



AAB Meeting: 02/08/2018
Item No. 4

ADMINISTRATIVE APPEALS BOARD STAFF REPORT

DATE: FEBRUARY 8, 2018

SUBJECT: APPEAL OF THE ADMINISTRATIVE DECISION THAT ROGER DALE BROWN, ALMA MAY BROWN, ALVIN GLENN DYCK AND KATHERINE LOUISE DYCK 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 5115 WAVERLY DRIVE, #D31, PALM SPRINGS, CALIFORNIA (Brown/Dyck)

BY: Vacation Rental Compliance Department

SUMMARY

Roger Dale Brown, Alma May Brown, Alvin Glenn Dyck and Katherine Louise Dyck have requested an appeal of (1) the permanent ineligibility to operate a Vacation Rental in the City of Palm Springs; and (2) administrative fine of \$5,000.00 for operating unregistered Vacation Rental property located at 5115 Waverly Dr. #D3, 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 ROGER DALE BROWN, ALMA MAY BROWN, ALVIN GLENN DYCK AND KATHERINE LOUISE DYCK ARE PERMANENTLY INELIGIBLE TO OPERATE A VACATION RENTAL IN THE CITY OF PALM SPRINGS, INCLUDING THE PROPERTY LOCATED AT 5115 WAVERLY DRIVE #D31, 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 ROGER DALE BROWN, ALMA MAY BROWN, ALVIN GLENN DYCK AND KATHERINE LOUISE DYCK ARE PERMANENTLY INELIGIBLE TO OPERATE A VACATION RENTAL IN THE CITY OF PALM SPRINGS, INCLUDING THE PROPERTY LOCATED AT 5115 WAVERLY DRIVE #D31, PALM SPRINGS, CALIFORNIA.

- 3) a. Adopt Resolution No. _____, A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, UPHOLDING THE ADMINISTRATIVE FINE OF \$5,000.00 ISSUED TO ROGER DALE BROWN, ALMA MAY BROWN, ALVIN GLENN DYCK AND KATHERINE LOUISE DYCK FOR OPERATING AN UNREGISTERED VACATION RENTAL PROPERTY LOCATED AT 5115 WAVERLY DRIVE #D31, 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 ROGER DALE BROWN, ALMA MAY BROWN, ALVIN GLENN DYCK AND KATHERINE LOUISE DYCK FOR OPERATING AN UNREGISTERED VACATION RENTAL PROPERTY LOCATED AT 5115 WAVERLY DRIVE #D31, PALM SPRINGS, CALIFORNIA.

STAFF ANALYSIS:

The property located at 5115 Waverly Dr. #D31, Palm Springs, has not been issued a Vacation Rental Registration Certificate by the City of Palm Springs as of the date of the Administrative Citation issued on January 11, 2018. Staff has determined that owners have advertised and operated the property 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 – Date of Violation January 10, 2018


Advertisement of the property located at 5115 Waverly Dr. #D31, Palm Springs was found on homeaway.com website under title: "NEW LISTING!! Ground floor 2bd 2 bath beauty Heated pool April still open!" under advertisement number p1204887vb. The advertisement of the property and inquiry contained the following:

- Minimum Stay – 7 nights. Page #: 33
- Four reviews in December 2017 reflect stays at 5115 E Waverly Drive #D31. Page #: 40-42
- January 10, 2018 – Inquiry into the dates of June 1, 2018 to June 10, 2018 (9 nights) the host responded as available and sent an invitation to book the property. Page #: 61
Calendar last updated: January 9, 2018. Page #: 47

Based on the advertisement information and the inquiry into the property being offered as a Vacation Rental by the host, an administrative citation number AB0078 in the amount of \$5,000.00 was issued to Roger Dale Brown and Alma May Brown the individuals on title for Operating a Vacation Rental Without a Vacation Rental Certificate.

On January 31, 2018 it was determined that the property has 2 additional owners on the grant deed. Grant Deed states: "Roger Dale Brown and Alma May Brown, husband and wife as joint tenants, as to an undivided 50% interest, as tenants in common and Alvin Glenn Dyck and Katherine Louise Dyck, husband and wife as joint tenants, as to an undivided 50% interest, as tenants in common." As a result of this finding, an additional Administrative Citation AB0093 was issued to Alvin Glenn Dyck and Katherine Louise Dyck for Operating a Vacation Rental Without a Vacation Rental Certificate. Each owner is jointly and severally responsible for one \$5,000 administrative citation, and each owner is permanently ineligible to operate a vacation rental in the City of Palm Springs.

The Administrative Citation was mailed by staff via OnTrac Delivery Service to the mailing address located on the title report.



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)
Notice of Appeal Hearing (Page 13)
Administrative Citation Appeal Letter (Page 15)
Administrative Citation AB0078 & Citation Letter (Page 21)
Administrative Citation AB0093 & Explanation Letter (Page 24)
Copy of the homeaway.com Advertisement 1/10/2018 (Page 30)
Copy of the email booking inquiry 1/10/2018 (Page 61)
Copy of the title report (Page 67)

RESOLUTION NO. ____

A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, UPHOLDING THE ADMINISTRATIVE DECISION THAT ROGER DALE BROWN, ALMA MAY BROWN, ALVIN GLENN DYCK AND KATHERINE LOUISE DYCK ARE PERMANENTLY INELIGIBLE TO OPERATE A VACATION RENTAL IN THE CITY OF PALM SPRINGS, INCLUDING THE PROPERTY LOCATED AT 5115 WAVERLY DRIVE #D31, PALM SPRINGS, CALIFORNIA

WHEREAS, Roger Dale Brown, Alma May Brown, Alvin Glenn Dyck and Katherine Louise Dyck did not obtain a Short Term Vacation Rental Registration Certificate for the property located at 5115 Waverly Dr. #D31, 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 5115 Waverly Dr. #D31, Palm Springs advertising as a Vacation Rental for less than 28 nights, and

WHEREAS, Administrative Citation No. AB0078 Operating a Vacation Rental without a Vacation Rental Registration Certificate, was issued on January 11, 2017, to Roger Dale Brown and Alma May Brown and Administrative Citation No. AB0093 Operating a Vacation Rental without a Vacation Rental Registration Certificate, was issued on January 31, 2018, to Alvin Glenn Dyck and Katherine Louise Dyck for the property located at 5115 Waverly Dr. #D31, Palm Springs; and

WHEREAS, Roger Dale Brown, Alma May Brown, Alvin Glenn Dyck and Katherine Louise Dyck for the property located at 5115 Waverly Dr. #D31, Palm Springs, filed an administrative appeal of the Administrative Citation No. AB0078 and Administrative Citation No. AB0093 Operating a Vacation Rental without a Vacation Rental Registration Certificate in the amount of \$5,000.00 for the property located at 5115 Waverly Dr. #D31, 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 February 8, 2018; and

WHEREAS, the Administrative Appeals Board has carefully reviewed and considered all the evidence presented in connection with said appeal on February 8, 2018.

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 Roger Dale Brown, Alma May Brown, Alvin Glenn Dyck and Katherine Louise Dyck 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 5115 Waverly Dr. #D31, Palm Springs.

SECTION 3. The Administrative Appeals Board upholds the administrative decision that Roger Dale Brown, Alma May Brown, Alvin Glenn Dyck and Katherine Louise Dyck are

permanently ineligible to operate a Vacation Rental in the City of Palm Springs, including the property located at 5115 Waverly Dr. #D31, 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 8th DAY OF FEBRUARY 2018.

