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Diffusion Return: A Case Study of New Orleans

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DIFFUSION RETURN: A CASE STUDY OF NEW ORLEANS

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A dissertation submitted in partial fulfillment
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Dissertation Approval

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ABSTRACT

This study establishes and explores the concept of diffusion return. This study utilizes a qualitative case study of the city of New Orleans and their regulation of short-term rentals to establish and explore diffusion return. A network map is constructed of cities that diffused short-term rental regulation information with New Orleans. Information movements are sketched with the network map, and the resulting patterns illustrate how diffused information travels both inward and outward across jurisdictions. Additionally, thematic analysis is applied to qualitatively analyze data gathered from five interviews with New Orleans city staff, three short-term rental reports, and public meeting minutes from the New Orleans City Planning Commission and New Orleans City Council staff and citizens.

This study aims to understand the extent to which policy diffusion shapes policy after initial adoption. A large body of research has explored policy diffusion; however, there is only a limited understanding of how policy diffusion “plays out” after a policy is adopted. To this end, how policy modifications occur during policy implementation and evaluation through a process of diffusion return is examined.

This study offers models of potential patterns of diffusion return and then confirms their existence with a network map created with cities that adopted and modified short-term rental regulations. These patterns are important because there may be unintended consequences associated with them that may degrade information quality and resulting policy. Themes are explored with both established diffusion mechanisms and new mechanisms offered in the study. This study builds upon the research literature for government innovation, policy diffusion, local government, and disruptive innovations. The study closes with policy implications, theory implications, and recommendations for further exploration.

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DEDICATION

To my wife, Heidi, you were a large reason why I did the Ph.D. program in the first place. You inspired me to reach higher than I ever thought possible. I have found limits I thought I had only to reach further and further. You truly make me feel limitless and have helped me grow in so many ways. I am so thankful you are in my life, as my wife. I appreciate your support throughout this process, and I don't know if I would have made it without you. We have done so much together, and I look forward to the journeys ahead.

To my daughter Remi, I intended to have this all done by the time you were born or at least close to when you were born. My concern was that this work would take time away from you. You are now about 2.5 years old, so I did not quite make that happen, but I can say that you were and always will be my priority. Some of my favorite memories during this time were taking breaks at night when you would stir in your crib. A lot of this work was done while you were sleeping because I wanted to be around you as much as possible. I'm very proud of you and love you so much. I hope this can prove to you that anything is possible as long as you work for it.

To my mom Jeanette, in the past, I've tried to summarize what you've taught me in life. I thought about it and ended up categorizing your example to me into three groups. These three groups are a motto that I live by that guides me day to day. First, show up. Second, work hard. Third, follow through. You taught me these lessons through your guidance and example. These serve as the foundation of who I am today and will be ongoing. I don't know where I would be or what I would be doing without those principles. I am forever grateful for what you've taught me and for always being there to support Nick and I, no matter what. Love you, mom.

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CHAPTER 1: INTRODUCTION

1.1 Research Questions and Study Objectives

1.1.1 Overview

The aim of this study is to understand the extent to which policy diffusion shapes policy after its initial adoption. Policy diffusion is defined by Rogers (1983) as, “the process by which an innovation is communicated through certain channels over time among the members of a social system” (p.5). A large body of research has explored policy diffusion, however, there is only a limited understanding of how policy diffusion “plays out” after a policy is adopted. To this end, how policy modifications occur during policy implementation and evaluation through a process of diffusion return are examined. This study considers three research questions that address the diffusion of policy information when post-adoption modifications occur.

Is there evidence that diffusion return exists?

What makes a jurisdiction more or less likely to experience diffusion return?

What are the implications of diffusion return on policy modification?

