



ADMINISTRATIVE APPEALS BOARD STAFF REPORT

DATE: November 13, 2017

SUBJECT: APPEAL OF THE ADMINISTRATIVE DECISION THAT MICHELLE R. MARTIN IS 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 2701 E. MESQUITE, UNIT R81, PALM SPRINGS, CALIFORNIA (Martin)

BY: Vacation Rental Compliance Department

SUMMARY

Michelle R. Martin has 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 2701 E. Mesquite, Unit R81, 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 MICHELLE MARTIN IS PERMANENTLY INELIGIBLE TO OPERATE A VACATION RENTAL IN THE CITY OF PALM SPRINGS, INCLUDING THE PROPERTY LOCATED AT 2701 E. MESQUITE, UNIT R81, 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 MICHELLE MARTIN IS PERMANENTLY INELIGIBLE TO OPERATE A VACATION RENTAL IN THE CITY OF PALM SPRINGS, INCLUDING THE PROPERTY LOCATED AT 2701 E. MESQUITE, UNIT R81, PALM SPRINGS, CALIFORNIA.

ITEM NO. 1A

- 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 MICHELLE MARTIN FOR OPERATING AN UNREGISTERED VACATION RENTAL PROPERTY LOCATED AT 2701 E. MESQUITE, UNIT R81, 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 MICHELLE MARTIN FOR OPERATING AN UNREGISTERED VACATION RENTAL PROPERTY LOCATED AT 2701 E. MESQUITE, UNIT R81, PALM SPRINGS, CALIFORNIA.

STAFF ANALYSIS:

The property located at 2701 E. Mesquite, Unit R81, Palm Springs and Michelle Martin 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. AB-0035 – September 25, 2017

Advertisement of the property located at 2701 E. Mesquite, Unit R81, Palm Springs was found on Airbnb.com website on September 21, 2017 as "Beautiful spacious 2 bedroom condominium" under advertisement number 20558589. (See attachment page number 29)

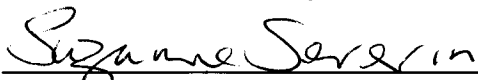
- Property advertisement webpage shows "Hosted by Michelle" with information about the host, and lists 2 reviews one of which mentions Michelle by name (page 4 of 6).
- Property advertisement webpage shows 2 night minimum stay required (page 4 of 6).
- Property advertisement webpage states: "Weekly Discount 21%" and "Extra people No Charge" (page 3 of 6).
- The entire 2 bedroom condominium is available for renters (page 2 of 6).

Additionally, the hosts responded to an inquiry for an eight (8) night stay sent on September 21, 2017 stating "...yes my place is available and we would love to have you stay with us for the eight nights go ahead and book it because the dates are going fast for winter months and I will give you all the details when it gets closer to your arrival. You will love the property and the unit. I'll make sure everything is already for you and your family." (See attachment page number 20)

Based on the advertisement and response to inquiry, an administrative citation number AB-0035 in the amount of \$5,000.00 was issued to Michelle R. Martin, the person on title, for Operating a Vacation Rental Without a Registration Certificate. 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.



Boris Stark
Vacation Rental Compliance Official



Suzanne Severin
Vacation Rental Compliance Official

Attachments:

- Resolution no. _____ Upholding the Decision-Permanent Ineligibility (page 5)
- Resolution no. _____ Overturning the Decision-Permanent Ineligibility (page 7)
- Resolution no. _____ Upholding the Decision-\$5000.00 (page 9)
- Resolution no. _____ Overturning the Decision-\$5000.00 (page 11)
- Administrative Hearing Notice (page 13)
- Administrative Citation Appeal Form (page 14)
- Administrative Citation AB-0035 and Citation Letter (page 16)
- Copy of Airbnb.com Advertisement 9/21/17 (page 29)
- Copy of Airbnb.com Invitation to Book 9/21/17 (page 20)
- Copy of title report (page 32)

RESOLUTION NO. ____

A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, UPHOLDING THE ADMINISTRATIVE DECISION THAT MS. MICHELLE R. MARTIN IS PERMANENTLY INELIGIBLE TO OPERATE A VACATION RENTAL IN THE CITY OF PALM SPRINGS, INCLUDING THE PROPERTY LOCATED AT 2701 E. MESQUITE, UNIT R81, PALM SPRINGS, CALIFORNIA

