

**EXHIBIT B**

**TOWN OF BROOKLINE BOARD OF APPEALS**  
**APPLICATION FOR APPEAL OF ADMINISTRATIVE DECISION**

(See M.G.L. c. 40A §8, BOA Rules and Regulations, and Zoning By-laws §7.03.2.e)

Date: 6 / 10 / 19

Applicant(s): HELENI THAYRE Address: 12 Euston St. Unit #3  
Brookline, MA 02446

Owner(s) of Record: HELENI THAYRE Address: 12 Euston St. Unit #3  
Brookline, MA 02446

Address of Premises: 12 Euston St. Brookline, MA

Deed recorded in Registry of Deeds, Book 1039 Page 50

or registered in the Land Registration Office under Certificate No. \_\_\_\_\_

Tax Assessor's Property ID No.: Map: 2015 Block: 001 Lot: 13

1. What are you appealing and why? Is it an inability to obtain a building permit, enforcement action, order or decision of the Building Commissioner/Building Official? (Please attach copy)

Appealing the attached Notice of Violation  
\_\_\_\_\_  
\_\_\_\_\_

2. Are you within the 30-day appeal period (M.G.L. c. 40A, §15)? Yes  No   
Notice of Violation extended to June 29, 2019 (see attached)  
3. Provide the grounds for the appeal and legal reasons why you assert that the order or decision is legally not valid. (Please attach copy)

Air B & B of a bedroom in an owner-occupied unit is not governed by Use #7 (ledging house) but by Use #51 (renting of not more than two rooms to a lodger within a dwelling unit). The definition of "lodger" in §2.12.3 does not include a minimum stay requirement.

4. What outcome do you request if your appeal is upheld?

That applicant be allowed to re-list her extra bedroom on Air Band B for short-term rentals. The current order is depriving applicant from such rental income over the summer high season for tourists to the Boston area.





**TOWN of BROOKLINE**  
*Massachusetts*

**BUILDING DEPARTMENT**

Heleni Thayre  
12 Euston #3  
Brookline, MA 02445

May 10, 2019

RE: 12 Euston St. #3

**NOTICE OF VIOLATION**

Dear Owner,

A complaint was made in regard to the premises you own at **12 Euston St.** It was brought to the Town's attention that you are renting your property as an Airbnb. This was verified by searching properties on Airbnb.com's website and finding your property listed for short term rental. This is a violation of the Town of Brookline's Zoning By-Law and is not permitted.

**Zoning By-Law Ch 4:**

Permitted Use #7 Lodging House requiring Special Permit.

**REMEDY:**

Immediately remove your property in the listings of Airbnb.com

**Failure to comply with this notice within thirty days (30) of receipt of this notice will result in fines of \$1000.00 per day for each day the violation exists (MGL 143 §§ 94a) as well enforcement actions through MGL 146 §§ 6 through 12, and court action.**

Your immediate attention to this matter is appreciated.

Respectfully,

*Robert Dougan*  
Building Inspector

CC: Dan Bennett. Building Commissioner , Joseph E. Braga. Deputy Building Commissioner

Heleni Thayre  
12 Euston St., Apt. 3  
Brookline, MA 02446

RECEIVED  
2019 JUN -1 PM 4:10  
PLANNING DEPT  
CITY OF BROOKLINE

May 31, 2019

Daniel Bennett, Bldg Commisioner  
Building Dept  
330 Washington St.  
Brookline, MA 02245

Dear Mr Bennett,

Thank you for taking my call on May 28<sup>th</sup> to discuss the letter you sent me dated May 10, 2019 regarding operating an AirBnB in a bedroom of my home at 12 Euston St., Unit 3.

As I mentioned to you I did not know about this letter until shortly before we spoke on the morning of June 28th.

I want to thank you very much for extending the time frame of the notice to cease operation to June 27<sup>th</sup>, 2019 thirty days from the day I saw this letter and we spoke, and am writing to confirm the extension to June 27th that you gave me.

Thank you again.



Heleni Thayre

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