

**THE CITY OF OKLAHOMA CITY
OFFICE OF
THE MUNICIPAL COUNSELOR**

Council Agenda
Item No. IV. G.1&2
6/21/2022

TO: Mayor and City Council

FROM: Kenneth Jordan, Municipal Counselor

1. Resolution ratifying the Municipal Counselor's initiation of an action in the District Court of Oklahoma County for Declaratory Judgment that the activities at 2900 Browne Stone Road constitute home sharing and that a license and special exception are required, and an application to temporarily and permanently enjoin the use of the property at 2900 Browne Stone Road for home sharing;
Councilmember Stonecipher

AND/OR

2. Enter into Executive Session on advice of the Municipal Counselor to receive confidential communications from its attorney concerning the above case, as authorized by 25 O.S. (2021) §307(B)(4), because disclosure would seriously impair the ability of the public body to conduct the litigation in the public interest.

According to information available from home sharing platforms VRBO.com and Airbnb.com, the "Gold Lion Home" has been advertised for short-term rental since at least March 2021 and is hosted by Ethel Tazinya Mezi. The Gold Lion Home is located at 2900 Browne Stone Road in Oklahoma City ("Subject Property"). According to the Oklahoma County Clerk's property records, the Subject Property is owned by King Tazinya, Inc. According to the Oklahoma Secretary of State records, Kingsley Tazinya is the President of King Tazinya, Inc. Upon information and belief, the Subject Property is not the primary residence of Ms. Mezi or Mr. Tazinya.

According to Chapter 59, Section 59-9350.38.1 of the Oklahoma City Municipal Code, 2020, a Special Exception is required to conduct home sharing when the property is not the primary residence of the host. Further, a license to conduct home sharing at a property is also required in accordance with Chapter 13, Section 13-510 of the Oklahoma City Municipal Code, 2020. Neither Ethel Tazinya Mezi nor Kingsley Tazinya on behalf of King Tazinya, Inc. have applied for either a license or a special exception to conduct home sharing at the Subject Property.

Citations have been issued for conducting home sharing without a license on the Subject Property; and despite these citations, home sharing activities have continued. In an effort to stop the continued violations of the Municipal Code, the Municipal Counselor has initiated an action pursuant to 12 O.S. § 1651 against Ms. Mezi, Mr. Tazinya and King Tazinya, Inc. in the District Court of Oklahoma County for a declaratory judgment that the activities occurring at the Subject Property constitute home sharing within the meaning of the Oklahoma City Municipal Code and that a license and special exception are required, and an application to temporarily and permanently enjoin

the use of the property at 2900 Browne Stone Road for home sharing in accordance with 11 O.S. § 43-107, 12 O.S. §1384.1 and 12 O.S. § 1382.

Councilman Stonecipher has requested the ratification of the Municipal Counselor's initiation of an action in the District Court of Oklahoma County for declaratory judgment that the activities at 2900 Browne Stone Road constitute home sharing and that a license and special exception are required, and an application filed to temporarily and permanently enjoin the use of the Subject Property for short-term rental.

The Municipal Counselor believes it is in the best interest of the City to enter into executive session with the Council to discuss this matter. A Resolution ratifying the Municipal Counselor's initiation action is submitted herewith.