Policy diffusion explanations of innovation focus on intergovernmental relationships and networks where jurisdictions emulate previous adoptions of other jurisdictions. Thus, traditional diffusion literature focuses on an outward direction of diffusion. This is because the focus on the initial adoption of policy results in outward direction as the only possible direction. When extending diffusion beyond initial adoption, new diffusion patterns emerge where information flows inward as well as outward. This creates new opportunities to explore and expand the diffusion literature as to what occurs after the initial adoption of the policy. Moving past initial adoption treats innovation and diffusion as a multistage process rather than an outcome, and a

process that may be long-term or developmental while evaluating the impact of social and political forces at different stages of the policy process (Elkins & Simmons, 2005; Karch & Cravens, 2014). In the government innovation diffusion literature, extending beyond initial policy adoption is needed broadly for diffusion literature and is long overdue (Shipan & Volden, 2012).

Karch and Cravens (2014) are the first to move the diffusion literature past the initial adoption policy phase with the term “post-adoption modification.” Karch and Cravens (2014) define post-adoption modification as; “... related [to policy diffusion] but the distinct process through which officials revisit existing statutes and alter them in response to changing societal or political conditions” (p. 463). Post-adoption modification is a dynamic process and may be a result of different pressures that occur past the formulation and adoption phases of the policy process. Modification is distinct from initial adoption because, compared to when there is not a policy in a jurisdiction, the existence of a policy reshapes any policy dynamics following initial adoption (Pierson, 2011; Skocpol, 1992). Karch and Cravens (2014) only explored if a post-adoption modification occurred or not. This study builds upon and extends the work of Karch and Cravens (2014) to explore policy modifications by identifying information sources used by jurisdictions to modify their policy to examine (1) how diffusion sources change and (2) if information that has diffused from a jurisdiction returns back when modifications are made.

1.1.2 Diffusion Return

This study argues that the diffusion of information occurs in both an outward and inward direction. Extending diffusion beyond the initial adoption of the policy process provides more opportunities to observe new effects that impact ongoing government innovation. This study focuses on one effect in particular called “diffusion return.” Diffusion return is when the jurisdiction that is diffusing information inward has been a source of outward diffusion within the

diffusion path previously. Diffusion return has not been previously included in the diffusion literature because the literature has been focused on the initial adoption of policy, and this type of effect could not be observed during initial adoption because initial adoption has been studied as a one-time event and not an ongoing process. Diffusion return accounts for continuous policy modification and the continual impact of policy diffusion on governmental jurisdictions.

Government jurisdictions regularly use each other as sources of information. Government jurisdictions look to their peers when crafting policy to decipher what works, what does not work, and what may work. Jurisdictions learn from the experiences of themselves and each other. This exchange of information happens constantly. For example, a government jurisdiction may be in the news for a policy decision that resulted in a positive or negative consequence, and from this, other jurisdictions learn from the experience of that jurisdiction and may adjust their local policy. Another example may be that an issue is pressing in a local jurisdiction and to address the issue that jurisdiction is likely to look at what other government jurisdictions are doing to address that same issue in their jurisdiction and what consequences there have been, if any. This results in what is traditionally known as policy diffusion, where a jurisdiction examines the experiences of others and adopts policy based on the experiences of other jurisdictions.

Diffusion return adds to the traditional diffusion field by acknowledging that the lens and experiences of other jurisdictions become a part of the information that diffuses. There is a return effect where diffused information returns from sources that may or may not include information a modifying jurisdiction wants. If diffusion return occurs, there may be lasting consequences that impact the accuracy of information and the quality of policy that is modified.

This study explores what makes a jurisdiction more or less likely to experience diffusion return and what the implications of diffusion return are on policy modification. These are important

because government jurisdictions need to be aware of diffusion return when they gather information to make modifications to policy. Information from their jurisdiction may be returned after passing through other jurisdictions. This may result in unintended consequences where the jurisdiction making modifications receives information from themselves with distortions resulting from changes or alterations made by other jurisdictions along the diffusion path. If the modifying jurisdiction is not aware that this is a possibility, it may lead to distortion or interference being a part of policy modifications that are made. This may lead to a policy that is reflexive, self-referential, or self-reinforcing delusion, which is not ideal.