JAMES REED
Chair

ATTEST:

ANTHONY J. MEJIA, MMC
City Clerk

CERTIFICATION

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

I, ANTHONY J. MEJIA, 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 8th day of February 2018, by the following vote:

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

ANTHONY J. MEJIA, MMC
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 ROGER DALE BROWN, ALMA MAY BROWN, ALVIN GLENN DYCK AND KATHERINE LOUISE DYCK FOR OPERATING AN UNREGISTERED VACATION RENTAL PROPERTY LOCATED AT 5115 WAVERLY DRIVE #D31, PALM SPRINGS, CALIFORNIA

WHEREAS, Roger Dale Brown, Alma May Brown, Alvin Glenn Dyck and Katherine Louise Dyck, did not obtain a Short Term Vacation Rental Registration Certificate for the property located at 5115 Waverly Dr. #D31, 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 5115 Waverly Dr. #D31, Palm Springs advertising as a Vacation Rental for less than 28 nights, and

WHEREAS, Administrative Citation No. AB0078 Operating a Vacation Rental without a Vacation Rental Registration Certificate, was issued on January 11, 2017, to Roger Dale Brown and Alma May Brown and Administrative Citation No. AB0093 Operating a Vacation Rental without a Vacation Rental Registration Certificate, was issued on January 31, 2018, to Alvin Glenn Dyck and Katherine Louise Dyck for the property located at 5115 Waverly Dr. #D31, Palm Springs; and

WHEREAS, Roger Dale Brown, Alma May Brown, Alvin Glenn Dyck and Katherine Louise Dyck for the property located at 5115 Waverly Dr. #D31, Palm Springs, filed an administrative appeal of the Administrative Citation No. AB0078 and Administrative Citation No. AB0093 Operating a Vacation Rental without a Vacation Rental Registration Certificate in the amount of \$5,000.00 for the property located at 5115 Waverly Dr. #D31, 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 February 8, 2018; and

WHEREAS, the Administrative Appeals Board has carefully reviewed and considered all the evidence presented in connection with said appeal on February 8, 2018.

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 Roger Dale Brown, Alma May Brown, Alvin Glenn Dyck and Katherine Louise Dyck failed to present adequate evidence to overturn the administrative

fine of \$5,000.00 for operating a Vacation Rental without a Vacation Registration Certificate located at 5115 Waverly Dr. #D31, Palm Springs.

SECTION 3. The Administrative Appeals Board upholds the administrative fine of \$5,000.00 to Roger Dale Brown and Alma May Brown for operating a Vacation Rental without a Vacation Rental Registration Certificate at 5115 Waverly Dr. #D31, 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 8th DAY OF FEBRUARY 2018.

JAMES REED
Chair

ATTEST:

ANTHONY J. MEJIA, MMC
City Clerk

CERTIFICATION

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

I, ANTHONY J. MEJIA, 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 8th day of February 2018, by the following vote:

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

ANTHONY J. MEJIA, MMC
City Clerk

RESOLUTION NO. ____

A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, OVERTURNING THE ADMINISTRATIVE DECISION THAT ROGER DALE BROWN, ALMA MAY BROWN, ALVIN GLENN DYCK AND KATHERINE LOUISE DYCK ARE PERMANENTLY INELIGIBLE TO OPERATE A VACATION RENTAL IN THE CITY OF PALM SPRINGS, INCLUDING THE PROPERTY LOCATED AT 5115 WAVERLY DRIVE #D31, PALM SPRINGS, CALIFORNIA

WHEREAS, Roger Dale Brown, Alma May Brown, Alvin Glenn Dyck and Katherine Louise Dyck did not obtain a Short Term Vacation Rental Registration Certificate for the property located at 5115 Waverly Dr. #D31, 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 5115 Waverly Dr. #D31, Palm Springs advertising as a Vacation Rental for less than 28 nights, and

WHEREAS, Administrative Citation No. AB0078 Operating a Vacation Rental without a Vacation Rental Registration Certificate, was issued on January 11, 2017, to Roger Dale Brown and Alma May Brown and Administrative Citation No. AB0093 Operating a Vacation Rental without a Vacation Rental Registration Certificate, was issued on January 31, 2018, to Alvin Glenn Dyck and Katherine Louise Dyck for the property located at 5115 Waverly Dr. #D31, Palm Springs; and

WHEREAS, Roger Dale Brown, Alma May Brown, Alvin Glenn Dyck and Katherine Louise Dyck for the property located at 5115 Waverly Dr. #D31, Palm Springs, filed an administrative appeal of the Administrative Citation No. AB0078 and Administrative Citation No. AB0093 Operating a Vacation Rental without a Vacation Rental Registration Certificate in the amount of \$5,000.00 for the property located at 5115 Waverly Dr. #D31, 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 February 8, 2018; 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 Roger Dale Brown, Alma May Brown, Alvin Glenn Dyck and Katherine Louise Dyck 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 5115 Waverly Dr. #D31, Palm Springs.

SECTION 3. The Administrative Appeals Board overturns the administrative decision that Roger Dale Brown, Alma May Brown, Alvin Glenn Dyck and Katherine Louise Dyck are permanently ineligible to operate a Vacation Rental in the City of Palm Springs, including the property located at 5115 Waverly Dr. #D31, 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 8th DAY OF FEBRUARY 2018.

JAMES REED
Chair

ATTEST:

ANTHONY J. MEJIA, MMC
City Clerk

CERTIFICATION

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

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

ANTHONY J. MEJIA, MMC
City Clerk

RESOLUTION NO. ____

A RESOLUTION OF THE ADMINISTRATIVE APPEALS BOARD OF THE CITY OF PALM SPRINGS, CALIFORNIA, OVERTURNING THE ADMINISTRATIVE FINE OF \$5,000.00 TO ROGER DALE BROWN, ALMA MAY BROWN, ALVIN GLENN DYCK AND KATHERINE LOUISE DYCK FOR OPERATING AN UNREGISTERED VACATION RENTAL PROPERTY LOCATED AT 5115 WAVERLY DRIVE #D31, PALM SPRINGS, CALIFORNIA

WHEREAS, Roger Dale Brown, Alma May Brown, Alvin Glenn Dyck and Katherine Louise Dyck, did not obtain a Short Term Vacation Rental Registration Certificate for the property located at 5115 Waverly Dr. #D31, 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 5115 Waverly Dr. #D31, Palm Springs advertising as a Vacation Rental for less than 28 nights, and

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WHEREAS, Roger Dale Brown, Alma May Brown, Alvin Glenn Dyck and Katherine Louise Dyck for the property located at 5115 Waverly Dr. #D31, Palm Springs, filed an administrative appeal of the Administrative Citation No. AB0078 and Administrative Citation No. AB0093 Operating a Vacation Rental without a Vacation Rental Registration Certificate in the amount of \$5,000.00 for the property located at 5115 Waverly Dr. #D31, 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 February 8, 2018; and

WHEREAS, the Administrative Appeals Board has carefully reviewed and considered all the evidence presented in connection with said appeal on February 8, 2018.

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 Roger Dale Brown, Alma May Brown, Alvin Glenn Dyck and Katherine Louise Dyck presented adequate evidence to overturn the administrative fine of \$5,000.00 for operating a Vacation Rental without a Vacation Registration Certificate located at 5115 Waverly Dr. #D31, Palm Springs.

SECTION 3. The Administrative Appeals Board overturns the administrative fine of \$5,000.00 to Roger Dale Brown, Alma May Brown, Alvin Glenn Dyck and Katherine Louise Dyck for operating a Vacation Rental without a Vacation Rental Registration Certificate at 5115 Waverly Dr. #D31, 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 8th DAY OF FEBRUARY 2018.

JAMES REED
Chair

ATTEST:

ANTHONY J. MEJIA, MMC
City Clerk

CERTIFICATION

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

I, ANTHONY J. MEJIA, 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 8th day of February 2018, by the following vote:

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

ANTHONY J. MEJIA, MMC
City Clerk

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



**BEFORE THE
ADMINISTRATIVE APPEALS BOARD**

TO: Alma May & Roger Dale Brown
36 Bonneville Bay
Winkler, Manitoba, CANADA R6W 1M6

rogalmb@mymts.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 5115 E Waverly Dr Unit D31.

Hearing Date: Thursday, February 8, 2018
Hearing Time: 3:00 p.m.
Location: Palm Springs City Hall Council Chamber
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262


PLEASE NOTE: A minimum of 10 copies of any materials, in which you want to present to the Hearing Board as evidence on your behalf, must be provided to the City Clerk prior to the Hearing.

AFFIDAVIT OF MAILING

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

I, ANTHONY J. MEJIA, City Clerk, of the City of Palm Springs, California, do hereby certify that the Notice of Hearing before the Administrative Appeals Board was emailed and mailed to the parties at the address above, on Monday, January 29, 2018, 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.