WHEREAS, Michelle R. Martin did not obtain a Vacation Rental Registration Certificate for the property located at 2701 E. Mesquite, Unit R81, 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 2701 E. Mesquite, Unit R81, Palm Springs advertising as a Vacation Rental for less than 28 nights, and

WHEREAS, Administrative Citation No. AB0035 Operating a Vacation Rental without a Vacation Rental Registration Certificate, was issued on September 25, 2017, to Michelle R. Martin for the property located at 2701 E. Mesquite, Unit R81, Palm Springs; and

WHEREAS, Michelle R. Martin for the property located at 2701 E. Mesquite, Unit R81, Palm Springs, filed an administrative appeal of the Administrative Citation No. AB0035 Operating a Vacation Rental without a Vacation Rental Registration Certificate in the amount of \$5,000.00 for the property located at 2701 E. Mesquite, Unit R81, 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 November 13, 2017; and

WHEREAS, the Administrative Appeals Board has carefully reviewed and considered all the evidence presented in connection with said appeal on November 13, 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 appellant did not 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 2701 E. Mesquite, Unit R81, Palm Springs.

SECTION 3. The Administrative Appeals Board upholds the administrative decision for Michelle R. Martin’s permanent ineligibility to operate a Vacation Rental in the City of Palm Springs, including the property located at 2701 E. Mesquite, Unit R81, 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 13th DAY OF NOVEMBER, 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 13th day of November 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. MICHELLE R. MARTIN IS PERMANENTLY INELIGIBLE TO OPERATE A VACATION RENTAL IN THE CITY OF PALM SPRINGS, INCLUDING THE PROPERTY LOCATED AT 2701 E. MESQUITE, UNIT R81, PALM SPRINGS, CALIFORNIA

WHEREAS, Michelle R. Martin did not obtain a Vacation Rental Registration Certificate for the property located at 2701 E. Mesquite, Unit R81, 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 2701 E. Mesquite, Unit R81, Palm Springs advertising as a Vacation Rental for less than 28 nights, and

WHEREAS, Administrative Citation No. AB0035 Operating a Vacation Rental without a Vacation Rental Registration Certificate, was issued on September 25, 2017, to Michelle R. Martin for the property located at 2701 E. Mesquite, Unit R81, Palm Springs; and

WHEREAS, Michelle R. Martin for the property located at 2701 E. Mesquite, Unit R81, Palm Springs, filed an administrative appeal of the Administrative Citation No. AB0035 Operating a Vacation Rental without a Vacation Rental Registration Certificate in the amount of \$5,000.00 for the property located at 2701 E. Mesquite, Unit R81, Palm Springs with the City Clerk and paid the appeal fee; and

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WHEREAS, the Administrative Appeals Board has carefully reviewed and considered all the evidence presented in connection with said appeal on November 13, 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 appellant 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 2701 E. Mesquite, Unit R81, Palm Springs.

SECTION 3. The Administrative Appeals Board overturns the administrative decision for Michelle R. Martin's permanent ineligibility to operate a Vacation Rental in the City of Palm Springs, including the property located at 2701 E. Mesquite, Unit R81, 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
Chair

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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. MICHELLE R. MARTIN FOR OPERATING AN UNREGISTERED VACATION RENTAL PROPERTY LOCATED AT 2701 E. MESQUITE, UNIT R81, PALM SPRINGS, CALIFORNIA

WHEREAS, Michelle R. Martin did not obtain a Vacation Rental Registration Certificate for the property located at 2701 E. Mesquite, Unit R81, 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 2701 E. Mesquite, Unit R81, Palm Springs advertising as a Vacation Rental for less than 28 nights, and

WHEREAS, Administrative Citation No. AB0035 Operating a Vacation Rental without a Vacation Rental Registration Certificate, was issued on September 25, 2017, to Michelle R. Martin for the property located at 2701 E. Mesquite, Unit R81, Palm Springs; and;

WHEREAS, Michelle R. Martin for the property located at 2701 E. Mesquite, Unit R81, Palm Springs, filed an administrative appeal of the Administrative Citation No. AB0035 Operating a Vacation Rental without a Vacation Rental Registration Certificate in the amount of \$5,000.00 for the property located at 2701 E. Mesquite, Unit R81, 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 did not present adequate evidence to overturn the administrative fine of \$5,000.00 for operating an unregistered Vacation Rental located at 2701 E. Mesquite, Unit R81, Palm Springs.

