

# CM Renteria Conflicts of Interest in Council Proceedings in 2015-2016 Regarding Short-Term Rental (STR) Regulations

## Questions Presented:

1. Did CM Renteria have a substantial interest in issues related to the zoning of his property for STRs by virtue of the income that he generated from his rental activity from 2012 to 2015 and ownership of his STR real property?
2. Did CM Renteria violate City Code 2-7-63 by participating in a series of City Council and Neighborhood and Planning hearings and votes related to STRs (including ADUs as STRs) in 2015 and 2016?
3. Did CM Renteria disclose his substantial interest on sign-in sheets at these hearings and votes on STRs, as required by City Code?
4. Was it a conflict of interest for CM Renteria to vote on matters related to STR restrictions, taxes and licensing in 2015-2016 if he violated Austin Code and State of Texas laws beginning in 2012 and continuing through at least 2014 while not having an Austin STR license or paying his occupancy taxes?
5. Was it a conflict of interest under City Code 2-7-63 for CM Renteria to vote on proposed City of Austin regulations that would make it more difficult to become licensed, stay licensed or even eliminate certain types of STRs for Austin citizens, with rental types other than CM Renteria's?

## Questions Presented – Continued:

6. Should CM Renteria's violations of City Code result in his votes in 2015-2016 matters before the City Council result in CM Renteria's votes being vacated on all decisions related to short term rentals (including ADUs being used as STRs) based on his undisclosed and actual conflicts of interest?
7. If such votes are vacated by the City Clerk, what regulations and matters related to STRs in 2015 and 2016 would fail to pass and must be vacated in their entirety?
8. Did such conflicted votes happen in more than 3 consecutive scheduled hearings and meetings, which results in an automatic vacancy of CM Renteria's Council seat?
9. Are there reasonable grounds to believe that a violation of the City Code provisions 2-1-24, et. al. within the jurisdiction of the ERC have occurred and this matter should be scheduled for a final hearing?

We believe that there are reasonable grounds to believe that each of the conflicts outlined above did occur in violation of City Code and we request that the ERC schedule this matter for a final hearing on each of the items.

# Issue #1

Did CM Renteria have a substantial interest in issues related to the zoning of his property for STRs by virtue of the income that he generated from his rental activity from 2012 to 2015 and ownership of his STR real property?

The Code provides:

(10) **SUBSTANTIAL INTEREST** means an interest in another person or an entity if: the interest is ownership of five percent or more of the voting stock, shares or equity of the entity or ownership of \$5,000 or more of the equity or market value of the entity; or funds received by the person from the other person or entity either during the previous 12 months or the previous calendar year equaled or exceeded \$5,000 in salary, bonuses, commissions or professional fees or \$20,000 in payment for goods, products or nonprofessional services, or 10 percent of the person's gross income during that period, whichever is less; the person serves as a corporate officer or member of the board of directors or other governing board of the for-profit entity other than a corporate entity owned or created by the city council; or the person is a creditor, debtor, or guarantor of the other person or entity in an amount of \$5,000 or more except that a home mortgage loan for the person's homestead or a loan or lease of a personal automobile shall not be deemed a substantial interest in the creditor or guarantor if entered into at a market rate with a commercial lending institution before the previous 12 months.

(11) **SUBSTANTIAL INTEREST IN REAL PROPERTY** means an interest in real property which is an equitable or legal ownership with a market value of \$5,000 or more.

