

## STATEMENT ON TENANTS SUBLETTING SHORT TERM LODGING

I own 2 rental homes next to each other on Seena Lane in Ashland. The rental agreement for one of the houses says the tenants can sublet, with the caveat that I need to meet and approve the subletter. I agreed to this because they sometimes go away for extended periods and said they were planning to leave for 2 months later in the year in which they first rented the home. Because I was unaware at the time of City restrictions on rentals of less than 30 days, I did not place any time limitations on their ability to sublet. I believe these tenants were also initially unaware of the City restrictions.

I do not know when the home was listed on Air B&B, as the tenants did not ask permission to do so or tell me that they had done this. When I found out about this issue through my work on the Planning Commission, as well as finding out that my home was listed on Air B & B, I asked my tenants to remove the listing, which they agreed to do. Subsequently these tenants contacted me to ask if they could seek occasional subletters and roommates on Air B&B if they had a minimum stay of at least of 30 days. I agreed to this and trusted them to do what they said. I have since learned they did not change their Air B&B ad at that time.

At some point, the tenants in my other rental saw their neighbor's home listed on Air B&B and decided this must mean that it was okay for them to list their home as well. They did not ask for permission or inform me that they had listed the home. I actually discovered that this had been done by meeting the vacation renters when I went by to do some yard maintenance during the week of July 21. I asked the tenants to remove the listing; they did this and cancelled their reservations as well. I checked Air B&B on Sunday July 28 and again on August 8, and did not see either of my homes listed.

The tenants were the only ones who stood to gain from subletting these rental homes for short term lodging. I did receive and will receive the same rent payments each month called for in the rental agreements whether or not the tenants are engaged in short-term subleasing arrangements.

Accordingly, I do not believe that I had or have an actual conflict of interest that precludes me from participating in Planning Commission discussions and recommendations concerning whether, where and under what conditions short term home rentals should be allowed. At most I had what could be seen as a potential conflict of interest. To avoid even the appearance of any such conflict, I decided to skip any further Planning Commission discussions and recommendations on short term home rentals.

I did not explain my reason for absenting myself from that discussion at the last Planning Commission meeting. It is my understanding that I was not bound by state law governing recusals because I did not have an actual conflict. That is, I chose not participate in order to avoid the appearance of a conflict - not to satisfy state requirements for handling either actual or potential conflicts. The recusal requirements simply did not apply to my voluntary absence.

It is also true that I did not realize at the time that a fairly detailed public explanation is required if one is declining to participate in consideration of agenda item in the event of a conflict of interest. But in my case, a recusal due to an actual conflict was not required at all because there was no actual conflict. Similarly, a recusal for reasons of a potential conflict was not required at all because I decided not to participate in the discussion in hopes of deterring unwarranted questioning of the outcome of the Planning Commission's work.