



Short-Term Rental Permit

Purpose and Procedure

A Short-Term Rental Permit is an administrative process where the City Planner reviews proposals regulating short-term rentals while identifying public nuisances. The Short-Term Rental Permit is to protect public health, safety, and welfare by ensuring that the characteristics of rental neighborhoods is preserved; reducing the secondary effects that may result from permissible short-term rentals, and proactively combating public nuisances. Short-term rentals refer to dwelling units other than hotels or motels that are rented to a person or persons for a period shorter than 30 consecutive days. Planning staff receives the applications, issue and revoke permits and implement the short-term rental ordinance. The City Planner may require special permit conditions to protect the public safety or welfare.

APPLICATION PROCESS

1. At least 30 days before filing an application, a written declaration affirming that occupants of all residences and businesses located within 200 feet from the proposed short-term rental were notified of the proposed permit and were informed in writing in a form acceptable to the City of the proposed use and the contact information with the City.
2. An application for a Short-Term Rental Permit shall be made by a property owner or his/her authorized agent. An application shall be properly filled-out with the notarized signature of the property owner of record as of the date the application is submitted.
3. The Planning Division shall assess and collect an application filing fee. The fees are based upon the most recent Fee Schedule adopted by the City Council.
4. The applicant shall submit all the application materials outlined on the application checklist. In addition to this, applications for all permits will include such supplemental information which the City Planner may find reasonably necessary.
5. The applicant must execute a hold harmless agreement in a form approved by the city attorney. These agreements need to be filed with the City Planner before the issuance of the permit.
6. The permit is considered valid when the City Planner receives the applicant's written acceptance.



SHORT-TERM RENTAL CHECKLIST

Community Department Department
Planning Division

The following items are required at the time of your application submittal:

| | For Staff Use Only |
|--|--------------------------|
| <p>This Checklist Submit this checklist along with the items below.</p> | |
| <p>1 Administrative Application Signed by the property owner and notarized with a General All-Purpose Acknowledgement.</p> | <input type="checkbox"/> |
| <p>2 Nuisance Response Plan Complete Nuisance Response Plan.</p> | <input type="checkbox"/> |
| <p>3 Transient Occupancy Registration Confirmation Provide email confirmation of registration through HdL. https://montereypark.hdlgov.com/Home/Index/TOT</p> | <input type="checkbox"/> |
| <p>4 Proof of Homeowner’s or Renter’s Insurance for the Short-Term Rental</p> | <input type="checkbox"/> |
| <p>5 Surety Bond A surety bond in the amount of \$1500 in a form required by the Short-Term Rental Ordinance; See Surety Bond section.</p> | <input type="checkbox"/> |
| <p>6 Indemnity Statement See Hold Harmless Statement to be notarized and signed by the property owner.</p> | <input type="checkbox"/> |
| <p>7 Radius Map and Ownership List Copy of the radius map and list of property owners as per #8 below. Radius map will be measured from subject property perimeter lines. included in this</p> | |
| <p>8 Affidavit of Mailing Notices This affirms that, at least 30 days before filing an application, occupants of all residences and businesses located within 200 feet from the proposed short-term rental were notified of the proposed permit and were informed in writing in a form acceptable to the City of the proposed use and the contact information with the City. A template for the notice is included after the affidavit.</p> | <input type="checkbox"/> |
| <p>9 Application Fees See Fee Schedule.</p> | <input type="checkbox"/> |

Do Not Write Below This Line

Date stamp



ADMINISTRATIVE APPLICATION

Community Development Department
Planning Division

This form is part of your Planning submittal. Attach additional sheets of paper to answer questions if needed. If a question is not applicable, write "N/A." Contact Planning Division staff for questions or assistance filling out the application.