An analogy that further helps elucidate diffusion return is the ripple effect. In Figure 1, when a jurisdiction (*S*) initially adopts a policy, the experience and information from the initial policy adoption of *S* diffuses outward (represented by the waves going outward). *S* creates a ripple through the initial policy adoption that reverberates out to other jurisdictions (*A*, *B*, *C*, and *D*) that gather information for their own initial policy adoption. This represents the current policy diffusion literature that focuses on that outward trajectory of the diffusion where other jurisdictions receive diffused information from *S*.

Figure 1: Diffusion Return and the Ripple Effect

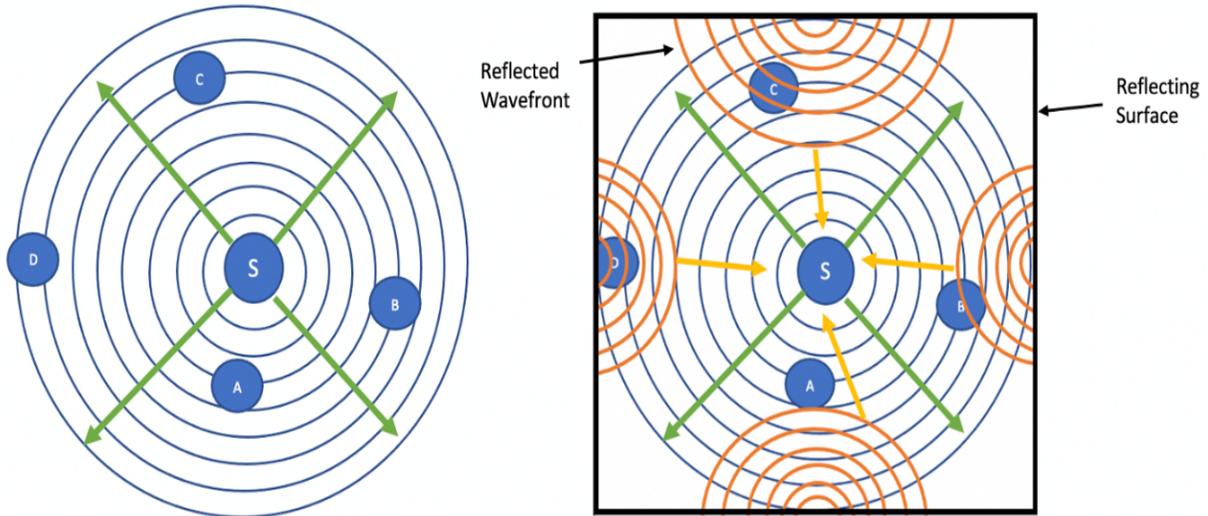


Figure 1 illustrates where this study is unique, specifically what is portrayed on the right side of the figure with the addition of the outer lines which is the reflecting surface. This represents the basics of diffusion return. The reflecting surface portrayed by the square line around the outward waves is when *S* decides to modify policy. When *S* modifies policy it previously adopted, it employs information that is reflected back from jurisdictions it originally influenced at an earlier time (represented by points A-D in Figure 1). Just like when waves that are rippling out hit a reflecting surface, it causes those ripples and energy to reflect back inward. Simply stated, Figure 1 represents my primary argument about “diffusion return” as a factor that shapes the modifying stage of the policy process.

Given my argument about diffusion return, it is reasonable to think of policy diffusion as part of a network, where information bounces (ripples out and reflects back) between jurisdictions. Thus, an essential element of this dissertation will be outlining the diffusion network with both outward and inward directions of a jurisdiction at multiple and different points in time instead of

just one point in time. This study recognizes that a jurisdiction may adopt a policy addressing an issue more than once. Previous diffusion literature has treated adoption as a one-time event where a jurisdiction is only examined at one point in time. This study examines jurisdictions at multiple points in time when policy modifications occur to previously adopted policy and examines how sources of information from where diffusion occurs may change.

