

Certified Property Manager Reading Material

BACKGROUND

How does Permit Sonoma define a vacation rental?

Vacation rental means the tenancy of residential property for a term of thirty (30) days or less that is subject to transient occupancy tax when the owner does not remain in residence during the rental period. Vacation rentals do not include Bed and Breakfast Inns or hosted rentals.

How does Permit Sonoma define a certified property manager?

A vacation rental must be managed by a certified property manager. A certified property manager is an individual who has successfully completed the training course and passed the certification test administered by the County. A licensee can be a certified property manager if the requirements of this section are met. A property management company cannot be a certified property manager, but may employ or work with a certified property manager.

How does a property manager become certified?

A property manager becomes certified by taking the [Property Manager Certification Exam](#).

In order to obtain the certification, you must:

- Take the test and received a passing score of 26. If you do not achieve a passing score the first time you take the test, you may retake the course
- Have paid the Property Manager Certification Course fee. Instructions on how to pay the fee will be sent via email after passing the course

What are the most common complaints associated with vacation rentals?

Noise, parking, parties, and trash are the most common complaints.

PERMITTING STANDARDS

What permits are required to operate a Vacation Rental?

The property owner must obtain a 1) Vacation Rental Permit; 2) Vacation Rental License and 3) Transient Occupancy Tax (TOT) Certificate. Vacation rentals legally operated between October 26, 2018 and October 26, 2023 in the Coastal Zone do not need a Vacation Rental Permit, but must have a valid TOT Certificate and obtain a Vacation Rental License.

If the property is governed by an HOA or similar private entity, contact them in advance of application. Permit Sonoma does not enforce private CC&Rs or easements.

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When do permits expire?

Vacation Rental Zoning Permits only expire upon sale or transfer of the property. They may also be suspended or revoked if violations have occurred. If a new property owner wishes to operate a vacation rental, they are required to apply for a new permit.

Vacation Rental Licenses expire after 1 year from the date of issuance. The applicant must reapply for renewal and pay the associated fee. A license or renewal will not be issued if there is an open code violation associated with a vacation rental on the property or if TOT payments are in arrears.

What is the maximum occupancy of a vacation rental?

Two guests per bedroom, plus two additional guests per property – and not to exceed a maximum of 12 people at any time, not including children under three years old.

Where are Vacation Rentals allowed or prohibited?

County Code limits vacation rental use to the following zoning districts: AR, RR, C2, LC, K, LEA, DA, and RRD. Vacation Rentals are prohibited on parcels subject to a Land Conservation Act (Williamson Act) Contract, or that are part of a Vacation Rental Exclusion (X) Combining District.

What type of structures can be used for the vacation rental?

Vacation rentals may only take place in a single-family residence or in a legally permitted guesthouse.

Vacation rentals may not take place in the following structures:

- Accessory, junior accessory dwelling units or affordable housing
- Farm family units or agricultural employee units
- Non-habitable structures
- Timeshares

OPERATIONAL STANDARDS

Noise

All activities associated with the vacation rental must meet the noise standards contained in the vacation rental license ordinance. Daytime noise limits apply between 7 am and 9pm and nighttime noise limits apply at all other times.

Guests should be instructed to avoid activities during quiet hours that disturb neighbors such as parties, dumping the recycling, slamming of car doors when guests are arriving or departing from the vacation rental, extended conversations outside, gatherings on decks or in hot tubs, etc.

Note that outdoor amplified sound is prohibited at all times.

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Lighting

Exterior lighting must be fully shielded, downward facing, and may not reflect off of structures (e.g. floodlights and up-lighting is prohibited). Light fixtures must not be located at the periphery of the property. If security lighting is present, it must utilize motion sensors.

Parking

Parking shall be provided as follows:

# of Bedrooms in the Vacation Rental	# of On-site Parking Spaces
1-2	1
3-4	2
5+	3

All rental agreements and listings for the property must specify the maximum number of vehicles allowed.

Trash and Recycling

Trash and recycling containers may not be stored within public view except when placed out for pickup. Containers cannot be placed at the pickup location prior to pickup day and must be returned to screened storage areas within twenty-four hours. Trash containers may not block roadways, on-street parking areas, bike lanes, or sidewalks at any time.



Fire Safety and Emergency Preparedness

A vacation rental property must maintain defensible space in compliance with Chapter 13A of County Code. **Outdoor burning of solid fuels is prohibited**, including fire pits

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and BBQ's. Outdoor gas or electric appliances are permitted. **Possession or discharge of fireworks is prohibited in Sonoma County at all times.**

If a vacation rental is located behind a locked gate, a gate code or a lockbox with keys must be provided for exclusive use by first responders.

The following must be provided to guests with instructions posted in the vacation rental:

- Written evacuation instructions identifying the evacuation zone, evacuation route, and the Calfire Evacuation Checklist
- A NOAA Alert Weather Radio with operating instructions
- An operational telephone land line or broadband-connected VoIP phone

If a Voluntary Evacuation Order is issued, the property manager must instruct guests to leave the property immediately and exit the evacuation zone.

