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July 8, 2022

VIA U.S. MAIL AND ELECTRONIC DELIVERY (SITA.KUTEIRA@SONOMA-COUNTY.ORG)

Sita Kuteira
Deputy County Counsel
Sonoma County
575 Administrative Drive, Room 105A
Santa Rosa, California 95403

RE: County Moratorium on Short-Term Rental Permits

Dear Ms. Kuteira:

We represent the Sonoma Homeowner Rights Association, an unincorporated association of homeowners in Sonoma County (“**SHRA**”). This letter pertains to disputes between the parties, which may result in litigation and is being submitted with the understanding that none of the statements herein may be used as evidence or for any purpose unless expressly authorized by California Evidence Code sections 1152 and 1154.

Members of SHRA, as well as other homeowners and residents, have submitted applications for vacation, or short-term, rental permits (“**STR Permits**”). Beginning in or about May 2022, the County suspended processing all STR Permit applications based on a moratorium adopted by the Board.

An initial moratorium was passed in August 2020. By law, the moratorium is limited to two years. The Board appears to have properly adopted that moratorium. The moratorium is due to expire on or about August 2, 2022. The Board, however, has not passed legislation as contemplated when it adopted the moratorium. When the moratorium expires without the passage of such legislation, the County will be required to process all pending permit applications in accordance with County procedures.

I am aware that the Board purported to impose a further moratorium in June of this year. By the passage of that moratorium, the Board intends to extend the moratorium for

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another two years while it continues ponder the same legislation it used to justify the initial moratorium. The moratorium imposed earlier this year is unlawful because the Board did not follow or comply with the applicable law.

Additionally, the Board made the moratorium retroactive to March 2022. SHRA members as well as other residents and homeowners in the County had permit applications pending when the Board adopted the retroactive provision. The Board's actions are unconstitutional and violate due process requirements, among other things.

SHRA expects the County to process pending permit applications when the moratorium expires on August 2, 2022. If the County refuses to process the permit applications, or continues to enforce a moratorium, we will file a writ of mandate against the County. The writ of mandate will request all available remedies, including an order from the Superior Court directing the County to process the pending applications, to process all new applications, and to suspend enforcement of the moratorium.

Sincerely,

SBEMP LLP



BY: Shaun M. Murphy

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