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SHORT-TERM RENTALS

Short-Term Rentals

The City of Orlando is implementing a new ordinance to support the “sharing economy” and allow for residents to have greater flexibility in renting out a portion of their home, condo or apartment for short term stays.

The new ordinance would allow for residents to “host” guests in individual bedrooms, garage apartments, etc. within all residential zoning districts; provided that there is only one booking at a time and that the resident lives on site and is present when hosting guests. The rental portion of the residence must be an accessory use to the primary use being residential housing, whether owner or long-term tenant occupied. In addition, the rental portion of the residence must be a subordinate area of the entire home, meaning the rental does not constitute a majority of the entire residence.

The ordinance requires that the resident register their rental online and pay an annual fee of \$275 for the first year (which is the normal price for a Planning Official Determination) and \$125 each year after and \$100 each year after for owner-occupied properties. Registration applications will be reviewed by the planning official. Any property that advertises online must include the city registration with any online listing offering the property for home sharing. (Staff is currently creating a system that would make this process as easy as possible).

The ordinance would “sunrise” and become effective July 1, 2018 in order to allow time for residents to become familiar with the new requirements. A community education and outreach process will begin a month prior to inform residents of this new ordinance.

Due to the increasing popularity of online short term rental websites such as Airbnb and VRBO, the City of Orlando is experiencing a growing number of homes being rented out in whole or in part for short term stays, stays generally for periods of less than 30 days.

Under its current code, most short term rentals are not allowed in the City of Orlando.

Modifying the code to allow for residents to host guests for short term stays has many benefits, including:

For the city:

- Promotes tourism within the city and allows visitors to experience our city its and unique neighborhoods.
- Reduces the potential impacts that the short-term rental of entire dwelling units could have on housing affordability and the inventory of housing stock.
- Supports the “sharing economy” and enhances Orlando’s reputation as a leader of emerging technologies and innovation.
- Brings additional tax revenue to our community as tourist development taxes are collected by the Orange County Comptroller.

For the resident:

- Provides an extra source of income for homeowners/tenants.
- Provides a temporary housing option for residents who may have a need for short term accommodations.

For the visitor:

- Provides an opportunity for visitors to have an authentic Orlando experience being hosted by a local resident.

For the neighbor:

- Protects the character of our neighborhoods with hosted units which limits the ability of corporations and/or investors buying multiple properties with the intention of renting them out in their entirety.
- Reduces the potential for noise, parking and traffic nuisances because the permanent resident is on site to help mitigate issues.

What will be required of residents who choose to host guests for short term stays?

- The resident must live on site and be present when hosting guests.
- The resident would be required to register their rental online and pay the annual fee of \$275 for the first year and \$120 each year after and \$100 each year after for owner-occupied properties.
- To show proof the short term rental unit is the licensee's primary residence, licensee must show two forms of proof of residence.
- Licensee must have notarized permission from the landlord or property owner to operate a short term rental, if the licensee is not the property owner.
- Licensee would have to verify the total number of bedrooms on the property and how many will be devoted to hosted visits (to ensure that a majority of the home is not being rented).
- Special events/parties (weddings, concerts) would be prohibited.
- Only a single booking is allowed at one time. For residents who choose to host multiple guests at one time, applying to operate a bed and breakfast may be a more suitable option.

Can I rent out my home or apartment in its entirety?

While this new ordinance does not allow for entire residences to be used as short term rentals in residential zoning districts, there is a previous ordinance that could accommodate some residents who want to rent out their entire home or apartment with a minimum stay of seven (7) days.

If your home is located in a non-residential zoning district or zoning districts where multi-family residential is allowed, you may be able to rent out your residence as a Commercial Dwelling Unit for a length of stay between seven and 30 days. A business tax receipt is required from the City's Permitting Services Division to establish this commercial use, as well as permission of the property owner.

Using an entire residence for short term rental stays that are less than seven days is considered the operation of a hotel/motel, which is not an allowed use in most residential zoning districts.

What should I do if my neighbor is renting out all or part of his or her residence and I have complaints?

Complaints from residents about short term rentals have included too many vehicles at the residence, noise and garbage impacts and their dissatisfaction for having people coming and going often. If you have a complaint about your neighbor's short term rental operations, please contact the City's Code Enforcement Division at 407.246.2686 or cityoforlando.net/code-enforcement.

I thought Orange County is collecting Tourist Development Taxes on short-term rentals. Doesn't that mean short-term rentals are allowed in Orange County?

The Orange County Comptroller has negotiated an agreement to have Tourist Development Taxes remitted on Airbnb rentals. This does not allow for the operation of Airbnb rentals in all areas of Orange County. In fact, Orange County's zoning and short term rental ordinances only allow for short-term rentals in approximately 4% of the county. The Comptroller collects these taxes whether the short-term rental is legal or not.

Can my Homeowner's Association regulate my ability to rent my home on a short-term basis?

If a residential property is within a homeowners association (HOA), the homeowner should check whether there are further limitations on the use of the property through their particular HOA's private Codes, Covenants and Restrictions (CC&R's). The city will be asking residents for HOA sign-off if you are part of a mandatory HOA.

More information:

If you have additional questions about short-term rentals, please call the City Planning Division at 407.246.2269 and ask for the Planner on Call, or e-mail them at cityplanning@cityoforlando.net.

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