



ARCHULETA COUNTY SHORT- TERM RENTAL TASK FORCE

STR Policy & Procedure Report: 2023

[Abstract](#)

This report summarizes the findings of the STR Task Force formed in Archuleta County, Colorado, from 2022-2023, to examine short-term rental policies and procedures in the County.

Archuleta County Short-Term Rental Task Force

Table of Contents

Contents

Task Force Background	4
Phase I: Review and Document Current STR Processes in Archuleta County.....	4
Phase I: Recommendation	5
Phase II: Review and Analyze Ongoing Data in Natural Market Conditions	5
Supporting Data	6
Registration and Renewal Processes	10
STR Permit Renewal: Current Notification Process	10
STR Permit Renewal: Recommendations for the Notification Process	10
STR Permit Renewal: Current Software Login Process	10
STR Permit Renewal: Recommendations for Software Login Process.....	11
STR Permit Application: Current Required Documents	11
STR Permit Application: Current Required Documents	11
STR Permit Documents: Current Forms.....	11
Ownership Deed Requirement: Current	11
Ownership Deed Requirement: Recommendation.....	11
Vacation Rental Neighbor Notification Form: Current	12
Vacation Rental Neighbor Notification Form: Recommendation.....	12
Vacation Rental Disclosure and Acknowledgement Form: Current	12
Vacation Rental Disclosure and Acknowledgement Form: Recommendation	12
Agent Authorization Form: Current	12
Agent Authorization Form: Recommendation.....	13
Sales/Lodging Tax Documents: Current.....	13
Sales/Lodging Tax Documents: Recommendation	13
Certificate of Taxes Due: Current.....	13
Certificate of Taxes Due: Recommendation	13
Parking Plan Site Map: Current.....	14
Parking Plan Site Map: Recommendation	14
Wastewater Treatment Documents: Current.....	14
Wastewater Treatment Documents: Recommendation	14

Archuleta County Short-Term Rental Task Force

Table of Contents

Renter Rules: Current.....	14
Renter Rules: Recommendation	14
Advertisements: Current.....	14
Advertisements: Recommendation	15
Permit Application Review Process: Current	15
Permit Application Review Process: Recommendation.....	15
Discussion of STR Change of Ownership: Current	15
Discussion of STR Change of Ownership: Recommendation	16
Discussion of STR Permit Fees: Current	16
Discussion of STR Permit Fees: Recommendation.....	16
Illegal STR Operators (Lawbreakers): Current.....	16
Illegal STR Operators (Lawbreakers): Recommendation	16
Permit Registration & Renewal Addenda	18
Goal.....	19
Recommendations	19
EXHIBIT A: Communication Requirements for STR Guests	21
Solving Immediate Issues with STRs in the Neighborhood Where They are Located	22
Submitting a Complaint and Resolution	22
PART I: Finding Out How to File a Complaint.....	23
Vacation Rental Permit Page:	24
PART II: Phone Complaint Process	26
Supply this information:.....	26
PART III - Filing a Vacation Rental Complaint ONLINE:	27
Online Vacation Complaint Screen 1	27
Online Vacation Complaint Screen 2	28
Online Vacation Complaint Screen 3	28
Online Vacation Complaint Screen 4	28
Online Vacation Complaint Screen 5	29
Online Vacation Complaint Screen 6	29
Online Vacation Complaint Screen 7	30

Archuleta County Short-Term Rental Task Force

Table of Contents

Online Vacation Complaint Screen 8	30
Online Vacation Complaint Screen 9	30
Online Vacation Complaint Screen 10	31
Online Vacation Complaint Screen 11	31
Online Vacation Complaint Screen 12	31
Online Vacation Complaint Screen 13	32
Part IV - What Happens After Phone/Online Complaint Are Submitted	32
Part V – Proposed Fines	33
Proposed Fine Schedule after year of reviewing/analyzing complaints:.....	34
Part VI - Additional Data Questions/Comments	34
Part VII – Noise Monitoring.....	35
ITEMS FOR FUTURE DISCUSSION	36
Decibels Recommendation	36

Archuleta County Short-Term Rental Task Force

Table of Contents

Task Force Background

In August 2022, Archuleta County Administration solicited representatives for creation of the Archuleta County STR (Short-Term Rental) Task Force (TF), via advertisements in local newspapers as well as using online communication methods. The group's stakeholders represent cross sections of the community: affordable housing, non-resident, STR neighbors, STR owners, the school district, realtors, retail industry, HOA board, restaurant industry, tourism board, and STR property management. The eleven volunteers also bring expertise in many areas, including accounting, IT, web development, mathematics, small business, policy development, and technical writing.

Early on, the TF determined that the STR review process would require two phases to complete proper analysis of the STR landscape in Archuleta County. Phase I consists of looking at current processes and recommending changes to the *Archuleta County Land Use Regulations*, which includes the work product contained in this report. Phase II commences thereafter and focuses on addressing the possible need for density caps in specific areas of the County, or other ways to support our community with the influx of overall tourism and changes to our small-town atmosphere.

Phase I: Review and Document Current STR Processes in Archuleta County

During Phase I, the TF members met at least twice each month from September 2022 through the end of February 2023 and accumulated an estimate of over 650 hours of work reviewing and documenting the County's current STR processes and developing recommendations to the processes as well as to the *Archuleta County Land Use Regulations* pertaining to STRs.

TF members identified areas of improvement that it feels will streamline processes to save the County money, reduce the number of complaints, and provide communication consistency to STR guests. The TF would like the attached recommendations to be implemented and data tracked for the next 12 months prior to any other changes being made to the Land Use Regulations. The recommendations surround three areas:

- Permitting/Renewal Process for STRs
- Rental Management
- Complaint and Resolution Processes

The TF recognized that there was very little process documentation for the above areas, so the process write-ups are included in this report. Given the amount of time dedicated to creating this documentation, the TF recommends that the documentation be used in the future by the County and kept up to update as changes are made in processes.

Also, during Phase I, the TF looked closely at data provided by the County as other relevant market data to analyze the status of STRs in the County. This relevant data was used to provide

Archuleta County Short-Term Rental Task Force

Table of Contents

recommendations on lifting the moratorium as well as provide insight on what data the TF would like to see in the future.

To conclude Phase I, TF members unanimously agreed to recommend lifting the current moratorium with a caveat based upon a future saturation benchmark of permitted short-term rentals. Saturation is defined as the percentage of STR permitted properties related to total residential parcels in the County, excluding the Town of Pagosa Springs. However, TF members could not agree on the level of saturation to trigger a new moratorium, with some members recommending an 8.5% threshold, while other members recommend a 10% or higher trigger.

Phase I: Recommendation

The TF requests that the County Manager and Board of County Commissioners make the decision on the moratorium threshold at 8.5% to 10% or higher.

The thought process behind the TF recommendation is that it is not possible to determine the current true post-COVID market if the BOCC does not lift the moratorium. Economic drivers such as low interest rates and COVID-19 contributed to the rise in home prices in 2020-2021, and now that interest rates have risen and COVID-19 restrictions have lifted, the TF suggests that the market run its normal course until a certain percentage of saturation is reached, which would then trigger another moratorium and opportunity to look at more conclusive data.

Phase II: Review and Analyze Ongoing Data in Natural Market Conditions

Phase II of the TF will begin in April 2023 to meet regularly over the next twelve months to go over data collected to review trends and analyze the effectiveness of the new policies and recommendations. In an effort of transparency, the TF would like the data to be published publicly. The existing TF will also consider other recommendations, including potentially setting density caps or other creative solutions, to preserve quality of life in our beloved County.

Archuleta County Short-Term Rental Task Force

Data Summary & Moratorium Recommendation

Supporting Data

The STR (Short-Term Rental) Task Force (TF) submitted several data requests to Archuleta County over the last several months to gain information about the current state of short-term rentals in the County. The TF did not receive all the data requested as the data either weren't readily available or too cumbersome and costly to extract. Final STR permit numbers and STR permitted property numbers were received on February 14, 2023, with the most up-to-date data below.

Note: Unless otherwise stated, data provided excludes the Town of Pagosa Springs as the Town has separate regulations and permitting. All data included here was provided by County Staff, except the MLS data.

STR Permitted Properties in the County:

YEAR	# STR PERMIT PERMITTED PROPERTIES	% INCREASE FROM PRIOR YEAR
2020	438	----
2021	551	26%
2022	588	7%

TF Observation: In addition, the original STR permit data that was provided by the County included duplicate permitted properties. If an STR-permitted property was sold and then re-permitted by the County, the number of STR permits was overstated to the public due to a duplicate permit on the same property. The latest data, received on February 14, 2023, excludes any duplicate permits for the same property.

The County instituted the STR permit requirement in 2018. The TF specifically excluded the years 2018 and 2019 in the analysis because there were no resources, controls or software in place that allowed the County to enforce or track the STR permitting process. As a result, the TF felt this data was not necessarily indicative of the true number of STR properties in the County.

Starting in April 2020, because of the installation of a new software tool, STR property owners could register their STR property online. The County pushed hard to communicate the need to register STR properties and start enforcement of the required permit. It is not possible to pinpoint whether the 26% increase from 2020 to 2021 was due to existing STR operators becoming compliant or due to new properties being registered as STRs.