*Source: 1992 Code Section 2-3-2; Ord. 031204-9; Ord. 031211-11; Ord. 20110428-047.*

On Issue #1, CM Renteria disclosed that his calendar year 2014 STR income met the “substantial interest” threshold in his Statement of Financial Information (copy submitted) based on the “previous calendar year” provision of the Code:

### STATEMENT OF FINANCIAL INFORMATION

This Statement is made for the reporting period: **January 1 through December 31, 2014.**

- 3 . List all sources of income which exceeded either \$5,000 or were in excess of 10% of your gross income received from interest, dividends, royalties, rents, trust disbursements or other non-occupational sources.**

	<b>Name of source</b>	<b>Nature of income</b>	<b>Category of amount</b>
1	Social Security	Retirement	II
2	Eastside Cottage	Short Term Rental	I

The Code provides that a “substantial interest” is created by income received “during the previous 12 months or calendar year.” So, CM Renteria had a substantial interest in his STR for the calendar year 2015 (based on STR income he received during the previous calendar year, 2014).

Regarding Issue #1, if we apply the “previous 12 months” provision of the Code, there is additional information to consider regarding the duration of CM Renteria’s “substantial interest” in his STR income. His occupancy tax filings show that it not only covered all of 2015, it extended to Q1 2016.

Here are the records of his occupancy tax filings:

**Public Information Response #25364**

Request Description: "Austin hotel occupancy receipts quarterly report (records of payments) from January 2012 to December 2015, including the address [REDACTED] for taxpayers Sabino "Pio" or [REDACTED] Renteria

CITY OF AUSTIN					STATE OF TEXAS	
Hotel/STR Name	Hotel/STR Address	Report Period	Gross Receipts	Principal Paid	Gross Receipts	
Eastside Cottage		Q12012-Q12014	NONE	NONE	NONE	
Eastside Cottage		Q22014	\$ 844	\$ 76	\$ 844	
Eastside Cottage		Q32014	NONE	NONE	\$ 609	
Eastside Cottage		Q42014	\$ 1,708	\$ 154	\$ 1,707	
Eastside Cottage		Q12015	\$ 3,734	\$ 336	\$ 3,734	
Total		Q42014-Q12015	\$ 5,442			

- CM Renteria generated more than \$5,000 in STR income in quarters Q4 '14 - Q1 '15.
- Again, the Code provides that a “substantial interest” is created by income received “during the previous 12 months or calendar year.”
- Therefore, under the “previous 12 months” measurement of the Code, CM Renteria’s “substantial interest” extended to Q1 2016.

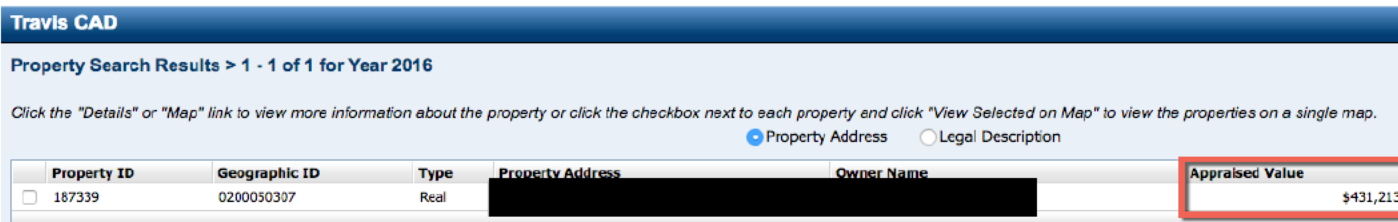
Re Issue #1, there is an additional basis to conclude that CM Renteria's "substantial interest" in his STR existed in 2015 - and continues today.

- The Code provides that a "substantial interest" in real property is triggered by legal ownership with a market value of \$5,000 or more.

(11) SUBSTANTIAL INTEREST IN REAL PROPERTY means an interest in real property which is an equitable or legal ownership with a market value of \$5,000 or more.

*Source: 1992 Code Section 2-3-2; Ord. 031204-9; Ord. 031211-11; Ord. 20110428-047.*

- If CM Renteria's ownership in his STR real property has a market value of more than \$5,000 (as it would most certainly seem that it would), he has a continuing "substantial interest" in his STR.
- His Travis Co appraised value of his STR in 2016 was \$431,213



Travis CAD

Property Search Results > 1 - 1 of 1 for Year 2016

Click the "Details" or "Map" link to view more information about the property or click the checkbox next to each property and click "View Selected on Map" to view the properties on a single map.