SECTION 3. The Administrative Appeals Board upholds the administrative fine of \$5,000.00 to Michelle R. Martin for operating an unregistered Vacation Rental located at 2701 E. Mesquite, Unit R81, 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 2701 E. Mesquite, Unit R81, Palm Springs.

SECTION 3. The Administrative Appeals Board overturns the administrative fine of \$5,000.00 to Michelle R. Martin for operating an unregistered Vacation Rental located at 2701 E. Mesquite, Unit R81, 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 13th DAY OF NOVEMBER, 2017.

JAMES REED
Chair

ATTEST:

KATHLEEN D. HART, MMC
Interim City Clerk

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COUNTY OF RIVERSIDE) ss.
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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: Michelle R. Martin
10736 Jefferson Blvd. #1032
Culver City, CA 90230

DATE: November 1, 2017

mmartininla@yahoo.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 located at 2701 E. Mesquite Ave R-81.


Hearing Date: Monday, November 13, 2017
Hearing Time: 8:30 a.m.
Location: Palm Springs City Hall Council Chamber
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 Thursday, November 2, 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

As a courtesy, this Hearing Notice was emailed to the Owner mentioned above.

hashty - zero my convicted criminals dont even have to pay this amount for restitution; I dont even have a misdemeanor. Thank you for your consideration. Sincerely Michelle Martin Lead



RECEIVED
CITY OF PALM SPRINGS
2017 OCT 10 AM 9:04
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: Michelle R. Martin
Mailing Address: 10736 Jefferson blvd. # 1032
City, State, Zip: Culver City, CA 90230
Contact Telephone: 323-804-1389 Fax: _____
Email: mmartininla@yahoo.com

I request an appeal of the Administrative Citation:

Citation Number: AB-0035 Date of Citation: 9-25-17 (Received Oct 1, 2017)
Vacation Rental Property Address, if applicable: 2701 E. Mesquite Ave #R-81 Palm Springs, CA 92264

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.
Ardu -> I have put the air B+B on hold pending my Condo on Air B+B without a Vacation Rental Certificate
- 2) Specify the grounds for the appeal.
(on back) -> Read before #3 Thank you.
- 3) Specify the relief you are seeking.
Please I beg you to give me a warning before giving me the \$5,000 fine. This would devastate me and possibly cause me to loose this property. Please

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
Please give me a break. I am not pulling in enough money to pay for this. I have to borrow \$ from my friend to pay the appeal cost. Please!!!

To whom it may concern -
To give you a little history, I was forced to
sell my beautiful 2-bed Condo in Culver City
because of two neighbors harassing me because
I was a single man with a daughter and no
husband to help put a stop to it. So the plan
was to buy another 1 or 2 bed Condo in
a more kid/family friendly community.
During the sale and loan preapproval
process, I was let go of my 9 yr social
worker job because the company was
forced to downsize or close. I had a
small private practice job on the side
as a psychotherapist for men, women &
children with HIV/AIDS. I have always had
a heart for this community, so I begged
all the Case Managers at APLA and
St. Mary's to give me more referrals so
I could do this full time. In the process,
we lost the loan & literally became
homeless. My friend took us in for one month
until we found a small converted garage to
live in for 1 yr (300 sq feet). Since I could
not get a loan & had 200k in the bank, all
I could afford is a Condo in Palm Springs.
I thought I could fix it up a bit and rent it
out AIR B+B. I HAD NO IDEA I needed
to get a Rental Certificate. I told everyone
my plans while purchasing the Condo and
nobody told me your agency even existed,
not even AIR B+B. So basically it's not renting
& costing me money, totally devastating in itself
but now I have a \$5000 penalty with no
warning at all or knowledge this could
ever possibly happen. I'm so devastated &
depressed. I may lose the property as I
do not have \$5000. I'm actually in the ~~red~~

ADMINISTRATIVE CITATION- \$5,000.00



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: 9/25/2017

Property Address: 2701 E Mesquite Ave, Unit R81, Palm Springs, CA 92264

Michelle R Martin
10736 Jefferson Blvd #1032
Culver City, CA 90230-4933

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 # AB-0035. Pursuant to Section 5.25.090(c), you are ordered to pay an **administrative fine** in the amount of **five thousand dollars (\$5,000.00)**. Further, you must cease operating and advertising as a **Vacation Rental immediately, and you are permanently ineligible to operate a Vacation Rental in the City.**

Also, 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.