Project Address _____

Request

- Administrative Use Permit
(Alcohol, Setbacks, Drive-Through, Outdoor Dining)
- Design Review
- Extension of Time
- Lot Merger / Lot Line Adjustment
- Other _____
- Minor Modification
- Signage / Master Sign Program
- Site Plan Review
- Temporary Use Permit
- Wireless Telecommunications

Applicant

- Owner
- Agent of Owner
- Architect
- Other _____
- Design Professional

Name: _____

Address: _____

Phone #: _____ Email: _____

Development Proposal

Zoning: _____ General Plan Designation: _____ Lot Size: _____

Existing Land Use: _____ Assessor Parcel #: _____

Area and Dimensions: _____ Existing/Proposed Floor Areas _____

Existing # Parking Spaces _____ Parking Required _____

Other _____

If applicant will be represented by someone else, a notarized Letter of Authorization (LOA) must be submitted separately. The LOA must include the applicant or owner's signature, as well as a statement authorizing the representative to represent them in all matters pertaining to the application. The LOA must also include complete contract information for the representative.

Applicant's Signature: _____ Date: _____

Print Name/Title of Signer _____

Submittal Checklist

| Req'd | Rec'd | Submittal Materials | Required Copies |
|--------------------------|--------------------------|-----------------------------------|-----------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Completed Application | 1 digital |
| <input type="checkbox"/> | <input type="checkbox"/> | Detailed Operations Statement * | 1 digital |
| <input type="checkbox"/> | <input type="checkbox"/> | Site Plans/Elevations/Floor Plans | 1 digital |
| <input type="checkbox"/> | <input type="checkbox"/> | Colored Elevations | 1 digital |
| <input type="checkbox"/> | <input type="checkbox"/> | Preliminary Grading Plan | 1 digital |
| <input type="checkbox"/> | <input type="checkbox"/> | Preliminary Landscape Plan | 1 digital |
| <input type="checkbox"/> | <input type="checkbox"/> | Site Photos | 1 digital |

* **Detailed Operations Statement** shall include but not be limited to the following:
(Hours and days of operation, number of employees, services or products provided, etc.).

PROPERTY OWNER'S ACKNOWLEDGMENT

I/We _____ am/are the owner(s) of property involved in this application. The statements, answers and information contained in this/these application(s) checked are true and correct to the best of my/our knowledge. I/We agree to any and all improvements as may be required.

Property Owner's Signature: _____

Date: _____

Do Not Write Below This Line

| |
|-------------|
| Case Number |
|-------------|

Initials _____

Date Stamp



NUISANCE RESPONSE PLAN

Short-Term Rentals

Community Department Department
Planning Division

Property Information:

Property Address: _____

Property Owner Address (if different): _____

Property Owner Phone #: _____

Proposed Maximum # of Occupancy: _____ Refer to paragraph "3" below for more information.

Number of Bedrooms To Be Rented: _____ Number of Off-Street Parking Spaces: _____

Responsible Point of Contact:

Name: _____

Address: _____

Phone number: _____

Email address: _____

On a separate sheet, address each of the following:

- 1) Please describe the manner of how you will respond to a nuisance complaint, including but not limited to the manner in which the renter/occupant will be notified of the problem to guarantee prompt responses and timely corrective action.
- 2) Please describe the manner of assuring timely corrective action to remedy the conditions that caused the nuisance complaint. Note: "timely corrective action" includes, at least a telephone call to the primary adult renter/occupant of the short-term rental within 30 minutes of the initial nuisance complaint.
- 3) The City's short-term rental ordinance sets the maximum number of overnight occupants being two persons within each short-term rental plus a number that does not exceed two persons per bedroom within each short-term rental. A greater maximum overnight occupancy number can be requested with supporting documentation identifying unusual size, interior layout, parking or other physical characteristics. If you wish to move forward with this, please justify your request by describing any unique characteristics of the property that you believe justify it.



SURETY BOND FOR SHORT-TERM RENTAL

Community Department Department
Planning Division

- 1) A surety bond requires the following:
 - a. Must be issued by a surety licensed to do business in the State of California that has an A.M. Best Financial Strength Rating of at least "A-"
 - b. Must name the city as the bond obligee
 - c. Must be conditioned on the payment of any administrative fine assessed in the manner provided for by this Code if:
 - i. The Administrative fine was assessed either against the permittee or against any tenant or other person occupying or using the short-term rental operated pursuant to such permit; and
 - ii. Arose out of a violation of this ordinance, or the occupancy or use of such short-term rental in a manner that violated any provision of the short-term rental code.