Conclusion: The narrative provided to the public by the County was that there was an exponential increase in STR permits. Exponential is defined as “of an increase more and more rapid (Oxford) or pattern of data that shows sharper increases over time (Investopedia).” The latest data received by the TF from the County indicates a 26% increase then a 7% increase which is certainly not exponential. Public perception may have been swayed based upon the County’s narrative.

Archuleta County Short-Term Rental Task Force

Data Summary & Moratorium Recommendation

Because of the inability to determine the number of STR properties prior to 2020, permitted or not, analyzing the trends was difficult for the TF. The TF has high hopes that as it moves forward to Phase II, the data will be more reliable for trend analysis.

STR Complaint Data:

YEAR	# OF STR ADDRESSES WITH COMPLAINTS	% OF STR PERMITS
2020	26	5.9%
2021	24	4.4%
2022	31	5.3%

TF Observation: The complaint data given to the TF by the County was highly unreliable and potentially incomplete. The above data is based upon phone calls made to the old 24/7 Complaint line. The County did not log any direct email or downloaded Complaint forms into their old complaint tracking system.

The TF scrubbed the data to clean it up and correct errors. The County has since implemented a completely new Complaint/Resolution system.

Conclusion: The new Complaint system is necessary to successfully manage Complaints and track Resolutions to ensure compliance with the law.

STR Saturation:

# OF RESIDENTIAL PARCELS IN COUNTY	9,023
PERCENT OF PARCELS WITH STR PERMIT	6.5%
PERCENT OF EST PARCELS INCL IDENTIFIED NONPERMITTED STRS	7.2%

TF Observation: With the new software implemented in April 2020, the County was able to identify unpermitted STR properties. Most of the resources of the Planning Department were focused on the enforcement of new and existing STR-permitted properties. Very little has been done to ensure compliance of non-permitted properties. Additional software was installed in the fall of 2022 that allows the County to track the progress of the unpermitted properties and better manage the process. At the end of February of 2023, the County started contacting those identified non-permitted properties and are following a protocol to get the properties permitted. Per Count Manager, there were approximately 62 unpermitted properties as of February 7th, 2023. To determine estimated STR saturation, these 62 unpermitted properties were added to the calculation.

The Town of Pagosa Springs legislated percentage is a maximum of 10% saturation.

Conclusion: While the public narrative is that there is a large percentage of STR properties in the County, the County has significantly less than the percentage that the Town is mandating. While it is true that specific areas in the county are quite dense, such as the PLPOA, and those

Archuleta County Short-Term Rental Task Force

Data Summary & Moratorium Recommendation

areas may have much higher numbers of STRs, which is why in PHASE II, the TF plans to analyze this data and consider density caps or other creative solutions for the betterment of the County.

Lodging Tax Data by Year:

YEAR	LODGING TAX REVENUE	% INCREASE
2020	\$348,885	----
2021	\$523,353	50%
2022	\$527,603	1%

Rolling Quarterly Lodging Tax Data:

Quarter That Tax Was Earned	Net Tax Collected	Last 4 Qtrs	Rolling Qtr %
3/31/2018	\$ 29,029.68		
6/30/2019	\$ 56,079.82		
9/30/2018	\$ 65,609.12		
12/31/2018	\$ 49,835.21	\$ 200,553.83	
3/31/2019	\$ 46,261.34	\$ 217,785.49	8.59%
6/30/2019	\$ 45,483.69	\$ 207,189.36	-4.87%
9/30/2019	\$ 93,348.98	\$ 234,929.22	13.39%
12/31/2019	\$ 81,604.20	\$ 266,698.21	13.52%
3/31/2020	\$ 57,791.06	\$ 278,227.93	4.32%
6/30/2020	\$ 52,809.37	\$ 285,553.61	2.63%
9/30/2020	\$ 136,451.71	\$ 328,656.34	15.09%
12/31/2020	\$ 101,832.59	\$ 348,884.73	6.15%
3/31/2021	\$ 128,910.49	\$ 420,004.16	20.38%
6/30/2021	\$ 115,041.45	\$ 482,236.24	14.82%
9/30/2021	\$ 166,439.60	\$ 512,224.13	6.22%
12/31/2021	\$ 112,961.87	\$ 523,353.41	2.17%
3/31/2022	\$ 127,542.86	\$ 521,985.78	-0.26%
6/30/2022	\$ 129,384.51	\$ 536,328.84	2.75%
9/30/2022	\$ 158,900.74	\$ 528,789.98	-1.41%
12/31/2022	\$ 111,774.89	\$ 527,603.00	-0.22%

TF Observation/Conclusion: It appears travel demand leveled off in 2022 and may continue to do so given the current economic conditions.

MLS Data (includes Town of Pagosa Springs):

Archuleta County Short-Term Rental Task Force

Data Summary & Moratorium Recommendation

	July 1 Mortgage Interest Rate	# Parcels Sold	% Change
2018	4.50%	475	
2019	3.75%	472	-0.63%
2020	2.99%	638	35.17%
2021	2.80%	615	-3.61%
2022	5.72%	467	-24.07%

TF Observation/Conclusion: The increase in interest rates appears to have aligned the market in 2022 to pre-COVID levels, signifying a market correction.

The existing TF will meet quarterly over the next twelve months to review data collected and analyze trends to determine the effectiveness of new policies and recommendations. In an effort of transparency, the TF would like to publish the data publicly. The TF will also consider other recommendations regarding STRs in Archuleta County.

Archuleta County Short-Term Rental Task Force

STR Permit Registration & Renewal Process Subgroup

Members of the STR (Short-term Rental) Permit Registration and Renewal Process Subgroup met with Archuleta County Development Director Pamela Flowers in January 2023 to review the current processes to initially register a new STR permit and to renew an existing permit in Archuleta County. The subgroup reviewed various processes related to registration and renewal and discussed merits and challenges with the processes among subgroup members, proceeding with the following recommendations. These outputs result from a review of the current process and drawing recommendations to retain each process or make changes.

Registration and Renewal Processes

The initial STR permit registration process allows a prospective STR owner to apply for a short-term rental permit to operate a short-term rental property in Archuleta County. The registration process requires quite a bit of documentation, much of which is required only to initially register and is not required to renew a permit.

The STR permit renewal process allows existing permit holders to renew an STR permit on an annual basis. Most of the renewal process focuses on security and safety matters important to ensure guests are safe while staying in the rental unit.

STR Permit Renewal: Current Notification Process

Prior to an upcoming permit expiration, a renewal notice goes to the permit holder 60 days before the permit expires. The STR management platform software automatically contacts the permit holder to remind the owner to apply for permit renewal within 60 days before the permit expires and permits cannot be renewed earlier than 60 days before the permit expiration date. Permit holders must complete the entire renewal application and pay the renewal fee before the expiration date or the STR permit account is closed and the permit holder will have to register a new permit for the previously permitted property.

The County Development Director did note that exceptions to this process timeline can be made for events including family or medical emergencies or other dire circumstances.

STR Permit Renewal: Recommendations for the Notification Process

Recommendation: No changes.

The subgroup thinks the current renewal notification process provides plenty of time to prepare documents required for renewal.

STR Permit Renewal: Current Software Login Process

At the time of testing by the subgroup in January 2023, Archuleta County's new STR management software—the Granicus Permitting Platform—would not allow residents applying for an STR renewal to enter a permit number used to begin the renewal process without including the letters “VRP” in front of the permit number. Unfortunately, most applicants do not know about this requirement and the software will not locate an existing permit without the “VRP” letters in front of the

Archuleta County Short-Term Rental Task Force

STR Permit Registration & Renewal Process Subgroup

permit number. Instead, users must take extra steps to access the County Assessor's parcel record and retrieve the parcel number in order to log in and acknowledge the permit number.

STR Permit Renewal: Recommendations for Software Login Process

Recommendation: Update login page to not require the letters "VRP" before the permit number.

The current process proves tedious and frustrating for renewal applicants and—until the recommendation to not require the letters "VRP" before the permit number can be completed—the subgroup recommends documenting the requirement to add the "VRP" letters and making the requirement prominent on the login page before the permit number when logging into the system. Archuleta County Development Director Pamela Flowers stated that the software will be updated to allow renewal permits to sign in without having to include the "VRP" letters in the permit number.

STR Permit Application: Current Required Documents

To register for a permit, the software requires the following forms, described and reviewed in more detail below:

- Vacation Rental Neighbor Notification Form
- STR Validation Inspection Form (for information purposes only as a County employee actually returns the form as part of the inspection process)
- Vacation Rental Statement of Authority Form (not required under all circumstances)
- Vacation Rental Property Disclosure Form

STR Permit Application: Current Required Documents

Recommendation: No changes.

The subgroup agrees with the documents required to register and renew a short-term rental permit and not all documents are required in many circumstances, including relatively few documents being required for a permit renewal.

STR Permit Documents: Current Forms

The STR registration and renewal processes may include all or some of the following forms, depending on whether the permit is being registered for the first time or an existing permit is being renewed.

Ownership Deed Requirement: Current

New permit applications must show proof of ownership of the permitted property by disclosing an ownership deed. Permit renewals do not require this form.

Ownership Deed Requirement: Recommendation

Recommendation: No changes.

The subgroup agrees with the current process. Note that for 2023 only, permit renewals will require the permit holder to upload an ownership deed one time since the new Granicus software did not transfer ownership deeds from the previous software.