Anthony J. Mejia, MMC
City Clerk

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



City of Palm Springs
Administrative Citation Appeal

Office of the City Clerk
3200 E. Tahquitz Canyon Way
Palm Springs, CA 92262
TEL (760) 323-8204
FAX (760) 322-8332

Reserved For Filing Stamp

RECEIVED
CITY OF PALM SPRINGS
2018 JAN 23 PM 5:47
OFFICE OF THE CITY CLERK

Appellant Name: ALMA MAY/ROGER DALE BROWN
Mailing Address: 36 Bonneville Bay
City, State, Zip: Winkler, Manitoba
Contact Telephone: 204-325-5253 Fax: 204-325-8352 (work)
204-363-7160 (cell)

I request an appeal of the Administrative Citation:

Citation Number: AB-0078
Date of Citation: January 11 2018
Penalty Amount Enclosed: \$ 764.⁰⁰

Palm Springs Municipal Code Section 1.06.040 requires the penalty amount be presented at the time of the appeal.

Specify the basis for the appeal in detail (you may use as many additional sheets as necessary):

See attached

This form should be mailed to:
City of Palm Springs Administrative Citation Program
P.O. Box 7275
Newport Beach, CA 92658

CITATION APPEAL: Citation No. AB-0078

I, ALMA MAY BROWN, hereby appeal City of Palm Springs Citation No. AB-0078 due to the following:

- 1. As noted in paragraph one of the City of Palm Springs Administrative Citation Program (under Administration Citation Appeals), each person is guaranteed a "pre-citation courtesy notice" and I can say in good conscience that I did NOT receive such notice. Receiving the Citation is the first time I knew that a problem existed.**
- 2. We just bought the condo located in Palm Springs in mid-September, 2017, sight unseen. We have only owned it for a few months. We had been in Palm Springs in June of 2017 and were looking to buy a condo in a complex in Palm Canyon Villas, but nothing suited us at the time and the one condo with 2 bedrooms in that complex had just had an Offer put on it by another Purchaser. Our realtor called us months later telling us that the condo in that complex had come back up for sale: the Purchaser's financing had fallen through. We had heard that there may be a new law in California requiring a minimum of 28 or 30 days minimum rental and asked a few local people whether this was true. They told us that the law was not in effect yet, may or may not come into effect, and if it would, they didn't know when, possibly in 2019. Initially, we had a minimum of 30 days noted in our vrbo but later (when I Googled "Palm Springs new laws" and read the article from November 6, 2016 that talked about January 1, 2019 as being when the law would come into effect) I figured we would change it when the law would come into effect and that we would have notice of that, and so we shortened our minimum length. I didn't realize that this shortening of our minimum length of stay affected the fact that we would be in breach of the City of Palm Springs laws. I did NOT understand how the two (minimum length stay and getting a Registration) were co-related.**
- 3. Around the time that we bought the condo, our daughter, Cassidy, who has special needs, was experiencing seizures. This led us to an appointment with our family Doctor in our city, Winkler, where our Dr. referred us to a neurologist in Winnipeg, Manitoba, about 1 ½ -2 hours away. We have been to see him in Winnipeg many times over the last 4 months, between the assessment appointment, blood work, MRI's, EEG's and attending at his office for the result of each. It was at this point where I was wondering if we made the right decision in buying the condo as it was my job to set up VRBO and eventually, to arrange for guests to stay at our condo. I usually love this arrangement, but in this case, with Cassidy's seizures, taking time off of work (full time) and trying to make it up later, attending Dr.'s appointments for tests or results in Winnipeg, that I became OVERWHELMED with everything. I had a Purchase File for our Palm Springs condo, and meant to delve into it and read it but it is a VERY THICK file and I haven't had the time to do it. I**

told myself that in January I was going to go through it. Our last test (where Cassidy was supposed to be sleep-deprived by going to bed at 1:00 a.m. and get up at 5:00 a.m. to drive to Winnipeg which I also had to do in order to get her to stay up) was on January 10, 2018. I have been sleep-deprived and completely overwhelmed with everything. I am enclosing a copy of a letter from Cassidy's Dr. dated December 12, 2017 as proof of Cassidy's many tests, and our unending appointments. I also am the only care-giver (around Winkler) for my 89-year-old Dad who had been doing well but lately is suffering from Congestive Heart Failure so he wakes me when he can't breathe (sometimes in the middle of the night) to take him to Emergency, but that is another story for another time.

4. We are NOT trying to evade paying taxes to the City of Palm Springs. We owned a house in Phoenix and I managed the VRBO out there. I heard that there was a tax on rentals in California so we decided to collect rent and take the tax out of our rent, not charge it additionally, as we didn't want to scare renters off with so many extra fees. I thought we would pay it at the end of year, just like income tax. We have ALWAYS paid our taxes, both in the U.S. and Canada. In Phoenix, we had NO Vacation Owners Permit, so I hadn't even thought it was a pre-requisite to renting.
5. We are good Landlords who take care of the property and expect others to do the same with our property. We had someone inquire about our property and it would have been a hefty fee, but after some discussion, we decided to deny him the requested rental as it seemed that he and his group would be "party-ers" and that is NOT what we are looking for. We have met our neighbour and want to continue a good relationship with her. At some point, we OURSELVES would like to spend many months each year at our condo and want good relationships with those living there.
6. I was VERY SURPRISED to receive a Citation Notice at my door without one email through vrbo or a letter from the City of Palm Springs telling me what I was doing was wrong. In every case, a lawyer sends out a notice saying what is wrong and how the person responsible can fix it. As stated before, we did not receive a "pre-citation courtesy notice" which as set out in the Citation Program "allows a Responsible Party to voluntarily correct any violation without penalty". All it would have taken was an email from the person at the Department of Vacation Rental Compliance on our vrbo email – that person was on our vrbo site investigating anyway!

We are submitting our appeal in good faith, with our promise to comply with all regulations of the City of Palm Springs, including obtaining a Vacation Rental Registration Certificate (once our suspension has been lifted) and paying all Transient Occupancy Tax (as noted before, we have collected tax as part of our rental amount – though we didn't know what the percentage was, and will pay the full amount plus arrears, if any).

As well, I'm not sure whether I have to be present in PERSON at the hearing of this Appeal, but is it possible to have a phone call instead? I live in Winkler, Manitoba, Canada. If that is not possible, I would need some time to arrange to fly out to Palm Springs. If I need to come, the week of February 19-23 would be best.

Sincerely,

A handwritten signature in cursive script that reads "Alma Brown".

Alma Brown

1(204) 325-5253 (residence)

1(204) 362-7160 (cell phone)

Re: No. 3

Clinique St. Boniface Clinic
343 Tache Avenue, Winnipeg, Manitoba R2H 2A5
Phone: 925-9769 Fax: 231-2283
Jeffrey G. Barnes B. Sc., B. Sc. Med, M.D, FRCPC Neurology
December 12, 2017

CASSIDY BROWN
36 BONNEVILLE BAY
WINKLER, MB R6W1M6



Dr. Barnes has ordered the following tests to further investigate your symptoms:

Partial sleep deprived EEG at St. Boniface Hospital

If you do not get an appointment regarding the above tests over the next 6-8 weeks, please contact our office.

Dr. Barnes would like to see you again after the testing is performed. Once you are notified about your test appointments, please call our office to arrange a follow up appointment about 1-2 weeks after the tests are performed.