Advertisements and Posting

Once a Vacation Rental has been approved, a copy of the permit and license, and all applicable standards and limits must be posted within the vacation rental property. The owner is required to post these standards in a prominent place inside and within six feet of the front door of the vacation rental and include them as part of all rental agreements.

Permit Sonoma staff will provide mailed notice of permit issuance to property owners and immediate neighbors within 300 ft. of the vacation rental property boundaries. All advertising handouts, flyers, internet listings, or any other information provided for vacation rentals must conform to the approved occupancy limits and standards as listed on the Vacation Rental Permit and License.

Advertising may only be conducted for properties with issued permit, license and TOT certificates. Advertising for a particular property inconsistent with the approvals for that property is a violation of the Vacation Rental Code and may result in citation or penalties.

RESPONSIBILITIES AND ENFORCEMENT

Am I qualified to serve as the property manager of a vacation rental?

Property managers must be certified and must be available to respond to complaints 24 hours a day, 7 days a week during the rental period.

What is the process to change property manager information for a vacation rental?

Updated certified property manager information is essential to ensure the neighbors have access to current contact information.

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If there is a change of property manager, you must submit a [Property Manager Update form \(PJR-132\)](#), and must include the signature, address, and contact information of the certified property manager and the effective date of the change in representation. A fee will be required and Permit Sonoma will provide notice to surrounding neighbors, including updated contact information.

In the case that a property manager is no longer representing a vacation rental, they should notify Permit Sonoma staff by email at PRMD-VacationRentals@sonoma-county.org. If internet access is not available, the property manager may call the vacation rental hotline at (707) 565-1932.

In case of complaints, how should a property manager respond?

The property manager must be available at any time when the property is rented.

When a certified property manager receives a complaint related to a vacation rental from either the public or the department, the certified property manager must contact the tenants within one (1) hour between 7:00 a.m. and 9:00 p.m., and within thirty (30) minutes between 9:00 p.m. and 7:00 a.m.

If a property manager is unable to resolve a complaint related to a vacation rental, they must immediately report the issue to Code Enforcement at Permit Sonoma.

If the property manager arrives to the site and feels that it is not safe to intervene in a situation with renters or neighbors, they should call the sheriff and remain in contact until the situation has been resolved.

Do property managers need to report complaints to Permit Sonoma staff?

Yes. When a complaint is received by a property manager, they are responsible for reporting to Permit Sonoma staff within 24 hours of the occurrence. The [Submit Incident Report Form for Property Managers](#) may be used to report any such complaints.

If internet access is not available to the property manager, the complaint and resolution may be reported to Permit Sonoma staff via the vacation rental email at: PRMD-Enforcement@sonoma-county.org or vacation rental hotline at (707) 565-1932.

Failure to respond to complaints or to report complaints to Permit Sonoma staff is considered a violation of the Vacation Rental Code and may be cause for revocation of certification status.

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How does Permit Sonoma enforce vacation rentals?

Any violation of vacation rental regulations may be subject to penalties including fines, revocation of license, and prohibiting the future use of a property. Fines have increased up to \$1,500 for a first violation, \$3,000 for a second violation and \$5,000 for a third violation, though even single violations may be grounds for revocation or suspension of a license.

Examples of violations of the Code that could result in penalties or potential license revocation include, but are not limited to:

1. Exceeding the maximum permitted occupancy
2. Noise violations, including the use of outdoor amplified sound
3. Unsecured pets and/or nuisance barking
4. Outdoor burning of solid fuels
5. Possession or discharge of fireworks
6. Failing to maintain defensible space
7. Operation of a vacation rental without a current certified property manager on file
8. Failure of the property owner to include the specified limits in rental agreements and online listings or advertisements
9. Failure to include the individual property's Transient Occupancy Tax Certificate number in all contracts, advertising and online listings
10. Failure of the property owner to maintain current Transient Occupancy Tax status, or operating without a Vacation Rental License
11. Failure to pay fees or civil penalties associated with the vacation rental

BEST PRACTICES

Best Practices can be remembered by a simple acronym – MANAGE!

M	MONITOR Monitor the guests to ensure they are compliant with the performance standards
A	ANSWER Respond to calls from neighbors 24/7
N	NOTIFY Inform the neighbor on how you plan to resolve the issue
A	ADDRESS Address complaints and ensure the problem is solved within the required timeframe
G	GO Visit the property if the problem persists
E	EVIDENCE Create a record of all complaints received and send reports to Permit Sonoma

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Communication

What are the best communication practices for property managers?

It is always a best practice to communicate with neighbors of a vacation rental as much as possible. Neighbors must always have access to the 24-hour contact information in case of any issues. Permit Sonoma staff will notify all neighbors and property owners with this information through the mailing of postcards; however, property managers who contact neighbors before the official notice is received help to ensure neighbors that a real person is watching out for them and is sincerely interested in hearing about their experiences. Open communication between the neighbor and property manager will make resolution of any future issues easier.

When a property manager receives a complaint from a neighbor, it is a best practice to inform the neighbor on how you will resolve the issue. It is important to ensure that the neighbor feels comfortable to call again if the problem persists. While the Property Manager is not required to visit the vacation rental every time a complaint is received, the property manager is responsible for resolving the complaint within specified time limits. It is a best practice to follow through with the neighbor with all actions that the property manager has taken to resolve the issue.