- 2) At any time after a permit is issued, the permittee may file a substitute surety bond with the Director issued by a surety that meets the requirements. Upon determining that such substitute bond conforms to such requirements, the Director will return the bond being replaced by the substitute surety bond to the permittee.

- 3) Where the owner of the property used and occupied as a short-term rental pursuant to a permit approved and issued in the manner provided for by this ordinance determines to cease such use, the property owner must promptly cause a notice of such determination to be filed with the City Planner. Within 30 days following confirmation that there are no pending enforcement actions arising from violations of this chapter, the City Planner will return the surety bond provided to the City to the permittee.

SURETY BOND

KNOW ALL PERSONS BY THESE PRESENTS:

That _____ as Principal, and the undersigned, as corporate Surety, are held and firmly bound unto the City of Monterey Park, State of California, as Obligee, in the sum of One Thousand, Five Hundred Dollars (\$1,500.00) for which sum we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally by these presents.

The CONDITION of the above obligation is such that:

WHEREAS, the Principal is the owner of real property located at _____ (address) which is subject to City of Monterey Park Code ("MPMC"), Short-Term Rentals Ordinance, Chapter 21.09 et seq.; and

WHEREAS, the Principal is legally obligated to provide this surety bond issued by a surety licensed to do business in the State of California carrying and A.M. Best Financial Strength Rating of at least "A-" and naming the City of Monterey Park as a bond obligee to accompany the permit application to rent the described property as a short-term rental; and

WHEREAS, the Principal, as a condition to issuance of a permit to rent said property as a short-term rental is required, pursuant to MPMC Section 21.09.130, to execute a bond guaranteeing payment of any civil penalty assessed and unpaid pursuant to Chapter 4.20 of the MPMC;

NOW THEREFORE, should the Principal be assessed a civil penalty pursuant to the MPMC for non-compliance with MPMC Chapter 21.09, et seq., and fail to pay such civil penalty, and, upon demand by the Obligee, Surety shall pay to the Obligee the amount of this civil penalty, and shall also, in case suit is brought upon this bond, pay to Obligee court costs and reasonable attorney fees, to be fixed by the Court. The aggregate liability of the surety hereunder on all claims whatsoever shall not exceed the penal sum of this bond in any event.

PROVIDED, however, that the surety may cancel the bond and be released of further liability hereunder by delivering thirty (30) days written notice to the City of Monterey Park. Such cancellation shall not affect any liability incurred or accrued hereunder prior to the termination of the thirty (30) day period.

Dated this _____ day of _____, 20__.

(Name of Principal)

By: _____
Signature

Title: _____

(Name of Surety)

By: _____
Signature (Agent)

Address: _____

City/State: _____

Telephone: () _____



INDEMNITY STATEMENT

Short-Term Rentals

Community Department Department
Planning Division

The Property Owner(s) shall agree to the following:

“Permittee indemnifies, will defend (at City’s request and with counsel satisfactory to City), and holds City harmless from and against any claim, action, damages, costs (including without limitation, attorney’s fees), injuries, or liability, arising out of Permittee’s acts, errors or omissions, negligence, or wrongful conduct (regardless of City’s passive negligence, if any) in connection with this Permit, except for such negligence caused solely by City. For purposes of this section “City” includes the city of Monterey Park’s officers, officials, employees, agents, representatives, and volunteers.”

IN WITNESS WHEREOF, Property Owner has caused this instrument to be executed.

PROPERTY OWNER

PROPERTY OWNER

By:

By:

Name:

Name:

Title (If applicable):

Title (If applicable):

[NOTARIZED SIGNATURE(S) REQUIRED]

**AFFIDAVIT OF MAILING NOTICES FOR
SHORT-TERM RENTAL PERMIT**

DATE: _____

TO: CITY OF MONTEREY PARK, PLANNING DIVISION

FROM: _____

SUBJECT: NOTICE OF SHORT-TERM RENTAL AT ADDRESS:

The attached notice was hereby mailed to the occupants of all residences and businesses located within 200 feet from the proposed short-term rental location regarding the proposed Short-Term Rental Permit on _____ day of _____, 20____. Also, attached is a map and corresponding list of the occupants and properties that were notified.

