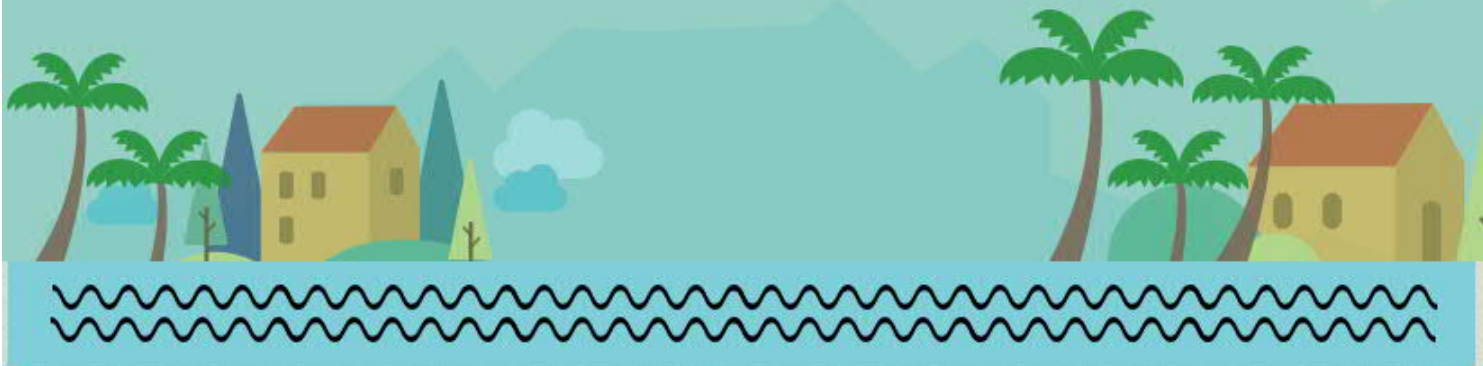


Short Term Residential Rentals



Short-term Rental Guide

Below is information for obtaining and maintaining a short-term rental (STR) license and permit in the City of Indian Wells.



City Fees and Taxes



These are the fees for the STR license and permit and are paid annually every January

Indian Wells
STR Business License Fee

\$89

Total Fees
\$248

Indian Wells
STR Permit Fee

\$159



The City tax rate:



Transient Occupancy Tax

12.25%



STR Permit Types



01 | Grandfathered Permit - **NO LONGER ISSUED**

- Sunset/Close out permanently in 2020
- 7-night minimum throughout the year
- Must re-apply in 2020 for a restricted permit if in a non-HOA portion of the City



02 | Restricted Permit

- 29-night minimum with tennis tournament exception
- No cap - renew yearly
- All properties in non HOA areas or any HOA that has not opted- out of the City's minimum stay



03 | HOA Permit

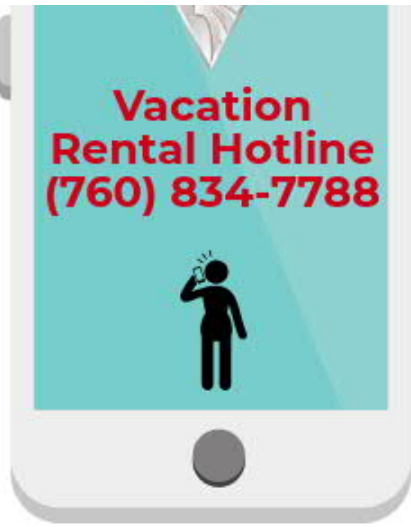
- HOA members vote to opt-out of City minimum stay provision - **see opt-out process below**
- Minimum stay is not regulated by City but all other regulations apply
- No cap - renew yearly



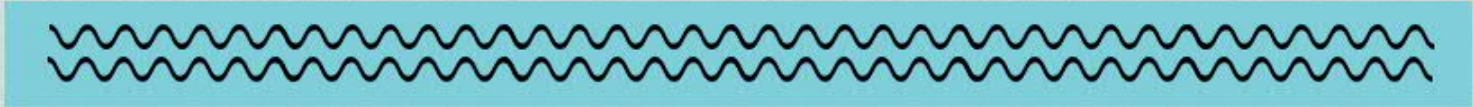
Hotline Number



Important Reasons To Contact the Hotline



Important Note:
The City must have evidence of a STR in order to enforce. Evidence includes contracts, advertisements and/or the police authority witnessing a nuisance.



