

SALT LAKE CITY LAND USE APPEALS HEARING OFFICER
APPEAL OF Administrative Decision
PETITION NO. PLNAPP2026-00095
1883 S. 700 East
PUBLIC HEARING HELD May 21, 2026

This appeal is from an Administrative Decision enforcing Salt Lake City’s zoning code pertaining to short term rentals and an alleged violation of that same City ordinance. The Administrative Decision found that the property at 1883 South 700 East was being used as a short term rental in violation of City code.

On May 21, 2026, a public hearing was held on this matter and appearances were made by the property owner Avid Amiri and his legal counsel Dan Witte¹ on the one side and Salt Lake City attorney Courtney Lords and city planning staff Nicholas Rush on the other side. Argument made during the hearing along with the written submissions of the parties and the staff report prepared by Salt Lake City form the basis for this review.

Although Salt Lake City issued an administrative decision on this matter, the hearing and this decision are de novo, with no deference given to the previous interpretation and findings. *Salt Lake City Code* Section 21A.16.030 (I1). Based on the evidence submitted by the applicant, the staff report, testimony presented during the public hearing and the submissions of the parties, the appellant is found to have been operating his property at 1883 South 700 East as a short term rental in violation of City ordinance.

The hearing on this property was conducted at the same time as a hearing on a property at 1544 E. Tomahawk Drive and much of the subsequent briefing referenced both cases, often with the same arguments made with regard to both properties. Particularly, the appellant stated many of the same defenses in relation to both properties. Nonetheless, the evidence relating to this property is separate and is addressed separately herein.

Mr. Amiri argues that this case is moot because he paid the fines separately assessed for the violations. The Fines Hearing did not make a finding with regard to the alleged violation and the appellant explicitly stated in this appeal that he did not acknowledge any violation of the short-term rental ordinance. In his appeal, apparently speaking of himself in the third person, he stated:

“Mr. Amiri settled the other 3 properties only to mitigate risk and lock in low fines for the 3 properties in question; the settlements were made as financial risk management tactical steps and should not be understood to mean that Mr. Amiri believes or concedes that he was actually substantively guilty of any violation for any of the properties—to the contrary, none of them should ever have been cited.”

¹ At the hearing, Mr. Amiri was represented by counsel. His written post hearing submissions appear to be pro-se and signed by Mr. Amiri and not his counsel, whose name does not appear on these documents.

He went on to state;

“By continuing to appeal and pursue exoneration and redress as to the 1544 Tomahawk Drive property, Mr. Amiri can continue to seek to stop the recurrent improper practices and legal violations the City continues to pursue toward Mr. Amiri and all of his properties. The Appeals Hearing Officer and any subsequent tribunals can have a simplified and less burdensome focus on only one illustrative property--1544 Tomahawk Drive—as a procedural vehicle for hopefully getting ruling and guidance useful for addressing and/or curtailing Mr. Amiri’s longstanding and overarching concerns about the City’s practices.”

Mr. Amiri was clear that he was not acknowledging any violation at this property by virtue of resolving the fines related to his previous alleged violations. And the proceedings relating to the fines did not make any determination as to the alleged zoning violation. Thus, the question of whether the 700 East property was operating as a short term rental remains unresolved by the Fines settlement and not moot.

The property at issue is located in the R-1/7,000 Single Family Residential District as defined by the City’s land use tables. Short-term rentals, defined as those less than 30 days, are not permitted in this district. Salt Lake City ordinance 21A.33.020. Such rentals are only allowed in zones designated for uses such as hotels, motels and bed & breakfasts.

The Appellant argues that the Administrative Decision was erroneous because the evidence demonstrated that the property was not being used as a short term rental. The City presented substantial evidence of short term rental use.

On May 13th 2025, the City’s zoning monitoring tool produced data indicating that the property was being used as a short term rental. The City inspector visited the site to investigate and at that time interviewed a neighbor who stated that he observed the property being used as a short-term rental. The neighbor said they saw a party checking out of the property the previous day and noted frequent activity of people working inside the residence.

The inspector followed up by reviewing data on the hosting platforms which showed a short term rental during the June 13th, 2025 weekend. This data was followed up with another site visit where the inspector interviewed the occupant who confirmed that he had booked the property on Airbnb for his parents to visit his sister following her completion of a program at the University of Utah. He confirmed the short term nature of the visit. On September 23, 2026, a review of the hosting platforms discovered four active listings set for three night minimums; one for August, one for September and one for October. Another inspection in November found evidence and a receipt for a short term listing upcoming that same month. The City produced exhibits evidencing these listings.

On November 25, the City conducted another inspection of the property and spoke to the occupant who indicated he was visiting for Thanksgiving and produced an Airbnb booking

receipt showing a stay on November 24-25th. On January 7, 2026, the City identified four more short term listings including one at the end of January. The inspector visited the property and spoke to the occupant who confirmed a short term visit booked on Airbnb for a two night stay. The occupant stated that he was visiting from Idaho and the inspector documented a car in the driveway showing Idaho plates.

