

Judith A. Gallelli
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Calgary, Alberta T2R 1S2

June 5, 2019

The City of Calgary, Office of the Councillors (8001)
Mayor Naheed Nenshi
Councillor Evan Woolley, **Ward 8**, All Council Members of The City of Calgary
700 Macleod Trail S.E.
Calgary, Alberta T2G 2M3

RE: AIRBNB'S IN NEIGHBOURHOOD (WARD 8) HI-RISE CONDOMINIUM CORPORATION NUMBER CCN O412542

Dear Mayor Nenshi, Councillor Woolley and all City of Calgary Councillors:

I am writing this letter at the suggestion of my Ward 8 Councillor and his Assistant Michael Mooney regarding a **full-time Airbnb business profiteering next door to our residential home**. There are several Airbnb's in our complex.

I live on the 20th Floor of the ***Emerald Stone Condominium*** complex (Corporation Number CCN 0412542 – 160 Units, 23 floors) officially opened the fall of 2004 in the Beltline neighbourhood of Uptown Calgary. There are over 320 Airbnb's, and increasing, in our Beltline neighbourhood to this date. My brother Gary B. Gallelli is the registered owner of the property and approves of this letter. I have lived in ***Emerald Stone*** since early 2005 and ***call it my home***.

The registered ***owner of Unit 2004***, next door to us here at Emerald Stone, ***has advertised his 1-bedroom unit on the Airbnb Network since October of 2017***. He did not notify us; nor any of the other neighbours on our floor (7 other units.) ***He did not notify our management company Montgomery Ross and Associates or the Emerald Stone Condo Board***. He is a full-time, multi-lister with Airbnb. I believe he now lives in Vancouver. Listed on Airbnb are at least 75 plus per night stays (\$100 per night, 3 guests) since fall 2017 with 2 – 4 night stays max by my estimates. I have personally spoken to many of his "tourist / business travellers" who are visiting or here for business, a conference, etc. and more recently saying that they are "***staying with their friend!***"

ISSUES SPECIFIC TO HI-RISE CONDOMINIUMS:

- ***Condominium Bylaws for short-term landlords (less than 6 months) are vague*** – our bylaws were formulated prior to Airbnb Network tourism.
- ***Short-term landlords DO NOT COMPLY with section 53 of the Condominium Property Act of Alberta.***
- ***Airbnb landlords are Stealth*** knowing that **Volunteer Condo Boards and Property Management Companies DO NOT follow through with**

enforcement and compliance matters (overwhelmed by paperwork, policing, volunteer / staff issues, etc.??) **that legally must and should be given to the Condo Corporation by the Airbnb landlord.**

- **To legally change Condominium Corporation Bylaws 75% Owner consensus** must be reached – apparently difficult and expensive to achieve.
- **Our Management Company says they can do nothing about Airbnb's** and are waiting for the results of The City of Calgary ruling on this issue.
- **Negative financial ramifications** when selling a condo that is next door to and / or on the same floor as an Airbnb unit. **Affects buildings reputation.**
- Single home and small complex Bed & Breakfast short-term rentals have the owner in residence. **The short-term Airbnb landlord in Hi-Rise Condos does not reside in or live close to the Airbnb suite** – no oversight or care of issues that may arise due to their “short stay tourist business travellers.” **Airbnb landlords' bottom line is profit in a suffering Alberta economy and a poor condominium sales market.**
- **Best Western Hotel is 1/2 block from Emerald Stone Condo.**

MAJOR CONCERNS AND REQUESTS:

- **COMMERCIALIZATION of Residential Property Investment – Did not invest in a quasi-Hotel property – “HOME” is now viewed as a HOTEL!**
- **TRANSIENT and GRAND CENTRAL STATION ATMOSPHERE** – No close knit community building – No neighborly ambience.
- **INCREASED TRAFFIC** – Strangers and transients coming and going all hours of the day and night in our home; disconcerting and frightening.
- **NOISE – all hours of the day and night** including elevator notification bell sound heard throughout all the units.
- **SHORT-TERM STRANGERS – Uninformed, not interested in the rules, regulations and by-laws of the Corporation imposing additional and excessive burdens and expenses on our community.**
- **SAFETY AND SECURITY** – A major concern and issue for all the residents who call Emerald Stone or any Condo Hi-Rise their “Home.”
- **WEAR TEAR OF INVESTMENT** – All common areas and shared facilities are available to these strangers. (i.e.: Emerald Stone has a newly renovated amenities room, costly and expensive with high-end and professional gym equipment and facility.)
- **HEALTH AND WELLNESS** – Alberta Health Services and The City of Calgary **must implement “Special Business and Professional Standards Licensing” and quarterly Health Inspections for short-term Airbnb landlords.** The close proximity to other homes (8 home units per floor, 23 floors) with elevators and other communal aspects within the environment is of concern.
- **CLEANING, JANITORIAL AND PEST CONTROL** – The City of Calgary and Alberta Health Services **must implement “Special Business and Professional Standards Licensing” for short-term Airbnb landlords**

commensurate to the standards for **Commercial Hotel properties** and the tourism industry with **No Notice Inspections**.

