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Short Term Rental Strategy

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The following outlines steps that the Scott Administration is pursuing to create a level playing field between short term rental operators and licensed lodging properties.

- 1. Create consistent definition of lodging establishment in regulations.** The Health Department will change the definition of “lodging establishment” in the rule (“3 or more guests rooms or units”) to match the rules of the Department of Public Safety, Division of Fire Safety (“fewer than 9 people”).

4.17 “Lodging establishment” means any establishment renting **to fewer than 9 guests** that is regularly used, maintained, advertised or held out to the transient traveling or vacationing public as a place where sleeping accommodations are furnished including, all buildings and structures on the premises or any part thereof. The term includes, but not by way of limitation, hotels, motels, inns, and any bed and breakfasts (tourist homes) regardless of the number of rooms if prepared food is served.
- 2. Relax health regulations for smaller lodging properties.** Properties that accommodate fewer than 9 people (which equates to approximately 4 rooms or less) will be exempt from the 32-pages of Health Department regulations. Instead, these lodging properties will fall under the self-certification requirements outlined in S.6. These lodging properties will still be subject to Fire Safety regulations for lodging establishments that accommodate fewer than 9 people. We think proportional regulations make sense for the lodging industry as many of the smaller properties are owner-occupied, and most of the complaints about lodging establishments are not related to public health.
- 3. Address short-term rentals properties that accommodate 9 or more people.** To identify multi-unit properties that are advertised on short term rental platforms, but are not licensed lodging properties, the Vermont Department of Tourism and Marketing will pursue a statewide short term rental study that will distinguish short term rental (STR) properties that are owner-occupied vs. non-owner occupied, and STR properties that are primary residences vs. non-primary residences. This information will inform our regulatory or legislative direction on STRs.

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