Sunset Overview

Once sunset in municipal code takes effect



If a property is within a HOA and the HOA opts-out then



Converted

IMPORTANT

Any property owner applying for a new STR license and permit in a non-HOA portion of the City or in an HOA that has not opted-out will be issued a Restricted Permit only.



HOA Opt-out Process



STEP 1

HOA must conduct a vote of all members of the HOA asking if they want to opt-out of the minimum stay section of the City's ordinance.



STEP 2

If a majority vote is achieved, the President or Chair of the Board needs to submit to the City the results of the vote on a form letter provided by the City

Visit City Website for Form Letter

STEP 4

The City will not enforce minimum stay within that HOA but all other regulations of the ordinance apply.

STEP 3

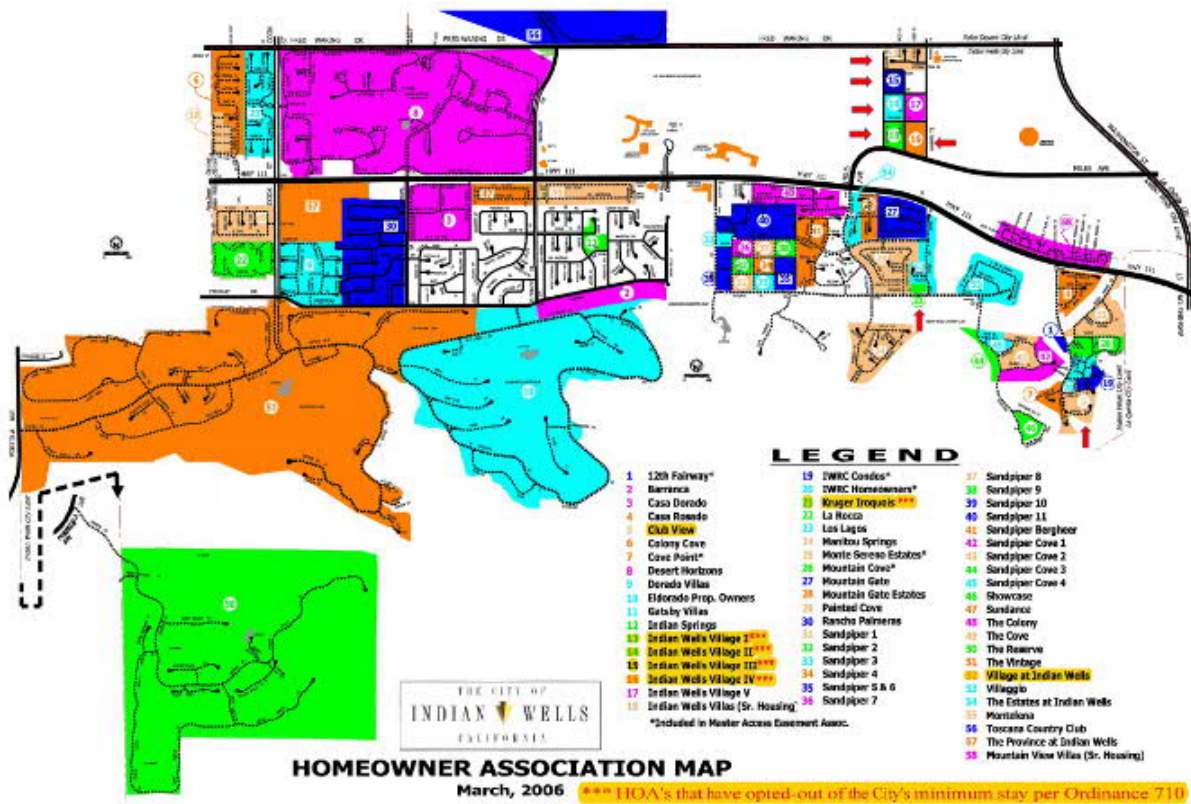


www.cityofindianwells.org/rentals



HOA Opt-out Map





HOA Opt-out Map Linked Below



HOA Repeal Opt-out



STEP 1

HOA must conduct a vote of all members of the HOA asking if they want to opt back into the minimum stay section of the City's ordinance.



STEP 2

If a majority vote is achieved, the President or Chair of the Board needs to submit to the City the results of the vote on a form letter provided by the City

Visit City Website



for Form Letter

STEP 4

The City will once again enforce minimum stay within that HOA

STEP 3



www.cityofindianwells.org/rentals



Regulation Highlights



ENFORCEMENT: First offense is \$2,500 citation with no warning. This includes Transient Occupancy Tax (TOT), Advertisement and Business License violations. Any subsequent offense is a \$5,000 citation and permanent revocation of permit.