The diffusion return effect is valuable to know because when a jurisdiction makes post-adoption modifications to policy, they need to be aware that previous decisions and adoptions that they have made may be returning. Diffusion return is consequential because a jurisdiction may not have made the most prudent policy decisions previously. At the time of initial adoption, there may have been a lack of information, knowledge, or experience not only for that jurisdiction but for any jurisdiction looking to address the same or similar issue. Some jurisdictions adopt a policy as a stop-gap measure with the intent to amend it for improvement in the future. In these situations, diffusion return may be the most consequential because if other jurisdictions diffuse and adopt information from that jurisdiction then that jurisdiction observes other jurisdictions adopting similar policy when there is diffusion return. This may lead to a type of confirmation bias where the original jurisdiction is affirmed that it made the correct decisions initially because of the adoption of policy by others, which, in fact, may not be true.

In better understanding diffusion return, jurisdictions will better understand that previously gathered information and policy may return and result in interference, static, or feedback. In addition, this may result in a lesser quality policy at modification, or it may affirm previous policy that was not high quality but that other jurisdictions adopted and subsequently have returned. These factors covered thus far will allow examination of what makes a jurisdiction more or less likely to

experience diffusion return and what the implications of diffusion return are on policy modification.

1.2 Local Government and Short-Term Rentals: The Context of the Study

To better understand what makes a jurisdiction more or less likely to experience diffusion return and the implications of diffusion return on policy modification, this study focuses on local governments in the United States and their regulation of short-term rentals. Both elements – local governments and short-term rentals – need some brief explanation.

First, local governments/cities are a proper context to study diffusion return because cities have been labeled as policy laboratories. Cities are policy laboratories because they are better able to deal with dynamic issues more quickly and are more likely to adapt and change. Additionally, cities are able to be a large sample size and are more likely to have diffusion return because cities are more likely to adapt and change, which enables them to be better able to deal with dynamic issues more quickly. These factors enable an effect like diffusion return to be observed.

Second, short-term rental has exploded in popularity and usage. This has caused city governments to address issues associated with short-term rentals in a condensed timeframe when compared to traditional issues they usually address. Short-term rentals are when a home or property is rented or leased for thirty calendar days or less. Thirty calendar days is the most common timeframe for regulation, however, in practicality most short-term rentals are for seven calendar days or less. Short-term rentals and how to address them from a regulatory perspective are a relevant and developing topic. Governments are struggling to address the growth of short-term rentals. Local governments across the world are constantly devising policies to deal with the growing trend of short-term rentals in their communities. Technology and access to technology

have increased the need for governments to address the issue of short-term rentals. Short-term renting has become a viable alternative to traditional lodgings like hotels and motels.

Websites such as Airbnb, VRBO, FlipKey, HomeAway, and many others continue to grow in popularity and usage among both renters and property owners. This has caused revenue to be diverted from regulated hotels/motels, which impacts both the traditional lodging business stability and for governments the amount of taxable revenue. The increasing popularity of short-term renting has led some cities in the United States and internationally to develop regulations aimed at various areas of short-term renting. Regulations vary by intent, the severity of consequences, and other factors. Regulations have been adopted by various sizes of cities and types of populations including urban and rural.

Short-term rentals are an ideal topic to study and showcase diffusion return. Short-term rentals have quickly become relevant to local governments who have scrambled to address the issue because of among other issues, declining tax revenue, commercialization of residential property and pressure from traditional lodging companies. Due to the relatively fast rise of short-term rentals and their impact on governmental jurisdictions, governments have not been able to conduct long, in-depth studies of short-term rentals and their impact. This has led to most governments initially adopting policy that is not comprehensive or effective in addressing issues brought up by short-term rentals and their meteoric rise to relevance. The lack of effective initial policy has led to governments subsequently modifying initial policy relatively quickly because the initial policy was not effective in addressing the issues and there has been rapid change of the technology. Short-term rentals have quickly developed the ability to connect people directly to each other to make lodging transactions and as the technology has become more normalized, more and more people have chosen short-term rentals as an alternative to more traditional travel lodging.

Governmental jurisdictions look to one another to learn from the experiences and results of policy. Short-term rentals have caused more frequent policy modification and increased the likelihood of information exchange and diffusing of information in both an outward and inward direction more quickly. These conditions showcase the impact of diffusion return and allow exploration of what makes a jurisdiction more or less likely to experience diffusion return and the implications of diffusion return on policy modification. These conditions allow for the tracking of the diffusion of short-term rental policy adoption and modification and better allow for exploration of the impact on government jurisdictions to expand the government innovation and policy diffusion literature.

