

230-RICR-30-20-4

TITLE 230 – DEPARTMENT OF BUSINESS REGULATION

CHAPTER 30 – COMMERCIAL LICENSING

SUBCHAPTER 20 – REAL ESTATE

PART 4 – Short-Term Rental Property Registration

4.1 Authority

This Part is promulgated pursuant to the authority granted in R.I. Gen. Laws § 42-63.1-14.

4.2 Purpose

The purpose of this Part is to establish standards and procedures for the registration of short-term rental properties listed for rent on the website of any third-party hosting platform that conducts business in Rhode Island.

4.3 Definitions

A. In addition to the terms defined in R.I. Gen. Laws § 42-63.1-2, for this Part, the following terms shall have the following meanings:

1. “Department” means the Department of Business Regulation.
2. “Director” means the Director of the Department of Business Regulation or his or her designee.
3. “Owner” has the meaning set forth in R.I. Gen. Laws § 42-63.1-2. Note that the definition of “Owner” includes a lessee where the lessee is offering a residential unit for “tourist or transient” use.
4. “Registrant” means the Owner registering a property with the Department as a short-term rental as required by R.I. Gen. Laws § 42-63.1-14.
5. “Registration” means a Registration for a short-term rental property as required by R.I. Gen. Laws § 42-63.1-14.
6. “Rooms for rent” means the number of rooms in the short-term rental exclusive of bathrooms and kitchens.
7. “Short-term rental” has the meaning set forth in R.I. Gen. Laws § 42-63.1-14(b).

4.4 Registrations

In accordance with R.I. Gen. Laws § 42-63.1-14, all short-term rental properties listed for rent on the website of any third-party hosting platform that conducts business in Rhode Island must be registered with the Department.

4.4.1 Applications for Registration

- A. Every Owner of a short-term rental property subject to R.I. Gen. Laws § 42-63.1-14 shall submit a complete application to the Department along with the applicable fee for each property advertised for short-term rental.
- B. Registrations will be issued for each property. If a person or entity operates multiple short-term rental properties, each individual property must be separately registered with the Department.
- C. The application shall include the information set forth in R.I. Gen. Laws § 42-63.1-14(d) and any other information the Department may require.
- D. Upon submission of a complete Registration application, the Department shall issue a Registration.
- E. No Registration will be issued for incomplete or deficient applications.
- F. All applications for Registration and renewal shall be submitted electronically through a registration system as directed by the Department.

4.4.2 Term of Registration

- A. The term of the Registration shall be two (2) years from the date on which it was issued.
- B. The expiration date of the Registration shall appear on the Registration. It is the obligation of the Registrant to timely renew its Registration. Failure to receive a renewal notice shall not be an excuse for failure to renew.

4.4.3 Renewal of Registration

- A. Registrants shall apply for the renewal of the Registration with the Department in the manner designated for renewal by the Department.
- B. Renewal applications must be received by the Department prior to the expiration of the Registration.
- C. Registrations that are not renewed prior to their expiration date shall expire.

4.4.4 Termination of Registration

- A. If the Registrant is no longer going to use the property as a short-term rental advertised on a hosting platform, the Registrant shall terminate the Registration with the Department by submitting a notice of termination to the Department.
- B. The notice shall be made by submitting a termination affidavit, in the manner directed by the Department, within sixty (60) calendar days of such discontinuance of use as a short-term rental.

4.4.5 Transfer of Registration Prohibited

- A. A Registration shall be granted only to the Registrant. A Registration is not subject to transfer, assignment or leasing to another person or entity.
- B. In the event of a change in registrant, the Registration must be terminated in accordance with § 4.4.4 of this Part and the new registrant must apply for a new Registration.

4.4.6 Duty to Update Information on File with the Department

- A. It is the responsibility of the Registrant to ensure that all application information is accurate and current for the duration of the Registration.
- B. Registrants shall notify the Department within ten (10) business days of any change in the information contained in the Registration, including but not limited to:
1. Any change in contact information reported for the Registrant, registered agent, and/or property manager;
 2. Any change in the number of rooms for rent or intended use of the property; and/or
 3. Any change in the registered agent or property manager.

4.5 Fees and Charges

- A. Registration fees are payable to the “General Treasurer, State of Rhode Island” and are non-refundable.

- B. Fees:

<u>Registration Fee</u>	<u>\$ 50.00</u>
<u>Renewal Fee</u>	<u>\$ 50.00</u>

4.6 Notices of Violation and Penalties for Failure to Register

- A. Penalties may be imposed on Owners for failure to register in accordance with R.I. Gen. Laws § 42-63.1-14.
- B. The Department shall be authorized to issue to the Owner in writing or by email a Notice of Violation for failure to register, assessing the statutory penalties listed in R.I. Gen. Laws § 42-63.1-14(i).
 - 1. The Owner shall, within twenty (20) days from the date of the Department's Notice:
 - a. Pay the penalty on the Notice of Violation and register the property or properties identified with the Department; or
 - b. File with the Department a written response to the Notice of Violation. The Department will then evaluate the response and the matter will be handled in compliance with the Department's Rules of Procedure for Administrative Hearings, Part 10-00-2 of this Title.
- C. All hearings and enforcement actions shall be conducted in accordance with the Administrative Procedures Act, R.I. Gen. Laws § 42-35-1, *et seq.*, and the Department's Rules of Procedure for Administrative Hearings, Part 10-00-2 of this Title.

4.7 Severability

If any section, term, or provision of this Regulation is adjudged invalid for any reason, all remaining sections, terms, and provisions shall remain in full force and effect.