

# Opinion: Michigan shouldn't give away option to regulate short term rentals

**John Kavanagh**

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As the Michigan Legislature considers a state preemption bill this session that would take away authority from local governments to regulate short-term vacation rentals, I offer a unique perspective as an Arizona legislator who watched his state legislature enact essentially the same bill.

In 2016, Arizona passed a vacation rental law almost identical to the legislation being considered in Michigan. I've seen firsthand the consequences this legislation had on communities and what could be in store for the Great Lakes State.

Both Arizona and Michigan have seen a growing number of short-term rentals like Airbnb infiltrate their neighborhoods.

Since the passage of Arizona's bill, my colleagues and I have been struggling for several sessions to undo the damage caused by this legislation.

If Michigan's legislators pass HB 4722, they would be opening the door to the unintended consequences that have burdened Arizona, as this legislation will give real estate investors free rein to replace residential homes in residential neighborhoods with short-term rental operations.

We didn't expect that real estate investors, LLCs and commercial operators were going to buy houses for the sole purpose of operating them as vacation rentals. We didn't envision that houses rented exclusively for parties, weddings and large events would pop up in formerly quiet neighborhoods.

We didn't anticipate that a tourist destination like Sedona would see a third of its available rooms coming from short-term rentals, creating an affordable housing crisis that has forced out families.

In the town of Scottsdale, in my district, one condo complex near downtown was almost exclusively occupied by retired seniors. Now about half of the units operate as short-term rentals.

Proponents of this legislation might be well-intentioned, but by removing local control of short-term rental policy, legislators in Michigan would be stripping their cities and towns of a critical duty that local government is uniquely qualified and best positioned to handle.

With the explosion of Airbnb and VRBO in the past few years, the problems have grown.

As a former police officer, I understand the challenges of enforcing violations on these abuses and preventing them from recurring, particularly when it's a new group of people coming in every few days. I also know the drain this has on our local law enforcement resources — resources that are funded by local tax-paying residents.

Now each session, my fellow lawmakers and I are working to fix the damage. Returning local control over short-term rentals is one of the only issues that has gathered bipartisan support in the Arizona legislature.

Based on my first-hand experience, I encourage Michigan lawmakers to strongly consider the impacts of this proposed legislation and look to Arizona as a case study and a warning.

I'm a conservative and a strong proponent of people's property rights. But if I'm living next to one of these houses, I've got property rights too. Localities must be able to balance the demand of tourism with the well-being of their own residents.

Preemption bills like the legislation being debated in Lansing would eliminate communities' ability to protect their neighborhoods from commercial businesses operating in residential neighborhoods.

*John Kavanagh is a Republican state representative from Fountain Hills, Arizona.*