

# STAYING *in Touch*

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This publication is intended to educate the general public about various issues. It is not intended to be legal advice. Every case is different.

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- Airbnb
- Indo Jax Surf Charities
- Who Gets The Family Pet?



**Kellam's Corner:** Happy two-year anniversary to Brandon joining the firm and the name change to Parks Zeigler, PLLC. We continue to add people, this month bringing on a full-time marketing manager, Geri Clark. We are excited to have her join our team and assist us grow the firm. We are also currently looking for another paralegal and an associate attorney to help us service our growing clients' needs.

On the personal front, we continue to be busy. Avery is heading into the end of her first year at ODU and very much involved with the dance program there, teaching at a local dance studio, and giving private lessons. Kelly continues to keep busy with our new dog (he remains a handful) and keeping everyone straight at the homestead (a full-time job!).

*Kellam*

## *Identity Theft*



We've offered a lot of information on how to help with tax identity theft, but what do you do if you have reason to believe your information has been breached? First, you should file a police report just so it is on record. Then file IRS form 14039 which is an Identity Theft Affidavit. The form offers a PIN number that would be used on the following years tax return, adding another layer of protection. To learn more, you can visit the IRS website.

## *Did you know?*



The spring equinox will fall on March 20th this year. The fall and spring equinoxes are the only two times during the year when the sun rises due East and sets due West.



*"Spring is the time of plans and projects."*

*- Leo Tolstoy*

## **AIRBNB - HOTELS WANT A LEVEL PLAYING FIELD**

Virginia Beach and the Hampton Roads region has a lot to offer both tourists and business travelers. This is evidenced by the large number of hotels in the area, the re-building of the Cavalier Hotel, and the green light for an additional hotel to be built nearby, as well as the building of a new conference center in downtown Norfolk. With the high volume of travelers coming through Hampton Roads, it should come as no surprise that there is a large Airbnb presence to match the demand and "big hotel" is not too thrilled.



Airbnb is a service that allows travelers to find places to stay from area residents. Residents offer their vacant rooms or empty mother-in-law suites through a mobile app.

Travelers can request specific arrangements such as a bedroom for one for a week or a full house for three days. Those offering up rooms enjoy the additional income, but do not face the restrictions put on the hotel community. The range of options readily available to the traveler, along with the added flexibility and reduced cost that comes from dealing with a person rather than a hotel chain, makes Airbnb very appealing to travelers.

Much like how Uber has disrupted the taxi service industry, Airbnb is disrupting the hospitality industry. The hotel industry is making efforts to curb the competition, or, as they claim, create a level playing field. The industry has a valid point and questions the legality of Airbnb. States and cities all have spe-

cific requirements pertaining to lodging that hotels must meet and maintain, but those offering rooms for rent through Airbnb have avoided these requirements thus far, despite providing the same service.

This year Senate Bill 1578 was introduced to the General Assembly by Virginia Senator Thomas K. Norment. The bill, which has seen little resistance so far, has support from both local organizations and Virginia's established hospitality industry. It would give local cities the option to enforce an ordinance that requires those who want to offer short term rentals through Airbnb to register, or face fees of up to \$500.

The central issue in question deals with fairness and competition. The hotel industry maintains that it is unfair that Airbnb renters do not have to comply with regulations despite offering the same service. Eric Terry, president of the Virginia Restaurant, Lodging, and Travel Association, says that they welcome Airbnb into the area, but still desire a level playing field. However, there is some legitimate concern that this bill would cripple the Airbnb market, putting the average citizen looking to supplement their income at an unfair disadvantage. As is the case with services such as Uber, new offers may transform the marketplace in ways that outpace legislation.

As of March 16th, the bill has passed both Senate and House in the Virginia General Assembly. Now it's on to the Governor to be signed or vetoed.

