

2019 -- H 5770

LC001489

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

A N A C T

RELATING TO BUSINESSES AND PROFESSIONS - HOTELS

Introduced By: Representatives Vella-Wilkinson, Williams, Morin, Marszalkowski, and Jackson

Date Introduced: February 27, 2019

Referred To: House Small Business

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 5 of the General Laws entitled "BUSINESSES AND PROFESSIONS"
2 is hereby amended by adding thereto the following chapter:

3 CHAPTER 14.1

4 UNLICENSED RENTALS ACT

5 **5-14.1-1. Short Title.**

6 This chapter shall be known and may be cited as the "Unlicensed Rentals Act."

7 **5-14.1-2. Definitions.**

8 As used in the chapter, the following terms shall have the following meanings:

9 (1) "Short-term rental listing service" means a business which facilitates or arranges the
10 renting of short-term rental units, whether through the listing of short-term rental units on a
11 website or through other means, but does not include any business whose primary function is
12 ownership, management or marketing of duly licensed broker or salesperson.

13 (2) "Short-term rental provider" means a person who receives payment for owning or
14 operating a short-term rental unit.

15 (3) "Short-term rental unit" means a residential dwelling of any type, including a single-
16 family residence, apartment, condominium or cooperative unit, in which a person can obtain
17 sleeping accommodations for less than thirty (30) days.

18 **5-14.1-3. Right to Eject.**

19 (a) A short-term rental provider may remove or cause to be removed from a short-term

1 rental unit a guest or other person who:

2 (1) Refuses or is unable to pay for accommodations or services;

3 (2) While on the premises of the short-term rental unit, acts in an obviously intoxicated
4 manner, destroys or threatens to destroy short-term rental unit property, or causes or threatens to
5 cause a public disturbance;

6 (3) The short-term rental provider has direct knowledge a person is using the premises for
7 the unlawful possession or use of controlled substances by the person in violation of chapter 28 of
8 title 21, or using the premises for the consumption of alcohol by a person under the age of
9 twenty-one (21) years of age in violation of chapter 8 of title 3;

10 (4) The short-term rental provider has direct knowledge a person has brought property
11 into the short-term rental unit that may be dangerous to other persons, such as firearms or
12 explosives;

13 (5) A person violates any federal, state or local laws, ordinances, or rules relating to the
14 short-term rental unit; or

15 (6) Violates a rule of the short-term rental unit that is clearly and conspicuously posted in
16 the unit.

17 (b) If the guest has paid in advance, the short-term rental provider shall tender to the
18 guest any unused portion of the advance payment at the time of removal.

19 **5-14.1-4. Right to Reject.**

20 A short-term rental provider may refuse to admit or refuse service or accommodations to
21 a person who:

22 (1) While on the premises of the short-term rental unit, acts in an obviously intoxicated
23 manner, destroys or threatens to destroy short-term rental unit property or causes or threatens to
24 cause a public disturbance.

25 (2) The short-term rental provider has direct knowledge a person is seeking
26 accommodations for the unlawful possession or use of controlled substances in violation of
27 chapter 28 of title 21 or the use of the premises for the consumption of intoxicating liquor by a
28 person under the age of twenty-one (21).

29 (3) A person under the age of eighteen (18) years if they are not in proper condition or are
30 unable to pay for their charges.

31 **5-14.1-5. Local Control.**

32 (a) All short-term rental units must comply with municipal laws and regulations.

33 (b) Cooperative buildings, condominium buildings and other buildings governed by a
34 homeowners association or other such bodies shall retain the right to regulate short-term rentals in

1 the bylaws of the homeowner's association.

2 **5-14.1-6. Safety and health.**

3 (a) A short-term rental provider shall maintain the facility in a sanitary condition.

4 (b) A short-term rental provider may not rent a unit to a person succeeding a previous
5 occupant before thoroughly cleaning the unit and providing clean and sanitary sheets, towels, and
6 pillowcases.

7 (c) The department of health and the fire marshal may inspect short-term rental units at
8 its discretion to ensure that the property meets applicable safety, emergency and health standards.

9 (d) The short-term rental provider shall post a clearly visible list of emergency
10 information, including emergency numbers, emergency exit information, and the location of fire
11 extinguishers or pull fire alarms.

12 **5-14.1-7. Insurance.**

13 A short-term rental provider shall have at least three hundred thousand dollars (\$300,000)
14 in property and casualty insurance to cover damage done by, or suffered by, any person renting
15 the short-term rental unit from the short-term rental provider.

16 **5-14.1-8. Accessibility Requirements.**

17 A short-term rental provider who offers to rent out two (2) or more bedrooms within one
18 building, whether in one short-term rental unit or multiple short-term rental units, must comply
19 with all accessibility requirements to which places of public accommodation are subject.

20 **5-14.1-9. Civil Rights.**

21 Each short-term rental unit shall be deemed to be a public accommodation. It shall be
22 unlawful for any person that owns, leases, rents, operates, manages or in any manner controls
23 such public accommodation to withhold, deny, curtail, limit or discriminate concerning the full
24 use of such public accommodation by any individual because of the individual's race, color, sex,
25 gender identity, age, religion, disability, national origin, ancestry, sexual orientation, marital
26 status, parental status, military discharge status or source of income.

27 **5-14.1-10. Penalties.**

28 Short-term rental listing services and short-term rental providers shall be fined five
29 hundred dollars (\$500) for each applicable violation of this chapter.

30 SECTION 2. This act shall take effect upon passage.

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO BUSINESSES AND PROFESSIONS - HOTELS

- 1 This act would provide guidelines and restrictions pertaining to short-term rentals to
- 2 address health and safety concerns.
- 3 This act would take effect upon passage.

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