

RESOLUTION NO. 18-2556

**A RESOLUTION OF THE TOWN OF SURFSIDE,
FLORIDA CONDEMNING ANTI-SEMITISM ACTS BY
AIRBNB AND DEMANDING COMPLIANCE WITH
NON-DISCRIMINATION REQUIREMENTS; AND
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the Town of Surfside, Florida (the “Town”) is a residential community and tourist destination attracting diverse visitors; and

WHEREAS, Airbnb is a widely used accommodations service with significant influence worldwide; and

WHEREAS, the Town has entered into a Voluntary Collection Agreement for Resort Tax Between Airbnb, Inc. and the Town of Surfside, Florida (the “Agreement”) in which Airbnb agreed to comply with the non-discrimination requirements of Section 3-1.1 of the Town Code of Ordinances; and

WHEREAS, in the Agreement, Airbnb specifically agreed not to engage in a boycott, defined to mean “to blacklist, divest from, or otherwise refuse to deal with a nation or country, or to blacklist or otherwise refuse to deal with a person or entity when the action is based on race, color, national origin, religion, sex, gender identity, sexual orientation, marital or familial status, age, or disability in a discriminatory manner”; and

WHEREAS, Airbnb’s announcement on November 19, 2018 that it would remove all listings in Jewish settlements in the West Bank demonstrates discrimination based on race, national origin and religion; and

WHEREAS, Airbnb’s actions are antithetical to the non-discriminatory values that are important to the Town and a breach of the Agreement; and

WHEREAS, prejudice and discrimination based on race, national origin, religion or any other attribute, have no place in our Town, county, community, country or world.

**NOW THERE FORE, BE IT RESOLVED BY THE TOWN COMMISSION
OF THE TOWN OF SURFSIDE, FLORIDA, AS FOLLOWS:**

Section 1. Recitals Adopted. That each of the above stated recitals are hereby adopted, confirmed, and incorporated herein.

Section 2. Condemnation. The Town Commission hereby condemns Airbnb’s discriminatory actions, most recently to remove all listings in Jewish settlements in the West Bank.

Section 3. Breach of Agreement. The Town hereby finds Airbnb in breach of Section V. (Non-Discrimination) of the Voluntary Collection Agreement for Resort Tax between Airbnb, Inc. and the Town of Surfside, Florida, and demands compliance.

Section 4. Demand for Action. The Town hereby calls upon Airbnb to take all necessary action to correct this act of discrimination to the land of Israel and to the Jewish community in the West Bank and restore its original services immediately.

Section 5. Failure to Comply. In the event that Airbnb does not stop the boycott, restore original services, and take all necessary actions to correct this policy of discrimination, we call upon all people, especially those utilizing Airbnb on-line services to list or lease property, to carefully consider the discriminatory behavior of Airbnb when they evaluate the listing contracts and referral agencies they will utilize.

Section 6. Effective Date. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 11th day of December, 2018.

Motion By: Vice Mayor Gielchinsky

Second By: Commissioner Cohen


FINAL VOTE ON ADOPTION

Commissioner Barry Cohen	<u>yes</u>
Commissioner Michael Karukin	<u>yes</u>
Commissioner Tina Paul	<u>yes</u>
Vice Mayor Daniel Gielchinsky	<u>yes</u>
Mayor Daniel Dietch	<u>yes</u>


Daniel Dietch, Mayor

Attest: 
for: Sandra Novoa, MMC
Town Clerk

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE TOWN OF SURFSIDE ONLY:**


Weiss Serota Helfman Cole & Bierman, P.L.
Town Attorney