

The Principal Residence STR Inspection



Your Private Life, Public Edition

Speaker: Mike Munoz



*Bureaucracy is the death of
any achievement.*

“Albert Einstein”

5 Months in total and still waiting



3 Months awaiting appeal response

Rejection Letter

The *Short-Term Rental Regulation Bylaw* states:

(4) The Licence Inspector may refuse to issue a licence for a short-term rental if, in the opinion of the Licence Inspector,

(a) the applicant has failed to comply with section 3; or

(b) the short-term rental operation would contravene a City bylaw or another enactment.

The application has failed to establish 809-751 Fairfield Rd as your principal residence, to the satisfaction of the Licence Inspector. The *Short-Term Rental Regulation Bylaw* states:

(2) A person applying for the issuance of a licence to operate a short-term rental must, in addition to meeting the requirements of the Business Licence Bylaw:

(e) provide, in the form satisfactory to the Licence Inspector,

(i) evidence that the premises where the short-term rental will be offered are occupied by the operator as their principal residence.

Home Inspection brochure

CITY OF VICTORIA | Bylaw Services

Bylaw Inspections

What You Need to Know

Why do City of Victoria Bylaw officers conduct an inspection?

City Bylaw officers conduct an inspection to confirm that a property, structure and/or the activity taking place there, complies with City of Victoria bylaws.

An inspection documents conditions or activities that may contravene a City bylaw. It also identifies if there are unsafe conditions that may place occupants of the property – and nearby properties and people – at risk.

Passage from the FOI report with Officer's notes

DUARTE is not aware how recent ROJA and ZUNIGA moved into this unit, the following are observations DUARTE made during the inspection. In the coat closet, there were just the right number of shoes and coats for each person that was currently in the unit at the time of the inspection. DUARTE observed one set of towels in the main bathroom, minimal toiletries however that does not mean that they were not stored under the sink. The primary bedroom was very stark, minimal items in the room, some personal items on the night stands, towel and handbags on the storage bench situated along the wall in front of the bed. Other than one generic painting on the wall above the bed and a generic sculpture on the wall opposite the bed, there were no personal items in the room, no family photos of any kind and there was no dresser. One of the closets were locked with a keypad entry, and again when asked the homeowner stated that there were linens in that closet, however DUARTE noticed linens, bedding and pillows in the opposite closet that was not secured. DUARTE did think it was odd that the homeowner did not identify anything of value in the locked closet and that he did not have access. In the opposite unlocked closet, DUARTE observed only 5 to 6 items of clothing, again no dresser. The primary bathroom was also very

No mention to safety or any positive aspect



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A printer was observed on a shelf, baby diapers, and a couple baskets underneath. There were several people in the living room, DUARTE was not sure how many of them understood English as they did not react to anything DUARTE was saying especially in relation to the photos being taken. ROJA stated he has relatives from Miami and Cuba in the home. There was a couple of items on the floor in the living for

Passage from the FOI with Inspection Conclusion

Upon reviewing the inspection details in totality, not knowing when the couple moved into the unit, having a newborn baby, working remotely, the lack of personalisation and the amount or lack there of general belongings, the sudden change in licence types from non principal residence to now principal residence, on the surface DUARTE would suggest that the couple does not reside at 809 – 751 Fairfield Road on a full-time basis.

My Ask

- Immediately stop this minority-report-like rejections.
- Establish and communicate clear and transparent criteria for obtaining the STR principal residence license.
- Inspections must be based on objective criteria rather than personal opinions.
- Rejection notices should include specific comments that led to the rejection.
- The bylaw office must address appeal requests diligently.