Sincerely,

Jeffrey G. Barnes

Jeffrey G. Barnes, B.Sc., B.Sc.MED, M.D. FRCPC Neurology

*Practicing as a medical corporation

ADMINISTRATIVE CITATION- \$5,000.00



City of Palm Springs
Department of Vacation Rental Compliance
425 N Civic Drive, PO BOX 2743, Palm Springs, CA 92263
Facsimile: 760-322-8317

Date of Issuance: January 11, 2018

Property Address: 5115 Waverly, Unit D31

Roger Brown; Alma May Brown
36 Bonneville Bay
Winkler, Manitoba R6W 2P7
CANADA

**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-0078. 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 homeaway.com website #p1204887vb on the date of January 10, 2018. 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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AB0078



CITY OF PALM SPRINGS
Vacation Rental Enforcement
Administrative Citation

DATE	DAY OF WEEK	TIME	AM PM
01/10/18	Weds	7:26 PM	PM

LOCATION OF VIOLATION
5115 Waverly, Unit D31

- Agent
- Property Owner
- Other

NAME (First, Middle, Last): DL or ID
Roger Brown; Alma May Brown

ADDRESS	CITY	STATE	ZIP
36 Bonneville Bay, Winkler, Manitoba, Canada	R6W	2P7	

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: **16 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

Name and Dept. of Issuing Enforcement Officer

David Williams

Signature

01/11/18

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:



City of Palm Springs

3200 E. Tahquitz Canyon Way • Palm Springs, California 92262
Tel: (760) 322-8372/8370 • Fax: (760) 322-8317 • Web: www.palmspringsca.gov
Department of Vacation Rental Compliance

January 31, 2018

Alvin Glenn Dyck & Katherine Louise Dyck
14949 Beach View Ave
White Rock, BC V4B 1P2
CANADA

Property Address: 5115 Waverly Drive, Unit D31, Palm Springs CA

**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**

Dear Mrs. and Mr. Dyck,

Enclosed please find the Administrative Citation #AB0093. This administrative citation is being issued in addition to the original citation #AB0078 for the property address listed above which included owners named on a title report. A review of the grant deed later indicated additional ownership. The grant deed states: "Roger Dale Brown and Alma May Brown, husband and wife as joint tenants, as to an undivided 50% interest, as tenants in common and Alvin Glenn Dyck and Katherine Louise Dyck, husband and wife as joint tenants, as to an undivided 50% interest, as tenants in common."

Each owner is jointly and severally responsible for one \$5,000 administrative fine, and each owner is permanently ineligible to operate a vacation rental in the City of Palm Springs pursuant to PSMC 5.25.090(c).

You will have the opportunity to appeal citation and the City's decision on 2/8/2018 in front of the Administrative Appeals Board as noticed by the City Clerk.

Should you have any questions, feel free to contact me at 760-322-8370.

Sincerely,

Boris Stark
Vacation Rental Compliance Official

CC:

Roger Brown; Alma May Brown
36 Bonneville Bay
Winkler, Manitoba R6W 2P7
CANADA



CITY OF PALM SPRINGS
 Vacation Rental Enforcement
 Administrative Citation

DATE	DAY OF WEEK	TIME	AM PM
01/10/18	Weds	7:26 PM	

LOCATION OF VIOLATION
5115 Waverly, Unit D31

- Agent
- Property Owner
- Other

NAME (First, Middle, Last): DL or ID
Alvin Glenn Dyck and Katherine Louise Dyck

ADDRESS CITY STATE ZIP
14949 Beach View Dr. White Rock, BC V4B 1P2

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. – REF. AB0078**

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: _____

Boris Stark – VRCD
 Name and Dept. of Issuing Enforcement Officer

 Signature

01/31/18
 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

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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:

ADMINISTRATIVE CITATION- \$5,000.00



City of Palm Springs
Department of Vacation Rental Compliance
425 N Civic Drive, PO BOX 2743, Palm Springs, CA 92263
Facsimile: 760-322-8317

Date of Issuance: January 31, 2018

Property Address: 5115 Waverly, Unit D31

Alvin Glenn Dyck & Katherine Louise Dyck
14949 Beach View Ave
White Rock, BC V4B 1P2
CANADA

**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-0093. 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.

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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 homeaway.com website #p1204887vb on the date of January 10, 2018. 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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DOC # 2017-0386340
09/19/2017 08:00 AM Fees: \$18.00
Page 1 of 2
Recorded in Official Records
County of Riverside
Peter Aldana
Assessor-County Clerk-Recorder

RECORDING REQUESTED BY: IE
Fidelity National Title
Order No. 00059115-991-IE1-BS2
Escrow No. 11205-HB
A.P.N. 681-294-031-4

MAIL TAX BILL
AND WHEN RECORDED MAIL TO:

Roger and Alma Brown and
Alvin and Katherine Dyck
36 Bonneville Bay
Winkler, Manitoba, R6W 1M6
Canada

**This document was electronically submitted
to the County of Riverside for recording**
Received by: MARIA #309

TRA: 011-005

GRANT DEED

THE UNDERSIGNED GRANTOR(S) DECLARE(S) THAT DOCUMENTARY TRANSFER TAX IS \$184.80

- computed on full value of property conveyed, or
- computed on full value less liens or encumbrances remaining at the time of sale.
- unincorporated area: Palm Springs, and

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Janice Schwartzman, a married woman as her sole and separate property

hereby GRANT(S) to Roger Dale Brown and Alma May Brown, husband and wife as joint tenants, as to an undivided 50% interest and Alvin Glenn Dyck and Katherine Louise Dyck, husband and wife as joint tenants, as to an undivided 50% interest, as tenants in common

the following described real property in the County of Riverside, State of California:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF
More commonly known as: 5115 East Waverly Drive, #D31, Palm Springs, CA 92264

Date August 15, 2017

Janice Schwartzman
Janice Schwartzman

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

^{(ND) Illinois}
STATE OF CALIFORNIA } s.s.
COUNTY OF Cook
On 8/18/17, before me, ^(ND) Nathanael Darnieder, Notary Public
personally appeared Janice B Schwartzman who
proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature] (Seal)

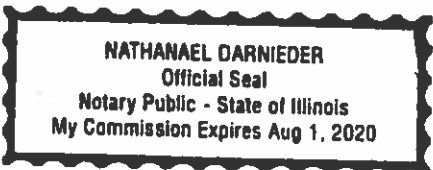


EXHIBIT A
LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

A CONDOMINIUM COMPRISED OF:

PARCEL 1:

AN UNDIVIDED 1/60TH INTEREST IN AND TO LOT 1 OF TRACT NO. 11451, IN THE CITY OF PALM SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 99, PAGES 27 AND 28 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT UNITS 1 THROUGH 60 AS SHOWN ON THE CONDOMINIUM PLAN RECORDED OCTOBER 31, 1978 AS 1978-229794, OFFICIAL RECORDS.

PARCEL 2:

UNIT 31 AS SHOWN ON THE CONDOMINIUM PLAN RECORDED OCTOBER 31, 1978 AS 1978-229794, OFFICIAL RECORDS.

APN: 681-294-031-4



Send this page to a friend

Thank You

Your message has been sent.

You can send this page to up to five email addresses. Please separate each email address with a comma.

Friend's email

Type an optional message

(204) 362-7160



[Read our Privacy policy](#)

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5115 Waverly
unit D 31

Booking Request
Sent 01/10/18 @ 6:18 pm

Feedback

HomeAway®

United States



HomeAway
with over 1
selection of
every budg
friends find
unforgettab

[Learn More](#)



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- o [대한민국](#)

Scratchpad



Feedback

1. [Palm Springs, CA, USA](#) >

- [Back to Search](#)
- 2. Rental 1204887vb

5/5 -
(4 traveler reviews)

Free Cancellation until 04/02/2018

NEW LISTING!! Ground floor 2 bd 2 bath beauty Heated pool April still open!

- [Overview](#)
- [Amenities](#)
- [Reviews](#)
- [Map](#)
- [Photos](#)
- [Rates & Availability](#)

• [Share](#)



Book Online or call HomeAway Booking Assistance
888-640-7927

\$114 per night

Free C

Your dates are Available!

06/01/2018	06/10/2018
2 guests	

Total
Includes taxes and fees

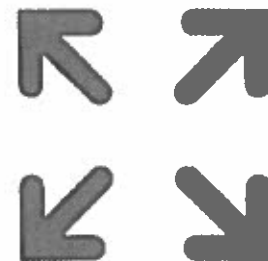
\$1,244.57
[View details](#)



Free C

[Report this listing](#)

NEW LISTING!! Ground floor 2 bd 2 bath beauty Heated pool April still open!