☒ Property Address ☐ Legal Description

Property ID	Geographic ID	Type	Property Address	Owner Name	Appraised Value
<input type="checkbox"/> 187339	0200050307	Real	[REDACTED]	[REDACTED]	\$431,213

- We request that CM Renteria provide the value of his STR real property as evidence to the ERC (as requested in this complaint).

In conclusion regarding Issue #1: Did CM Renteria have a substantial interest in issues related to the zoning of his property for STRs by virtue of the income that he generated from his rental activity from 2012 to 2015 and ownership of his STR real property?

The answer is yes on three counts and his substantial interest continues today:

1. He established his “substantial interest” in his STR income generated in 2014 in his Financial Disclosure and it extended to the end of 2015 under the “prior calendar year” provision of the Code.
2. His occupancy tax filings show more than \$5,000 in STR income generated from Q4 2014 to Q1 2015. His substantial interest continued to Q1 2016 under the “prior 12 months” provision of the Code.
3. And, the value of his real property interest in his STR was, and is, in excess of \$5,000, establishing a substantial interest that continues to today.



# Issue #2

Did CM Renteria violate City Code 2-7-63 by participating in a series of City Council and Neighborhood and Planning hearings and votes related to STRs (including ADUs as STRs) in 2015 and 2016?

## **§ 2-7-63 PROHIBITION ON CONFLICT OF INTEREST.**

(A) A City official or employee may not participate in a vote or decision on a matter affecting a natural person, entity, or property in which the official or employee has a substantial interest;

*Source: 1992 Code Section 2-3-63; Ord. 031204-9; Ord. 031211-11; Ord. 20110428-047.*

At the request of the ERC, we provided a timeline of all City Council discussions and actions taken on the topic of STRs (attached to amended complaint). We contend that CM Renteria's participation and votes in these proceedings was a conflict of interest for which he should have recused himself and disclosed his substantial interest on sign-in sheets as required by the Code.

While the ERC has the full record of actions taken by the Neighborhood and Planning committee and the City Council in which CM Renteria participated, we will only review several of the key votes here due to time limitations.



## Issue #2 Cont'd - Review of City Council and Committee actions taken by CM Renteria:

August 17, 2015 Council Planning and Neighborhoods Committee

CM Renteria participates on Council Planning and Neighborhoods Committee that puts forward more than a dozen recommendations against short term rentals.

Video transcript of the proceeding: <http://austintx.swagit.com/play/08172015-738/0/>

Minutes: <http://www.austintexas.gov/edims/document.cfm?id=238620>

September 17, 2015 City Council Meeting

<http://www.austintexas.gov/department/city-council/2015/20150917-reg.htm>

<http://www.mystatesman.com/news/news/local/austin-city-council-calls-for-one-year-ban-on-new-nnh4S/>

Council approved a one-year moratorium on new licensing applications for these year-round rentals.

September 22, 2015 Austin City Council Special Meeting

<http://www.austintexas.gov/department/city-council/2015/20150922-spec.htm>

The city council passed the following regarding short term rental occupancy limits: (1) No more than six unrelated guests (2) No more than 10 guests total (3) No more than two people per bedroom, plus two. The presumption is that a house has two bedrooms until an inspection is done. (4) No assembly of more than six people outside, and no outside gatherings allowed after 10 p.m. (5) Allow anti-STR activists to submit photographs and videos that can be used against their neighbors. (6) Allow code enforcement to issue citations for noise violations (currently enforced by the police department) (7) Require STR advertising and listing services to collect and remit hotel/motel taxes to the City of Austin.

