

# VACATION RENTALS

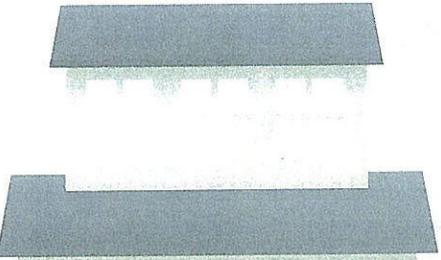
## GOOD TO KNOW, BEFORE YOU GO

### A QUICK GUIDE TO SHORT-TERM TRANSIENT VACATION RENTAL UNITS ON O'AHU



Kirk Caldwell, Mayor  
City and County of Honolulu  
Department of Planning and Permitting

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**HAVE A COMPLAINT?**  
Here's who you can call:

**Illegal single-family  
rental unit**  
**768-8161**

**Illegal rental unit in  
townhouse,  
apartment or condo**  
**768-8152**



This brochure is a general guide to vacation rentals on O'ahu. For more detailed information, visit our website:

<http://www.honoluluodpp.org/>

Information is subject to change.

## 1. WHAT IS A TRANSIENT VACATION UNIT?

A transient vacation unit (TVU) is a dwelling unit that is rented for less than 30 days at a time. Sometimes they are called short-term rentals, and typically the owner does not reside in the unit. It can be an apartment, single-family home or condominium. Units in a hotel or “condo hotel” are not considered TVUs.

## 2. WHAT IS A BED & BREAKFAST?

A bed & breakfast (B&B) is a room or rooms within a home that is rented for less than 30 days. The home’s owner, lessee or operator must live in the home.

## 3. WHERE ARE TRANSIENT VACATION RENTALS ALLOWED?

Vacation rentals are only allowed in the Resort District and the Resort Mixed Use Precinct of Waikīkī. An ordinance passed in 1989 prohibited new TVUs and B&Bs on the island. Owners who could prove that they were in operation when the ordinance took effect were allowed to continue operating as a non-conforming use and issued a Nonconforming Use Certificate (NUC). Unless a short-term rental unit has a NUC or is zoned Resort, it is not operating legally. For more information, call 768-8111.

## 4. CAN I CONVERT MY ACCESSORY DWELLING UNIT OR OHANA DWELLING INTO A VACATION RENTAL?

No. ADUs are meant to provide affordable, long-term rental housing to our residents. Rules are in place to prevent them from being used as a visitor accommodation. Owner/operators of an ADU or ohana dwelling are required to file a restrictive covenant with the State, certifying compliance with the regulations. Also, ohana dwellings are restricted to family members by blood or marriage.

## 5. I’M OPERATING A SHORT-TERM RENTAL, BUT DON’T HAVE A NUC. CAN I APPLY FOR ONE?

No. The 1989 ordinance prohibits the issuance of new NUCs.

## 6. I HAVE A NUC FOR ONE PROPERTY AND WANT TO TRANSFER IT TO ANOTHER, CAN I DO THAT?

No. NUCs are not transferable from one property to another. But the NUC can be transferred from owner to another individual for the same property.

## 7. MY CHILDREN ARE OFF AT SCHOOL EIGHT MONTHS OF THE YEAR. CAN I RENT THEIR ROOMS ON A LIMITED BASIS WHILE THEY’RE GONE?

You may rent your unit for stays longer than 30 consecutive days. Unless you have a NUC, you may not rent the room or rooms in your home as a visitor accommodation for less than 30 days.

## 8. I’VE ALWAYS PAID TRANSIENT ACCOMMODATIONS AND GENERAL EXCISE TAXES ON INCOME GENERATED FROM MY RENTAL UNIT. DOESN’T THAT MAKE MY UNIT LEGAL?

Paying taxes on income generated from a rental unit is required under State law, but it doesn’t mean from a county zoning standpoint you are operating the unit legally. As stated above, you must be in compliance with City and County of Honolulu ordinances to legally run a transient vacation rental or B&B.

## 9. WHAT IS THE PENALTY FOR OPERATING AN ILLEGAL VACATION RENTAL UNIT?

If a violation is found, the City first issues a Notice of Violation and allows the owner to correct the violation within a specified time. If no corrective action is taken, a Notice of Order will be issued and fines of up to \$1,000 per day may be assessed.

