

BED TAX DISAGREEMENT

Rental owner Price says county has been heavy-handed

AirBNB owner appeals denied

By Paul Wahl
Wallowa County Chieftain

When Lynne Price decided to rent out a room in her Enterprise home in 2014, she hoped to add a few dollars to her bank account and meet some interesting people.

She never expected to be in a protracted battle with Wallowa County over payment of transient lodging taxes.

Price signed up with AirBNB in 2014. The company hosts an online marketplace and hospitality service designed for people to lease or rent short-term lodging including vacation rentals, apartment rentals, homestays, hostel beds or hotel rooms.

"They were very professional, and part of what they told me was to check with my city and county to make sure I was following all of the rules," said Price, who resides on Billings Road.

Price told a hearing of the Wallowa County Board of

Commissioners sitting as the Transient Lodging Tax Advisory Board she came by the courthouse in person and inquired but was not told of her responsibility to pay the lodging tax and was not offered the requisite forms.

Price has not revealed exactly who she spoke with saying she didn't want to get anyone into trouble.

Fast-forward to August 2017, the date on which Price received a letter from the Wallowa County Treasurer's Office by certified mail alerting her she was out of compliance.

Three weeks later, she paid the \$572.70 in back taxes but refused to pay the penalties and interest totaling \$831.39.

She maintains she cannot be held responsible for penalties and interest when she was not made aware of the tax provisions in the first place.

More than 100 similar operators were identified as part of a painstaking county crackdown. Since AirBNB and most of its competitors do not list addresses, county staff had to match photos to addresses manually to compile the list.

MORE BED AND BREAKFAST INNS COMING

Wallowa County Planning Commission will hold hearings on four proposals to designate bed and breakfast inns. The commission meets 7 p.m. Tuesday, Jan. 30 in the Thornton Conference Room at Wallowa County Courthouse.

- 61788 Chief Joseph

Loop Road outside of Joseph (Roorda)

- 61053 Anderson Road outside of Joseph (Dawson)
- 82124 Black Marble Lane outside of Enterprise (Christoffersen)
- 77986 Wade Gulch Lane outside of Lostine (Bellows)

Around 20 hosts received non-compliance notices, including Price, who was the only one to file an appeal.

Testimony from the Oct. 23 appeal hearing indicated that the county considered the onus to be on the property owner to be informed and comply and the county had no responsibility in that regard. Rental owners are also expected to receive a conditional use permit from the county.

Her appeal was denied and the final documents were signed in late December.

Price says her treatment by the county, particularly the county's attorney Paige Sully

vent the board's ruling that the record on the appeal has been closed," Sully told Price in an email Dec. 4. "Technically they are not even required to entertain your petition, but will do so on the record that has been established to date."

Sully went on to say that the county had no responsibility to respond to Price's requests for information to help her prepare her case and suggested in the same email she file specific requests for records and pay the fees as require.

"I don't know how much clearer I can be — the board will not take any more information of any kind from you in support of your case in whatever format you may use," Sully added.

Price said she tried to determine why she was required to pay the tax when the county's ordinance, adopted in June 1994, did not specifically include "intermediaries," which is the term used for organizations such as AirBNB.

According to county records, the ordinance was amended only once, in April 2004. State law on the matter,

however, was changed in 2014 to include situations such as Price's.

Price also said she found the penalties and interest to be excessive. The details are contained in Section 11 of the county's Transient Lodging Tax. The ordinance allows the county to waive penalties and interest through a waiver, which Price filed. It was denied.

The next step could be the county pursuing a lien on Price's property under Section 14 of the lodging tax ordinance. Worst case scenario, the personal property subject to the lien may be seized and sold at public auction.

Price said she has considered hiring legal representation but found the cost prohibitive.

Meanwhile, Price says she is getting out of the room rental business to avoid any further entanglements.

"I enjoy being a small part of the tourism industry that supports many people here in Wallowa County," Price said. "My rating is great, I like meeting new people and to help them enjoy this beautiful area that I call home."

IN BRIEF

Spectators are welcome. Proceeds benefit the Wallowa FFA programs.

Wildfire plan to be discussed

The Oregon Department of Forestry and Wallowa County Emergency Management will host a public meeting highlighting the new edition of the Community Wildfire Protection Plan. The meeting will be 6 p.m. Feb. 7 at the Community Connections office in Enterprise, 701 NW 1st Street.

Info: Paul Karvoski, Wallowa County Emergency Manager and County Fire Chief 541-426-4543, ext. 165.

Evans is on Fox deans list for fall

Whitney Evans, a freshman majoring in biology at George Fox University in Newberg, Ore., has been named to the dean's list for the fall 2017 semester.

Traditional undergraduate students must earn a 3.5 grade point average or higher on 12 or more hours to earn the honor.

She is the daughter of Petra and Tyler Evans of Enterprise.

an accredited college or university leading to an advanced degree or to enhance standing or competence in her business or profession and provide such other information as the selection committee may deem necessary.