October 15, 2015 - Council Meeting

<http://www.austintexas.gov/department/city-council/2015/20151015-reg.htm>

**New recommendation to phase out Type 2 rentals and other regulations including tougher background checks for granting and renewing licenses passes only 6-5. Would not have passed without CM Renteria's vote in favor.**

At the same meeting (October 15, 2016) CM Renteria abstained from voting on the city's solar energy purchase, citing a conflict of interest because he was considering putting solar panels on his own house. Renteria stated: "That's why I'm going to go ahead and put solar on my house because it -- the rates are just too high and I can't be voting...to raise rates on people knowing the fact that I'm going to be leaving it and putting my own solar in my house." So CM Renteria understands the conflict of interest and finds that even the speculative proposition that he might get solar panels on his house was sufficient conflict not to vote on the City's solar initiative.

Feb 23, 2016 City Council Meeting

<http://www.austintexas.gov/department/city-council/2016/20160225-reg.htm>

Council passed new regulations governing all types of short-term rentals and to phase out all of the STR Type 2 properties in residential zones.

**The vote for banning Type 2 STRs, for that specific vote to add it into the ordinance, was 6-5 and would not have passed without Renteria's vote.**

# Issue #3

Did CM Renteria disclose his substantial interest on sign-in sheets at these hearings and votes on STRs, as required by City Code?

We have requested this disclosure in our complaint (#7):  
Copies of all original sign-in sheets and dates of all Council meetings and committee meetings where CM Renteria voted upon or discussed STRs (including ADU proceedings)

# Issue #4

Deferred to end of presentation if time allows

# Issue #5:

Was it a conflict of interest under City Code 2-7-63 for CM Renteria to vote on proposed City of Austin regulations that would make it more difficult to become licensed, stay licensed or even eliminate certain types of STRs for Austin citizens, with rental types other than CM Renteria's?

Let's review one of the Council Planning and Neighborhood Committee meetings in more detail:

**August 17, 2015** Council Planning and Neighborhoods Committee puts forward more than a dozen recommendations against short term rentals. At 2:30AM CM Renteria specifically asks for deferment on Tovo's recommendation to change existing ADUs (his ADU) from Type 1s to Type 2s. He objects to Tovo's proposal stating "this one to me says to me that if I own a secondary unit (which he did and did not disclose) then it will no longer be a Type 1a but a Type 2". CM Renteria states that new ADUs should be banned from receiving STR licenses but existing ADUs could be used as STR Type 1s and should not be classified as Type 2s.

Here we have CM Renteria speaking up and intentionally steering the council away from classifying his ADU as a Type 2 rental or restricting his ability to rent, even though he supported restricting new ADUs for other citizens. At this proceeding, CM Renteria also voted to: Restrict Type 1 rentals that were larger than his rental (limit occupancy to 6); Suspend new permits for Type 2 rentals; and begin a phaseout of Type 2s in residential areas; restrict supply of Type 3 rentals.

**So, In his conflicted STR votes and discussions, CM Renteria moved to restrict all types of STRs, other than his own. He also steered the Council away from regulations that would restrict his Type 1 rental.**

## Issues #6-9:

# Review of Code Provisions and Requested Relief

- We request a finding at the final hearing of the ERC on this matter that Code 2-1-24 (which is cumulative of other provisions of the Code regarding Ethics and Conflicts) were violated by CM Renteria with respect to all City Council proceedings and Neighborhood and Planning Committee hearings on the subject of STRs (and ADUs being used as STRs) within the meaning of the City Code.
- There are reasonable grounds to believe that a violation of the City Code provisions 2-1-24, et al and specifically including 2-7-63 Prohibition on Conflict of Interest within the jurisdiction of the ERC have occurred and this matter should be scheduled for a final hearing.
- We request that the ERC specifically direct the City Clerk pursuant to 2-1-24 (C) and (D) to vacate all City Council and Neighborhood and Planning Committee rulings from June 9, 2015 to February 23, 2016 regarding STRs (and ADUs used as STRs) where CM Renteria did not disclose his conflict of interest on his sign-in sheet and then voted to pass or advance restrictions on STRs.
- But for CM Renteria's vote and influence on Council proceedings (from which he should have recused himself), certain STR restrictions would not have passed. Accordingly the Council's restrictions on STRs should be vacated as being passed in violation of Code 2-1-24 and other provisions of the City Code.
- At the final hearing the ERC should direct the City Clerk to review all votes of the City Council and Neighborhood and Planning Committee and vacate all votes on STR matters by CM Renteria and invalidate the regulations which would not have passed without his votes.
- Votes cast in violation of Section 2-1-24 must be counted as absences by the Council Member. We request that the ERC review CM Renteria's violations of 2-1-24 for each meeting of the City Council or Neighborhood and Planning Committee where he did not disclose his conflict of interest on the sign-in sheet as required where STRs were discussed. If this happened more than 3 consecutive times in violation of 2-1-26, then the ERC must follow the procedures of 2-4-27 (Prosecution) which results in an automatic vacancy of CM Renteria's from Council seat.