Additional information concerning this violation is reflected below.

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.

YOU HAVE THE RIGHT TO APPEAL THIS CITATION

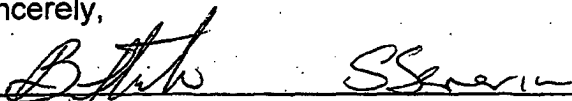
Payment of this administrative fine must be made within fifteen (15) days from the mailing date of this letter. Should you file an appeal, the appeal and hearing provisions of Palm Springs Municipal Code, Chapter 2.50 will apply. If you choose to appeal this citation, payment of the administrative fine is suspended pending a final decision by the Administrative Appeals Board. However, you must pay the current non-refundable appeal fee of \$764.00 and submit the request for appeal form no later than fifteen (15) days from the mailing date of this letter. Please see the City website at www.psvacationrentalcompliance.com for the appeal form and further 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, Attention: Office of the City Clerk.

Since you were operating a Vacation Rental without a Registration Certificate, please be advised that you are responsible for payment of back registration certificate fees and penalties (Resolution No. 23517) and back Transient Occupancy Tax (TOT), penalties and interest (PSMC 3.24).

Should you have any questions regarding this letter, please contact Boris Stark or Suzanne Severin in the Vacation Rental Compliance Department office; at (760) 322-8370 or (760) 322-8372, Monday through Thursday 8am-6pm.

Thank you for your prompt attention to this matter.

Sincerely,



Boris Stark/Suzanne Severin
Vacation Rental Compliance Officials

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 # 20558589 on the date of 9/21/2017. 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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CITY OF PALM SPRINGS
Vacation Rental Enforcement
Administrative Citation

DATE	DAY OF WEEK	TIME	AM PM
09/21/17	Thursday	2:38	PM

LOCATION OF VIOLATION
2701 Mesquite, Unit R81

- Agent
- Property Owner
- Other

NAME (First, Middle, Last): DL or ID
Michelle R Martin

ADDRESS	CITY	STATE	ZIP
10736 Jefferson Blvd. #1032	Culver City, CA		90230

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

Count	PSMC	Description
1.	5.25.040 (a)	OPERATING A VACATION RENTAL W/OUT A VACATION RENTAL REGISTRATION CERTIFICATE
2.	5.25.090 (c)	VIOLATIONS

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:

David Williams – VRCD

09/25/17

Name and Dept. of Issuing Enforcement Officer:

Signature

Date of Issuance

- Type of Service
- Personal
 - Mail

COPY TO PROPERTY OWNER/AGENT; PROCESSING; FILE

**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

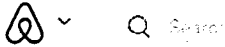
A responsible party receiving an administrative citation may appeal such citation within fifteen (15) calendar days from the date the citation is mailed. The provisions of Palm Springs Municipal Code Chapter 2.50 will apply to appeals. An appeal must be filed in writing by using the applicable request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



~/show/139510

Michelle (/users/show/139518157)

Palm Springs, CA
3 verifications • 2 reviews
Report

Michelle invited you to book their home

You have 23:58:12 to book your reservation before the invitation expires. [Learn more \(/help/article/128?hideri=1\)](#)

Book now (/payments/book?checkin=2017-12-02&checkout=2017-12-10&hosting_id=20558589&number_of_guests=3&ref=qt2_preapproved&special_offer_id=95446466)

Trip details

Beautiful spacious 2 bedroom condominium (/rooms/20558589)

Check in > Check out
Sat, Dec 2 Sun, Dec 10

Guests
3 adults

Payment

\$110.63 x 8 nights	\$885.00
Cleaning fee	\$125.00
Service fee	\$123.00
Total	\$1133.00

Always communicate through Airbnb

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

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

READY TO BOOK TODAY AT 2:25 PM



Hi Michael yes my place is available and we would love to have you stay with us for the eight nights go ahead and book it because dates are going fast for winter months and I will give you all the details when it gets closer to your arrival. You will love the property and the unit. I'll make sure everything is already for you and your family.