When reporting complaints and resolution to Permit Sonoma staff, please use the [Submit Incident Report Form for Property Managers](#) and include the date of the complaint and all communication with the neighbor and renters. Property manager reports allow Permit Sonoma staff to ensure that the complaints were addressed and resolved.

Screening

Screening guests prior to booking the vacation rental helps to ensure that the occupancy is compatible with the vacation rental and the surrounding neighborhood. Screening guests does not need to be a long process! Asking potential renters a few questions about the guests that will be joining them and their plans for the stay will help the property manager recognize if the renters are planning to rent the property respectfully. The following are examples of questions the property manager may ask guests prior to booking:

- What is the purpose of the guest's trip? Will the guests be celebrating a special occasion, such as a bachelorette/bachelor party, birthday, wedding party, etc.?
- Have the guests stayed in a short-term rental before?
- How many adults and children will be staying in the vacation rental? Will additional guests be visiting?
- Do the guests smoke?
- Will the guests be bringing pets to the vacation rental?

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Does the property manager need to meet the guest's in-person at the vacation rental?

While meeting guests at a vacation rental is not required, Permit Sonoma considers it a best practice to greet vacation rental guests in person during the initial guest check-in at the vacation rental. The property manager may utilize this opportunity to help guests with their bags and luggage, go over emergency procedures, and remind the guests of the performance standards.

Posting Performance Standards

What are some best practices for ensuring that renters understand the performance standards of the vacation rental?

The Vacation Rental Code requires a copy of the permit, license and TOT certificates, listing all applicable standards and limits to be posted within six feet of the front door and included as part of all rental agreements. It is a best practice for property managers to post vacation rental standards in multiple places in the vacation rental.

Recommended places for posting performance standards include near pools, hot tubs, dining areas/kitchen, etc.

Note: Information about the vacation rental standards may be kept in a binder or on laminated signs throughout the vacation rental.

If the property manager is unable to meet with guests on the site and must instead speak with guests over the phone, they should inform the guests of the performance standards prior to and following booking. Permit Sonoma considers it a best practice to remind guests that their deposits may be forfeited if the renters are not in compliance with the vacation rental performance standards.

Adjusting Occupancy

The maximum overnight occupancy for vacation rentals is specified on the issued permit. The code prohibits occupancy in excess of two persons per bedroom, plus two additional persons per property, and never allows more than 12 persons on the premises at any time. Children under three years of age are excluded from this maximum.

The property manager may choose to set lower limits than the amount allowed by their permit. For example, if the permit sets a maximum occupancy of 10 people, the property owner may decide to allow a maximum occupancy of eight people.

Strategies for Success

What additional practices may be used to operate a vacation rental more effectively?

There are many ways to make vacation rentals run smoothly. The following strategies are considered best practices to create more welcoming and safe environment for

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guests and ensure the vacation rental operates in compliance with the performance standards:

- Noise monitors that measure decibel levels and will notify renters when noise levels exceed standards
- Motion sensor lights may be a good option to ensure outside and inside lights are not left on when not in use
- Investing in a security system will help reassure the guests that you care about their safety and want them to enjoy a comfortable stay
- Updating facilities to be suitable for children will allow families to feel comfortable bringing their entire family to the vacation rental
- Maintain well established emergency procedures, see below

Note: It is important for a property manager to remember that a good relationship with the neighbors is the most effective tool in maintaining a successful vacation rental.

TRANSIENT OCCUPANCY TAX

What is the Transient Occupancy Tax?

The Transient Occupancy Tax (also known as the Hotel Tax or Tourist Tax) is a tax only on guests staying overnight at hotels, bed and breakfasts, campgrounds, vacation rentals, and similar overnight stay establishments for 30 days or less. Transient Occupancy Tax is currently levied at a rate of 12% in Sonoma County and is authorized under State Revenue and Taxation Code Section 7280. A Transient Occupancy Tax Certificate is required to operate a vacation rental.

How can a TOT certificate be obtained?

In order to register to obtain a Transient Occupancy Tax Certificate, the applicant must submit a Registration Form to the Transient Occupancy Tax Program at the Tax Assessor's Office (not Permit Sonoma). The applicant must file a Transient Occupancy Tax Return and remit the collected taxes pursuant to Sonoma County Ordinance 5823 on a quarterly basis to the Sonoma County Treasurer-Tax Collector.

How is the TOT revenue spent in Sonoma County?

The Sonoma County Board of Supervisors has maintained a policy since 1986 for how TOT revenue will be spent:

- 25% goes to the County General Fund for projects like roads repairs; and
- 75% is used to encourage tourism, agriculture, and economic development in the County by supporting a series of promotional, community, and cultural activities.

Funds are also used to address the impacts of tourism within Sonoma County. These expenditures help pay for fire and emergency safety services, workforce housing, workforce development, protection of water quality, code enforcement and operator compliance, roads repair and improvement, and event facilities improvements such as for Veteran's Halls. The policy for the use of TOT funds is reviewed annually.