

## **Short Term Rental FAQ's**

The Mayor & City Council passed a number of ordinances that allow City residents to use their properties as Short-Term Rentals (STRs) under certain conditions and subject to certain restrictions. The ordinances were carefully considered to balance both the desires of the property owner to generate income through such rentals, and the integrity and safety of our neighborhoods.

### What qualifies as a Short-Term Rental?

- Renting out all or part of a furnished home, apartment, accessory dwelling, or condominium on a weekly or nightly basis, usually for less than 30 days, is defined as a Short-Term Rental, or STR. Rentals longer than 30 days, and usually requiring a lease, are subject to different licensing and are not considered an STR.

### How can I find out whether or not I am allowed to operate a short term rental at my property?

- While the City's new laws accommodate STRs, your community may not permit one. You should always check with your leasing management company, Homeowner's Association covenants and bylaws, or your Condominium Board to make sure these uses are allowed in your community before applying for a City license. HOAs, Condo Boards, apartments and other common ownership organizations can, through their covenants, rental leases, etc., be more restrictive than the City and not allow these rentals, or they may add additional restrictions above the City regulations.

### Do I need a license to operate an STR out of my house?

- Yes, effective November 10, 2019 the City requires a license. The license is valid for one year.

### How much does the license cost and where can I get an application?

- The STR application fee is \$150.00. Applications can be obtained by contacting [Licensing@gaitHERsburgmd.gov](mailto:Licensing@gaitHERsburgmd.gov) or calling 301-258-6330.

### How can I submit a Short-Term Rental license application?

- Applications can be submitted in person, emailed to [Licensing@gaitHERsburgmd.gov](mailto:Licensing@gaitHERsburgmd.gov) or mailed to City of Gaithersburg, Attention: Licensing, 31 South Summit Avenue, Gaithersburg MD 20877.

### What happens if I don't have a license and I operate an STR anyway?

- Operating an STR without the required license is a violation of City Code Chapter 18. Violators are subject to a \$500.00 fine.

### Are there any other costs associated with running a STR?

- The City Code makes STRs subject to the City's Hotel Tax. The Licensee will be responsible for its collection and payment to the City.

### I rent a house. Can I operate a Short-Term Rental out of my house if I do not own it?

- You will need permission from the property owner. The STR Licensee must be a permanent resident and/or owner of the property and must designate an Authorized Agent (who can be a

long-term renter) available at all times for the purposes of responding to and taking remedial action to resolve complaints.

I live in an apartment. Can I operate a Short-Term Rental out of it?

- That depends upon your rental lease terms. Check with your management company.

How many guests can I rent to at one time?

- Only one (1) rental contract per unit is permitted at a time and the number of guests is limited to two (2) adults (18+) per bedroom. There is no restriction for the number of minors under 18 in the company of the contracted adults.

How often am I allowed to rent out my property?

- A Short-Term Rental cannot be rented for a period shorter than a one-night stay and cannot be collectively rented out for more than 120 days during the 365-day licensing term.

Are there any parking requirements for Short-Term Rentals?

- The City requires that one (1) off-street parking space must be provided, unless the online listing prohibits vehicle parking. Your community may have additional restrictions.

What can I do if I have concerns about a Short-Term Rental in my neighborhood?

- Concerns regarding STR activity can be reported to the City of Gaithersburg Neighborhood Services Division at [Neighborhoods@gaitersburgmd.gov](mailto:Neighborhoods@gaitersburgmd.gov). You may also call 301-258-6340 during regular business hours.

Can I use my home as an STR in order to host parties, weddings, etc?

- Short-Term Rentals may only be used for lodging (eating and sleeping); private and/or commercial events and activities are prohibited. Only the registered/contracted Short-Term Rental guests may utilize the STR.