Feedback



Sunny paradise! 1 of 25

5/5 -
(4 traveler reviews)

Free Cancellation until 04/02/2018

Arrive	Depart
Guests (required)	

Request to Book

Ask Owner a Question



Free Cancellation until 04/02/2018

Sleeps	6
Bedrooms	2
Bathrooms	2
Space	1,100 sq. ft.
Property type	condo
Minimum Stay	7 nights



 [Report this listing](#)

Overview

Details

Feedback

				
Condo	Sleeps	Bedrooms	Bathrooms	Minimum Stay
1,100 sq. ft.	6	2	2	7 nights



About the property

2 bedroom 2 bath condo - 2 couples or family; sleeps 6

Our Palm Canyon Villas condo (about 10-15 minutes away from the Palm Springs International Airport) is everything you need for a warm vacation rental property. The ground floor, end unit condo boasts a very spacious master bedroom and ensuite. The 2nd bedroom offers a Queen bed and twin bunkbeds. Each bedroom has its own T.V. (Master: 55", and 2nd bedroom: 32"). There are 2 bathrooms. The livingroom also has a 55" T.V. with a Spectrum Gold package. We also have WIFI for your use. The condo's kitchen is fully equipped with a coffeemaker, blender, microwave, toaster, dishes, cutlery, pots and pans, baking dishes, utensils and much, much more. No need to pack towels or pool towels; all are supplied. There are also linens and blankets. Enjoy happy hour on your private outdoor patio, complete with a table, chairs and a Weber BBQ.

Nestled at the base of the surrounding hills, the condo is right across the street from the Tahquitz Golf Course, and everything is close by. A large grocery store is located right across Palm Canyon Drive (to the South) which is a 3 minute walk! A Starbucks is located there as well.

There is a large condo pool, hot tub and tennis court for your enjoyment. The pool and hot tub are surrounded by gorgeous palm trees, grapefruit, orange and lime trees, if you're fortunate enough to be there in harvest season! We have 2 outdoor loungers which you are welcome to bring with you to the pool! (Please remember to bring them back to the condo).

We look forward to your staying with us!! Don't hesitate to email or call us if you have any questions!

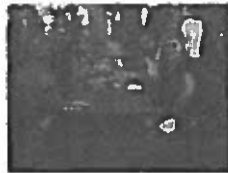
Alma & Roger



Al & Kathy

Hide Details

Owner



Alma
Member since: 2014

Ask Owner a Question

Speaks: English
Calendar last updated: January 9, 2018



Read more about Alma



Feedback

About Alma

My husband Roger and I (Alma) purchased this property with my brother Al and his wife, Kathy in fall of 2017. Roger & I are from Manitoba and Al & Kathy are from B.C. but this has been a great partnership. It also keeps us connecting with each other which is a good thing!



Alma purchased this condo in 2017

Why Alma chose Palm Springs

We had a vrbo listing for a house in Phoenix but sold it in spring. I had never been to Palm Springs until June of 2017, but Kathy had come to her parents' condo for years and always wanted us to visit. Well, we finally did and are SO glad we did! We hope you will love it as much as we do!

What makes this condo unique

The amount of sunshine in Palm Springs is amazing and I love having a South-facing patio to catch every ray! There is lots of golf and tennis for the sports enthusiast, shopping, and wonderful restaurants! With a Starbucks across the road, what more could you ask for?!!

[Report this listing](#)

Amenities

Palm Springs Condo Accommodation and Amenities

Property Type:

condo

floor 1

Building Type:

building

Meals:

Guests provide their own meals

Floor Area:

1100 sq. ft.

Feedback

House Rules:

Check-in: 4:00 PM / Check-out: 11:00 AM

Max. occupancy: 6

Max. adults: 4

Min. age of primary renter: 25



Parties/events not allowed

Pets not allowed

Non smoking only

Maximum adults - 4, UNLESS permission given personally by Alma Brown

Quiet after 11:00 p.m. for consideration of neighbours

Location Type:

Downtown ...

Golf Course Front ...

Mountain View ...

Theme:

Adventure

Away From It All

Budget

Family

Historic

Romantic

Spa

Sports & Activities

Tourist Attractions

General:

Air Conditioning

Clothes Dryer ...

Hair Dryer

Heating

Internet ...

Iron & Board

Linens Provided

Living Room

Parking ...

Telephone ...

Feedback

Towels Provided ...
Washing Machine ...

Kitchen:

Coffee Maker
Dishes & Utensils
Dishwasher
Kitchen
Microwave

Oven
Pantry Items
Refrigerator
Stove
Toaster

Dining:

Dining
Dining Room

seating for 6 people

Bathrooms:

2 Bathrooms
Bathroom 1 - toilet , combination tub/shower , Main bath
Bathroom 2 Master - toilet , combination tub/shower , Master ensuite
2 bathrooms

Bedrooms:

2 Bedrooms, Sleeps 6
Bedroom 1 - 1 king
Bedroom 2 - 1 queen , 1 bunk bed , 2nd bedroom sleeps 4
2 bedrooms

Entertainment:

Books ...
Satellite / Cable ...

Television ...

Outside:

Deck / Patio ...

Feedback:

Golf ...
Lawn / Garden ...

Outdoor Grill ...
Tennis ...

Suitability:

Long-term Renters Welcome

wheelchair inaccessible

Pool / Spa:

Communal Pool ...
Heated Pool

Hot Tub ...

Attractions:

churches
cinemas
festivals
health/beauty spa

library
playground
restaurants
water parks

Leisure Activities:

miniature golf
outlet shopping
photography
scenic drives

shopping
sight seeing
walking
wildlife viewing

Local Services & Businesses:

Feedback

ATM/bank
groceries
hospital

massage therapist
medical services

Sports & Adventure Activities:

cycling
golf
mountain biking
mountain climbing

mountaineering
rock climbing
swimming
tennis

Notes:

The people in our gated condo have been so wonderfully friendly and accommodating when asked questions. It's a lovely community!!

[Request to Book](#) [Contact Owner](#)

Reviews

5/5 -

(4 traveler reviews) **100% Complete**

4

0% Complete 0

0% Complete 0

0% Complete 0

0% Complete 0

Feedback



Lesley M.

Relaxation

• 5 of 5

Lesley M.



I stayed here just under a week and found it to be a very cute and clean condo! The whole feel was very relaxed and the pool and hot tub area was beautiful and quiet. Would absolutely recommend staying here!



- Submitted: Dec 26, 2017
- Stayed: December 2017
- Source: VRBO, from HomeAway

Owner's Response: Lesley: Sounds like you had a relaxing time! See you again in the future! Alma

Did you find this review helpful? 0 Yes 0 No



Kloe P.

Amazing stay with gorgeous views!

•

Feedback

5 of 5

Kloe P.

This condo was the perfect little getaway for our week away. It was cute, clean and had everything we needed. The hosts were pleasant and super easy to reach with questions. The condo complex is complete with a beautiful pool, hot tub, tennis courts and fruit trees! It is close to everything and has amazing views of the mountains.



We LOVED our stay and will definitely be back for another vacation!

- Submitted: Dec 24, 2017
- Stayed: December 2017
- Source: VRBO, from HomeAway

Owner's Response: Thanks, Kloe! We welcome you and your friends back to stay with us again!
Alma

Did you find this review helpful? 0 Yes 0 No



Javmi B.

Great holiday spot!

• 5 of 5

Javmi B.



Came here with some girlfriends for a long weekend and had a fabulous time! It is close by to all the essentials, so a car rental is not even necessary. There is a Von's, Target, Starbucks, hiking and restaurants close by. Went to LA for the day and had a great time. The pool is nice and warm in winter and made for a relaxing day. Lots of activities to do so it's great for a short relaxing trip, or a busy excursion filled holiday. The condo is spacious and quaint. We also went out to Zelda's to go dancing one night and it turned out to be a great night with lots of young adults. Great vacation spot- 10/10 would recommend!

Feedback

- Submitted: Dec 24, 2017
- Stayed: December 2017
- Source: VRBO, from HomeAway

Owner's Response: Glad you guys had a great time! We look forward to hosting you again in the future! Alma

Did you find this review helpful? 0 Yes 0 No

Alma Brown

Beautiful, Quiet, Pure Bliss!

