

I am a happy client of Airbnb with my place in Milan, Italy. I live there but I come often to the States, especially in Miami Beach.

I am an international traveler and I know about the restrictions in some cities in the US about short term rentals. In my country, Italy, they are not prohibited. So I made a search in order to understand what happens in Miami Beach.

As reported in the official website of the city of Miami Beach, the page <http://web.miamibeachfl.gov/planning/scroll.aspx?id=69472> says: "If a building or unit is found to be operating a short-term rental illegally (less than six months and one day), tenants/visitors will be evicted and fines will apply to the owner."

My question is: Is this sane? Is wise stopping anyone from coming here for seasonal vacation unless staying in a hotel? Is astute making of Miami Beach a forbidden city for the vacationers who prefer to stay in a home rather than a hotel?

I see that the discussion concerning the city limitation about short-term rentals has already been on the American press. Articles report the problem as a necessary measure to restore legality. Other articles underline the absurdity of such a regulation making a difference between rentals lasting more than six months and one day, and short term rentals, if less than six months and one day. They underline that all over the world nothing like this exists and in other cities and nations the people are free to rent their private properties for how long they wish. After all, our great country, the United States of America, has always based its vibrant economy on free market. This country always considered private property and free economy the most important things. This is what made the US the richest country in the world for ages. Of course, freedom doesn't mean being free in things that can be dangerous for other people. So, speed limits, for example, have a logic reason: more the speed more the danger. At the same time, if something is really bad, it is always evil: killing one person or 30 people is the same crime. So, why are you a criminal if you rent your own property for 3 months, and not so if you rent for more than 6 months and one day. I watched some videos on the Internet and I saw officials from the City of Miami Beach saying that they do that also for preventing noises that could disturb the actual residents. Well, this can be compared to a prohibition to drive made to everybody just because cars have caused deadly crashes in the past.

It is evident that the only real reason of this prohibition is one: lobbies. The only category having a real interest in not allowing people in renting their homes short term is the lobby of the hoteliers. The Lobby claims that private accommodations including rentals to tourists create unfair competition in the tourism industry. If this was true it would be unfair even the concept of free market, including the concept of freedom and democracy. These lobbies only aspiration is the total control of the hospitality market, even if this is far from the common interest. Why? Let's go with practical things.

The City of Miami Beach, even if it appears as a big metropolis, has only 92,000 residents but it has an enormity of homes and apartments totally unused, almost 15,000 units, fast becoming 18,000 with the new constructions in progress. As it results on the page http://www.miamibeach411.com/real_estate/census.htm, the accommodation capacity of the 197 hotels is 20,300 rooms (or almost 50,000 people). If in normal periods they are full almost always, it is almost impossible to find a room during Art Basel or multiple fairs, or Winter Music Conference or Spring Break or during special holidays. The extra possibility of hospitality offered by the private owners doesn't take anything away from the hotel business but, instead, grants to the official accommodation capacity a big extra potential, doubling or more that capacity. This means an immense extra money river incoming and enriching this city! In addition to the 50,000 guests in the hotels, at least other 50,000 extra people can spend money in restaurants, stores, rental cars, taxis etc. without interfering with the regular hotel business. Last but not least, the increased economy carried by the needed liberalization is not simply about the increased consumption due to the increased flow of tourists, but also that of the money earned by the owners, who spill to their own consumptions as well as the ongoing maintenance and improvement of the properties that they rent. Indeed the earnings of resident owners are spent at the local level contributing enormously to local economy, while big part of the earnings of the big chains, mostly end up out of State. Let's think how many people during disaster economy have helped themselves renting their own homes. Should they be considered criminals in the country of freedom?

All owners of properties rented to tourists for a short or long term contribute immensely to the local wealth. It is ridiculous and iniquitous to punish homeowners for making this city more prosperous and for exercising the legitimate rights of ownership and use of their own goods. The owners who rent short term should be awarded and encouraged while the only ones who should be punished are the ones who keep an empty and unused unit! A city used to the maximum is much healthier than a city underused. How sad to see a building where most of the apartments are closed and empty! This is most noticeable at night when only few apartments appear occupied and their lights come on while the others remain dull and dark. How much better to see a city that sparkles with life! This also improves safety.

Freedom and "laissez-faire" in such a matter has always been the solution that brings life, enrichment, welfare, economy, and development. Limitations bring all the opposite. Same thing in humane body: elasticity brings life, but

sclerosis, with its hardening, induration, or fibrous thickening of tissue, brings death. On the other hand, seeing the same thing from the side of the client/renter, it's ridiculous that in a free country a person or a family who wants to live a short time in a city by renting an apartment or a villa rather than going to a hotel, they cannot do it. In addition to being ridiculous is also counterproductive because such limitation will move away those who still prefer the houses to hotels pushing them to other destinations. They will spend their money somewhere else. In fact, why should it be illegal to prefer to stay in a home rather than a hotel? Has anyone noticed that they are two totally different options? Who wants privacy, a not shared with others pool, nor want to have always someone around or strangers, even cleaners in their own room, or those who prefer the ambiance of a private home, choose a home. Why to force them to do otherwise? But who loves hotel services, or the atmosphere itself that is in a hotel, or loves to be around people, or be served in their room or do not want to deal with cleaning, they will undoubtedly prefer a hotel. As a matter of fact, private rentals to tourists do not subtract anything to the hotel business. They are simply an addition to the type of tourism, not a replacement. We all want crowded hotels and at the same time, the whole town alive to the fullest. The best and most extensive use of the city generates a much larger economic flow. In fact, a city with a flexible elastic potential is able to generate more economy than a city bound by lobbies interests. The smart cities, which have economists among their officers, would never think to clip the wings of their tourist flows. Probably this touristic city wouldn't even exist if the tourism was not supported in every possible way and at all the possible costs since the start. Only those who ignore the economic processes that involve a city may desire such limitations.

