

1
2
3
4
5
6
7
8 BEFORE THE HEARING EXAMINER
9 FOR THE CITY OF SEATTLE

10 In the Matter of the Appeals of:

11 621 APARTMENTS LLC, ROY STREET
12 COMMONS LLC, ERIC AND AMY
13 FRIEDLAND, RAISSA RENEE LYLES,
14 SEATTLE SHORT TERM RENTAL
15 ALLIANCE, SEA TO SKY RENTALS, AND
16 MICHELLE ACQUAVELLA

17 of the adequacy of the Determination of Non-
18 Significance (DNS) for Land Use Code and
19 Licensing Code text amendments relating to short
20 term rentals issued by the Director, Seattle
21 Department of Construction & Inspections.

Hearing Examiner Files:

W-17-002
W-17-003

DECLARATION OF MICHELLE
ACQUAVELLA

22 I, Michelle Acquavella, declare as follows:

- 23 1. I am competent to testify and make this declaration based on my personal
24 knowledge.
- 25 2. I am the owner of Sea to Sky Rentals LLC ("Sea to Sky"). Sea to Sky manages
26 short term rental properties. The management services that Sea to Sky provides include
27 maintenance. Because these properties are a short term rentals they have to be immaculate. The
28 industry standard is to maintain short term rentals to superior aesthetic standards. The market

DECLARATION OF MICHELLE
ACQUAVELLA - Page 1 of 4

McCullough Hill Leary, PS

701 Fifth Avenue, Suite 6600
Seattle, Washington 98104
206.812.3388
206.812.3389 fax

1 demands this high standard for appearance of short term rentals. This means that the landscaping
2 is tended to regularly and all exterior maintenance and repairs are done in a timely fashion to
3 keep the properties in short term rental condition. The landscaping is watered on a regular basis
4 and a professional landscape maintenance company weeds, prunes and replaces plants as needed.
5 The exterior windows are washed and exterior surfaces are pressure washed as needed (at least
6 annually). In addition, exterior paint is kept fresh looking and walkways, fences and gates are
7 kept in good repair. Some of the properties that Sea to Sky manages could no longer be used by
8 their owners for short term rental if the proposed legislation is adopted. If the proposed short
9 term rental legislation is adopted, then Sea to Sky will no longer provide these maintenance
10 services to the affected properties, and they will no longer be maintained to the short term rental
11 industry's high standards. The industry standard for maintenance of a long term rental is not as
12 high as for short term rentals and this high level of maintenance is not supported by long term
13 rental income. Their aesthetic appearance will decline. I view these properties regularly and this
14 aesthetic impact will directly affect me as well as others in the area.

15
16
17
18 3. In addition to owning Sea to Sky Rentals, I have an ownership interest in two
19 residential properties in the City of Seattle ("City") that I use for short term rental. I have owned
20 various other properties that I use for short term rental in the past. Before I bought these
21 properties and started my business, I first checked with staff at what is now the Department of
22 Construction and Inspections (the "Department"). They informed me short term rental was
23 allowed by the City's regulations. Later, in 2008, after my business was up and running, the
24 Department changed its interpretation of the same regulations, determined that short term rental
25 was illegal in residential zones, and tried to stop my short term rental use and shut down my
26 business. After more than a year and an enormous investment of time and money for attorneys'
27
28

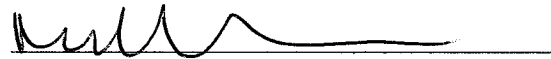
1 fees and other costs, in 2009, I ultimately got a decision from the Superior Court that short term
2 rental was an allowed residential use. In light of my past experience, I am very concerned about
3 the lack of clarity in the proposed short term rental legislation. Specifically, the proposal does
4 not clearly state that short term rentals are an allowed use in residential zones. So far as I know,
5 even if the proposed legislation is adopted, the City code will still say that lodging is not an
6 allowed use in residential zones, which is why the Department previously tried to prohibit me
7 from renting my properties on a short term basis and to shut down my business. As a property
8 owner, I should be able to read the regulations and know what is allowed. The proposed
9 legislation creates an inconsistency in the regulations that apply to my use of my properties and
10 this causes me immediate harm.
11
12

13 4. In addition to managing and owning short term rentals, I use short term rentals in
14 Seattle. My parents live out of town and come to visit regularly. Like most people in Seattle my
15 home is small. We do not have a guest room and, even if we were able to make space for my
16 parents, they could not stay with me because my mom is allergic to my cats and dog. When they
17 visit, they stay in a short term rental townhouse within walking distance of my home in
18 Ballard. In the future, I intend to continue to rent short term housing for them at a location close
19 to my home. If the legislation is adopted, it will affect this short term rental. When this short
20 term rental is no longer available due to the legislation, my parents will have to find alternate
21 housing. Since the proposal severely restricts short term rental, my parents will likely need to
22 stay in a hotel downtown. In addition to losing the comfort of staying in a home rather than a
23 hotel, they would be located far from my house. Rather than walking, they would need to drive
24 to my house, or I would need to drive to their downtown location. This would increase my time
25
26
27
28

1 driving a car in Seattle traffic and would increase traffic in my neighborhood. The loss of short
2 term rental housing and increase in traffic will directly affect me.

3 5. I am a member and a Governor of the Seattle Short Term Rental Alliance, a
4 Washington nonprofit corporation, which was established to protect and promote short term
5 rental uses in Seattle.
6

7 I declare under penalty of perjury that the foregoing is true and correct. Executed this
8 13th day of July, 2017, at Seattle, Washington.

9
10
11 
12 Michelle Acquavella
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28