

Licensed Lodging Establishment Rule
Revision Summary for Second Comment Period

Introduction: The first public comment period on the proposed Licensed Lodging Establishment Rule was December 23, 2015 – February 15, 2016. The Department has completed its initial review and revised the rule accordingly. In response to the number of comments received and the determination by the Department that the public should see proposed revisions, the proposed rule will be subject to a second public comment period, including a second public hearing. The second comment period will be **June 13, 2016 – July 25, 2016**. The second public hearing on **July 18, 2016** at 2:00 PM in room 2B at 108 Cherry Street, Burlington, VT 05402.

The revision is posted with this document at: http://healthvermont.gov/admin/public_comment.aspx.

All revisions from the initial proposed rule appear in red.

Comments can be sent to ahs.vdhrules@vermont.gov or to: Lillian Colasurdo / Vermont Department of Health / PO Box 70 / 108 Cherry Street / Burlington, VT 05402.

Summary of Significant Comments and Proposed Changes:

- 1) **Air B&B Comments:** The Department received several comments requesting that parties renting accommodations through internet-only lodging reservation sites such as Airbnb.com be required to obtain a license to operate a lodging establishment. The proposed revised rule would apply to some establishments advertising through such websites if they rent three or more units or meet the definition of a “bed and breakfast” under the rule. Given the thousands of available rooms for rent through internet-only lodging reservation sites, the Department lacks the resources to inspect all such establishments.
- 2) **Self-catered cottages:** Several comments articulated the differences between a more traditional lodging establishment, such as a hotel or bed and breakfast, and a self-catered cottage rental particularly with respect to housekeeping practices. For instance, the common expectation is that such units are not cleaned by the proprietor every day unless advertised as such. A definition for these types of establishments has been added in subsection 4.18.5 and relevant exemptions in the rule have been listed in subsection 24.1.
- 3) **Children’s camps:** Several comments articulated the differences between a more traditional lodging establishment like a hotel or bed and breakfast and a children’s camp. As applied to camps, requirements for a traditional hotel are inapt. To address this issue, a definition for children’s camps has been added to subsection 4.18.4 and relevant exemptions in the rule have been listed in subsection 24.2.
- 4) **General changes, Strikethroughs, Clarification:** The Department reviewed all other comments and clarified or amended provisions to decrease certain burdens on establishments while still protecting public health.

The Department welcomes all comments to this revision and hopes to finalize the rule in the early fall.