACIE; ELHISHY, DINA
400 N Sunrise Way Apt 107 Palm Springs, CA 92262	Secondary Owner:	APN: 502-023-007
Mail Address:	Census Tract:	0447.01
400 N Sunrise Way Apt 107 Palm Springs, CA 92262	Housing Tract Number:	
	Legal Description:	LOT:107 CITY:PALM SPRINGS SUBD:ROYAL PALMS TRACT UNIT 107 CM 072/057 INT IN COMMON MB 30/21 & PM 3/16
	Subdivision:	ROYAL PALMS TRACT
	Property County:	Riverside County

Property Characteristics

Bedrooms: 1	Year Built: 1972	Square Feet: 850
Bathrooms: 1	Use Code: Condominium (Residential)	Lot Size: 3049 Sqft
Total Rooms:	Number of Units: 1	Garage: Carport (2 car)
Zoning: R2	Amenities:	
Number of Stories: 1	Building Style:	Coords: 33.829756,-116.527935

Sale & Loan Information

Transfer Date: 05/07/2015	Seller: CATALINA GROVE LLC,	Document: 2015-0191571
Transfer Value: \$103,000.00	Cost/Sq Feet: 121	Title Company: First American Title Company
First Loan Amt: \$92,000.00	Lender: New American Funding	

Assessed & Tax Information

Assessed Value: \$104,570.00	Percent Improvement: 0.75	Homeowner Exemption:
Land Value: \$26,142.00	Tax Amount: \$1,547.24	Tax Rate Area: 11-003
Improvement Value: \$78,428.00	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.