Requested Discovery - The Code states that the complainant may request that certain evidence be presented for the final hearing in order to properly determine at the final hearing whether a violation of the city code has occurred.

We formally request that CM Renteria produce:

1. A list of all dates that he rented his property as a short term rental from 2012 to present;
2. The rental amounts collected and a print out of all of his AirBnB accounts that he has used or Renteria has created from 2012 to 2016 or other accounts under which the property was rented;
3. Print outs of the complete records and schedule of bookings which are available by logging in to such accounts with dates and amounts of the reservations;
4. Copies of bank deposits for his rentals;
5. Copies of CM Renteria's tax filings for occupancy tax for the City of Austin and State of Texas;
6. Copies of all of CM Renter's emails, communications, notes or other records of conversations with Austin City Council members related to short term rentals and ADUs being used as short term rentals dating back to January 2015 to the present;
7. Copies of all original sign-in sheets and dates of all Council meetings and committee meetings where CM Renteria voted upon or discussed STRs (including ADU proceedings);
8. The value of CM Renteria's interest in his home if he contends that it is not a "substantial interest" as defined by the Code (value greater than \$5,000).
9. Renteria's 2015 Financial Disclosure for his City Council seat.

# Issue #4

Was it a conflict of interest for CM Renteria to vote on matters related to STR restrictions, taxes and licensing in 2015-2016 if he violated Austin Code and State of Texas laws beginning in 2012 and continuing through at least 2014 while not having an Austin STR license or paying his occupancy taxes?

Let's review CM Renteria's statement to the ERC:



City of Austin

**Sabino "Pio" Renteria, Council Member  
District 3**

301 W. 2nd St., Austin, TX 78701  
(512) 978-2103, Fax (512) 978-2113  
*sabino.renteria@austintexas.gov*

Dear Ethics Review Commissioners,

From my time as a candidate for City Council in 2014 through the first three months of my time on Council in 2015 (January-March), my [REDACTED] and I operated an STR Type-I to supplement our income and help pay for our rising property taxes. During this time we were properly licensed, paid our taxes, and disclosed our source of income on all required financial forms.

In April of 2014, public records show, we chose not to renew our license to operate our STR Type-I. Therefore, by the time the Council began considering regulations on STR Type-IIs in the summer of 2015, we had not been licensed to operate nor had we operated an STR Type-I for several months prior. Correspondingly, we had no obligation to pay hotel occupancy taxes past Q1 2015 because we no longer sustained that source of income.



Here is the AirBnB listing for his STR, showing numerous rentals, which began in 2012, not 2014 as he stated to the ERC and continued to 2015:

SXSW Cottage - Smoking allowed!

Austin, TX, United States ★★★★★ (14)

Check In: mm/dd/yyyy Check Out: mm/dd/yyyy Guests: 1

Request to Book

Entire home/apt 5 Guests 2 Bedrooms 4 Beds

**About This Listing**

SXSW? See Details for more! Our one bedroom cottage is always ready. It's 1 block from the north side Lady Bird Lake Hike/Bike Trail, 5 blocks from Rainey Street District, and 7 blocks from the SXSW Convention Center. 1 full-size bed, 2 twin beds.

