

Recorder's Office Cover Sheet

Recording Requested By:

Name: ANN DAMIAN

Department: COMMUNITY DEVELOPMENT



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KAREN ELLISON, RECORDER

Type of Document: (please select one)

- Agreement**
- Contract**
- Grant**
- Change Order**
- Easement**
- Other**

specify: _____

**AMENDMENT # 2 TO AGREEMENT FOR SHORT TERM
RENTAL PERMITTING AND ADMINISTRATION
SERVICES**

This Amendment for Short Term Rental Administration and related services is made and entered into as of the 16 day of July 2020 ("Amendment Date"), by and between Douglas County, a political subdivision of the State of Nevada, through the Board of County Commissioners, hereinafter referred to as County, and Hinderliter De Llamas and Associates, a California Corporation, hereinafter referred to as HdL.

WHEREAS, HdL and County entered into that certain Agreement for Transient Occupancy Tax Operations Management Services dated June 7, 2019 ("Original Agreement"), whereby HdL agreed to provide HdL's Transient Occupancy Tax Operations Management Services; and

WHEREAS, HdL and County entered into that certain Amendment #1 to Agreement for Transient Occupancy Tax Operations Management Services dated June 25, 2020, whereby HdL agreed to provide HdL's Short Term Rental Administration Services; and

WHEREAS, HdL and County now desire to amend the Agreement to include HdL's Short Term Rental Permitting and Administration services, and provide for the compensation of the new services on the terms and conditions set forth in the original agreement and all amendments thereto;

THEREFORE, it is agreed by HdL and County as follows:

1. SCOPE OF SERVICES

Specific services to be performed by HdL are as described in Exhibit A. All data collected under this Agreement shall be solely owned by Douglas County and HdL shall not use the data collected for any other purpose other than specified under this Agreement nor shall HdL transmit such data to any 3rd party without the express written consent of Douglas County.

2. COMPENSATION

County agrees to compensate HdL for services under this Amendment as described in Exhibit B in an amount not to exceed \$22,500 (estimated at 1,500 permits / year). Invoicing shall be performed in accordance with Section 5 of the Original Agreement.

3. TERM OF AMENDMENT

The term of the work specified in this Amendment shall commence on the Amendment Date and shall remain in effect through June 30, 2022 or until termination is requested as per the Original Agreement. Termination may apply to the contract as a whole or any individual service(s) as described in Exhibit B.

FILED
NO. 2020-171
9-25-20
DATE
DOUGLAS COUNTY CLERK
MINDEN, NV
BY [Signature] DEPUTY

4. NOTICE

All notices required by this Amendment shall be given to the County and to HdL in writing, by personal delivery or first-class mail postage prepaid, addressed as follows:

County Douglas County, Nevada
with additional copy to Director of Community Development
Post Office Box 218
Minden, Nevada 89423
Telephone: (775) 782-6201

HdL HdL
120 S. State College Blvd., Suite 200
Brea, CA 92821

5. FULL FORCE AND EFFECT

Except as modified pursuant to this amendment, all other terms and conditions of the Original Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed on the date first above written by their respective officers duly authorized in that behalf.

DOUGLAS COUNTY, NV

By: Thomas A. Dallaire

Date: 7-16-2020
Thomas A. Dallaire
Director, Douglas County
Community Development

HdL

By: Robert Gray

Date: 7-9-2020
Robert Gray,
Chief Information Officer
Hinderliter De Llamas and Associates

Exhibit A

Scope of Services

Short-Term Rental Permitting

In conjunction with Short-Term Rental (STR) discovery activities, HdL will administer STR permitting for new and renewing properties. HdL will establish and maintain the permitting process under the direction of the County. This process will include:

- Contacting new and renewing property owners by email, phone, and mail to assist with the renewal process;
- Collection of all fees associated with permitting;
- Collection of all required documents, review for accuracy prior to submitting them to County stake holders for examination;
- Obtaining appropriate County approvals prior to permit issuance;
- Issuing permit documents to STR property owners

Short Term Rental Administration Services

The Short-Term Rental (STR) Administration Program provided by HdL takes a unique approach in ensuring compliance and educating lodging providers, including short term rental hosts (STR Hosts), in permitting and filing procedures, regulatory permits and licensing, and other County specific goals and objectives. HdL's program involves a modular, customer service centric approach, that reduces County's administrative costs and provides the County with assurances of future compliance and reporting practices from the County's short-term rental lodging industry.