Mailed by: _____

Date: _____



CITY OF MONTEREY PARK SHORT-TERM RENTAL NOTIFICATION

Date:

Neighbor Name

Neighbor Address

City, State Zip

Dear Neighbor,

I am sending you this letter to notify you and all my surrounding neighbors that I am renting my house as a short-term rental as permitted by Monterey Park Municipal Code Chapter 21.09. The property is located at:

Street _____ City _____ State _____ Zip _____

Short-term renters are people who rent a home for 30 days or less. I am obtaining a permit and business license through the City of Monterey Park for this activity. I plan on renting my property to a maximum of _____ persons with a maximum of _____ vehicles that will have on-site parking.

I do not expect there to be any problems with any of my renters, as I will be monitoring all rental activity. However, should you encounter any disruptive behavior coming from my property, I encourage you to reach out to me or my secondary contact so we can resolve the issue.

Here is our contact information:

Primary contact name _____ Phone number _____

Secondary contact name _____ Phone number _____

I encourage you to visit the City of Monterey Park's website, which contains information regarding short-term renting. The City's Municipal Code Chapter 21.09 regulates short-term rentals and can be found at: https://library.qcode.us/lib/monterey_park_ca/pub/municipal_code/item/title_21-chapter_21_09. Forms for the application of short-term rentals can be found on the City's website: <https://www.montereypark.ca.gov/246/Forms>

Best regards,

Property Owner



CITY OF MONTEREY PARK

Transient Occupancy Tax (TOT) Return

Every person providing transient lodging for remuneration in the Incorporated City of Monterey Park must collect a tax of twelve percent (12%) on the rent paid, unless that rent qualifies for exclusion or exemption. All allowable exclusions and exemptions must accompany this return form. This tax is due and payable to the City, on or before the last day of the month following the close of period. For failure to pay by the amount prior to the due date, the lodging provider is subject to paying a penalty and interest on the tax due. The initial penalty is ten percent (10%) of the amount due; further delinquency is subject to an additional monthly penalty of ten percent (10% per month). The interest rate is one half of one percent (0.5%) per month or fraction thereof. *Change of ownership, suspension, or disposal of business must be reported to us immediately.*

FILE ONLINE AT: <https://montereypark.hdlgov.com/>

Lodging Establishment _____ Reporting Period (MM / YYYY) _____
 Address _____ Number of Rooms Rented During the Period _____
 _____ Average Daily Rate \$ _____

This return is subject to audit:

| | |
|--|-----------------|
| 1. Gross Rent Paid for Lodging | 1. \$ _____ |
| <u>Allowable Exemptions for:</u> | |
| 2. Excluded Rent - Term (>30 days)** | 2. \$ _____ |
| 3. Net Taxable Rent: Line 1 minus Line 2 | 3. \$ _____ |
| 4. Tax (12% or 0.12 x Line 3) | 4. \$ _____ |
| 5. Penalty (Line 4 x 10% or 0.10, for each month past due.) | 5. \$ _____ |
| 6. Interest (Line 4 x 0.5% or 0.005, for each month or fraction thereof) | 6. \$ _____ |
| 7. Special tax credits (Attach copies of credit letters) | 7. \$ _____ |
| TOTAL AMOUNT DUE (Add Lines 4, 5, 6 and subtract Line 7) | \$ _____ |

I declare under penalties prescribed that the information provided in this return is true and correct to the best of my knowledge.

Signature Date

Print Name Title

Please make check payable to: **City of Monterey Park**
 Mail to: **City of Monterey Park TOT Processing Center**
8839 N. Cedar Ave #212 • Fresno, CA 93720
 Need assistance? Email us at: MontereyParkTOT@HdLgov.com
 Phone: (626) 599-6233

**** Term Exclusion: For stays of more than thirty (30) continuous days. In the absence of a prior written contract, the tax must be collected for the first 30 days.**