Archuleta County Short-Term Rental Task Force

STR Permit Registration & Renewal Process Subgroup

Vacation Rental Neighbor Notification Form: Current

This form, filed only during the initial permit registration process, notifies all neighbors within 250 feet of the STR permit application for the subject property. All notification letters must be sent using Certificates of Mailing (not certified mail, as that is more expensive) from a United States post office. Notification documents uploaded to the STR management platform software must clearly show a postmark date. The County should provide a list of registered STR permit holders to STR neighbors upon a neighbor's request.

Vacation Rental Neighbor Notification Form: Recommendation

Recommendation: County should publish STR permit address and owner/management company contact information. Permit holder should notify new neighbors annually when renewing a permit.

If the STR management software allows, the County should publish a list—or better yet, a search form—of STR permit holders in Archuleta County. Neighbors could then find STR permit holders within 250 feet of their property and contact the owner or management company directly with any concerns.

When a permit renews, the permit holder should check for new neighbors, through changes in property ownership, who have purchased property within 250 feet of the subject property in the past year. The permit holder will only need to send the notification form to new neighbors within 250 feet and not to every neighbor within 250 feet.

Vacation Rental Disclosure and Acknowledgement Form: Current

This annual form acknowledges that the permit holder understands all current STR permit regulations and has taken action to ensure those regulations have been satisfied.

Vacation Rental Disclosure and Acknowledgement Form: Recommendation

Recommendation: Add insurance requirement to form.

On the second page in the County Notice section, add an item (#4) that states the following regarding proper insurance for a short-term rental use of the property:

“I understand, acknowledge and state that I have informed my insurance company that this property is used as a short-term rental, and have secured adequate insurance on the property according to my insurance company.”

The Development Director should also check whether this recommendation for an insurance requirement needs to be added to the Land Use Development Code (LUDC).

Agent Authorization Form: Current

For initial permit registration, the applicant must provide a letter stating who manages the short-term rental property. The manager can either be the permit

Archuleta County Short-Term Rental Task Force

STR Permit Registration & Renewal Process Subgroup

holder or a caretaker/property manager. This document only is required for initial registration unless the management status changes.

Agent Authorization Form: Recommendation

Recommendation: Include Statement of Authority with permit number.

For a trust or corporate Entity, a Statement of Authority should be provided as the agent authorization and the permit number shall be required on this form.

Sales/Lodging Tax Documents: Current

This set of documents explains how sales and lodging tax collections occur and how they will be paid for the short-term rental property. These documents are only required upon initial registration and will only be required at permit renewal if something changes.

Documents that satisfy this requirement include the following:

- If 100% of rental bookings use Airbnb or VRBO, upload a signed statement affirming this fact as the Airbnb and/or VRBO platforms automatically remit lodging taxes for the rental.
- If the property has a formal property management agreement that includes remittance of sales and lodging taxes, upload the Colorado Department of Revenue (CDOR) Sales Tax License for the property management business.
- If neither of these circumstances apply, the permit holder must apply for a Colorado Department of Revenue (CDOR) Sales Tax License and upload a copy of that license as proof of sales and lodging tax collection.

Sales/Lodging Tax Documents: Recommendation

Recommendation: No changes.

The subgroup agrees with the current requirement and process.

Certificate of Taxes Due: Current

With the new STR management software, all STR permits must upload proof that payment is current on real and personal property taxes with no penalties pending.

Certificate of Taxes Due: Recommendation

Recommendation: Remove requirement to receive a Certificate of Taxes Due.

The subgroup recommends that the Development Director remove the requirement to receive a Certificate of Taxes Due. The Planning Department should add a function/button that will check the Property Parcel Number for tax payment status. Prior to the availability of this functionality, the County should examine delinquency records as part of its inspection process to ensure that property taxes have been paid.

The Development Director did have some objections to requiring County employees examine both the tax records for registration and delinquency prior to scheduling a

Archuleta County Short-Term Rental Task Force

STR Permit Registration & Renewal Process Subgroup

safety inspection. The Development Director stated that adding these requirements to the staff will require too much time and the permit fee would need to be raised if County staff performs these tasks.

Parking Plan Site Map: Current

Per Archuleta County Ordinance, short-term rental guests may not park on streets and the permit holder must demonstrate proof of sufficient onsite parking availability for the rental. Documents that comply include aerial maps showing the dwelling unit and marking all available parking, including driveways, garages, parking lots, etc., that satisfies the maximum guest limit for the property. The guest limit may be adjusted downward if inadequate dedicated parking space is not available to accommodate guests.

Parking Plan Site Map: Recommendation

Recommendation: Only needed for registration and not renewal.

The subgroup recommends this document only at initial permit registration.

Wastewater Treatment Documents: Current

Required for initial STR permit registration, the permit application must provide proof of sewage management with one of the following documents:

- A bill from a public utility or neighborhood metropolitan district
- Property owner's association (POA) permit
- San Juan River Basin OWTS Permit

Wastewater Treatment Documents: Recommendation

Recommendation: No changes.

The subgroup agrees with the current requirement and process.

Renter Rules: Current

Provided for first-time STR registrations, the renter rules notifies renters after they book and before they arrive of the rules for the rental property, County Ordinances, neighborhood HOA covenants, and any house rules established for the rental. These rules need to be resubmitted upon renewal if rules are updated or changed.

Renter Rules: Recommendation

Recommendation: Provide a rental binder.

The subgroup recommends that a physical hard copy of the rules be provided in a binder at the property for guests when dwelling on site during the rental period.

Advertisements: Current

During the initial permit registration process, the applicant must provide copies of the advertisements for the rental. These advertisements acknowledge that the permit holder is aware of County Land Use Regulations. The permit applicant will include links to advertisements showing the property listing.

Archuleta County Short-Term Rental Task Force

STR Permit Registration & Renewal Process Subgroup

Advertisements: Recommendation

Recommendation: Check regulation.

The subgroup supports the process with the understanding that many dynamic links to a property may exist beyond the primary advertisements as third-party travel sites often crawl primary advertisements and re-advertise information on their own platforms. Please check the current regulation about advertising to ensure it does not place undue burden on the permit applicant. One of the big risks identified by the subgroup includes STR permit holders that increase the occupancy in a listing advertisement for high occupancy seasons like holidays and summertime. To help combat this practice, the permit holder should submit a list of updated links during the registration and annual renewal processes.

Permit Application Review Process: Current

After the permit applicant submits all documents as required for an initial registration or annual renewal, along with paying the application fee as applicable, the following steps occur to process the application.

- The County Development Director assigns a County team member to review all submitted documents for completeness and accuracy.
- The team member concurrently schedules an inspection of the subject property.
- An inspection takes place using a discovery process within the scheduling time window.
 - If the discovery process does not show any discrepancies with the application or regulatory requirements, the application process moves to the next step.
 - If the discovery process uncovers discrepancies with the application or regulatory requirements, the permit applicant must address all discrepancies and communicate the corrections to the County after discrepancies are mitigated.
- After the inspection passes without discrepancies, the Development Director approves the application.
- A permit is granted after the final application approval. The permit is a Conditional Use Permit (CUP) and all items required in Land Use Regulations Sec 3.2.7.4 remain applicable while the permit is active.

Permit Application Review Process: Recommendation

Recommendation: State the inspection timelines.

The subgroup recommends that the County should complete its inspection within 14 days of a compliant application submission. An applicant should address and mitigate any identified discrepancies identified during the discovery process within 30 days of the inspection.

Discussion of STR Change of Ownership: Current

When a property with an active STR permit sells to a new owner, the active permit becomes void and no longer allows the conditional use as a short-term rental. If the

Archuleta County Short-Term Rental Task Force

STR Permit Registration & Renewal Process Subgroup

new owner wants to continue to operate the property as a short-term rental, the new owner must apply for a new STR permit using the initial registration process.

Discussion of STR Change of Ownership: Recommendation

Recommendation: Provide grace period of 30-45 days.

To allow time for booked renters to find another rental option after a permitted property changes ownership, the subgroup proposes allowing a grace period of 30 to 45 days under the current STR permit. This will allow the visitors who have bookings during the grace period to continue with their travel plans while allowing future reservations beyond the grace period enough time to rebook travel lodging.

If the current STR permit holder who sells the property has a permit in good standing, allow the new buyer to submit an STR permit application 30 days before the sale closing date. This process will include a fully executed purchase agreement plus a copy of the open escrow account from the title company. No refunds will be issued if the sale does not go through.

The selling STR permit holder should include information in the STR advertisement that the property is for sale on the market and let potential booking parties know that their reservation may not be honored if a sale occurs.

Discussion of STR Permit Fees: Current

STR fees for owner-occupied parcels currently are \$400 and non-owner-occupied parcels cost \$700 annually. The County Development Director stated that out of 700 STRs registered in the County as of December 2022, the County includes around 10 permits for owner-occupied STRs.

Discussion of STR Permit Fees: Recommendation

Recommendation: Check with County Attorney about legality of fee differences.

The subgroup recommends that the registration and renewal fee remain at \$400 and \$700 annually for owner-occupied and non-owner-occupied rentals, respectively. The permit fee is an administrative fee not based on taxes. Colorado statute has strict guidance criteria for fee implementation and essentially states that administrative fees must be commensurate with the level of administration required for the fee service.

