

Recent Changes in Short-Term Rental Law

The University of Texas School Law

LAND USE CONFERENCE

April 21-22, 2022

MATTHEW C.G. BOYLE
BOYLE & LOWRY L.L.P.
4201 Wingren, Suite 108
Irving, Texas 75062
Phone: (972)650-7100
Fax: (972)650-7105
E-Mail: mboyle@boyle-lowry.com

BOYLE & LOWRY, L.L.P.

1

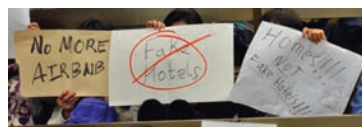
Short Term Rentals- Addressing the Commercial Intruder

- Short term rentals- What are they and what's the big deal?
- Neighborhood vs. Commercial Use
- Regulatory Options
- Sample Survey of Texas Cities
- Legal Challenges- Grapevine (Muns), Austin (Zaatari)
- Legislation

BOYLE & LOWRY, L.L.P.

2

Short-Term Rentals



BOYLE & LOWRY, L.L.P.

DISCLAIMER

The events, parties, counsel, and members of the judiciary depicted in this presentation are fictitious. Any similarity to any person, party, lawyers, or judge, living, or dead is merely coincidental. The opinions provided today are my own and do not reflect those of my employer or any of its clients.

BOYLE & LOWRY, L.L.P.

Short-Term Rentals in the News

- The Associated Press, April 17, 2022. “2 minors dead, 8 wounded in shooting at party with 200 people in short-term rental in Pittsburgh.” “ ‘It was so obvious that there was going to be a problem – there was a line of 14 year old kids trying to get into this place.’ The house has been rented for bachelorette parties or other events before. In the morning, a neighbor found his wife’s white are smeared with blood, possible from someone fleeing the shooting and trying to hide behind the vehicle.” - <https://www.houstonchronicle.com/us-world/amp/Police-2-dead-11-injured-in-East-Allegheny-17086616.php>
- Fox 4 Kansas City, April 4, 2022. “Court records detail deadly shooting at Overland Park short- term rental.” “As officers questioned witnesses they determined a large group of people were at the house for a birthday party and not everyone knew each other.” - <https://fox4kc.com/news/court-records-detail-deadly-shooting-at-overland-park-short-term-rental/amp/>

5

What does Short Term Rental mean?

- **Short term rental (STR)** – the rental of any residence or residential structure or any portion of a residence or residential structure for a period of less than 30 days
- **Rental** – the renting bartering, trading, letting or otherwise allowing the use of a residence or residential structure or room or rooms within a residence or residential structure. This shall not restrict, limit or interfere with any homeowner from participating in a leaseback upon the sale of a residence or residential structure
- **Leaseback** – is an arrangement where the seller of a home leases the home back from the purchaser. In a leaseback arrangement, the specifics of the arrangements are typically made prior or immediately after the sale of the home
- **Short term rental marketplace** – a platform through which the owner of or authorized agent of the owner of a residential property, including a single-family dwelling or a residential unit, offers a short term rental for rent

BOYLE & LOWRY, L.L.P.

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](https://utcle.org/elibrary)

Title search: Recent Changes in Short-Term Rental Law

Also available as part of the eCourse

[2022 Land Use Case Law and Legislative Updates](#)

First appeared as part of the conference materials for the
26th Annual Land Use Conference session

"Short-Term Rental Litigation and Regulation Update"