- **TAX THE SHORT-TERM LANDLORD AS A COMMERCIAL HOTEL PROPERTY** – Must carry **HOTEL INSURANCE** on their property.

This letter serves as a formal request to The City of Calgary for implementation of necessary and restrictive licensing standards, laws, taxes and hefty fines to **REGULATE** Airbnb landlords and the Airbnb Corporation, short-term landlords and their agents who to date are **profiting and profiteering from a very lucrative business model with little to no restrictions**.

George Brookman, CEO of West Canadian Industries and a person who has been **involved with tourism in Alberta for many years** has stated that short-term rental landlords are 'Getting the free ride' as quoted from a CBC news article posted December 13, 2017. Following is quoted from the article regarding the tourism industry: "It takes big marketing dollars, and the hotels and the organized businesses that are in tourism are working hard to promote through Travel Alberta and Tourism Calgary" says Brookman, who's been involved in both agencies, and told The Calgary Eyeopener." **"The Airbnb folks are getting the free ride out of all that advertising, all that marketing that's being done to bring tourists here."** "Private, short-term rentals are **not subject to the four per cent provincial tourism levy on Alberta hotel stays.**" Brookman also notes, **"hotels undergo health and safety inspections, currently not mandated by law for short-term rentals such as the Airbnb."**

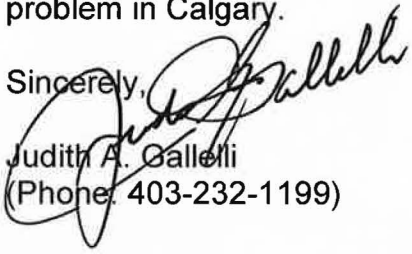
I am personally very dismayed by this latest high tech business trend invading the peace, quiet and safety of my home environment. As I say to many people, ***"Just wait until an Airbnb moves next door to the condo that you call home!"*** ***It all appears to be very unethical and possibly even illegal to me.***

There must be ***municipal and provincial taxes*** collected from Airbnb and their and all short-term landlords here in Alberta. Private landlords not being subject to the 4% provincial tourism levy on Alberta stays ***is a travesty!*** A review and ***update of the Alberta Residential Tenancies Act (2004)*** may be required as well.

I look forward to your response. A formal **Petition** from individuals and resident owners who reject Airbnb landlords operating their Hotel Business in Emerald Stone and any other Hi-Rise Condo in the Beltline neighbourhood will follow.

Thank you in advance for your time and effort with this ongoing and growing problem in Calgary.

Sincerely,


Judith A. Gallelli
(Phone: 403-232-1199)

Cc: Honourable Tyler Shandro, Minister of Health
Honourable Kaycee Madu, Minister of Municipal Affairs
Honourable Nate Glubish, Minister of Service Alberta
Honourable Tanya Fir, Minister of Economic Development, Trade and Tourism
Honourable Doug Schweitzer, Minister of Justice and Solicitor General, Deputy
House Leader
Emerald Stone Condo Board
Sandra Williams, Property Manager, Montgomery Ross & Associates
Kerri Beatty, Emerald Stone Office

Province of Alberta
CONDOMINIUM PROPERTY ACT
RSA 2000 Section 53 Chapter C-22

Revised Statutes of Alberta 2000
Chapter C-22
Current as of January 1, 2019

Rental of Units

Rental of units

53(1) An owner of a unit shall not rent the owner's unit until the owner has given written notice to the corporation of the owner's intention to rent the unit, setting out

- (a) the address at which the owner may be served with a notice given by the corporation under section 54 or an application or order referred to in section 55 or 56, and
- (b) the amount of rent to be charged for the unit.

(2) If an owner of a unit rents the owner's unit it is a condition of that tenancy, notwithstanding anything in the tenancy agreement, that any person in possession of that unit shall not

- (a) cause damage to the real or personal property of the corporation or the common property, or
- (b) contravene the bylaws.

(3) The corporation may require an owner who rents the owner's unit to pay to and maintain with the corporation a deposit that the corporation may use for

- (a) the repair or replacement of the real and personal property of the corporation or of the common property, and
- (b) the maintenance, repair or replacement of any common property that is subject to a lease granted to the owner of the unit under section 50,

that is damaged, destroyed, lost or removed, as the case may be, by any person in possession of the rented unit.

(4) A deposit referred to in subsection (3) shall not exceed one month's rent charged for the unit.

(5) The owner of a unit shall give the corporation written notice of the name of the tenant renting the unit within 20 days from the commencement of the tenancy.

(6) Within 20 days after ceasing to rent the owner's unit, the owner shall give the corporation written notice that the owner's unit is no longer rented.

TO: THE CHIEF OF POLICE
FROM: THE CHIEF OF POLICE
SUBJECT: [Illegible]

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CITY OF CALGARY
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SEP 11 2019
ITEM: 77 CBS209-1070
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