



CITY OF CAMBRIDGE
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The Inspectional Services Department has conducted a review of the City of Cambridge short-term rental (STR) zoning ordinance and compared it to other similar municipalities' short-term rental laws and regulations. While there is considerable variation in the STR ordinances across those communities, there are a number of requirements within these other ordinances that merit consideration as we reflect on the effectiveness of the City of Cambridge ordinance. Inspectional Services has also reviewed the current short-term rental usage in the City of Cambridge to gauge overall compliance levels with the existing ordinance. As of October 1, 2024, there were 168 registered short-term rental units in the City of Cambridge. However, according to Granicus Host Compliance (GHC), a software company contracted to monitor short-term rental activity in the city, there were an estimated 515 total short-term rental units in Cambridge. The implication being that there were approximately 347 unregistered short-term rental units in the city at that time. In an effort to address this discrepancy and to address other related concerns associated with the existing City of Cambridge Short Term Rental Ordinance, the Inspectional Services Department proposes the following changes to the ordinance:

- The first recommendation is to change the definition of 'short-term rentals' from "less than 30 days" to "less than 28 days," aligning Cambridge with neighboring cities such as Boston and Somerville. One challenge in identifying non-authorized short-term rentals is that some property owners use advertising agencies to list their longer-term rental units on a minimum one month duration basis. While these advertising agencies attempt to comply with regulations by setting the minimum stay as one month as they are not attempting to be short-term rentals, the software used to generate the listings defaults to 28 days, thus identifying them as non-compliant, per the City of Cambridge ordinance. Many of these advertising agencies have multiple regional offices, making it difficult for Inspectional Services to contact an authorized person to update all the listings to a minimum of 30

days to be compliant with City of Cambridge regulations. Furthermore, some of the software systems used by these advertising agencies reset the minimum stay to 28 days even after the duration field is updated, requiring Inspectional Services employees to constantly monitor and contact the advertising agencies whenever software resets occur. Changing the definition of 'short-term rental' to 28 days would decrease the number of non-compliant properties resulting from these listing errors and allow Inspectional Services to focus its efforts on the more blatant violators of the ordinance who allow for weekend or weekly stays without registration. Additionally, the proposed revision would reduce confusion among residents and advertising agencies on what is considered a short-term rental by aligning the definition with other neighboring cities.

- The second recommendation is to modify the occupancy requirements and require all operator-occupied registrations to have the host reside in the unit for the duration of the stay when renting out individual bedrooms to different parties. Currently, operator-occupied registrants in Cambridge can rent up to 3 bedrooms individually to different parties if they are not away from the property for more than 7 consecutive days, however it is impossible to enforce the 7 consecutive day absence. Other cities and towns such as Boston, Quincy, Springfield, and Somerville require hosts to be present for the duration of the stay when renting out individual bedrooms, but have a separate registration for individuals who want the ability to rent out their entire unit when they are away for any period of time. As a result, we recommend having two different registration types for operator-occupied registrants; one where the operator is present while renting up to 3 individual bedrooms and one where the operator is not present, but is allowed to rent out the entire unit to one entity.
- The third recommendation is to require all operators to provide transaction details upon request by city officials. Currently, we only require owner-adjacent registrations to provide transaction details and not operator-occupied registrations. Other cities like Boston, Quincy, Somerville, and Springfield require all operators to provide these transaction reports. This would expand the ability of Inspectional Services to verify compliance with registration requirements and respond to complaints.
- The fourth recommendation is to modify the short-term rental ordinance and include language allowing the revocation of a registration for properties that have outstanding building, zoning, sanitary, or fire code violations. There

are no provisions in the existing ordinance that allow Inspectional Services to prohibit or revoke registrations. A provision that any property that has been the subject of 3 or more violations (noise, trash, disorderly conduct etc.) in a 6-month period would be prohibited from doing short-term rentals is worthy of consideration. This would align with other cities like Boston and Springfield that currently have rules making properties ineligible for short-term rentals if they receive 3 or more violation notices within a 6-month period. Somerville has a similar policy where if a property has 3 or more violations within a 6-month period, the property would be considered ineligible for 6 months from the last violation. Lastly, Quincy prohibits short-term rentals for properties that have 2 or more violations within a 6-month period or 3 within a 12-month period. This would provide Inspectional Services with the ability to prohibit or revoke registrations for safety and nuisance issues that affect the residence and the community.

- The fifth recommendation is to modify the registration requirements in the application process. Currently, only a photo ID is required and as a result people will try to use a variety of IDs, some of which do not demonstrate residency. It is recommended that the ordinance be modified to require either a driver's license or state issued ID as both show a person's property address. The City of Somerville also requires operators to provide a copy of their Certificate of Registration with the Massachusetts Department of Revenue during the application process.
- The sixth recommendation would be to remove language requiring condominium association approval for tenants who want to operate short term rentals. Currently, the ordinance requires tenants, but not owners to provide written evidence from the condominium association consenting to the short-term rental use of the property. By eliminating this provision, tenants will still be required to provide consent from the property owner, but it will require condominium associations to enforce their own rules. Condominium associations who prefer not to allow short-term rental use in their building have the opportunity and ability to change their condominium rules to prohibit this usage.
- The last recommendation would be to require all booking agents and websites to only post listings that have a valid registration with the city and remove all listings that do not have current registration. Enforcement would be significantly improved if booking agents and websites were required to

remove a listing from their website if it is deemed ineligible for use as a short-term rental under the provisions of the City's ordinance. Other cities like Boston and New York have entered into agreements with popular short-term rental platforms like Airbnb after implementing similar provisions to their ordinance. In addition to removing ineligible listings, Boston and New York also have agreements requiring booking agents and websites to share information. This change is more complex and would require the cooperation of the short-term rental platforms or, if necessary, that the City undertake enforcement against the platforms.

We believe that the changes proposed will provide a more effective regulatory process for short term rental facilities in the city. The City will provide alternative zoning ordinance language to City Council for its consideration as a zoning petition, presuming it views recommendations one through seven as suggested above, as having merit.