Illegal STR Operators (Lawbreakers): Current

The County Manager estimates there are 62 illegal short-term rentals operating in Archuleta County as of February 2023. Most of these parcels have yet to be fined and the County is working to assess fines and follow up with the lawbreakers.

Illegal STR Operators (Lawbreakers): Recommendation

Recommendation: Expedite fines and penalties for illegal STR operators before allowing these parcels to apply for an STR permit.

Archuleta County Short-Term Rental Task Force

STR Permit Registration & Renewal Process Subgroup

The subgroup recommends that the County expedites fining all unpermitted parcels in arrears with penalties before these parcels can register for a valid STR permit. The County should consult attorney Todd Weaver about the best approach to this process.

Archuleta County Short-Term Rental Task Force

STR Permit Registration & Renewal Process Subgroup

Permit Registration & Renewal Addenda

The recommendations of the subgroup refer to a couple of documents used by Archuleta County when renewing and registering STR permits. Please see the attached addenda including the following documents.

1. VACATION RENTAL DISCLOSURE & ACKNOWLEDGEMENT
2. VACATION RENTAL NEIGHBOR NOTIFICATION

Archuleta County Short-Term Rental Task Force

STR Rental Management Subgroup

Goal

Define management requirements and standardize, taking steps to be equitably applied and enforced so the rules make sense. The TF has a definition of what management criteria/expectations are.

CURRENT PROCESS: If the STR owner is not available 24/7 within 60 miles of their STR, then they must designate a local contact that is within 60 miles to be available 24/7.

The local contact has no defined requirements. This causes confusion and inconsistency with the propagation of STR information, such as parking rules, trash info, animal rules, and documentation that is provided to the renter.

Recommendations

1. Defined rules for info provided to STR guest – see Exhibit A which lists items that are to be communicated to the STR guest in each of the following communication mode:
 - a. Included in the contract agreed upon by STR guest
 - b. Sent to STR guest prior to check-in
 - c. Included in a binder in the STR unit
 - d. List on one page document framed/laminated on a conspicuous wall within the STR unit.
2. Defined rules for local managers (i.e., agent)
 - a. **Recommendation:** If owner is not managing and lives outside 60 miles of the property, then the “property manager/caretaker” must have a local manager license/permit to operate in the county.
 - b. **Recommendation:** The form for permit/license should require local manager to sign saying that they have read all of the code/license/fine information and they agree to be responsible for enforcing the rules.
 - c. **Recommendation:** determine the fine schedule for the local manager for guest noncompliance (on hold for 12 months so that it falls within the Complaint/Resolution timeframe)
 - d. **Recommendation:** When local manager is changed, owner needs to notify county within 10 days. Fine for not having it done. (Fine to be determined after the 12 months timeframe).
 - e. **Recommendation:** Recommend county update contact information for each STR permit within 5 business days of receipt.
 - f. **Recommendation:** Binder required in every property
 - g. **Recommendation:** Property managers/owners should be able to access, with one login, all of their properties that shows relevant information and allowing them to make changes as they were able to do under the old permitting system.
 - h. **Recommendation:** Make STR permit list available to the public so that the local manager can be contacted when issues come up.
 - i. **Recommendation:** Require a noise monitoring device for all STR units.

Archuleta County Short-Term Rental Task Force

STR Rental Management Subgroup

- j. **On hold for future discussion:** require a deposit from every STR rental, thus making it easier for an owner to pass the fine onto the STR guest. Would require the county to fine owners on a timely basis (72 hours, for example) so that deposits could be used prior to being returned to the guest. Need to determine if this is legal.

Archuleta County Short-Term Rental Task Force

STR Rental Management Subgroup

EXHIBIT A: Communication Requirements for STR Guests

Description	In Contract	Prior to Ckin	In Binder	Visible	Examples
Rules/ policies	X	X	X	X	Include pet rules if pet is staying
Animals (whether pet friendly or not)			X	X	If not pet friendly, say NO PETS. If pet friendly include rules/regs. On leash/at large, pick up poop, barking, etc.
Parking	X	X	X	X	No parking on county roads and HOA rules. Must define maximum number of cars that can park and where overflow is if any. Trailers/RV rules – allowed or not.
Fire related issues		Fire ban exists	X	X	fire pits rules, charcoal grills rules, fire extinguisher (where it is and/or visibly hung), existence of a fire ban requires that the guest be notified ahead, rules of accerlerants
Max # guests	X	X	X	X	
Quiet Hours		X	X	X	
Trash rules			X	X	pickup day, 24 hours time receptacle can be on the street, bear proof, condo/townhome instructions, trash on ground, etc
Outdoor Lights			X	X	when they must turned off/on, etc. Shielded and turned down.
Hot Tub			X	X	safety rules
Manager/Local Contact		X	X	X	
Trailers,ATVs,RV,Campers, OHV,Snowmobiles		X	X	X	rules to follow/parking/don't use toys on street
Respect your			X	X	Enforced by Archuleta County Sheriff Department

Archuleta County Short-Term Rental Task Force

STR Complaint and Resolutions Subgroup

Members of the STR TASK FORCE Complaint and Resolution Subgroup, first looked at the current regulations and data available, then focused on what the current process is to file complaints and find resolutions. The TF then made the following recommendations based on the new system recently instituted by the County.

Solving Immediate Issues with STRs in the Neighborhood Where They are Located

Problem: Often neighbors and the community in general do not know who to contact when immediate issues arise at an STR, especially if they just moved to the neighborhood and never received the neighbor notice. For example, a water leak at an STR was identified by a neighbor, but the neighbors didn't know who to contact to address the issue, because the owner is not known and no one was home.

RECOMMENDATION: On the County website, under Vacation Permits, a list of each property that holds an STR license should be posted, and the property manager/local caretaker's contact information be posted. The TF does not recommend including the owner's information, and instead recommend only including the local contact listed on the permit because that is most likely the person available to deal with the situation, which may be a property manager, a designated individual caretaker, or the owner themselves.

Submitting a Complaint and Resolution

Note: In late 2022, the Complaints system was replaced with a more sophisticated system. Because of the replacement, the notes in this document are limited to the NEW process.

Current ways to file a complaint:

1. Downloadable Complaint Form
2. Email or call county directly
3. 24/7 Telephone Number
4. Online Complaint Link

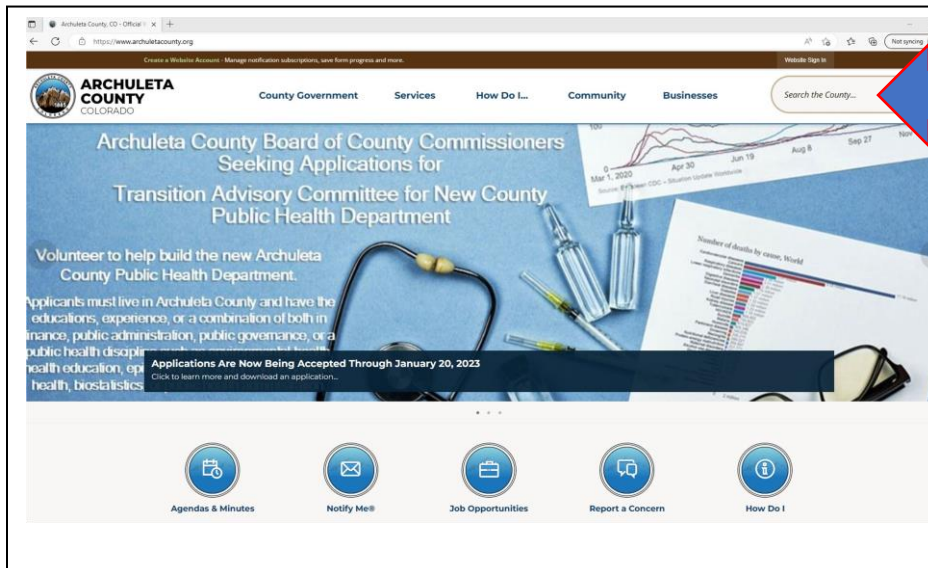
RECOMMENDATION: Remove all links to the Downloadable Complaint Form. Phone calls/emails directly to county should be redirected to the 24/7 number OR Online Complaint Link. This will ensure data is being collected on complaints and they are being resolved promptly and properly.

Archuleta County Short-Term Rental Task Force

STR Complaint and Resolutions Subgroup

PART I: Finding Out How to File a Complaint

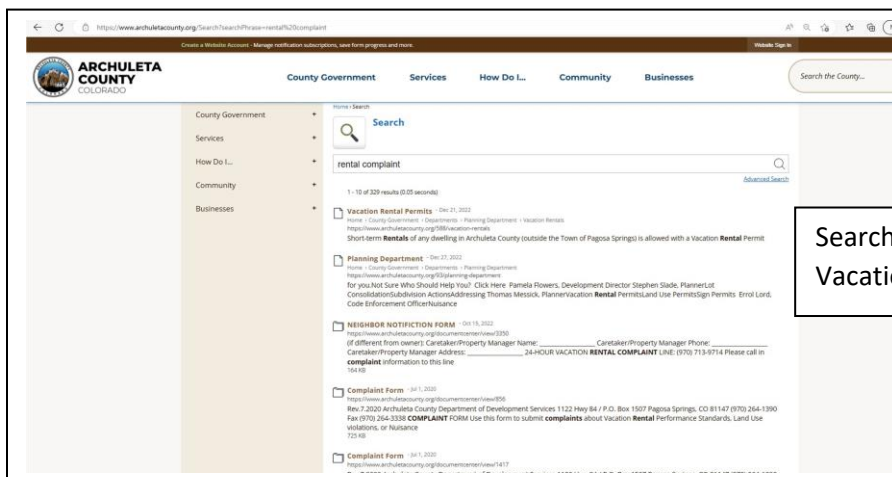
Trying to Find the Webpage to File a Complaint from Home Page – First Try



Try to find the Complaint page.