Contact Host

Save to Wish List

Share: [Email] [Facebook] [Twitter] [LinkedIn] [More]

(Screenshots taken 1/13/15)

Pio and [REDACTED] Renteria have been AirBnB members since Jan 2012, with 14 guest reviews of their stays. The Renteria's were "superhosts," a term reserved for the most active hosts on AirBnB.

The screenshot shows an Airbnb listing for 'SXSW Cottage - Smoking'. The page includes a navigation bar with tabs for Photos, About this listing, Reviews, The Host, and Location. The price is \$125 per night. The listing details include a check-in and check-out date selector, a guest count of 1, and buttons for 'Request to Book' and 'Save to Wish List'.

Annotations on the left side of the page highlight specific features:

- and Pio referenced**: Points to the 'About the Host' section, which features a photo of the host and a description of their community involvement.
- Members since 1/12**: Points to the 'View full profile' link, which shows the host's location (Austin, Texas, United States) and their membership start date (January 2012).
- Superhosts**: Points to the 'Trust' section, which displays the host's status as a Superhost, their 14 reviews, 1 reference, and a verified ID.
- Verified identity**: Points to the 'Verified ID' icon, which indicates that the host's identity has been verified.

Guest reviews are listed in reverse chronological order. Guest reviews are not a complete record of all bookings. A complete record could be obtained by CM Renteria by logging into the account. We are requesting this evidence (summary of evidence requested at end of this brief).

SKSW Cottage - Smoking

← → ↻ 🏠 AirbnB, Inc. [US] https://www.airbnb.com/rooms/321030?s=\_437#reviews ☆ 📄 ☰

Photos About this listing **Reviews** The Host Location

\$125

Per Night

14 Reviews ★★★★★

Summary

Accuracy★★★★★

Communication★★★★★

Cleanliness★★★★★

Location★★★★★

Check In★★★★★

Value★★★★★

Check In

Check Out

Guests


mm/dd/yyyy

mm/dd/yyyy

1 ▾

Request to Book


♥ Save to Wish List



Erin

The cottage was in a great location a couple blocks away from 6th [REDACTED] offered a warm welcome to the property, and we were pleasantly surprised to find a well-stocked kitchen fridge and cupboards with everything a traveler might need to make the stay more comfortable. [REDACTED] shared some great tips on where to find the best tacos and had helpful maps and other materials to guide us around Austin.


November 2014



John

Awesome overall experience, beautiful home and the most gracious of hosts. Ten minute walk to east 6th street.


November 2014



Mike

[REDACTED] and Pio were great. They couldn't have been better hosts. The house was clean and they even left some chicks and drinks in the fridge. We would stay with them again next time we are in Austin.


October 2014



Response from [REDACTED]

Thanks Mike. Come again, anytime. [REDACTED] and Pio


October 2014



Bennie

Nice location, super convenient. Host were welcoming, would definitely stay here again. Thanks again!

September 2014



Response from [REDACTED]

Thanks, Bennie. Come back soon! Pio and [REDACTED]

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Prior to April '14 the reviews are undated by AirBnB. However there are reviews showing rental activity in the 2+ year period between April '14 and Jan '12.