- 5 of 5

Alma Brown

I stayed here for 6 nights and it was everything that I could have asked for any more! It was so clean, very spacious and had everything that you would need. The pool was literally right outside your door with a heated pool and a hot tub. Not to mention the orange tree right beside where we were staying to which I enjoyed the most delicious orange every day! Also, it is extremely close to all amenities that you would need and there is a nice hiking spot just across the street! would 100% recommend this play. It was perfect :)



- Submitted: Dec 24, 2017
- Stayed: December 2017
- Source: VRBO, from HomeAway

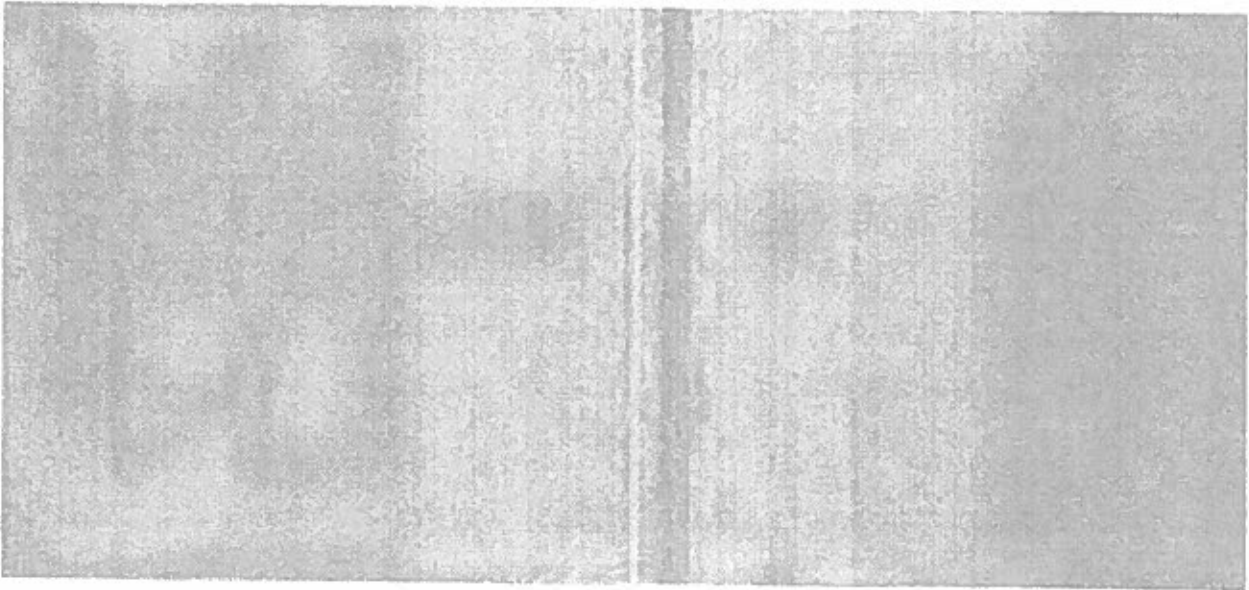
Did you find this review helpful? 0 Yes 0 No

- 1-4 of 4

[Request to Book](#) [Contact Owner](#)

Map





Nearest Airport

10 Miles

Palm Springs International

Nearest Barpub

1 Miles

all kinds

Nearest Golf

0.1 Miles

Tahquitz Golf Course

Nearest Restaurant

1 Miles

all kinds

Car: recommended

There are Celebrity Tours, golf and mountain hiking right across the road from us. Or if you are here to pamper yourself, a place you can get your nails or hair done, again, right across the road! So many restaurants that we haven't even checked them all out but seafood (Fisherman's Restaurant), amazing Mexican & ambiance (las Casuelas), Cheesecake Factory & Babe's (a little farther away) tops our favourites list so far!

- 1.
 - 2.
 - 3.
 - 4.
- USA
California
California Desert
Palm Springs

Feedback

Request to Book Contact Owner

Photos



Sunny paradise!



Palm Canyon Villas Resort Con



just steps from the condo to the pool!

Blue skies!
(on opposite side)

Feedback

[Request to Book](#) [Contact Owner](#)

Rates & Availability


[Feedback](#)

Available


Unavailable

Taxes and fees are additional


June 2018

S	M	T	W	T	
F	S				


July 2018

S	M	T	W	T	
F	S				

August 2018

S	M	T	W	T	
F	S				

September 2018

S	M	T	W	T	
F	S				

Updated: Jan 9, 2018



Feedback

Additional information about rental rates

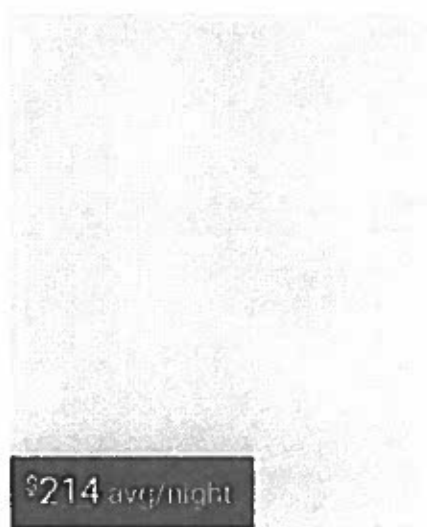
Refundable damage deposit	\$500
Cleaning fee	\$100

Owner's Cancellation Policy

- 100% refund if canceled at least 60 days before arrival date.
- Service Fee fully refunded on cancellations that qualify for 100% refund.

[Request to Book](#) [Contact Owner](#)

You might like these similar properties



\$214 avg/night

Zen Modern Home II in "wind free" S Palm Sprl...

??



\$115 avg/night

Feedback

NEW! 2BR Cathedral City Condo-Pool & Tennis ...




One-of-a-Kind 2BR Palm Springs Home w/Priv...


2 5

18

Special HomeAway Offers

Feedback

 SEARCH Car



Picking up

Dropping off

Pick up date

Drop off date

You might like these similar properties



\$214 avg/night

Zen Modern Home II In "wind free" S Palm Spri...

22



\$115 avg/night

Feedback



NEW! 2BR Cathedral City Condo-Pool & Tennis...



One-of-a-Kind 2BR Palm Springs Home w/Priv...

2 5

18



Contact the Owner

Signed in as:

Mike Wilson (michaelwilson1971@hotmail.com)

When would you like to stay?

[Not you?](#)

Feedback

Enter dates to calculate a quote

Arrival

Departure

My travel dates are flexible.

Tip: Enter approximate travel dates to help speed up the booking process

How many guests?

Adults

-	2	+
---	---	---

Children Ages 2 to 17

-	0	+
---	---	---

Infants Under 2

-	0	+
---	---	---



Your dates are Available!

Act now, book this property

[Request to Book](#)

Have a question for the owner?

Mike

Wilson

United States (+1)

Feedback

Phone Number

michaelwilson1971@hotmail.com

Good afternoon,

I wanted to see if your unit will be available 06/01/18 to 06/10/18. We

By clicking 'Send Email' you are agreeing to our [Terms and Conditions](#) and [Privacy Policy](#).

Close

Send Email

x

Request to Book

Enter dates to calculate a quote

* Required

When would you like to stay?

Arrival

Departure

Request to Book

* Required

How many guests?

\$114.29 x 9 nights

\$1,028.57

Cleaning fee

\$100.00

Service Fee

\$116.00

Total

\$1,244.57

Feedback

Refundable damage deposit - Not included in total

\$500.00

Request to Book

Payment Schedule

Due Now

\$1,744.57

Owner's Cancellation Policy

100% refund for cancellations requested by 04/02/2018 at 11:59 am (property's local time). Service Fee fully refunded on cancellations that qualify for 100% refund.

Close

Request to Book

Request to Book

x

Anonymously report this listing

Select one of the following reasons and our HomeAway Trust & Security Team will look into it.

- I was asked to pay outside of HomeAway's website

The owner/manager requested I complete my booking and make a payment outside of HomeAway's website.

How were you asked to pay?

Send Report

- This listing should not be on HomeAway

It appears suspicious or might be fraudulent.

Why should this listing not be on HomeAway?

Send Report

- Spam or inappropriate content

The listing contains questionable, promotional or spam content.

Describe the content you encountered

Send Report

- The calendar is not accurate

The owner/manager said my dates were not available or offered me a different property.

Feedback

Please be as descriptive as possible

Send Report

Other

Not covered by the reasons above.

