

But There's No Ice Machine

By Reg P. Wydeven
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As a wedding present, my wife and I received a gift certificate to a bed and breakfast in Door County. A few months after our wedding, we used it. When we arrived, we were greeted by the proprietors of the b'n'b, a couple in their mid-80s. The wife took us to our room, but because of her bad hip, the journey up the stairs took about 15 minutes.

Our pink room was small but nice. She also showed us the bathroom that we would be sharing with the three other couples staying there that night. She explained that I could put my Mountain Dew in their fridge next to their prune juice. For entertainment, they had Parcheesi and a 13" television in the living room with three VHS movies to choose from: 'On Golden Pond,' 'Cocoon,' and 'It's a Wonderful Life.' Because it was approaching 7:00 p.m., though, she informed us she would be turning in.

After our 6:30 a.m. wakeup call the next day that we did not request, I thought that I might not be a bed and breakfast kind of guy. I knew for sure as I hopped cross-legged up and down the hallway waiting for the bathroom. The weekend confirmed that I like the private bed, bathroom, TV and fridge that I get in a hotel room.

That's why I never heard of the popular website Airbnb.com. The site allows homeowners to rent out their empty homes for short periods of time, typically 30 days or less. Typical "hosts" may be out of town on vacation, wintering or summering in another state or away on business.

Apparently Eric Schneiderman, the State of New York's Attorney General, isn't a fan either. He's investigating the popular website in an effort to protect New York City's hotel industry, inhabitants of apartments and tourists.

Schneiderman claims that more than half of the revenue generated by the San Francisco-based Airbnb in New York is from illegal hotels. In 2010, New York City passed the Multiple Dwelling Law, which prohibits anyone from renting out entire apartments for less than 29 consecutive days. New Yorkers can rent out rooms within their residence for short periods of time, provided they are living there, too.

Because of this law, Schneiderman argues that Airbnb hosts should be regulated like hotels. In other words, they need to comply with fire and safety codes, obtain necessary permits and licenses, and pay all appropriate taxes and fees.

To back his claims, last fall Schneiderman issued a subpoena to Airbnb seeking three years of information, including all hosts' names, addresses, user IDs on the site and addresses of all their rental units. He also sought the date, durations, rents charged and the method of payment for each. Schneiderman even lobbied to obtain the total gross revenue received by each host.

Airbnb sought to quash the subpoena, claiming the request is nothing more than a fishing expedition by Schneiderman. They further argue that the subpoena is overreaching, as the Multiple Dwelling Law is unique to New York City, while the attorney general's request covers all hosts within the entire state. Finally, Airbnb believes the inquiry violates their members' right to privacy.

I don't know about the hosts, but as a bed and breakfast guest, I definitely felt my right to privacy was violated.

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