

Santa Fe



Association of REALTORS®

Santa Fe Short-Term Rental Frequently Asked Questions (FAQs)

What is a Short-Term Rental based on City of Santa Fe definitions?

The rental of a dwelling unit for less than 30 days. The rental of a residential property with a valid permit for less than 30 days.

Do I Need a Permit to Operate a Short-Term Rental in the City of Santa Fe?

Yes. Property owners that **do not comply** with the city's short-term rental ordinance will receive a Notice of Violation (NOV) from the city and may be subject to significant fines for every day they operate without a permit.

- An annual **Permit (\$325)** fee is required when the Short-Term Rental unit is located within a Residential zoned area.
- An annual **Registration (\$100)** fee is required when the Short-Term Rental unit is located in a Non-Residential zoned area.
- A one-time **Application and Processing Fee (\$100)** is required for new permits and is non-refundable.

Are There Other Important Restrictions on Short Term Rentals in Residential Areas?

- There is a **limit of 1000 units** for Short-Term Rental units located in Residential zoned areas.
- There are **density requirements**. A permit will NOT be issued for more than two Short-Term Rentals directly adjoining each other (sharing a common boundary) on a residentially-zoned street

excluding units in a condominium, townhouse development, an apartment complex or residential compound.

How Often Do I Need to Renew My Short-Term Rental Permit or Registrattion?

Annually. These fees are used to defray the costs of operating the city's short-term rental program and enforcement.

What Are the General Rules for Operating a Short-Term Rental in the City of Santa Fe?

- One rental is allowed within a seven consecutive day period;
- Meet all Building and Fire Life Safety Codes;
- Toilet, Faucets and Showerheads Must Meet Water Conservation Requirements;
- Total # of Persons That May Occupy the Short-Term Rental unit is twice the number of bedrooms;
- Maintain Short-Term Rental Insurance Coverage;
- Pay all Applicable Taxes (*local, state, federal, lodgers' tax, and gross receipts tax*);
- Provide Occupants/Tenants with Relevant City Ordinances; and
- Provide Off Street Parking
 - One Bedroom = One Parking Space
 - Two Bedrooms = Two Parking Spaces.

Why Are Short Term Rentals Operating In My Neighborhood?

The City of Santa Fe has passed and amended ordinances **to permit and regulate Short-Term Rentals in Residential areas**. There is a limit on the number of permits for Short-Term Rentals in Residential areas as well as density requirements to help minimize the impact on neighborhoods. Additionally, accessory dwelling units may be rented short-term; however, the owner must occupy either the Accessory Dwelling Unit or the main property.

How Can I Make a Complaint About a Short-Term Rental in My Neighborhood?

Contact the Short-Term Rental Office by phone at **(505) 955-HOME (4663)** or by email at shorttermrental@santafenm.gov. Please allow up to 24 hours for responses.

I Received a Notice Regarding a New Short-Term Rental in My Neighborhood, Can I Stop This Land Use Decision?

No. As part of completing a Short-Term Rental permit application, the property owner is required to notify the neighbors located within 200 feet of the short-term rental operation. Therefore, the notice is required and part of a legal short-term rental permitting process.

Can the Short-Term Rental Next Door Host a Party?

Any party would be limited to the total number of persons that may occupy the short-term rental unit which *by ordinance is twice the number of bedrooms*. Additionally, weddings or retail operations are not allowed at permitted properties.

The Short-Term Rental Next Door Isn't Following Our Local HOA Rules, What Can I Do?

Private restrictive covenants, Home Owner Associations (HOAs) or condominium associations may prohibit Short-Term Rentals; however, these prohibitions are enforced by private entities. Additionally, any HOA rules or policies that must be adhered to by members and their guests should be shared by the property owner with both short- and long-term tenants. If you have an issue with a short-term rental tenant not following HOA or condominium association rules, you should directly contact your HOA or condominium association.

I rent my property as a short-term rental and want to sell my property. Can I transfer my short-term rental permit to the new property owner?

No. The permit is not transferable to another person or property.