Daily fines commenced on January 26, 2026 (Mr. Amiri has settled the fines case but continues to dispute the short-term rental use of his property). On January 28th, the inspector documented three individuals carrying luggage into the property. A car with California plates was observed. This matched the calendars showing short term rental activity on those dates.

On February 24, the Appellant reached out to the City and provided web calendars, short-term rental cancellations and a 30 day lease agreement. At this time, no further evidence of short term rentals was discovered and the property appeared to be vacant so the City stopped fines and determined the property to be compliant as of February 24, 2026.

Based on his testimony and the documents he produced in the form of calendars and text messages, he argues that he was not using the property on 700 East as a short term rental. And he asserted a First Amendment right to advertise his properties as short term on the platforms even if that was not his intention and regardless of the City's ordinances.

The factual record in this case supports a finding that Mr. Amari was operating short-term rentals at the 1883 South 700 East address. He has presented argument and documents to explain the evidence presented by the City but under circumstances that challenge the credibility of that evidence.

In response to the City's evidence, Mr. Amiri argues that his method of leasing his properties involves listing on the short term rental platforms and then requiring prior approval of the transaction at which time he explains the 30 minimum. He indicated that he does not require his tenants to stay at the property but they must sign a 30 day lease. He produced several text messages to this effect. He also testified that the shorter rental terms indicated on the VRBO and Airbnb calendars were the result of rules on the App and an effort to pull more viewers to his listings. He presented several text messages with potential renters where he or his agent communicated the 30 day minimum.

Mr. Amiri asserts that the citation cannot go forward because it relies on data from short-term rental apps. This argument fails. The record indicates that the investigation was prompted by a complaint. The law does not prevent the City from relying on evidence from the apps as long as that is not the prompt for the investigation or the sole evidence for the finding of a violation.

Pursuant to Utah Code Ann. §10-8-85.4, a municipality may use "a listing or offering of a short-term rental on a short-term rental website as evidence that a short-term rental took place so long as the municipality has additional information to support the position that an owner or lessee violated a municipal ordinance." In this case, the City had complaints from neighbors and

first-hand information gathered by the investigator on his visits to the property. And while State law prevents the City from enforcing its short term rental ordinance based solely on platform listings, it does not infringe Mr. Amiri's First Amendment rights to consider those listings as relevant and material evidence of activity on the property.

Mr. Amiri also argues that what he describes as the City's lack of a prompt response to his GRAMA request should result in a dismissal of the violation finding. The GRAMA request did not impact that facts at issue in this matter and is therefore not pertinent to Mr. Amiri's right to due process. Moreover, the briefing schedule in this matter provided the appellant substantial additional time to obtain any material relevant to his defenses.

The evidence showing short term rentals included neighbor statements, the statement by the November 6, 2025 tenant and a screenshot showing the rental, another two day rental later in November again verified by the booking receipt. The City documented multiple inspections indicating changing tenants and vehicles showing circumstantial evidence of short term changes in residency, the rental-scape calendar data showing short term bookings and multiple conversations with occupants verifying their short term tenancy.

In response, Mr. Amiri offers text conversations where a few potential tenants reach out about rentals and he (or his agent) reply, indicating the necessity of a 30 day lease. Those communications state that the stay can be shorter but that the city requires the 30 day minimum lease period.

Although he did not state that he was incorporating the same arguments, Mr. Amiri did not produce separate briefs for this case and the Tomahawk case. So the arguments and the explanation of how his business operates are essentially the same in both cases. The City did the same but referenced both cases in its pleadings. As in the Tomahawk case, Mr. Amiri indicated that blocked off periods on the App calendars represented visits by friends and not commercial bookings and that the property's actual rental history is not evidenced by the online data. He also showed prompts from the apps suggesting that shorter minimums would receive more attention.

Salt Lake City produced excerpts from both VRBO and Airbnb's policy statements indicating that much of Mr. Amiri's business practice, as described by his own statements, is in violation of the rules by which those platforms operate. For instance. Airbnb makes clear that a requirement that a separate contract be signed must be clearly stated on the property listing. This has not been the case. Airbnb has specific policies relating to 30 day listings. Mr. Amiri's evidence to the contrary was produced by ChatGPT and AI, as referenced in the documents themselves and is therefore not reliable. Mr. Amiri testified that other than the photographs, almost all of his listings on the short-term platforms are intentionally intended to induce eyes on his properties while encouraging different transactions than those that are advertised.

Based on the evidence in the record, Mr. Amiri's rebuttal to the evidence demonstrating short term rentals is not credible. He describes himself as a skilled businessman managing many properties so the likelihood that he is operating in contravention of rules of short term rental properties is not convincing. The City has produced substantial evidence that short term rentals

are occurring at the 1883 South 700 East property. Based on the record, the Administrative Decision is affirmed.

Dated this 24th Day of June, 2026.

/Mary J. Woodhead/

Mary J. Woodhead, Appeals Hearing Officer