There are 6 reviews  
between 4/14 to 1/12



Screenshot of an Airbnb user profile page for 'Joseph' (SXSW Cottage - Smoking allowed!). The page displays a list of reviews from users: Thomas (April 2014), Hans, Young-Min, Marco, Elissa, and Sarah. The reviews are dated between April 2014 and January 2012, as indicated by the red text and arrow on the left. The reviews are as follows:

- Thomas (April 2014):** This place was really great we absolutely loved it. Really good location we walked to Rainey Street. The place has a great outdoor area and the sleeping arrangements were very comfortable. [redacted] and her husband were great I would definitely recommend.
- Hans:** Great place close to Convention centre. Warm and friendly hosts (with great fajitas).
- Young-Min:** [redacted] was wonderful host, place is as described in the picture. great price for what it offers.
- Marco:** [redacted] is very welcoming and the place was very clean and roomie, definitely recommend :)
- Elissa:** [redacted] and Pio were great host for our road trip. The cottage was in a perfect location for what we needed, they had a lot of great information about the area it made me and my friends want to stay longer and see it all. the neighborhood was very cute and peaceful. walking distance from the lake and only a few blocks to downtown. We would love to stay there again and highly recommend it, but if you not used to cigarette smoke it could be a small problem nothing that couldn't be fixed with a little perfume... again I would like to thank [redacted] and Pio for letting us stay in their home. I would definitely stay here again and would love to in the near future.
- Sarah:** [redacted] and Pio couldn't have been better hosts! They allowed us to celebrate our brother's graduation on their adorable patio. I can't imagine what our trip would have been like without the cottage (complete with everything you'd need to BBQ). Being able to bring family and friends from all over the US together in such a welcoming environment was the highlight of our trip. Most importantly, [redacted] and Pio are remarkable people, and it was really a pleasure to get to know them.

Guest reviews continued: Showing booking activity in the 2+ year period between Apr '14 and Jan '12, mentioning prior graduation and SXSW between this time, so they were bookings prior to Apr '14.

**References**

**graduation stay**

**References**

**SXSW stay**

**References**

**Started in 1/12**

**References (1)**

**Cristina**

**January 2012**

**Cristina is a Friend**

**and Pio couldn't have been better hosts!** The allowed us to celebrate our brother's graduation on their adorable patio. I can't imagine what our trip would have been like without the cottage (complete with everything you'd need to bbq). Being able to bring family and friends from all over the US together in such a welcoming environment was the highlight of our trip. Most importantly, **and Pio** are remarkable people, and it was really a pleasure to get to know them. If we're back in Austin, we'll be crossing our fingers that the cottage is available.

**Sarah**

**SXSW Cottage - Smoking allowed!**

**Great place!** Nice, mellow residential neighborhood very close to the river and all the fun East Austin spots. Kitchen/dining area was very spacious and they generously stocked the fridge with all sorts of staples. Wonderful hosts - you can tell their philosophy is 'me casa, su casa' and they're happy to share their space, equipment, whatever you need. Very relaxed low-key environment - you can hang out in their shared courtyard or keep to yourself at your own picnic table and stoop in the front of the cottage, whatever floats your boat. Lots of tourist info available about the area and local culture too....thanks **and Pio!** We had a blast.

**Alanna**

**SXSW Cottage - Smoking allowed!**

**We had a great experience** staying at the Eastside Cottage. The hosts, **and Sabino** were fantastic hosts. They even stocked our refrigerator and left us a guidebook for the area. Thanks for telling us about the Chipotle salsa at Chapala #1. The house was very close to the convention center and convenient for SXSW. The house was comfortable and they provided everything we needed. Be sure to check out the information **can** provide about the Tejano Trail and history of the neighborhood.

**Paula**

**SXSW Cottage - Smoking allowed!**

**The location of home is perfect** for all occasions in Austin, especially SXSW! There are not many homes that allow smokers, so act quickly on this one. The neighborhood has easy access to the Convention Center, Downtown Austin and venues on both sides of 6th Street. You will definitely enjoy your stay.

**Cristina**

**January 2012**

**Cristina is a Friend**

## CM Renteria's occupancy tax filings for City of Austin and State of Texas are incomplete, inconsistent and inaccurate.

- CM Renteria admits generating over \$5k in 2014 from his STR property and we see guest reviews of bookings going back as far as Jan '12 in his AirBnB account.
- Yet from Jan '12 – March '14 CM Renteria did not report this income as required by the Austin City Code and State of Texas according to records that were produced upon request (provided with filing).
- We also see that he reported income to the State of Texas in Q3 '14 and failed to report income to Austin.