HdL's modular approach starts with a detailed analysis of STR listing on a variety of published methods, including Airbnb, Home Away, VRBO, etc. This process creates a full inventory of short-term rentals within the County's proscribed geographic boundary, including the full name of the owner and the physical address of the unit. Each STR is tracked and updated nightly with valuable data that can include items such as number of nights rented, average occupancy rates, room rates, as well as trend and usage reporting.

Following identification, HdL conducts a targeted education and compliance campaign designed to inform STR Hosts of their obligations to obtain, file and renew permits as may be needed. Each lodging provider is provided a full overview of the requirements and how to best comply both in the present and the future. During the registration process, HdL offers a variety of support options to the community including online filing, file-by-phone, email, and registration via standard mail. HdL tax and license specialists are available throughout the process to provide support to the STR community and to assist in the permit and renewal process.

Once registered, accounts move into a standard administration process. HdL manages the individual filing of STR permits through the development and management of an online portal for registration, filing, payments, and other support related needs. HdL will monitor and handle complaints received by phone, email or mail as a tax specialist will be available to assist with the STR complaints from 8 am to 5 pm (PST).

STR Identification & Monitoring

HdL compiles a list of all actively posted short term rentals available from a wide array of sources. Lists are compiled and aggregated to accommodate duplicate listings from various sites. During the identification and monitoring process, HdL will:

- Scan over 20 different rental sites, including global aggregators like HomeAway/VRBO, Airbnb, Turnkey.com, and Booking.com, national aggregators like Vacasa and Turnkey and small, local property management firms.;
- Match Listings to specific parcels using GIS and property tax assessor data;
- Create comparison reports to determine which properties may already be compliant or registered and paying taxes
- Provide visual map of all listings within the County;
- Record listing details such as start date, various sites linked to, other information necessary for documenting evidence of STR activity; and
- Continually monitor activity to identify and record new listings and closures to ensure accurate real-time identification and monitoring.

Education, Registration, and Compliance

Using the list of active STR listings, HdL conducts a series of County approved education-based programs ranging from mailers to direct phone contacts. Each packet and contact contain all the information necessary to obtain registration and comply with local requirements. HdL assists STR hosts throughout the program with information and support with all aspects of becoming compliant. During this program, HdL will:

- Validate listing to ensure proper identification and filter out records that may lead to erroneous contacts.
- Notify non-compliant entities with a series of education-based packets designed to garner compliance;
- Provide a support center for assistance with general questions, support, and assistance with filing and paying returns.
- Provide online portal with links to FAQs, education packets, and support for registering, filing returns, and making payments online.
- Follow up with non-compliant accounts to obtain registration.
- Work with County to identify additional requirements and ensure collection of data necessary to enforcement procedures.
- Establish optional implementation items such as amnesty programs, back tax and penalty provisions, and other pre-registration programs.

Exhibit B

Compensation

Short Term Rental Permitting and Administration Services

\$15.00 per permit or renewal

CPI Adjustment – Fees for the Short-Term Rental Administration service are adjusted at the beginning of each calendar year by the change in the Consumer Price Index –West Urban (CPI-WU) as reported by the Bureau of Labor Statistics. Each annual adjustment will not be less than two percent (2%) or greater than five percent (5%).

Travel Expenses (if any) – Travel and lodging expenses are billed at cost and apply to all meetings; including process, pre-installation, installation, training, and support. HdL is dedicated to conserving public funds ensuring that any travel costs are indeed required and reasonable. Douglas County shall not pay for 1st class travel and shall have the ability to approve the need for all travel in advance.

Douglas County

State of Nevada

CERTIFIED COPY

I certify that the document to which this certificate is attached is a full and correct copy of the original record on file in the Clerk-Treasurer's Office on this

25th day of Sept, 2020
By [Signature] Deputy