MULTIPLE RENTALS: Not allowed. No property owner can operate more than one short-term residential rental property.



MASTER ASSOCIATIONS/COUNTRY CLUBS: Regulate their own minimum stay. Applies to The Reserve, The Vintage Club, Eldorado Country Club, Desert Horizons Country Club and Toscana Country Club. Property owners must still get a STR license and permit and pay TOT.



FUTURE RESIDENTIAL DEVELOPMENTS: Council may set a minimum stay for any new residential developments of 10 units or more that have a Development Agreement and Conditional Use Permit.

The graphic features a light blue header with a black wavy border at the top. Below the header, the title "Important Reminders" is centered in bold black text, flanked by two yellow warning signs. Two beige callout boxes with red borders and blue exclamation marks contain the following text:

- List the City permit number on ALL advertisements, or be subject to fines.**
- Submit a Transient Occupancy Tax (TOT) form quarterly even if it's a zero balance, or be subject to fines.**

Below these boxes is the Indian Wells California logo, which includes a stylized bird icon. A teal-bordered box contains the contact information: "For more information visit www.cityofindianwells.org/rentals or call (760) 346-2489". The bottom of the graphic shows a silhouette of a row of houses.

Short-Term Rental Information

- A property owner wanting a new short-term rental license and permit is restricted to a 29-night minimum throughout the year with the exception of the tennis tournament in March which allows for a 7-night minimum, one week preceding and ending three days after conclusion of the tennis tournament.
- There is an exception in the municipal code that allows a Homeowner's Association to opt-out of the City's minimum stay regulation only - see [Opt-out Form Letter](#) and [HOA Opt-Out Map](#) below. Property owner's still need to get a short-term rental license/permit, pay the quarterly transient occupancy tax and abide by all other regulations of the ordinance.
- Grandfathered short-term rental licenses/permits that signed up in July 2015 are now permanently expired.

Documents

- [Short-term Rental Ordinance 710](#)
- [Infographic Guide for the Short-term Rental Program](#)
- [Opt-out Form Letter for Common Interest Developments/Homeowners Associations](#) - only the information in brackets is editable.
- [Repeal Opt-out Form Letter for Common Interest Developments/Homeowners Associations](#) - only information in brackets is editable.
- [HOA Opt-Out Map](#)

Additional Information

- [File a Complaint](#)
- [Pay Your Transient Occupancy Tax \(TOT\)](#)

Vacation Rental Hotline: (760) 834-7788

If you are experiencing problems from a property you suspect to be a short-term rental, please call the Vacation Rental Hotline to report the nuisance. Please have the address available to assist the process. Hotline staff will make contact with the vacation rental and Indian Wells Police Department.

City Ordinance provides the vacation rental operator one hour to stop the nuisance. After that point in time, the Indian Wells Police Department will make contact with the property.

Good Neighbor Brochure

City Ordinance requires all renters be provided a Good Neighbor Brochure with their rental agreement. The Good Neighbor Brochure provides brief information to renters to reinforce regulations to ensure their stay does not cause neighborhood disruption.

Short-Term Rental Registration Application Form

Transient Occupancy Tax Remittance Form

Short-term rentals are required to collect a Transient Occupancy Tax ("TOT") on all nights of stay. Effective January 1, 2019 the City's TOT rate increased to 12.25%. The TOT rate needs to be added on the nightly rental rate charged. TOT collection is the responsibility of the property owner. Remittance of TOT collected and this TOT Remittance Form are due to the City no later than 30-days after the end of each quarter ending March 31, June 30, September 30, and December 31.

The form provided above helps to calculate the amount of TOT due. Failure to remit TOT and form can result in a fine, citation, and even suspension of your license to operate.

Model Short-term Rental Agreement

The short-term residential rental industry has grown exponentially in recent years. As a result, many property owners who otherwise would not have considered renting their properties have chosen to assist compliance with City regulations, the provided Model Vacation Rental Agreement provides the legal protection necessary.

There is no requirement to use this Model Short-term Rental Agreement. However, please be advised that the City's Short-term Rental Ordinance requires certain provisions to be included in your rental agreement. If using your own agreement form, please review closely for compliance with City regulations.

Adopted Noise Ordinance

Noise is the most commonly cited disturbance with vacation rentals. Loud, disturbing noise is prohibited in Indian Wells between the hours of 10:00 p.m. and 7:00 a.m. The Adopted Noise Ordinance provides Indian Wells Law Enforcement great flexibility to determine if a property is causing a disturbance in a neighborhood.