

**AGENDA**  
**INTERGOVERNMENTAL WORKSESSION**

Town of Mountain Village Hosting  
Participants: Telluride, Mountain Village, Ophir, Norwood, Sawpit, San Miguel County  
1:00 p.m. Monday, February 8, 2021  
Zoom Virtual Meeting

[https://zoom.us/webinar/register/WN\\_6H5wuaoaTHqUrapQTccxjw](https://zoom.us/webinar/register/WN_6H5wuaoaTHqUrapQTccxjw)

|    | TOPIC   | SPONSOR/SPEAKER   | TIME       |
|----|---|---|------------|
| 1. | Introductions   | Mountain Village Mayor<br>Laila Benitez   | 5 Minutes  |
| 2. | Update on the Potential Cost Share for:<br>a. Wastewater Treatment Plant<br>(WWTP COVID Testing)<br>b. 5 Star Program | Mike Bordogna   | 15 Minutes |
| 3. | Short Term Rental Enforcement Pursuant<br>to Public Health Orders   | Telluride Town Attorney<br>Kevin Geiger<br>Telluride Prosecutor<br>Lois Major<br>Legal Assistant<br>Lauren Bloemsma | 10 Minutes |
| 4. | Regional Forest Health Update   | Dr. Jason Sibold  | 40 Minutes |
| 5. | Adjourn   |   |            |

You are invited to a Zoom webinar.  
When: February 8, 2021 01:00 PM Mountain Time (US and Canada)  
Topic: February 8, 2021 Intergovernmental Worksession

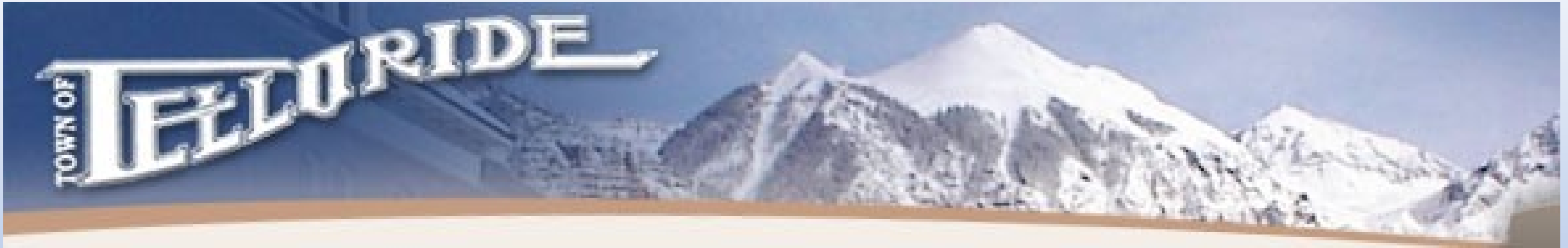
**Register in advance for this webinar:**

[https://zoom.us/webinar/register/WN\\_6H5wuaoaTHqUrapQTccxjw](https://zoom.us/webinar/register/WN_6H5wuaoaTHqUrapQTccxjw)

After registering, you will receive a confirmation email containing information about joining the webinar.

Distribution:

|   |   |
|---|---|
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|   | <p><u>Media</u><br/>         KOTO News <a href="mailto:news@koto.org">news@koto.org</a><br/>         Telluride Daily Planet <a href="mailto:editor@tellurideneews.com">editor@tellurideneews.com</a></p>  |



**SMC PUBLIC HEALTH ORDER  
SHORT-TERM RENTAL  
ENFORCEMENT UPDATE**

# Town of Telluride Short-Term Rental Units

|      |   |
|------|---|
| 2200 | Total Active Business Licenses in the Town of Telluride |
| 753  | Short-term Rental Licenses (34%)                        |
| 489  | Units managed by a management company                   |
| 264  | Units managed by the unit owner (self-managed)          |

# Covid 19 & Public Health Order Timeline

Mar 13, 2020: National state of emergency due to Covid-19 declared by President Trump