Type in something to search. Typed in "rental complaint". Similar results showed when I typed in "Vacation"

This screen appears:

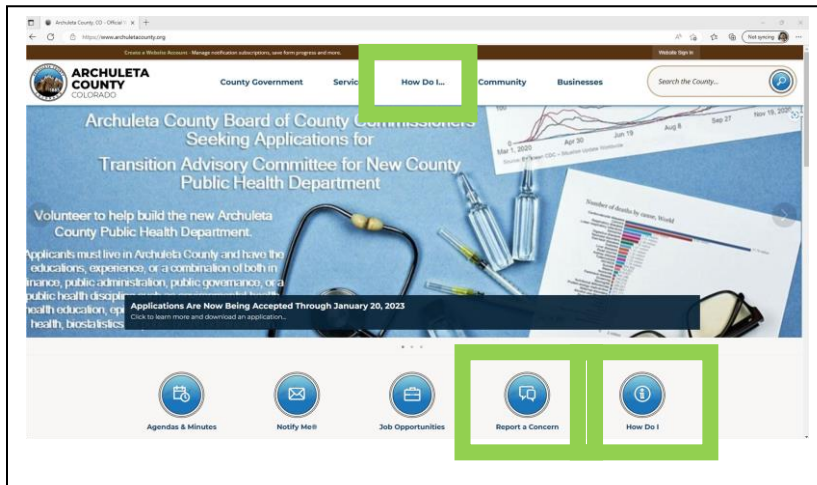


Search results have no direct link to the Vacation Rental Online Complaint link.

Recommendations: Have a link on the home page (archuletacounty.org) in the upper banner which takes you to the FILE A VACATION RENTAL COMPLAINT Online Complaint Form. Add tags so that the rental complaint page shows on this results screen. Also, ensure the 24/7 phone number is easy to find when they click on the link to file a complaint.

Archuleta County Short-Term Rental Task Force

STR Complaint and Resolutions Subgroup



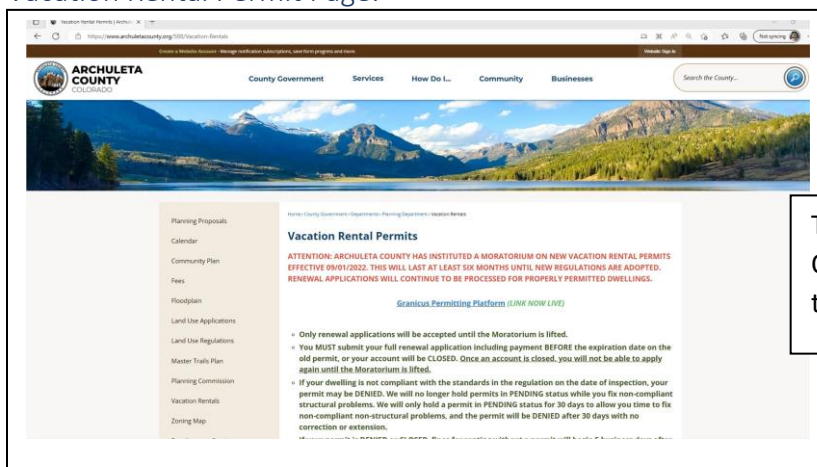
Selected the “How Do I” links – can’t get to Vacation Rental Complaint page.

RECOMMENDATION: Add the link to the Vacation Rental Complaint page to the How Do I links.

RECOMMENDATION: Report a Concern – add the Vacation Rental Complaint Link to this or when you get to the Report a Concern page, add the Online Complaint Form link

RECOMMENDATION: Inform PLPOA to update their website with the new Online Complaint Form and 24/7 number. In addition, provide this information to all of the HOAs (including condos) in the county. This should streamline our efforts to collect data on complaints and resolutions, as well as be more cost effective.

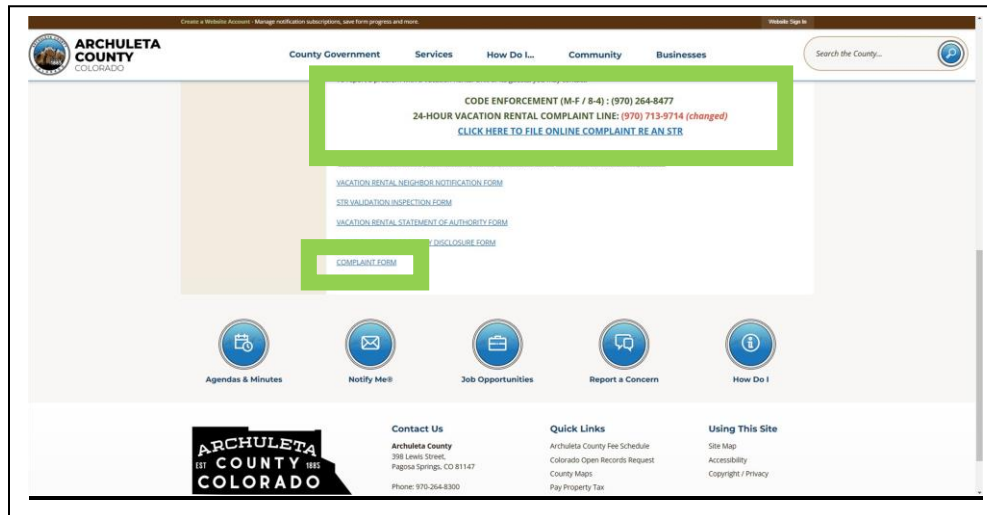
Vacation Rental Permit Page:



This is the current page where you file an Online Complaint; however you must scroll all the way down to the bottom of the screen.

Archuleta County Short-Term Rental Task Force

STR Complaint and Resolutions Subgroup



RECOMMENDATION: Put the **FILE A VACATION RENTAL COMPLAINT** link at the top of this page that links to a **NEW** webpage for Complaints. Also remove the Complaint Form link at the bottom. Also remove the Code Enforcement link – Per Pamela, this has nothing to do with Vacation Rental Complaints.

RECOMMENDATION: Make sure that the Neighbor Form in permitting process needs to be updated with the new 24/7 number and Online Complaint link.

Archuleta County Short-Term Rental Task Force

STR Complaint and Resolutions Subgroup

PART II: Phone Complaint Process

With the current process, an automated attendant answers the call. Select 1 to report a specific short term rental complaint. You are then asked if you know the address of the full property. Press 1 to continue. Then it asks if you are willing to provide your name and contact info. Press 1 for Yes or 2 to remain anonymous. After 1, enter your phone number. Asks if you want to share video, voice or audio. Then asks 1 for nuisance and 2 for not authorized short term rental. Ask if you want the 24/7 line to contact the Responsible Party. Then it passes onto the live person. Live person asks for address and any additional information to be logged. After submitted the county receives an email with the audio file of the call.

RECOMMENDATION: The phone method should match the online method (i.e. if it is a required field on web form, then it should be a required field on phone call). There needs to be a complete review, of the phone method to ensure that it matches the online method.

RECOMMENDATION: Require that the complainant provide their contact info and do not allow them to remain anonymous. The phone operator should state that “we will do everything in our power to keep this information confidential” and that the “responsible party will not know who made the complaint.” This will help identify repeat complainants and ensure valid complaints are being made.

RECOMMENDATION: Remove the option to opt out of contacting the responsible party, in order to match the online process, where every complaint is sent to the responsible party. This will ensure there is a complaint filed to be resolved.

RECOMMENDATION: If it is a Sheriff-related issue involving a criminal act, the live person should always tell the person to call 911 for emergencies or Dispatch for Non-emergencies, but ask them to continue to file a complaint.

Supply this information:

Archuleta County Combined Dispatch Center

For Emergencies: Dial 911

For Non-Emergencies (24/7): Dial 970-731-2160

Archuleta County Short-Term Rental Task Force

STR Complaint and Resolutions Subgroup

PART III - Filing a Vacation Rental Complaint ONLINE:

Current File an [Online Vacation Rental Complaint](#) (link).

Online Vacation Complaint Screen 1

RECOMMENDATION: Change these buttons as follows: 1. Add "Hazardous Activities (shooting guns, fire during fire bans, open fire)", 2. Change "Parking related issues" to "Vehicle/Parking issues including OHV/Snowmobiles/Campers", 3. Add "Pet Issues". 4. Change "Other types of nuisances" to "Other Complaints", 5. change "Disturbances or Trespassing Issues" to just "Trespassing Issues", 6. If you are limited on the number of buttons, remove "Loud Party" and combine with "General Noise Issues/Party".