The Soroptimist club will provide a cash grant of \$2,000 to its award recipient. The award will be paid in its entirety to the college or university the recipient attends.

History book receives \$1,500

Pacific Power has presented a check for \$1,500 to go toward the publishing of "Wallowa County History ... A Continuation." The money was presented by Lori Wyman, regional business manager for the utility, to Gay Fregulia, president of the Wallowa County Museum.

The history book is scheduled for release this spring. Order forms are available at libraries in Joseph, Enterprise and Wallowa.

Fellowship award applications due

Wallowa County Soroptimists are seeking applicants for the group's Fellowship Award, presented to a woman who is continuing her education with a post graduate (master's or doctorate) program.

Applications are available at Bookloft in Enterprise, Wallowa Public Library in Wallowa, BeeCrowBee in Joseph, Soroptimist Thrift Shop in Enterprise or by contacting Marsha Svendsen, 541-263-0663.

Completed applications must be returned by March 1. Mail applications to Soroptimist, P.O. Box 127, Enterprise, OR 97828 or return to the Thrift Shop.

The Fellowship Award will be awarded to any woman who resides in Wallowa County, is established in business or a profession and conducts her business or practices her profession competently and according to ethical standards. Applicants must also hold a bachelor's or master's from an accredited college or university, presents a plan of worthwhile post graduate study at

Fundraiser set Groundhog Day

Looking for something interesting to do on Groundhog Day Feb. 1?

Wallowa County Fair Board has an idea.

The group will hold its dinner and bingo to raise funds for scholarships 5:30 p.m. at Cloverleaf Hall on the campus of the Wallowa County Fairgrounds.

Enjoy all-you-can-eat pancakes, sausage, coffee and juice and stay for bingo. Admission is \$5 for youth and \$10 for adults, children under 10 are admitted free.

Meat 'shoot' will be held Feb. 18

Wallowa FFA Alumni will host their sixth-annual meat shoot 7:30 a.m. Sunday, Feb. 18, at Wallowa Rod and Gun Club, 75044 Lower Diamond Lane, Wallowa.

Breakfast is served first followed by shooting for novices, advanced, buddy and kids. Nonshooter games including bingo and scatter board will also be offered.

FOR THE RECORD

Jan. 7
11:30 p.m. — A 911 caller reported a verbal domestic in Joseph.

Jan. 8
5:45 a.m. — Sheriff's office was called to dispatch a deer on Hwy. 82 near Wallowa.

8:12 a.m. — A caller reported that city streets in Wallowa were being used as a motocross track.

3:15 p.m. — A warrant was issued for the arrest of Josie Jordan Makens, 28, of Lostine. Charges are probation violation. Original charge menacing.

7:33 p.m. — Report of rocks on Hwy. 82 in the Minam area ODOT was advised.

Jan. 9
8:57 a.m. — A theft was reported in rural Enterprise.

11:39 a.m. — A civil dispute was reported in Wallowa.

3:01 p.m. — Enterprise PD investigated a report of telephonic harassment in the city.

4:07 p.m. — A civil dispute was

reported in Enterprise.
8:08 p.m. — A domestic dispute was reported in Wallowa.

Jan. 11
7:11 a.m. — A report of a vehicle that slid off Hwy. 3 was received. No injuries.

2:48 p.m. — A domestic dispute was reported in rural Wallowa.

6:09 p.m. — Water was reported running over the bridge at Minam near Water Canyon.

Jan. 12
7:31 p.m. — Oregon State Police requested an ambulance for a male subject sitting in his vehicle in Lostine.

9:28 p.m. — A statewide misdemeanor warrant was issued for Noah Joseph Allen, 18, of Wallowa, for failure to appear. Original charge was contempt of court.

Jan. 13
3:24 a.m. — Sheriff's deputies responded to a domestic in Wallowa and reported arresting Dan Courtney Elkins, 47, of Washougal, Wash., on charges of assault and menacing. He was transported to Umatilla County Jail.

11:35 a.m. — Enterprise PD cited and released Josh Connelly, 24, of

Enterprise, for theft.
5:46 p.m. — Boulders were reported having fallen into the westbound lane of Hwy. 82 at Water Canyon blocking the road.

Jan. 17
4:52 p.m. — A 911 caller reported an injured deer in rural Enterprise.

Jan. 18
9:45 a.m. — Chelsea Rebecca Bennett, 33, of Joseph, was arrested by Portland PD on two Wallowa County warrants. Both warrants are for probation violation, first original charge is theft in the third degree. Original charge is failure to perform duties of a driver - property damage.

5:03 p.m. — 911 call reported an injured deer in rural Lostine. Deputy was unable to locate.

6:36 p.m. — Report of an injured deer in rural Enterprise. Deer was dispatched.

10:32 p.m. — Report of a theft in Joseph.

Jan. 19
3:25 p.m. — A 911 caller reported a traffic crash in rural Enterprise. OSP was notified.

9:56 p.m. — 911 caller reported a civil dispute in Wallowa.

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