

Brian Harward
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I write in support of the proposed measure introduced by my Representative, Mr. Faulkingham of Winter Harbor.

Ordinarily, I would not support carving out general prohibitions against future legislation or municipal ordinances for specific categories of business. However, in this case, I think that general prohibition is warranted in order to remove some element of uncertainty for those already invested in such endeavors, or considering such an investment, often at grave personal economic risk. Many are willing to take that risk, but with the assumption that their short-term rental business will compete in a marketplace shaped by regional and national economic conditions, customer service, the appeal of the property relative to other options, and so on.

If a locality elects to prohibit that market, the owners of those rental businesses will incur what for many may be an irreparable harm. That is especially the case for those who may have mortgages on those properties. Any ambiguity about whether a locality might pass such a prohibition is calculated into the initial risk assessment, of course. Clarity with respect to the likelihood of such a local ordinance is welcomed. The state ought to do what it can to mitigate the risk that a locality could simply destroy that investment.

For many short-term rental providers, the services they offer generate significant revenue for local and state authorities, and bring (and maintain) substantial revenue for local businesses. At a time of great economic precariousness, we ought not permit a “patchwork” of localities to limit economic opportunity for a region. Rather, Rep. Faulkingham’s bill is a necessary step to assure investment in properties and businesses, remove a degree of great uncertainty from that market, and thereby help these small businesses contribute to the wellbeing of their communities.

Of course, the localities and the State may have an interest in reasonable regulations, and in securing, in perpetuity, a revenue source. What better way to secure that source than by excluding the possibility of its prohibition.

Respectfully,
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