Not covered by the reasons above

Send Report

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Alugue Temporada™

Feedback

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[Feedback](#)

SHORT TERM RENTAL AGREEMENT
(Please Print Legibly in Ink)

Vacation Home Rental
31D - 5115 E. Waverly Drive, Palm Springs, California

This agreement made this _____ day of _____, 20__ between

Name(s) _____

Phone (____) _____ Cell Phone(____) _____
Address _____
(hereinafter called the Tenants) and

AL & KATHY DYCK/ROGER & ALMA BROWN (hereinafter called the Landlord) concerning the short term rental of the property located at: 31D - 5115 E. Waverly Drive, Palm Springs, California

Total people in renting party: _____ Adults: _____ Children: _____ not to exceed 6. Rental period begins at 3 pm on _____ and ends at 11 am on _____.

Total Rental Amount (in U.S. Dollars): \$ _____ (\$ _____ per week or \$ _____ per month)

Add Cleaning Fee: \$100.00, Add Damage Deposit: \$500.00 (Separate cheque refundable according to the Terms of the Agreement). 7 day minimum

Total Amount Due: \$ _____

Due (100%) with signed agreement: \$ _____ (in U.S. FUNDS (plus cleaning & security))

Terms of the Agreement:

1. The Landlord have the right to inspect the premises without prior notice at any time to enforce the terms of this agreement. Should the Tenants violate any of the terms of this agreement, the rental period shall be terminated immediately. The Tenants waive all rights to process if they fail to vacate the premises upon termination of the rental period. The Tenants shall vacate the premises at the expiration time and date of this agreement.
2. The phone that is provided must not have any long distance charges (outside the US & Canada) and be in good physical condition.
3. The Tenants shall maintain the premises in a good, clean, and ready to rent condition, and use the premises only in a careful and lawful manner. The tenants shall leave the premises in a ready to rent condition at the expiration of the rental agreement (other than the normal cleaning), defined by the Landlord as being immediately habitable by the next tenants. Tenants shall pay for maintenance and repairs should the premises be left in a lesser condition. The tenants agree that the Landlord shall deduct costs of said services from the security deposit prior to refund if tenants cause damage to the premises or its furnishings.
4. The Tenants shall dispose of all waste material generated during the rental period in a lawful manner and put the trash in the designated garbage bins located at the South end of the parkade following their stay.
5. The Tenants shall pay for any damage done to the premises over and above normal wear and tear.
6. No animals or pets of any kind will be brought onto the premises.

7. The Tenants shall not sublet the property.
8. The Tenants shall have no more than 8 (six) persons reside or sleep on the premises without the permission of the owners, and with an additional surcharge per person if allowed by the owners.
9. The Tenants shall behave in a civilized manner and shall be good neighbors respecting the rights of the surrounding property owners. The Tenants shall not create noise or disturbances likely to disturb or annoy the surrounding property owners. Creating a disturbance of the above nature shall be grounds for immediate termination of this agreement and Tenants shall then immediately vacate the premises without reimbursement of monies. Quiet hour starts at 11 PM and Pool and outdoor noise should be kept to a minimum.
10. There shall be no smoking inside the premises. Smoking is permitted outside the condominium.
12. Landlord shall provide towels, liners, cups, knives, forks, spoons, dishes, toilet paper, soap, dish detergent, laundry soap, shampoos, and other items as commonly used by the Landlord's family. No reimbursement will be made for unused consumables left at the premises. If consumables are at the premises when the Tenant arrives the Tenant is free to use them.
13. The Tenants and Tenants' Guests shall hereby indemnify and hold harmless the Landlord against any and all claims of personal injury or property damage or loss arising from use of the premises regardless of the nature of the accident, injury or loss. Tenants expressly recognize that any insurance for property damage or loss which the Landlord may maintain on the property does not cover the personal property of Tenants, and that Tenants should purchase their own insurance for Tenants and Guests if such coverage is desired.
14. Rent amount is fully refundable up to 6 (six) weeks prior to the beginning of the rental period. After six weeks prior to the rental period the Landlord shall have the right to retain the Rent unless the Landlord can rent the premises out.
15. Tenants agree to pay all reasonable costs, attorney's fees and expenses that shall be made or incurred by Landlord enforcing this agreement.
16. Tenants expressly acknowledge and agree that this Agreement is for transient occupancy of the Property, and that Tenants do not intend to make the property a residence or household.
17. We occasionally experience outages that are beyond our control. We report outages as each occurs. No refunds or compensation will be given for any outages.
18. There shall be no refunds of rents due to shortened stays or ruined expectations because of weather conditions.
19. There shall be no refunds of rents because of shortened stays or ruined expectations due to work and family emergencies or other commitments.
20. It is the tenant's responsibility to learn about safety precautions, warning signs of water conditions, and safety procedures concerning swimming in or being around the pool. Tenant agrees to have a responsible adult supervising minors while they swim in the pool. Tenant is hereby notified that the pool can be dangerous and tenant accepts fully the risks involved. Tenant is further notified to be cautious as the pool is not fenced in and can be a hazard. There are no rails to prevent a fall into the pool.
21. Only legally owned and permitted firearms shall be allowed on the premises according to State and Local laws.
22. Tenant agrees that Fireworks and other hazardous materials shall not be used in or around the property.
23. Tenant shall use the property for legal purposes only and other use, such as but not limited to, illegal drug use, abuse of any person, harboring fugitives, etc; and such evidence shall cause termination of this agreement with no refund of rents or deposits.
24. Tenant agrees not to access the owner's closet or owner's storage tubs, even if unlocked, which contains cleaning supplies and chemicals that could be hazardous to children and adults. The owner's closet/tub is located inside the master bedroom, and is locked.

25. Tenant is advised that the property contains gas heating, gas grill (BBQ), and other gas powered items and will seek help from management if the proper operation of such items is not fully understood.

26. The property has a fire extinguisher installed in the kitchen under the sink. The fire extinguisher was fully charged at last inspection. It is the duty of the tenant to inform management immediately should the fire extinguisher become less than fully charged. Tenant agrees to use the fire extinguisher only for true emergencies.

27. The property has fire alarms installed and they are believed to function properly at the time of rental. Tenant will notify management without delay if a fire alarm "chirps" or has a low battery condition.

28. The property has a carbon monoxide detector installed on the property and they are believed to function properly at the time of rental. The Tenant will notify management without delay if a carbon monoxide alarm "chirps" or has a low battery condition.

29. Tenant shall see to their own security while in the property by locking doors, windows, garage doors, etc. when it is prudent to do so.

30. Valuable items left behind by tenant will be held for the tenant and every reasonable effort will be made to contact the tenant for return. If items are not claimed for longer than 6 months they shall become the property of the Landlord. The Landlord shall not be held liable for condition of said items.

31. Cable TV is provided and the service level has been chosen by the Landlord. No refund of rents shall be given for outages, content, lack of content, or personal preferences with regard to cable TV service. Spectrum Gold cable TV has been provided as a convenience only and is not integral to the agreement. No refund of rents shall be given for outages, content, lack of content, access problems, lack of knowledge of use or personal preferences with regard to Cable TV service.

32. High speed wireless internet is provided as a convenience only and is not integral to the agreement. No refund of rents shall be given for outages, content, lack of content, speed, access problems, lack of knowledge of use, or personal preferences with regard to internet service.

33. Tenant agrees that Air conditioning shall not be set below 70 degrees and heat shall not be set above 75, and that the fan setting shall be "Auto". Doors and windows shall be closed when either heat or air conditioning is in operation. If the Tenant fails to comply with this clause and utility bills are exorbitantly high, the Tenant agrees to pay to the Landlord the difference between the regular or average bill and the higher bill caused by the Tenant's failure to comply.