Local government jurisdictions are not a widely studied level in diffusion literature. State government has dominated diffusion literature. Focusing on local government contributes to the diffusion theory by giving academics and practitioners more information about how diffusion impacts local government past initial adoption. Local government is increasing in importance within the public policy field. Local governments have become leaders in public policy with increasing federal and state legislative gridlock. Increasing understanding of government innovation and policy diffusion at the local level is important because of the increased influence of the local level in public policy and the increased opportunity due to higher quantity of cities than states.

1.3 Research Design: A Brief Overview

This study employs a qualitative research strategy that is based around a case study research design that includes thematic analysis as a method of analysis. The research design is a historical descriptive case study that focuses on New Orleans and their response to the quickly growing concerns regarding short-term rentals in their jurisdiction. New Orleans was chosen as a

case study city because it has been a leader in addressing short-term rentals with regulations. New Orleans initially adopted short-term rental policy in 2016 and has subsequently made modifications in 2018 and 2019. New Orleans has been adaptive to the quickly changing dynamics of short-term rentals and how they impact cities economically, demographically and geographically. These factors make New Orleans a subject for a case study to explore the concept of diffusion return.

New Orleans is a good candidate for diffusion return because it has both diffused from other jurisdictions and been a source of diffusion from other cities. This has created dynamic relationships where New Orleans has both been a source of information and also allowed New Orleans to gather information from others. To gather data for a case study, New Orleans is an above average city in terms of transparency and publishing their work online and making it available to general public. New Orleans has made documents, meetings and other sources of information available that most jurisdictions do not have available and accessible for general public use. This allows for a more in-depth case study with a more complete picture of how New Orleans has adapted to short-term rentals with regulations and how diffusion return has impacted their policy modifications. The data that is gathered from New Orleans will allow for robust exploration of domains developed for diffusion return.

1.4 Domains

There are five domains that are explored in this study. The first three are a priori domains that connect previous diffusion literature to diffusion return. The last two are new domains offered to explore diffusion return.

1. Leader-laggard explores if a jurisdiction that adopts earlier is more likely to experience diffusion return.

2. Neighbor effect that explores if jurisdictions are more likely to experience diffusion return from geographically proximate jurisdictions.
3. Similarity effect that explores if diffusion return is more likely when diffusing from similar jurisdictions.
4. Same sources that explores if a jurisdiction uses the same sources for diffusion from the initial adoption if they are likely to experience diffusion return.
5. New sources explore if a jurisdiction uses new sources between initial adoption and modification if they are less likely to experience diffusion return.

1.5 Data Collection

This study collects data from a variety of sources. There are four main sources of where data is collected for this study. In this section a provide a brief overview of the following. First, data is gathered through network mapping. Second, data is gathered through semi-structured interviews. Third, data is gathered through examination of published reports. Fourth, data is gathered through examination of city planning commission meetings and city council meetings.

Data is gathered through network mapping from information on publicly available city government websites. For network mapping, documents that provide which city governments that are used as diffusion sources are analyzed to trace when cities used each other as information sources. Making connections between cities sketches out the network of cities and allows for tracing of information flows to better understand who was used as a source of information and when.

Semi-structured interviews will be conducted with planning commission staff in New Orleans. Planning commission staff craft recommendations for short-term rental regulations and are the decision makers on what other city governments are used as information sources. Focusing

interviews on planning commission staff will help us to better understand why particular cities were used as sources of information, why some were not and how factors influenced the prevalence of diffusion return. The interviews are structured in a way that allows for sufficient gathering of data that will be useful towards better understanding diffusion return and the domains put forward in this study.

Examination of published reports is another source of data collection with an aim to better understand how the New Orleans planning staff determined what cities to use as information sources. Published reports include a wide breadth of information that provides insight into the regulation development process and the information that is included in the reports are what is ultimately recommended by city staff and likely included into adopted regulation. Published reports serve as an important data source that offers valuable insight into the policy making process in New Orleans and how specifically short-term rental regulation was crafted over three times in less than five years.

