



## SHORT TERM RESIDENTIAL RENTAL

### *Do you know Fairfax County's rules on Short Term Residential Rental ?*

The use of a dwelling for short-term rental is transient occupancy and is not permitted unless the Board of Supervisors has approved a special exception to allow the dwelling to be used as a bed and breakfast. Occupancy of less than 30 days is transient occupancy.

Part 3 of Article 20 of the Zoning Ordinance defines a bed and breakfast, as "A single family detached dwelling unit which is owner or manager occupied, in which five (5) or fewer guest rooms without cooking facilities are rented to transient visitors for a period not to exceed thirty (30) days." Bed and breakfast uses are permitted in the following zoning districts only with Board of Supervisor approval of a special exception: R-P, R-C, R-E, R-1, R-2, PDH, PRC

Absent approval of a special exception, using a dwelling to provide accommodations for roomers or boarders for a period less than 30 days is not permitted because the use does not comply with the Zoning Ordinance definition of "dwelling." Part 3 of Article 20 of the Zoning Ordinance defines a "dwelling", in relevant part, as "A building or portion thereof...designed or used for residential occupancy. The term 'dwelling' shall not be construed to mean a motel, rooming house, hospital, or other accommodation used for more or less transient occupancy." As previously stated, occupancy of less than 30 days is transient occupancy.

In addition, private agreements (such as homeowners' association regulations) may also, separately, restrict the use of a home. The County does not enforce private agreements.

### To report a possible violation:



**Fairfax County Department of Code Compliance**  
**12055 Government Center Parkway, Fairfax, VA 22035**

**Phone: 703-324-1300, TTY 711**

**Web: [www.fairfaxcounty.gov/code](http://www.fairfaxcounty.gov/code)**



To request this information in an alternate format, call the Department of Code Compliance.

*This Fairfax County, VA Publication (published September 2016) summarizes a few regulations. See relevant codes for specific requirements.*