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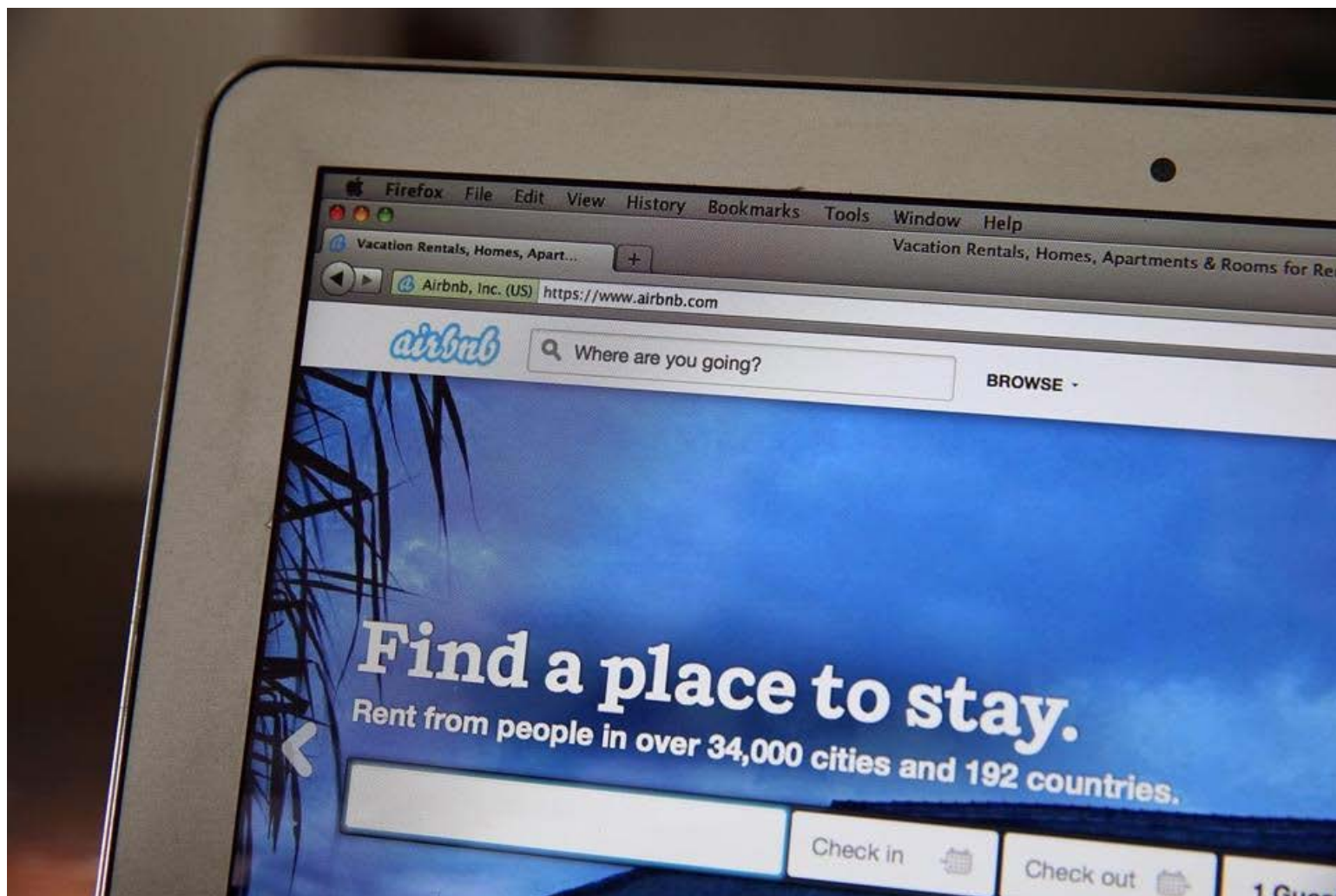
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The three-bedroom, 1,300 square-foot unit was listed on Airbnb for rates of \$490 per night or \$3,399 per week.

By **Matt Rocheleau**

GLOBE STAFF AUGUST 24, 2015

The City of Boston has ordered the owner of an affordable housing unit in South Boston to stop listing the property for rent via the short-term rental site Airbnb and either reoccupy the unit or sell it to an income-eligible owner who will live there.

A recent letter to Christopher J. Fitzpatrick, owner of 164 Bolton St. Unit B, says that he is in “clear violation” of a clause in the city’s affordable housing agreement, which states that the owner of the unit must occupy the space as their principal residence.

“Given the city’s commitment to developing and preserving affordable housing opportunities, the city cannot and will not accept anything less than full compliance,” said the letter, dated July 31, from Anne Marie Belrose, assistant director of Boston’s Department of Neighborhood Development.

“Should you fail to come into compliance with the terms of the covenant, this matter will be referred to the city’s Law Department, where all remedies availability to the city in law and equity will be pursued,” said the letter, which was provided to the Globe by the city.

The three-bedroom, 1,300 square-foot unit was listed on Airbnb for rates of \$490 per night or \$3,399 per week, according to the letter and screenshots of the listing provided by the city.



Some Boston housing now used like hotels via Airbnb

There are concerns that the site is being used to run

substantial lodging businesses while avoiding regulation and taxes.

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As of July 31, the listing had 24 reviews and stated that the entire home was available, which city officials said in the letter indicated to them that the property had been rented out for a while — and that the owner did not live there.

A listing that appeared to be the same as the one the city found was live on Airbnb as of Monday morning, now with 27 reviews. The lister, “Chris,” joined Airbnb in January.

A message seeking comment sent to the Airbnb account and a voicemail left at a number listed to Fitzpatrick were not immediately returned Monday.

Documents from the city show that Fitzpatrick bought the property for \$216,719 in December 2008.

If he chooses to sell the property, he must sell it to a city-approved buyer who does not make more than 80 percent of the area’s median income.

He can sell the unit for no more than \$318,481, according to calculations cited in documents attached to the city’s letter. The city came up with that number after calculating 5 percent annual compounded interest on the original purchase price and adding about \$18,000 to cover a 6 percent real estate broker commission.

The property is one of 10 units that makes up the Monsignor Lyons affordable housing development, which was built in 1989 by the South Boston Neighborhood Development Corp. on vacant blighted lots donated by the city.

The letter comes as city and state officials are considering imposing regulations and taxes on short-term rentals of residential properties, a practice that has become increasingly popular with the advent of Airbnb and similar websites.

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