



# Dana Point

## Short Term Rentals

### Frequently Asked Questions

- ◆ **Do I need a Short Term Permit?** Yes, if renting a residential unit for 30 or fewer consecutive days (a two-night minimum is required).
- ◆ **When will the ordinance take effect?** The ordinance became effective on May 2, 2013 and requires that an application for a Short Term Rental Permit be required by January 15, 2014.
- ◆ **Is Transient Occupancy Tax (TOT) required?** Yes, all short term rental owners must collect 10% TOT.
- ◆ **Who must pay TOT?** A transient is any person who occupies a property for 30 consecutive calendar days or less. The transient occupant must pay a TOT tax equal to 10% of the lease amount for each short term rental occurrence.
- ◆ **What are the owner/manager's duties for collecting TOT?** TOT is due and reportable to the City for

Reporting period:	Due date:
Jan-Mar	April 20th
Apr-June	July 20th
July-Sept	October 20th
Oct-Dec	January 20th

- ◆ **What is the Permit Process?** Complete an application for a permit and TOT certificate with an application fee of \$150. Permits must be renewed annually. The application can be found at [www.danapoint.org](http://www.danapoint.org).
- ◆ **Who can obtain a permit?** An Owner or Agent can obtain a permit. If an Agent representing an Owner files an application for a permit that form must be signed and notarized by the Owner.
- ◆ **Do I need an inspection?** Yes, an inspection is needed prior to issuance of the permit. You will be contacted to schedule an inspection upon submittal of a complete application.
- ◆ **What are the Short-Term Rental conditions?** The operating standards are summarized on the back of this information sheet. Please read the ordinance carefully for all restrictions and requirements.
- ◆ **What are the insurance requirements?** Proof of general liability insurance is required prior to permit issuance and upon annual permit renewal.
- ◆ **What if I live in a neighborhood with a Homeowners Association (HOA)?** If located in a HOA, a copy of the CC&Rs is required. The City will not issue a permit if the use is not allowed by the CC&Rs.
- ◆ **If I have more questions who can I contact?** The ordinance, permit application, inspection checklist and other information is available at [www.danapoint.org](http://www.danapoint.org) or contact the City at (949) 248-3563.



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#### Conditions of Short Term Rental Permit Issuance and Renewal (Mun. Code Sec. 5.38.080):

1. Payment of the required \$150 short term vacation rental permit fee.
2. An inspection of the short term rental is required prior to permit issuance to ensure the rental meets minimum safety code standards, and additional inspections may be deemed necessary prior to subsequent annual permit renewals.
3. Occupants shall agree to a minimum stay of 2 consecutive nights. .
4. At least 2 off street parking spaces are required for each short term rental property.
5. The maximum number of overnight occupants shall be 2 persons per bedroom, plus 2 on a sleeper sofa.
6. The maximum number of vehicles per short term rental property shall be limited to one (1) vehicle per one (1) bedroom unit or two (2) vehicles per two (2) bedroom unit, unless a greater number of vehicles is approved by the Director of Community Development.
7. Street address and unit number of the property must be clearly marked and, if possible, illuminated.
8. Special events, such as weddings, graduation parties, raves, etc., are prohibited.
9. All short term rental advertising must include City permit number.
10. No on-site exterior signs are to be posted advertising short term rentals.
11. Proof of insurance must be provided.
12. The short term rental owner must use his or her best efforts to ensure that occupants do not create unreasonable noise or disturbances, or engage in disorderly conduct, and when such issues arise, must act within twenty-four (24) hours to prevent any recurrences.
13. Verification that short term rentals are not prohibited by Homeowners Association Conditions, Covenants and Restrictions (CC&Rs).
14. The primary occupant of the short term rental shall be at least eighteen (18) years of age or older. The short term rental owner shall obtain the contact information of each primary occupant, and shall ensure that he or she signs an acknowledgment that he or she is legally responsible for compliance with all of the City's short term rental regulations. This information shall be readily available to any police office or City employee upon request.
15. The short term rental owner must include a copy of the permit conditions in each and every lease agreement and post copy in a conspicuous place within the short term rental property, which specifically includes all of the following information:
  - All City of Dana Point laws must be respected, including but not limited to: Noise, Nuisance, Parking and Occupancy. Failure to respect the laws could result in eviction or revocation of this Short Term Rental Permit. **PLEASE BE CONSIDERATE OF NEIGHBORS**
  - The maximum occupants permitted in the unit and notification that failure to conform to the occupancy requirements is a violation.
  - The maximum number of vehicles permitted at the property, and if not adjacent to the residence, the location of assigned parking for the unit.
  - Trash pick-up day and applicable information of leaving or storing trash on the exterior of the property.
  - Notification that the occupant may be cited or fined by the City and/or immediately evicted by the owner for violating applicable laws.
  - 24-hour property and emergency contact information (owner or agent) and 9-1-1 emergency information. Owner or agent must be able to respond from within a 25 mile radius.