Please fill out and sign 2 (two) copies of this Agreement and mail both copies to Landlord. One executed original will be mailed back to you. Or, you may choose to scan and email the signed Agreement to agdl@shaw.ca

Landlord address: AL & KATHY DYCK, 14949 Beachview Avenue, British Columbia, Canada, V4B 1P2
Or: ROGER & ALMA BROWN, 38 Bonneville Bay, Winkler, Manitoba, Canada, R6W 1M8

(We) agree to abide by the above conditions and hereby swear/affirm that the information provided above is true:

Tenant _____ Date _____

Tenant _____ Date _____

Landlord _____ Date _____

Landlord _____ Date _____

You are pre-approved to book HA-2M5HQJ: Jun 1 through 10 - HomeAway.com #1204887

Alma <sender@messages.homeaway.com>

Wed 1/10/2018, 6:36 PM

To: Mike Wilson <michaelwilson1971@hotmail.com>



You have been invited to book and will be confirmed instantly if payment is made.
Book now before someone else does!

2 other people are looking at this property!

Book Now



Property	#1204887
Reservation ID	HA-2M5HQJ
Dates	Jun 1 - 10, 2018, 9 nights
Guests	2 adults, 0 children
Owner name	Alma
Traveler phone	Available when booked

Dear Mike Wilson,



Thanks for your inquiry about my vacation rental. The property is LIKELY available from Jun 1, 2018 - Jun 10, 2018, and I'd like to invite you to stay!
The only thing is that we are booked to do a kitchen renovation and we are HOPING that we will be done by June 1st. We do, however, have another property in the SAME complex (No. 27 - you can look on the vrbo site at the pictures - vrbo #1236622) and if our first property has not been finished by June 1st, we could give you vrbo 1236622 for the same price. I would like to speak to you but your phone number does not show up until you are booked. Feel free to call me or I can call you if you provide me with your phone number, I can call you.

You are pre-approved to book, so you will automatically be confirmed if you make a payment. The property will then be booked for your requested dates for our property OR the vrbo 1236622.

Thank you,
Alma Brown
1-204-325-5253 (res)

Your quote

9 nights	\$1,028.57
Cleaning Fee	\$100.00
Service Fee	\$116.00
Total	\$1,244.57
Refundable Damage Deposit	\$500.00
Total Amount	\$1,744.57

Payment Requests:

1st Payment	Due Jan 10, 2018	\$1,744.57
Total:		\$1,744.57

Owner's Cancellation Policy: Bookings canceled at least 60 days before the start of the stay will receive a 100% refund.

Cancellations must be made by 12:00 PM CST (Central Standard Time) on the appropriate day.

Your payment will not be protected by the HomeAway Book with Confidence Guarantee™ unless you book through the HomeAway checkout. Please report this listing if the owner/manager has requested that you pay outside of the HomeAway checkout.

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Download the HomeAway mobile app so you can find and book your next vacation rental quickly and easily... no matter where you are!



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This email was sent to michael.wilson1971@homeaf.com.

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Re: Your inquiry: Jun 1 through 10 - HomeAway.com #1204887

Alma <sender@messages.homeaway.com>

Wed 1/10/2018, 7:30 PM

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

HomeAway



Alma has replied to your message



Property	#1204887
Reservation ID	HA-2M5HQJ
Dates	Jun 1- 10, 2018, 9 nights
Guests	2 adults, 0 children
Owner name	Alma
Traveler phone	Available when booked

Good evening Mike:
It was good to speak to you as well. That sounds great. If you have any questions or concerns, please call or email me

Alma
(204) 325-5253 (res)
(xxx xxx-xxxx (cell))

Reply

Tell the owner more about yourself!

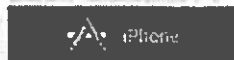
- | | | |
|--|--|--|
| Current City
Where will you be traveling from?
Verify now | Facebook Verification
Sign in with Facebook to gain verification
Verify now | About me
Tell the owner a little about you
Verify now |
|--|--|--|

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This email was sent to michael.watson1971@hotmail.com

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Re: You are pre-approved to book HA-2M5HQJ: Jun 1 through 10 - HomeAway.com #1204887

Michael Wilson

Wed 1/10/2018, 7:23 PM

To: Alma <sender@messages.homeaway.com>, Alma <4a0081ea-f81f-4384-ba02-fb7be8e74ed7@messages.homeaway.com>

Good evening Alma and thank you for taking the time so speak with me on the phone. I fully understand that your unit (D31) will be undergoing a kitchen remodel on 05/01/18 and should be done by 06/01/18. Since you have graciously provided a back up plan in the event the remodel is not complete. I v book it shortly.

Thank you,
Michael



From: Alma <sender@messages.homeaway.com>

Sent: Wednesday, January 10, 2018 6:36 PM

To: Mike Wilson

Subject: You are pre-approved to book HA-2M5HQJ: Jun 1 through 10 - HomeAway.com #1204887

HomeAway



You have been invited to book and will be confirmed instantly if payment is made.
Book now before someone else does!

2 other people are looking at this property!

Book Now



Property	#1204887
Reservation ID	HA-2M5HQJ
Dates	Jun 1- 10, 2018, 9 nights
Guests	2 adults, 0 children
Owner name	Alma
Traveler phone	Available when booked

Dear Mike Wilson,

Thanks for your inquiry about my vacation rental. The property is LIKELY available from Jun 1, 2018 - Jun 10, 2018, and I'd like to invite you to stay!

The only thing is that we are booked to do a kitchen renovation and we are HOPING that we will be done by June 1st. We do, however, have another property in the SAME complex (No. 27- you can look on the vrbo site at the pictures - vrbo #1236622) and if our first property has not been finished by June 1st, we could give you vrbo 1236622 for the same price. I would like to speak to you but your phone number does not show up until you are booked. Feel free to call me or I can call you if you provide me with your phone number, I can call you.

You are pre-approved to book, so you will automatically be confirmed if you make a payment. The property will then be booked for your requested dates for our property OR the vrbo 1236622

Thank you,
Alma Brown
1-204-325-5253 (res)

Your quote

9 nights	\$1,028.57
Cleaning Fee	\$100.00
Service Fee	\$116.00
Total	\$1,244.57
Refundable Damage Deposit	\$500.00
Total Amount	\$1,744.57

Payment Requests:

1st Payment	Due Jan 10, 2018	\$1,744.57
Total:		\$1,744.57

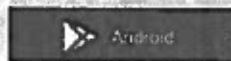
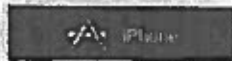
Owner's Cancellation Policy: Bookings canceled at least 60 days before the start of the stay will receive a 100% refund.

Cancellations must be made by 12:00 PM CST (Central Standard Time) on the appropriate day.

Your payment will not be protected by the HomeAway Book with Confidence Guarantee™ unless you book through the HomeAway checkout. Please report this listing if the owner/manager has requested that you pay outside of the HomeAway checkout

[Report This Listing](#)

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This email was sent to michael.wilson1971@homead.com

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Property Profile

Property Data

<p>Site Address: 5115 E Waverly Dr # D31 Palm Springs, CA 92264</p> <p>Mail Address: 36 Bonneville Bay Winkler Manitoba, XX</p>	<p>Primary Owner: BROWN, ROGER DALE; BROWN, ALMA MAY</p> <p>Secondary Owner: APN: 881-294-031</p> <p>Census Tract: 9410.00</p> <p>Housing Tract Number: 11451</p> <p>Legal Description: LOT:31 CITY:PALM SPRINGS TR#:11451 UNIT 31 CM 024/001 INT IN COMMON TR 11451 MB 099/027</p> <p>Subdivision:</p> <p>Property County: Riverside County</p>
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R6W 2P7

Property Characteristics

Bedrooms: 2	Year Built: 1978	Square Feet: 945
Bathrooms: 1.75	Use Code: Condominium (Residential)	Lot Size: 871 Sqft
Total Rooms:	Number of Units: 1	Garage:
Zoning:	Amenities:	
Number of Stories: 1	Building Style:	Coords: 33.793435,-116.49174

Sale & Loan Information

Transfer Date: 09/19/2017	Seller: SCHWARTZMAN, JANICE	Document: 2017-0386340
Transfer Value: \$168,000.00	Cost/Sq Feet: 177	Title Company: Fidelity National Title
First Loan Amt: \$0.00	Lender:	

Assessed & Tax Information

Assessed Value: \$82,518.00	Percent Improvement: 0.7501	Homeowner Exemption: H
Land Value: \$20,622.00	Tax Amount: \$1,196.28	Tax Rate Area: 11-005
Improvement Value: \$61,896.00	Tax Status:	

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