*We welcome your referrals!*

*We value our clients and want you to come to us for any legal need you may have, no matter the type of case. If it is in an area we do not practice, we will refer you to a trusted colleague to take care of you as we would. If you refer someone to us, we promise to answer his or her questions and provide first-rate, attentive service. Thank you for your referrals and for continuing to come back to Parks Zeigler.*



## Deb Dishes:

I love Virginia weather. I can get my summer roasted corn on the grill fix one day and three days later be making a pot of winter warming soup! I decided to find a recipe to combine these seasonal cravings and found Island Pork. The ingredients may seem like a strange blend, but combined they are delicious. You mix 2 tsp salt, ½ tsp pepper, 1 tsp cumin, 1 tsp chili powder, 1 tsp cinnamon and then rub all over 2 (about 2-2.5lbs) pork tenderloins. Heat 2 TBSP olive oil in skillet and sear all sides of the pork over medium heat, about 4-5 minutes. Remove skillet from heat. Mix ¾ c packed brown sugar, 2 tsp chopped garlic, 1 tsp Tabasco and pat the mixture over the pork. Place skillet in 350° oven and bake 15-20 minutes. Let stand in skillet about 10 minutes before slicing. Love the flavor explosion this dish brings to a meal! I served it with very lumpy mashed potatoes that I only seasoned with butter, salt and pepper; fresh snap beans cooked al dente and cold applesauce. This is a meal I will certainly be serving company soon..... so who wants to come to dinner at my house? All our recipes can be found on our website: <http://www.pzlaw.com/library/recipes/>.

## Giving Back To The Community

### THE INDO JAX SURF CHARITIES

PARKS ZEIGLER IS PROUD TO SUPPORT AND HIGHLIGHT THIS ORGANIZATION:

For 8 years now, Indo Jax Surf Charities has been traveling to Kochi India to work with orphan girls. These are the poorest of the poor. Many of the girls we work with have been abused, neglected and mistreated. They are deemed worthless by the culture they live in. We bring our world renowned surf program to these desperately needy young children. Working with Homes of Hope orphanages, we house, feed, and transport 80+ orphan girls annually for a 10 day surf safari. We get them into an amazing adventure where they can experience a childhood and receive much needed emotional healing. While the trip is an expensive endeavor, the outcomes for these orphan girls are priceless. All funds raised for this trip go directly to helping these girls. We help them build self esteem and self worth. We teach them valuable life skills they can take with them the rest of their lives. Using surfing, we see a dramatic and measurable change in their self confidence and outlook on their own lives. As they go through our surf program they learn that if... ***"I can surf, I can do anything!"***



To Support this Organization, visit

<https://www.crowdise.com/india-surf-safari-2017-for-orphan-girls>

## Family Corner



Brandon and his family enjoyed spring break across the pond. This spectacular view is of London's financial district from the London Eye.



Zach and his family took advantage of the unseasonably warm weather this month and spent the day at the Virginia Zoo.



## Wine Review

My (Kellam) favorite red wine is Red Zinfandel, which is a darker red wine - not the pink stuff (known as "White Zinfandel"). Red Zin has the flavors of black pepper, cherry, and jam. I describe it as spicy and explosive at the front and a smoother finish than a larger red wine, such as a Cabernet Sauvignon. It has medium tannins with high acidity and that, along with the typically high alcohol content, makes it a fairly bold wine. It pairs excellently with meats and tomato based pasta dishes.

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### *Allison's Adage:*

Who gets the family pet? Believe it or not, this is a common question in divorce cases. Should pets be treated as property and divvied up like the furniture and china? Or, should they be treated like children wherein the court determines what is in the pet's best interest? Currently, Virginia treats cats and dogs like property. See Va. Code § 3.1-796.127. However, there has been a trend in other states towards treating family pets like children. In Alaska, a law went into effect earlier this year which requires the courts to consider the well-being of the pet in the event of a divorce and allows judges to assign joint custody of the family pet. Likewise, this past February, a Rhode Island state representative introduced a bill that would require judges to consider the "best interest of the animal" in a divorce proceeding. Also, in 2013, New York County Supreme Court Justice Matthew Cooper noted, "[i]f judicial resources

can be devoted to such matters as which party gets to use the Escalade as opposed to the Ferrari, or who gets to stay in the Hamptons house instead of the Aspen chalet, there is certainly room to give real consideration to a case involving a treasured pet."

While Virginia currently treats family pets like property, that does not mean the parties have to do so. I highly recommend trying to reach an agreement when it comes to the family pet. Just like in child custody cases, you do not want to leave the decision of who gets the pet to a judge.



***New address? New phone number? New Email? Help us stay current by letting us know. Call Deb at 757.453.7579 or email her at [dmontagna@pzlaw.com](mailto:dmontagna@pzlaw.com). If you wish to unsubscribe to this newsletter, please call Deb. Thanks!***