RECOMMENDATION: Remove "Fraudulent Owner Occupation". What is Fraudulent Owner Occupation? –they have an "Owner Occupied" property who pays a lower fee but the owner is not actually on property. This is not necessary to have a button. A complainant would not know what the owner is paying.

RECOMMENDATION: On the Online Complaint Form, ADD: "we will do everything in our power to keep this information confidential."

Process Recommendation: Local contact nor the county should provide the owner/management company who the complainant is. It should be kept confidential.

RECOMMENDATION: If it a Hazardous Activity or another legal issue INCLUDE call 911 and/or Dispatch with number (see above) on the "Tips" section of this above screen and ask them to continue to file a complaint.

Archuleta County Short-Term Rental Task Force

STR Complaint and Resolutions Subgroup

Online Vacation Complaint Screen 2

On this screen, you can drag the map so that you can drop the pin on the address or you can type in an address. The default drop pin is somewhere near Chama.

RECOMMENDATION: If it is an Advertising Violation or Unauthorized Rental, have it branch past this upper screen (map screen) and also skip Complaint Screen 3. It should take the complainant to Complaint Screen 5.

RECOMMENDATION: Since most of the STR permits are in Pagosa Springs area, default there.

Online Vacation Complaint Screen 3

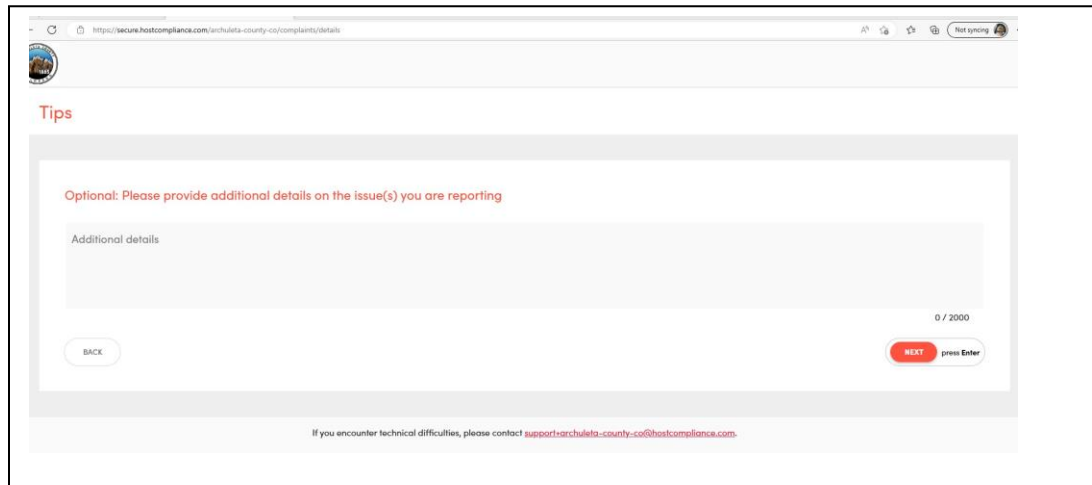
On this screen, you enter the Unit Number if applicable.

Online Vacation Complaint Screen 4

On this screen, add additional info about the issue.

Archuleta County Short-Term Rental Task Force

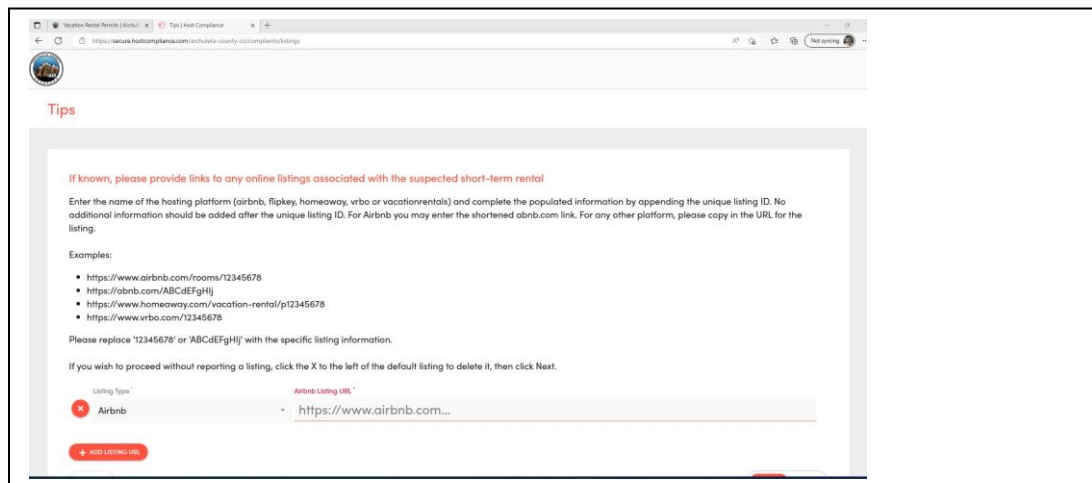
STR Complaint and Resolutions Subgroup



The screenshot shows a web browser window with the URL <https://secure.hostcompliance.com/archuleta-county-co/complaints/details>. The page has a 'Tips' section at the top. Below it, a red message states: 'Optional: Please provide additional details on the issue(s) you are reporting'. A large text input area labeled 'Additional details' is provided, with a character count '0 / 2000' at the bottom right. At the bottom of the input area, there are two buttons: 'BACK' and 'NEXT press Enter'. A footer note at the bottom of the page reads: 'If you encounter technical difficulties, please contact support@archuleta-county-co@hostcompliance.com'.

Online Vacation Complaint Screen 5

On this screen, you are asked to provide an online listing link. It says it is optional but you must click the X next to Airbnb to skip this step. Most people are not going to know any listing information.



The screenshot shows a web browser window with the URL <https://secure.hostcompliance.com/archuleta-county-co/complaints/listings>. The page has a 'Tips' section at the top. Below it, a red message states: 'If known, please provide links to any online listings associated with the suspected short-term rental'. The text explains that users should enter the name of the hosting platform (airbnb, flipkey, homeaway, vrbo or vacationrentals) and complete the populated information by appending the unique listing ID. Examples of URLs are provided:

- <https://www.airbnb.com/rooms/12345678>
- <https://qbnb.com/ABCdEFgHj>
- <https://www.homeaway.com/vacation-rental/p12345678>
- <https://www.vrbo.com/12345678>

Users are instructed to replace '12345678' or 'ABCdEFgHj' with the specific listing information. A note states: 'If you wish to proceed without reporting a listing, click the X to the left of the default listing to delete it, then click Next.' Below this, there is a form with two fields: 'Listing Type' and 'Airbnb Listing URL'. The 'Listing Type' field has a dropdown menu with 'Airbnb' selected. The 'Airbnb Listing URL' field has a text input with the placeholder 'https://www.airbnb.com...'. At the bottom of the form, there is a red button labeled 'ADD LISTING URL'.

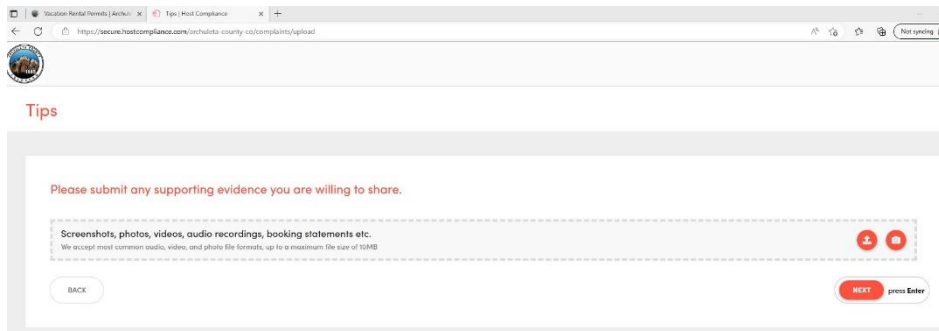
Recommendation: Skip this screen for complaints that are anything but Advertising Violation or Unauthorized Rental. This screen should default this page to no links so they can click NEXT without further requirements. Airbnb should not be the default. This is required for Advertising Violation and Unauthorized Rental.

Online Vacation Complaint Screen 6

On this screen, you are able to upload supporting evidence.

Archuleta County Short-Term Rental Task Force

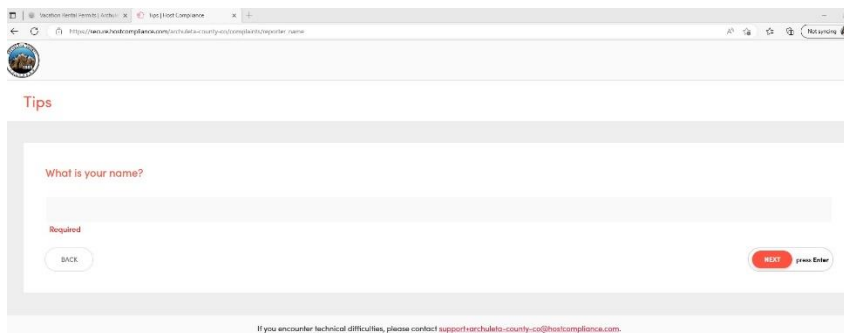
STR Complaint and Resolutions Subgroup



This screenshot shows a web browser window with the URL <https://secure.hostcompliance.com/archuleta-county.co/complaints/upload>. The page has a "Tips" header. The main content area contains the instruction "Please submit any supporting evidence you are willing to share." Below this, a box lists accepted evidence: "Screenshots, photos, videos, audio recordings, booking statements etc." and notes that the system accepts most common audio, video, and photo file formats up to a maximum file size of 10MB. There are two red circular icons with a plus sign and a minus sign. At the bottom of the form area are "BACK" and "NEXT" buttons, with "press Enter" text next to the "NEXT" button.