Today at 2:25 PM

INQUIRY SENT TODAY AT 2:19 PM

Good afternoon, I wanted to see if your home would be available 12/02 to 12/10. My wife and her sister will be in town for our parents 50 wedding anniversary party. I have never used airbnb



before. Please let me know and I can book it immediately.

Thank you,
Michael

Today at 2:19 PM

English



USD



Airbnb

- [About us \(/about/about-us\)](#)
- [Careers \(/careers\)](#)
- [Press \(/press/news\)](#)
- [Policies \(/policies\)](#)
- [Help \(/help?from=footer\)](#)
- [Diversity & Belonging \(/diversity\)](#)

Discover

- [Trust & Safety \(/trust\)](#)
- [Travel Credit \(/invite?r=6\)](#)
- [Gift Cards \(/gift?s=footer\)](#)
- [Airbnb Citizen \(https://www.airbnbcitizen.com?utm_source=airbnb&utm_medium=footer&utm_campaign=product\)](#)
- [Business Travel \(/work?s=footer\)](#)
- [Guidebooks \(/things-to-do\)](#)
- [Airbnbmag \(https://airbnbmag.com\)](#)

Hosting

- [Why Host \(/host/homes?from_footer=1\)](#)
- [Hospitality \(/hospitality\)](#)
- [Responsible Hosting \(/help/responsible-hosting\)](#)
- [Community Center \(/help/community?s=footer\)](#)

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[f \(https://www.facebook.com/airbnb\)](https://www.facebook.com/airbnb) [t \(https://twitter.com/airbnb\)](https://twitter.com/airbnb) [i \(https://instagram.com/airbnb\)](https://instagram.com/airbnb)

RE: Inquiry at Beautiful spacious 2 bedroom condominium for Dec 2 - 10, 2017

Michelle (Airbnb) <express@airbnb.com>

Thu 9/21/2017 2:25 PM

To:michaelwilson1971@hotmail.com <michaelwilson1971@hotmail.com>;

Respond to Michelle by replying directly to this email.



Hi Michael yes my place is available and we would love to have you stay with us for the eight nights go ahead and book it because dates are going fast for winter months and I will give you all the details when it gets closer to your arrival. You will love the property and the unit. I'll make sure everything is already for you and your family.



Michelle

3 Verifications

2 Reviews

Inquiry



Beautiful spacious 2 bedroom condominium

Condominium - Entire home/apt • 3 Guests • You would pay \$1133.00 (will be confirmed once a reservation is made)

Check-in

Checkout

Sat, December 2, 2017

Sun, December 10, 2017

Book it

Reply



Sent with ♥ from Airbnb

[Email preferences](#)

Invitation to book Michelle's home in Palm Springs

Airbnb <automated@airbnb.com>

Thu 9/21/2017 2:25 PM

To: michaelwilson1971@hotmail.com <michaelwilson1971@hotmail.com>;



Michelle has invited you to book their home in Palm Springs!

After reading your message, Michelle invited you to book Beautiful spacious 2 bedroom condominium for Dec 2 - 10.



You have until 5:25 PM on Sep 22 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.

Beautiful spacious 2 bedroom condominium
Entire home/apt hosted by Michelle



Sat
Dec 02, 2017
Anytime after 1PM

Sun
Dec 10, 2017
12PM (noon)

Guests
3 adults

Total cost

\$1133.00

Sent with  from Airbnb

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

[Earn travel credit](#)



Palm Springs, CA, United States

2701 E Mesquite # R81

Sent booking request
09/21/17 2:20 PM

[View Photos](#)

Beautiful spacious 2 bedroom condominium
Entire condominium (/s/Palm-Springs--CA) · Palm Springs



Michelle

6 guests 2 bedrooms 5 beds 2 baths

+\$111 per night

Check In

12/02/2017

Check Out

12/10/2017


Guests

3 guests 

\$140 x 8 nights	\$1,120
21% weekly price discount	-\$235
Cleaning fee	\$125
Service fee	\$123
Total	\$1,133