It is no coincidence if I said that probably this town wouldn't even exist without the needed elasticity of a vacation place. Foreign investors buy here for investment so many units but shall not inhabit their purchased properties if not occasionally, and meanwhile, will pay high property taxes and, often, substantial costs of maintaining and compulsory insurance, in addition to having paid a substantial sum for the purchase. When they bought probably they were not aware about these local limitations or, simply, they did not exist yet. Who is the investor who finances a private property where he will live only from time to time but that he cannot rent to whom he wants and how long he wants when the property is not used by himself? No serious and aware investor would do it. Personally I am requested as advisor by many Italian investors. The majority of them stops thinking to buy in Miami Beach after they are informed about these local restrictions.

As a matter of fact, it is interesting that the discussion concerning the city limitation about short-term rentals has lately taken in consideration also by the international press and commentators recommending not to rent or buy properties in Miami Beach since this oppressive regulation and go investing or travel somewhere else where laws are not so unfair.

The city of Miami Beach, who lives almost exclusively on tourism and real estate, is therefore likely to lose a big chunk of travelers and investors if not revising these rules dictated by excessive bureaucracy and whose result is able to affect not only the local economy but also the real estate market, one of the primary industries here.

Also, there is an interesting indicator in the thousands of ads offering openly on rental websites properties for short-term rental in Miami Beach: when something is really and objectively lived as illegal, the evidence is a clandestine and subtle market. On the contrary, this natural and choral offer shows how wrong and oppressive is this regulation.

This blessed country has always fought communist or socialist ideas seeing as a menace the possession and free marketing of goods, as well as it fought the Nazis rules imposing as legal and mandatory what was horrific to the entire world. That's why in this case it is not simply ridiculous but also horrific to the entire world to evict from his home somebody renting for six months or less, while nobody will touch somebody renting for six months and one day. How is it possible to consider normal and legal something like evicting by force, only for the simple fact of living there, somebody from the place where they live with the full consent of the owners?

Finding this normal is against common sense and human rights. Perhaps those who decided about this regulation did not realize how absurd, oppressive and disrespectful of individual liberties and civil rights, if not unconstitutional it is. It could be a matter of putting in prosecution for those who took the decision at the UN as a clear case of violation of civil rights and unconstitutional, and, for the same reason, also the instigators and perpetrators of the deportation, involving city managers, municipal officials or police officers.

The sense of ridiculous is there for all, remembering with numbers that if a renter for six months and one day is legal, there is not way for considering illegal a renter for six months or less. In fact, as it is possible to see on <http://www.fioridiacciaio.it/miami-beach-illegali-gli-affitti-a-breve-termine>, the abroad commentator, after suggesting to go somewhere else for renting or buying homes, and explaining that tourists can be evicted for renting a home after having chosen Miami Beach for their vacation, remarks with a sarcastic and not less embarrassing question: "The evicted people will be simply thrown into the street or will rather be deported to concentration camps?"

It is interesting to conclude quoting below in the next page part of the remarkable article "Freedom takes duty, honor and courage" by the famous columnist Domenick J. Maglio, Ph.D. in Human Development.

Emanuele Viscuso Esq.

Read next page article by *Domenick J. Maglio*

"Freedom takes duty, honor and courage" by Domenick J. Maglio, Ph.D. in Human Development.

...When people are convinced they have a right to be free, anyone or anything that attempts to restrain or usurp that freedom immediately gives warning that there is something wrong. It might be a governmental bureaucrat who informs them that private property is no longer theirs to use. It may be a business that calls individuals day and night disregarding their privacy or billing them for services not rendered. It might be a professional's office that makes appointments and keeps the clients waiting for hours. It might be an institution like education, health or military that treats people without dignity or respect.

People not only have a right but a responsibility to stand up regardless of the degree of hassle or retaliation. They should voice their objections about the inappropriateness of other's actions. This tends to inhibit a person from continuing their obnoxious actions. Standing up to disrespect and discourteous behavior protects others from suffering the same fate.

The behavior of authority figures does influence the citizenry. The actions of the people rise to the high standard set by them. It is the duty of every citizen to insure being treated as a person with dignity. This requires conviction that overrides our fear of reprisal. In the same manner it takes vigilance to counter the small daily attacks on reducing our ability to think and do things we believe are in our best interest as long as they do not interfere with the rights of others.

When people believe they have the unalienable right to be free bestowed by their creator they rightfully resent individuals, groups or governments who limit their freedom. This powerful articulation from our founding fathers is one of the most important truths that have been the bedrock of America's exceptionalism.

The enslavement might begin with political correctness by government leaders but the media, educational and business institutions will follow the leader in squelching people's freedom.

Without courage to do the morally right things we gradually see our inherent freedoms evaporate one by one until we become docile sheeple living under tyranny. As Edmond Burke warned us, "The only thing necessary for the triumph of evil is for good men to do nothing."