Online Vacation Complaint Screen 7

On this screen, you are required to provide your name.

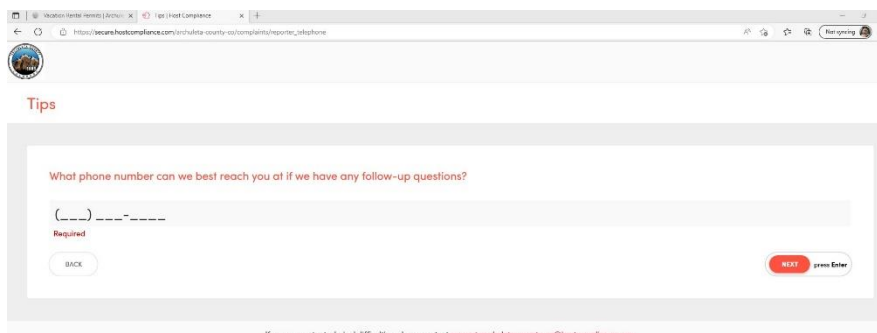


This screenshot shows a web browser window with the URL https://secure.hostcompliance.com/archuleta-county.co/complaints/reporter_name. The page has a "Tips" header. The main content area contains the question "What is your name?" followed by a text input field. Below the field is a "Required" label. At the bottom of the form area are "BACK" and "NEXT" buttons, with "press Enter" text next to the "NEXT" button. A footer note states: "If you encounter technical difficulties, please contact support@archuleta-county.co@hostcompliance.com."

Recommendation: Complainant should also provide their address (optional). Add to this screen: "We will do everything in our power to keep this information confidential."

Online Vacation Complaint Screen 8

On this screen, you are required to provide your phone number.



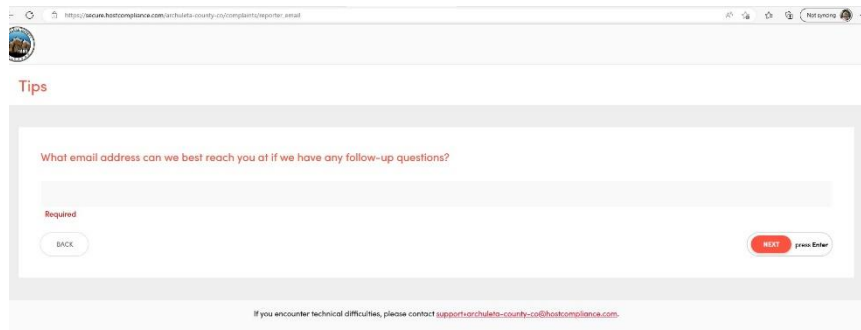
This screenshot shows a web browser window with the URL https://secure.hostcompliance.com/archuleta-county.co/complaints/reporter_phone. The page has a "Tips" header. The main content area contains the question "What phone number can we best reach you at if we have any follow-up questions?" followed by a phone number input field with a placeholder "(...) - - - - -". Below the field is a "Required" label. At the bottom of the form area are "BACK" and "NEXT" buttons, with "press Enter" text next to the "NEXT" button. A footer note states: "If you encounter technical difficulties, please contact support@archuleta-county.co@hostcompliance.com."

Online Vacation Complaint Screen 9

On this screen, you are required to provide your email address.

Archuleta County Short-Term Rental Task Force

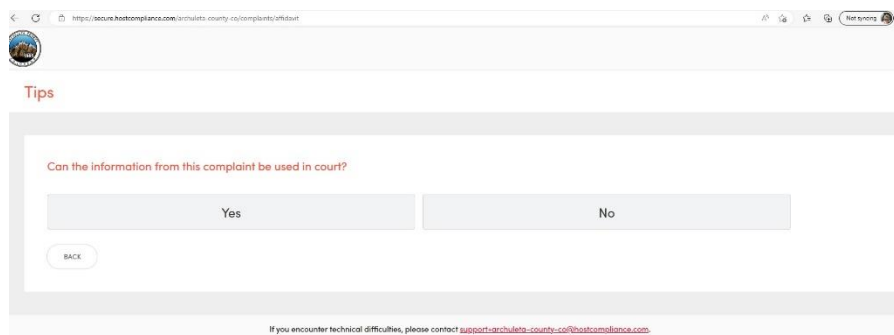
STR Complaint and Resolutions Subgroup



This screenshot shows a web browser window with the URL https://secure.hackcompliance.com/archuleta-county-co/complaint/reporter_email. The page has a "Tips" section at the top. The main content area contains the question "What email address can we best reach you at if we have any follow-up questions?". Below the question is a text input field with a "Required" label. At the bottom of the form are two buttons: "BACK" and "NEXT press Enter". A footer note states: "If you encounter technical difficulties, please contact support@archuleta-county-co@hackcompliance.com."

Online Vacation Complaint Screen 10

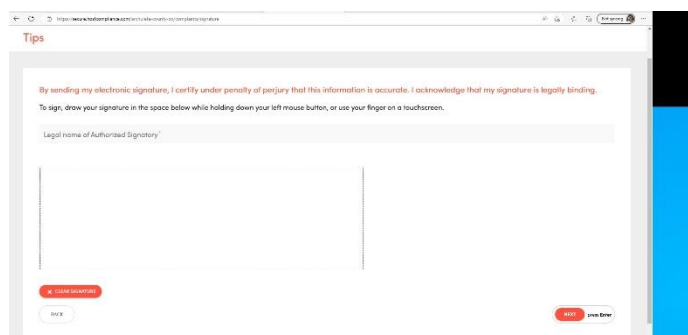
On this screen, say whether complaint can be used in court.



This screenshot shows a web browser window with the URL <https://secure.hackcompliance.com/archuleta-county-co/complaint/infant>. The page has a "Tips" section at the top. The main content area contains the question "Can the information from this complaint be used in court?". Below the question are two buttons: "Yes" and "No". At the bottom left of the form is a "BACK" button. A footer note states: "If you encounter technical difficulties, please contact support@archuleta-county-co@hackcompliance.com."

Online Vacation Complaint Screen 11

On this screen, you electronically sign and provide legal name.



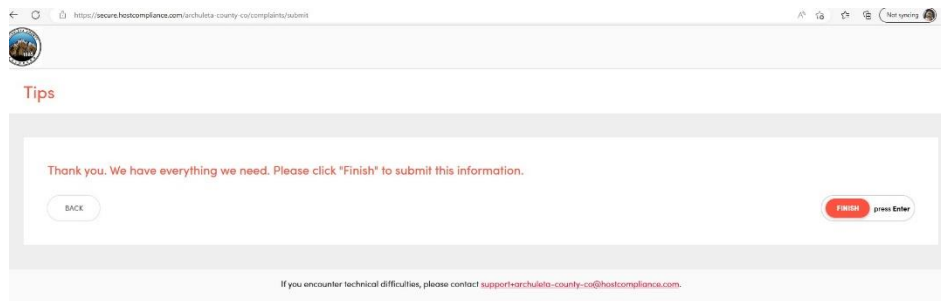
This screenshot shows a web browser window with the URL <https://secure.hackcompliance.com/archuleta-county-co/complaint/signature>. The page has a "Tips" section at the top. The main content area contains a legal disclaimer: "By sending my electronic signature, I certify under penalty of perjury that this information is accurate. I acknowledge that my signature is legally binding." followed by "To sign, draw your signature in the space below while holding down your left mouse button, or use your finger on a touchscreen." Below this is a text input field labeled "Legal name of Authorized Signatory". At the bottom left of the form is a "BACK" button. At the bottom right is a red button labeled "NEXT" with "press Enter" next to it. A blue vertical bar is visible on the right side of the screen.

Online Vacation Complaint Screen 12

On this screen, you submit the complaint.

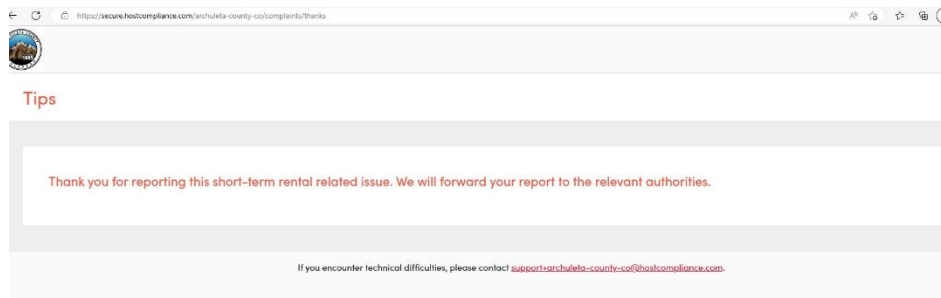
Archuleta County Short-Term Rental Task Force

STR Complaint and Resolutions Subgroup



Online Vacation Complaint Screen 13

On this screen, your submission is confirmed.



DONE! Now how do the complaints get resolved?

