

For the International Municipal Lawyer's Association - IMLA's 5 things to know for April 16th

1. For those of you suffering either from the ever increasing use of vacation rentals in your community and trying to find solutions to your community's issues with these uses, or a personal lingering desire to rent a place at a vacation spot, this case is for you. The First Circuit concluded that a person who used HomeAway to book a one week stay at a regal estate for a little over \$46,000 which the prospective vacationer paid, could not recover when it turned out there was no such property. Ouch.

<http://media.ca1.uscourts.gov/pdf.opinions/17-1898P-01A.pdf>

2. In Chicago the city recently passed a privacy ordinance affecting access to information about condo owners. Despite the glaring issues involving the leaking of personal information brought out in the FaceBook controversy and public sentiment to protect personal information that Chicago's law advances, a suit was filed challenging the measure and the city is defending the law.

<https://www.loopnorth.com/news/privacy0415.htm>

3. In Washington DC the DC Circuit concluded that a verdict in favor of officers in a shooting case resulting in death should stand and that the lower court's evidentiary rulings held up. The case included claims that discovery was not provided timely and that sanctions should have been imposed, but the circuit recognized the "no harm no foul" rule and found no abuse of discretion.

[https://www.cadc.uscourts.gov/internet/opinions.nsf/0/68E0AA3E6D9BA2108525826E004F344A/\\$file/15-7023.pdf](https://www.cadc.uscourts.gov/internet/opinions.nsf/0/68E0AA3E6D9BA2108525826E004F344A/$file/15-7023.pdf)

4. In Alameda California, intrigue permeates the question of whether the city manager could lawfully record a meeting with two councilmembers. The city manager felt she was being pressured to make an appointment of a fire chief by the councilmembers or lose her job. At stake in the minds of councilmembers – labor peace; for the manager – competency to hold the position. Practice pointer – think twice before you record conversations with your boss especially in a two party consent state.

<https://www.sfchronicle.com/politics/article/Alameda-city-manager-s-job-on-the-line-over-12832827.php>

5. Congratulations to Robin Currin, Asheville NC City Attorney for a nice win in that state's Supreme Court. The city fired a police officer and lost at a labor board hearing and appealed. The city did not ask for a jury, but the officer did. NC law precludes the appellee from getting a jury and when the lower courts held in favor of the officer on this point the city appealed and won at the Supreme Court.

<https://appellate.nccourts.org/opinions/?c=2&pdf=35027>

It's not too late to join us for our Seminar in DC and learn about some of the most current and interesting issues in local government or follow our Section 1983 track to better defend your community. Join almost 400 of your colleagues at the IMLA Seminar and Section 1983 defense program. [Mid-Year Seminar](#). Get more from IMLA by joining. Not a member? Contact us. Sign up at www.imla.org . Have a great day and make it an inspirational one.