Book

You won't be charged yet

 Save to Wish List

45 travelers saved this place



 Report this listing

It's time to take your dream vacation in one of the most scenic places on earth, Palm Springs, Cali The views are gorgeous! And stay in a beautiful two bedroom condo with all the amenities and in a newly remodeled contemporary spot! I promise, you will enjoy all the comforts of home and more! Enjoy multiple pools and hot tubs on the property, very clean, tennis courts, pool toys in house, towels, clean bedding, coffee, tea, water ect. Air conditioning works great and heat in winter. Short and long term renters welcome. Our unit walks right into the pool and hot tub and scenic views. We are on the first floor. The pics I took on my iPhone do not do this unit justice. It's her roomy and bright. You wont find anything more beautiful. We are also close to downtown and all the cool spots in PS. Hope to see you in PS soon!

The space

The entire two bedroom condominium is available for renters.



Guest access

+ More

Contact host

Amenities

 Kitchen

 Wireless Internet

+ More

Elevator

Pets allowed

Family/kid friendly

Internet

Doorman

 Breakfast

 Free parking on premises

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

 Laptop friendly workspace

Indoor fireplace

 TV

 Dryer

 **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

 **Iron**

 **Hangers**

 **Washer**

 **Hair dryer**

 **Shampoo**

 **Essentials**

 **Heating**

 **Air conditioning**

Private entrance

Paid parking off premises

Free parking on street

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 \$125

Security Deposit \$100

Weekly Discount: 21%

Monthly Discount: (/s/Palm-Springs--

CA?sublets=monthly) 49%

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 1PM

Check out by 12PM (noon)

Please leave home how you found it. Lock all patio doors and front door. Leave key where you found it.

Please turn off air conditioner. Thank you!!!

Cancellations

Moderate

Cancel up to 5 days before check in and get a full refund (minus service fees). Cancel within 5 days of your trip and the first night is non-refundable, but 50% of the cost for the remaining nights will be refunded. Service fees are refunded when cancellation happens before check in and within 48 hours of booking.

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

Safety features

Smoke detector

First aid kit

Carbon monoxide detector

Fire extinguisher

Availability

2 nights minimum stay

[View calendar](#)



2 Reviews



[\(/users/show/137856756\)](/users/show/137856756)

Naseem [\(/users/show/137856756\)](/users/show/137856756)
September 2017

[Report](#)

[Helpful](#)

Michelle was very quick to respond and friendly, and the place was perfect for our girls weekend. It was cute, clean, and right next to the pool and hot tub area (which we loved!). Would stay again if I visit Palm Springs anytime soon!



[\(/users/show/124650852\)](/users/show/124650852)

Alan [\(/users/show/124650852\)](/users/show/124650852)
September 2017

[Report](#)

[Helpful](#)

Lovely place. Very close driving distance (about a mile or two) to most places in Palm Springs. We'd stay there again.

Hosted by Michelle

[\(/users/show/139518157\)](/users/show/139518157)

Palm Springs, California, United States · Joined in July 2017



[\(/users/show/139518157\)](/users/show/139518157)



Reviews

[\(/users/show/139518157#reviews\)](/users/show/139518157#reviews)

My name is Michelle Martin. I have an 11 yo daughter. I live in Los Angeles and recently bought this beautiful two bedroom condo so I could one day retire here and also share it with other vacationers when I'm not using it. I am a social worker and psychotherapist in Los Angeles working with people diagnosed with hiv/aids. I love it here in Palm Springs. The vibe is awesome!



[Contact host](#)

Languages: English

Response rate: 100%

Response time: within an hour

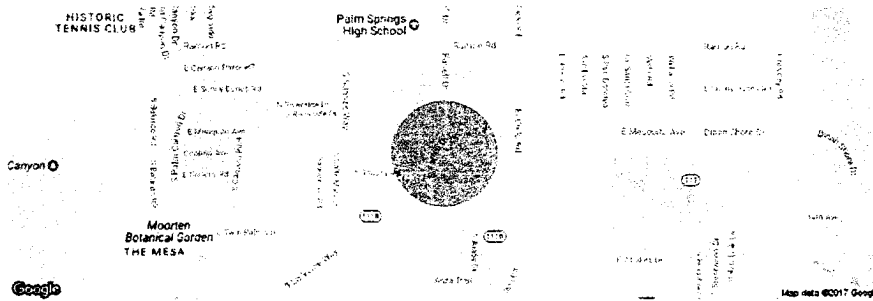
The neighborhood

Michelle'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).

