

Lawsuit seeks to address short-term rental issues in Plano residential neighborhood

Resident takes stand against absentee property owners who are turning homes zoned single family into defacto rooming houses in violation of local ordinances.

PLANO, TEXAS, USA, July 14, 2022 /EINPresswire.com/ -- A longtime Plano, Texas (suburb of Dallas) resident is taking a stand in Collin County court against the growing trend of absentee property owners who are turning homes zoned single family into defacto rooming houses in violation of local ordinances.

The suit (Cause No: 005-0959-2022), filed in Collin County Court of Law 5 by Plano resident Nelson A. Locke, alleges that owners of a home adjacent to

Locke's residence in the quiet, single-family Preston Meadow North neighborhood are allowing as many as eight or nine transitory residents at any given time.



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“

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Nelson A. Locke, Esq.

As a result, Locke said, the temporary occupants have created a number of serious nuisances – and a high level of emotional trauma – for residents of his home and others in the neighborhood, including:

- Voyeurism and invasion of privacy through use of a surveillance drone equipped with a camera, hovering over Locke's home.
- Parties and excessive noise creating neighborhood disturbances in the early morning hours.
- Trespassing, including an attempt to enter Locke's property with a camera phone, by climbing over a 7-foot

fence.

- Exceeding parking limitations in the subdivision, limiting street parking to two vehicles per residence, parked in a lawful manner.

Locke added that law enforcement has been contacted on multiple occasions to address the issues.

Plano Code prohibits homeowners from renting individual rooms to tenants where the residence is in a single-family residential zone. However, residence is allowed for second-tier family members such as parents or grandchildren.



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The home at 4300 Brady Drive in Plano has been owned by Abhibit Ghosh and Nabamita Ghosh of Frisco since late 2017 but has never been owner-occupied.

Instead, Locke said, it has become a troublesome rooming house with a steady parade of disruptive short-term renters.

“The zoning ordinance is intended to ensure that our neighborhood’s residents can have the complete enjoyment and full use of their homes,” he said. “The owners violated that ordinance by creating a rooming house and renting to individual tenants.”

Locke’s suit is based on property owner negligence and may apply the enterprise liability doctrine. Because of the large number of short-term tenants, Locke has named those tenants as “John Doe” tenants, only until such time that the property owner identify the tenants by name. Locke is seeking compensatory, exemplary and punitive damages from the property’s owners; attorney’s fees and other legal costs as may develop as the result of this conduct.

With many properties being purchased for investment purposes in the superheated DFW market, Plano isn’t alone in facing the short-term rental issue. For example, according to communityimpact.com, between 2019 and 2021 Frisco police identified 25 short-term rentals with 95 calls including excessive noise, domestic disturbances, drug activity, harassment, trash, and parking issues.

The Dallas City Council is also wrestling with ongoing complaints regarding similar violations. The city recently recommended drafting an ordinance that would prohibit short-term rentals in single-family residential neighborhoods.

"This has been a quiet family-oriented neighborhood for almost 30 years," Locke said. "We're asking for protection from issues that come from the presence of rooming houses. Zoning enforcement and owner responsibility are important for everyone's well-being and peace of mind."

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