CITY OF AUSTIN					STATE OF TEXAS
Hotel/STR Name	Hotel/STR Address	Report Period	Gross Receipts	Principal Paid	Gross Receipts
Eastside Cottage		Q12012-Q12014	NONE	NONE	NONE
Eastside Cottage		Q22014	\$ 844	\$ 76	\$ 844
Eastside Cottage		Q32014	NONE	NONE	\$ 609
Eastside Cottage		Q42014	\$ 1,708	\$ 154	\$ 1,707
Eastside Cottage		Q12015	\$ 3,734	\$ 336	\$ 3,734
Total		Q42014-Q12015	\$ 5,442		

CM Renteria did not obtain an Austin STR license while he was short term renting on AirBnB as a Superhost for over 2 years (Jan '12 - Apr '14). He only obtained his STR license from Apr '14 – Apr '15.

https://www.austintexas.gov/ Election Watch Party Ton

https://www.austintexas.gov/devreview/b\_showpublicpermitfolderdetails.jsp?FolderRSN=11119130

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My Licenses

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My Escrow Accounts

Reports

Login

**HELP**

Web Help

**FEEDBACK**

Contact PDR

**FOLDER DETAILS**

Permit/Complaint	Case Number	Description	Sub Type	Work Type	Project Name	Status	Application Date	Issue Date	Expiration Date
2014-035087 OL			Short Term Rental Type 1		Eastside Cottage - Unit 2	Active	Apr 7, 2014	Apr 10, 2014	Apr 10, 2015

Related Folders: No

**PROPERTY DETAILS**

Number	Pre.	Street	Street Type	Dir	Suite Type	Suite Number	City	State	Zip	Legal Desc
										Lot: 5 Block: 1 Subdivision: MAGNOLIA ADDITION

Lot: 5 Block: 1 Subdivision: MAGNOLIA ADDITION

**PEOPLE DETAILS**

Desc.	Organization Name	Address	City	State	Postal	Phone1
Billed To						

**FOLDER FEE**

Fee Description	Fee Amount	Balance
Notification/Renotification	\$50.00	\$0.00
Operating Licenses Fee	\$235.00	\$0.00

**PROCESSES AND NOTES**

Process Description	Status	TOD	Schedule Date	Start Date	End Date	Assigned Staff	# of Attempts
Notification Team	Closed		Apr 10, 2014	Apr 24, 2014	Apr 24, 2014	Rosa Cervantes (512-974-6422)	1
Lodging Annual Inspection	Open					Marcus Elliott (Cashier) (512-974-1951)	0

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Issue #4 Conclusion: It was a conflict of interest for CM Renteria to vote on matters related to STR restrictions, taxes and licensing in 2015-2016 for Austin citizens, where CM Renteria himself violated Austin Code and State of Texas laws from 2012 to 2014 while not having an Austin STR license or paying his occupancy taxes.

- It was a conflict of interest for CM Renteria to vote on proposed City of Austin regulations that would make it more difficult to become licensed, stay licensed or even eliminate certain types of STRs for Austin citizens, with rental types other than CM Renteria's.
- In '15 and '16, CM Renteria voted to set the occupancy limit for short-term rentals as the lesser of six adults; which would take short term rentals with more capacity than his rental out of compliance and reduce supply (economically favoring his rental). He voted to implement an immediate suspension on all new Type 2 short term rental licenses. He voted to initiate a phased-in process to limit Type 2 short term rentals to commercially zoned areas, and require Conditional Use Permits for continued operation of Type 2s in single family zoning. He voted to repeal the provision that allows 25% of multifamily units in commercially zoned areas to be removed from rental market as Type 3 STRs, and cap at no more than 1-3%.
- In summary, CM Renteria voted on other provisions that would restrict all types of short term rentals, other than his Type 1 STR.