With the new system implemented by the county, complaints are responded to more quickly.

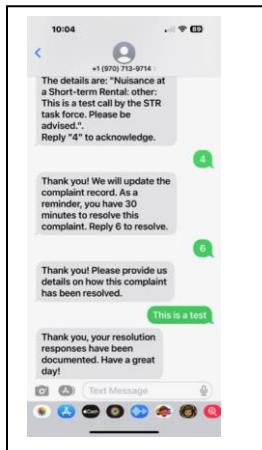
Part IV - What Happens After Phone/Online Complaint Are Submitted

Upon submission of an Online Complaint or a completed phone call to the 24/7 line, the property manager/local contact person of the STR permit is notified via a text or email about the issue. The rental manager/local contact must acknowledge they received the complaint. If no reply is received, after 30 minutes, they get another text/email – in which the property manager/local contact person can say it is resolved and these reminders will continue every 30 minutes until it is resolved. Once acknowledged, the property manager/local contact person can describe how it was resolved either by text or email. Finally, the system will then ask the complainant if the issue has been resolved.

Example Text Screen:

Archuleta County Short-Term Rental Task Force

STR Complaint and Resolutions Subgroup



The TF has been notified by a few property managers that the new system implemented by the county is working very well to inform them of issues when they arise, and allowing them to respond with how it was resolved. The TF feels confident that this new system will solve some of the complaints in a timelier manner.

Part V – Proposed Fines

These would be levied to the Owner. If Owner and Rental Manager want to negotiate different, they can.

RECOMMENDATION: Track all complaints for 12 months. Within this timeframe the County will still have the right to revoke an STR permit for excessive complaints. However, it is recommended that after one year of complaint data, the STR Task Force/County re-evaluate to determine if a fines schedule should be implemented.

NOTE: There were two members of the Task Force who were not in favor of waiting 12 months to begin applying fines, and instead wanted fines to be implemented immediately.

RECOMMENDATION: If the proposed Fine Schedule is approved, then it is recommended that a warning is given first if a complaint is not resolved. Then, fines would kick in if the nonurgent complaint is NOT resolved after first warning. Finally, the TF does not believe it is necessary to apply fines or tracking of strikes if the non-urgent complaint is resolved within the required amount of time.

Other concerns when Fines are to be implemented:

1. The creation and management of fines should not lie with county attorney so that delays can be avoided and immediate action can take place.
2. There must be a process for which the owner/rental manager can appeal the fine.
3. There must be a process for putting a security lien that is binding on the property if the owner does not pay their fine.

Archuleta County Short-Term Rental Task Force

STR Complaint and Resolutions Subgroup

- If there is no way to turn off being anonymous and not contacting Responsible Party, then the complaint should not be considered toward fines. If invalid contact information is provided, the complaint should be invalid.
- Field for “FINE TO BE BILLED” AND “FINE AMOUNT” (HOLD for Now – may be part of the other system that Pam referred to).

Proposed Fine Schedule after year of reviewing/analyzing complaints:

Archuleta County Complaints & Resolutions Sub - Team --- Proposed Violations and Associated Fines after STR Task Force Review										
Ranking	VIOLATION	References - List existing or new codes	Warning	\$250	\$500	\$750	\$1,000	\$1,000 On-going	Penalty	
Urgent	Vehicles - (filed complaint) - Parking - blocking neighbors, emergency vehicles, snow plows, trash pick up, too many cars, etc. - Unauthorized vehicles - RVs, Trailers, Snowmobiles, ATVs		1	2	3	4	5	...	After first non-resolution, then scaling penalty	
May remove if Voice Meters	Loud Parties & Noises during quiet hours - Quiet hours vary by neighborhood. If none in neighborhood, recommend quiet from 9 pm to 7 am		1	2	3	4	5	...	After first non-resolution, then scaling penalty	
REMOVE FINE	Hazardous Activities - Call Sheriff and file a complaint) - Fires during fire bans, Open fires - Chemicals - Shooting guns - Fireworks								Criminal fines. Not STR fines	
Ranking	VIOLATION	References - List existing or new codes	Warning	\$100	\$300	\$500	\$750	\$1,000 On-going	Penalty	
REMOVE FINE	Non permitted property								County addresses this directly.	
Less Urgent	Short-term rental advertising to include valid STR license (online & in home)		1	2	3	4	5	...	After first non-resolution, then scaling penalty	
REMOVE FINE	Compliance with the Law - Call Sheriff and file a complaint								After first non-resolution, then scaling penalty	
REMOVE FINE	Storage of personal property outside of residence								Criminal fines. Not STR fines	
Less Urgent	Garbage disposal -24 hours removal with secured garbage (i.e. preventing bears and critters getting into the cans)		1	2	3	4	5	...	After first non-resolution, then scaling penalty	
Less Urgent	Pets - pick up poop, "at large"		1	2	3	4	5	...	After first non-resolution, then scaling penalty	
Less Urgent	Non-compliance with maximum number of overnight guests per permit		1	2	3	4	5	...	After first non-resolution, then scaling penalty	
REMOVE FINE	Trespassing on private property - Call Sheriff and file a complaint							...	Criminal fines. Not STR fines	
Less Urgent	General Noise Disturbances		1	2	3	4	5	...	After first non-resolution, then scaling penalty	
Less Urgent	Local manager change notification		1	2	3	4	5	...	enforced by county	
REMOVE THIS VIOLATION	Used for lodging purposes only; May NOT be used for to entertain guests who are not staying over night.								Task Force overwhelming agreed to remove this violation	

Part VI - Additional Data Questions/Comments

Problem: The TF should be able to identify whether the complaint was phoned in or submitted via web page.

RECOMMENDATION: Track how a complaint was filed to ensure that the backend data includes how the complaint was filed (online or by phone) This is important for data tracking purposes.

Problem: Text insert fields on the webpages for data entry are hard to see – you have to click around to get to the line for input.

RECOMMENDATION: When filing an online complaint, ensure that the text fields are more readily visible.

Archuleta County Short-Term Rental Task Force

STR Complaint and Resolutions Subgroup

RECOMMENDATION: The county needs to log into the complaint system any other items that can be fined like advertising not including VRP # or HOA rules (online or in home) and other items that could happen while county is on property to ensure property data collection.

RECOMMENDATION: New Field for Date/Time of Incident/Issue that defaults to current but can be changed by the user. Add TIP – need to report within 72 hours for timely resolution. If greater than 72 hours from current time, these items should be tracked but not for fine criteria.

RECOMMENDATION: There needs to be a new field for INVALID COMPLAINT to be used if it is determined that it is invalid – no noise detected, owner was there (not STR), Town of Pagosa Springs complaint (not county), innocuous/unsubstantiated complaint, duplicate, invalid contact information, invalid address, etc.

RECOMMENDATION: There needs to be a process that the staff go into the system and review them to mark them as “invalid” as necessary. Important for data tracking purposes.

RECOMMENDATION: There needs to be a process that these infractions are reviewed at a minimum EVERY business day so that action can be taken in a timely manner.

RECOMMENDATION: If the complaint is within the Town of Pagosa Springs, there needs to be a process to notify the complainant that they need to use the Town of Pagosa Springs process within one business day so that action can be taken.

Part VII – Noise Monitoring

Problem: It appears that there is a large number of noise complaints. These are hard to substantiate and also to timely follow up on. It is currently very difficult to hold the STR accountable.

RECOMMENDATION: If more than 3 valid noise complaints are received for an STR property in a six-month period, then a noise monitoring device should be required, whether the complaints were resolved or not.

RECOMMENDATION: If there are no HOA quiet hour rules, then 9pm to 7am should apply (following the county guidelines). This should be held accountable by owner/rental managers as part of the rules.

Part VII – DATA to be provided to STR Task Force after Phase I

The Task Force intends to review data to stay on the STR situation going forward. The STR task force reserves the right to change this list if needed.

1. Complaint Report should be done monthly/quarterly and include rolling 12 data.
2. Report how many per month by complaint type, how many should have been reported to the Sheriff, how many were resolved. How many submitted versus phone. Resolution timeframes, (i.e. resolved within 1 hour, 3 hours, 24 hours, beyond 72 hours).

Archuleta County Short-Term Rental Task Force

STR Complaint and Resolutions Subgroup

3. How many reported in Town addresses?
4. Remove from reportable data any complaint that was reported > 72 hours of date/time incident.
5. Remove from reportable data any “invalid complaint.”
6. Somehow contact the Sheriff to match complaints logged to a Sheriff dispatch call.
7. How many STR permits were revoked.
8. How many STR permits were issued.
- 9.** Eventually, when fines are assessed, then these would be reported as well.

ITEMS FOR FUTURE DISCUSSION

Decibels Recommendation

- Should a decibel recommendation be different for multi-family than single family home?
- A decibel reader costs \$60 on Amazon (found with a quick search). Should it be required in every STR? Or just those with a repeat problem?
- Should Quiet hours be programmable? From Archuleta County site is the current law (link below). They have decibel ratings from 7am to 7pm and 7pm to 7am. How does this impact or recommended “quiet rules”?
- <http://www.archuletacounty.org/AgendaCenter/ViewFile/Item/7269?fileID=5774>
- Another resource: <https://decibelpro.app/blog/how-many-decibels-is-too-loud-for-neighbours/>