Mar 14, 2020: Governor Polis closed all Colorado ski resorts by executive order

Mar 16, 2020: Local Disaster Emergency declared by San Miguel County Board of County Commissioners

Mar 20, 2020: Local Disaster Emergency declared by Town of Telluride Town Manager

Apr 4, 2020: Shut down of all short-term rentals per PHO 2020-04 2 Section J

# Public Health Order Lodging Timeline

- Jun 1, 2020: Lodging Verification Form required prior to renting; Lodging open at 25% occupancy (phase 1), 21-day cycle per PHO 2020-06
- Jun 22, 2020: Lodging open at 50% occupancy (phase 2), 21-day cycle per PHO 2020-06-01
- Aug 29, 2020: Lodging continues at 50% occupancy (phase 2), PHO 2020-06-02
- Oct. 1, 2020: Lodging open at 75% (phase 3) per Appendix A update on 10/1/2020
- Nov 29, 2020: Lodging reduced to 50% occupancy for December, measurement blocks 1 thru 15 and 16 thru end of month per Appendix A update; SMC enters Colorado Level Red
- Jan 8, 2021: Lodging open at 60% occupancy per Appendix A update; SMC enters Colorado Level Orange

# Public Health Order Registration Requirement

- 207 Total Town of Telluride registrations by submission of Lodging Verification Form as required by PHO 2020-06
  - 23 Registered as an owner or management company managing multiple units
  - 184 Registered individual units which are self-managed
    - 50% of 264 licensed self-managed units were registered by June 30
    - 70% of all licensed self-managed units are now registered with SMC
  - 80 Self-managed units which remain unregistered with SMC

# Auditing for Compliance with Occupancy Limits

- Audits of Management Companies:
  - Audited by Lodging Oversight Committee via Key Data occupancy reporting
  - Management companies have diverse management offerings:
    - Some manage both reservations and filings
    - Some manage only reservations and owners file tax returns
    - Some offer one-time rentals to homeowners, particularly at Holidays
- Audits of Self-Managed Units:
  - Require audits of tax returns; marketplaces and often marketplace reporting
  - Initial audits require approximately 30 minutes per account
  - Problem audits have required anywhere from 2 hours to 25 hours to reconcile
  - Approximate average audit and reconciliation time is 8 hours per violation
  - Staff/MUNIREvs audits resulted in identifying additional unlicensed rental units



# Challenges of Auditing Self-Managed Units

- Public Health Order occupancy limits sometimes misinterpreted
- Notifications sent by San Miguel County overlooked by some
- Multiple units owned by single owner require consideration of aggregate occupancy; each unit licensed separately so difficult to identify
- Real estate boom resulted in sales of short-term rental units over summer; ownership determination proved challenging in some instances
- Occupancy of lock-off units difficult to determine due to rental of the whole or a portion of the units
- Marketplace reports often available only as downloadable spreadsheets which can be manipulated
- Marketplace reports not standardized and contain different data sets

# Potential Penalties for PHO Violations

## **Pursuant to Telluride Municipal Code**

\$1,000.00 per day for each violation

## **Pursuant to Telluride Emergency Ordinance 1505**

Suspension or permanent revocation of short-term rental license

# Penalties Assessed for PHO Violations

## **Penalty Assessed for Exceeding Occupancy Limits**

# of nights over-rented in a period x Average Daily Rate for the period

## **Penalty Assessed for Other PHO Violations**

\$1,000.00 per violation

# Short-Term Rental PHO Violations Addressed

|           |   |
|-----------|---|
| 15        | Over-Rental Violations Prosecuted in Municipal Court    |
| 30        | Over-Rental Violations settled out of Municipal Court   |
| 3         | Over-Rental Cases Pending in Municipal Court            |
| 5         | Suspected Violations Identified Awaiting Prosecution    |
| 80        | Registration Violations Not Yet Addressed               |
| 175       | Audits Remaining for Self-Managed Units                 |
| \$168,892 | Fines and Penalties assessed for PHO violations to date |