My unit is centrally located to all of the restaurants, waterpark, movie theater, etc.

Getting around

The best way to get around is by car but there are several spots that are walking distance and a lot of bike trails are provided in Palm Springs



Exact location information is provided after a booking is confirmed.

Similar listings

/rooms/6949898?check_in=2017-12-02&check_out=2017-12-10&guests=3



/rooms/11282169?check_in=2017-12-02&check_out=2017-12-10&guests=3



\$267 Albert Frey Mid Century Estate
Entire house · 3 beds
★★★★★ 33 reviews
/rooms/6949898?check_in=2017-12-02&check_out=2017-12-10&guests=3

\$210 ↻ Palm Springs Zen Hideaway: REL...
Entire house · 3 beds
★★★★★ 55 reviews
/rooms/11282169?check_in=2017-12-02&check_out=2017-12-10&guests=3

Explore other options in and around Palm Springs

More places to stay in Palm Springs:

[Apartments \(/s/Palm-Springs--CA?type=apartment\)](/Palm-Springs--CA?type=apartment) · [Houses \(/s/Palm-Springs--CA?type=house\)](/Palm-Springs--CA?type=house) · [Bed & Breakfasts \(/s/Palm-Springs--CA?type=bnb\)](/Palm-Springs--CA?type=bnb) · [Lofts \(/s/Palm-Springs--CA?type=loft\)](/Palm-Springs--CA?type=loft) · [Villas \(/s/Palm-Springs--CA?type=villa\)](/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)
Ridgefield Park (/s/Ridgefield-Park--NJ)	Waukesha (/s/Waukesha--WI)	Willits (/s/Willits--CA)
Weed (/s/Weed--CA)	Samish Island (/s/Samish-Island--WA)	Laredo (/s/Laredo--TX)

English



Airbnb

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[Policies \(/policies\)](/policies)
[Terms \(/terms\)](/terms)
[Privacy \(/terms/privacy_policy\)](/terms/privacy_policy)

Discover

[Trust & Safety \(/trust\)](/trust)
[Site Map \(/sitemap\)](/sitemap)

Hosting

[Why Host \(/host/homes?from_footer=1\)](/host/homes?from_footer=1)
[Responsible Hosting \(/help/responsible-hosting\)](/help/responsible-hosting)

USD



Property Profile

Property Data

Site Address:	Primary Owner: MARTIN, MICHELLE R
2701 E Mesquite Ave	Secondary Owner:
Unit R81	APN: 502-311-081
Palm Springs, CA 92264	Census Tract: 9407.00
Mail Address:	Housing Tract: 18370-3
10736 Jefferson Blvd	Number:
# 1032	Legal Description: LOT:81 CITY:PALM SPRINGS TR#:18370-3 UNIT 81
Culver City, CA 90230	CM 049/141 INT INC COMMON LOT 1 & 2 TR 18370-3 MB 141/077
	Subdivision:
	Property County: Riverside County

Property Characteristics

Bedrooms: 2	Year Built: 1984	Square Feet: 1175
Bathrooms: 2	Use Code: Condominium (Residential)	Lot Size: 1307 Sqft
Total Rooms:	Number of Units: 1	Garage:
Zoning: RGA	Amenities:	
Number of Stories: 2	Building Style:	Coords: 33.807621,-116.515985

Sale & Loan Information

Transfer Date: 05/01/2017	Seller: POWELL, GARY DEAN; THE RHODAR POWELL REVOCABLE TRUST,	Document: 2017-0173195
Transfer Value: \$212,000.00	Cost/Sq Feet: 180	Title Company: Equity Title Company
First Loan Amt: \$0.00	Lender:	

Assessed & Tax Information

Assessed Value: \$203,049.00	Percent Improvement: 0.75	Homeowner Exemption:
Land Value: \$50,762.00	Tax Amount: \$2,766.78	Tax Rate Area: 11-003
Improvement Value: \$152,287.00	Tax Status: Current	

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