City commission planning meetings and city council meetings are publicly available on the New Orleans website. These meetings will serve as another source of data and insight into the regulation development process. Published reports are presented in these meetings by commission staff then city council members and citizens are given time to debate and give feedback on the topic which influences eventual regulation. These meetings serve as a data source to better understand how regulation was crafted in New Orleans and how diffusion return may play a role in that process.

1.6 Method- Thematic Analysis

The method of analysis is important in any study. The data that is gathered in this study is processed and explored using thematic analysis. Thematic analysis is the selected method because

it is a useful fit within the context of the research design, policy diffusion theory and the domains that are offered for exploration. Thematic analysis allows for identifying, analyzing, and interpreting meaning or themes in data (Braun & Clarke, 2006). Thematic analysis is flexible and allows for the exploration of both explicit and implicit meaning within data. Themes are developed and analyzed which produces rich content and theory development. Thematic analysis will produce useful insight into how diffusion return impacts the policy process and provide a better understanding of diffusion return as an emerging topic and contribution to policy diffusion theory.

1.7 Contributions of the Study

To the degree that diffusion return continues through the policy process, that is an important omission from the current understanding of policy diffusion. Based on the current understanding of diffusion, you would expect information to travel only in an outward direction, away from a jurisdiction, however, this study posits that diffusion travels in both an outward and inward direction while intersecting with other jurisdictions more than once. There are three main contributions of this study. First, the study addresses a gap in the government innovation/policy diffusion literature by further extending the literature past the initial adoption phase of the policy process. Second, this study offers insight into how policy diffusion is more dynamic than previously acknowledged. Third, this study establishes what diffusion return is and how it impacts ongoing policy modification.

This study addresses a gap in the government innovation/policy diffusion literature by further extending the literature past the initial adoption phase of the policy process. Policy diffusion is an established and profound academic field. Any search of an academic database regarding policy diffusion returns huge amounts of studies with a broad range of topics. In fact, a large amount of the literature includes papers that have to summarize or provide an overview of

diffusion literature because the literature feels tangled and chaotic with the explosion of studies after the early 1990s. Up to this point, the diffusion literature has focused almost exclusively on the initial adoption of policy. This dissertation expands policy diffusion into a new area that is ripe for academic study and new insights into policy diffusion. This study extends the government innovation and diffusion literature past the initial adoption phase of the policy process to offer new understanding and establishes new features of how policy diffusion impacts governmental jurisdictions. These new insights challenge government innovation and policy diffusion literature to expand into new concepts that provide valuable observations and an elaborated understanding of policy diffusion.

This study offers insight into how policy diffusion is more dynamic than previously acknowledged. This study recognizes that information flows in both an outward and inward direction when diffusing. This is a key contribution to theory from this study. Previous diffusion literature focused mainly on the outward direction of policy diffusion resulting in a large gap in the literature. Understanding that jurisdictions are more dynamic than just outward direction diffusion and that jurisdictions utilize diffusion to adopt policy are an information source for other jurisdictional adoptions and use other jurisdictions as a diffusion source is important. This recognizes governmental jurisdictions as more dynamic entities rather than mostly static entities that make infrequent actions or one-time actions regarding a policy.

This study establishes what diffusion return is and how it impacts ongoing policy modification. This study explores diffusion return as a new concept contributing to the diffusion literature. Understanding diffusion return offers unique insight into the policy process and how diffusion impacts policy when modifications are made. Jurisdictions make modifications to policy after initial adoption in an effort to improve upon the initial adoption. A better understanding of

diffusion return and the patterns in which it may occur with the impact will allow jurisdictions to be more aware that information from their previous adoption may return with interference, static, and feedback. This will enable jurisdictions to make more informed decisions when modifying policy and allow better quality, more comprehensive policy decisions.

1.8 Moving Forward

The basic concepts of what this dissertation examines were introduced in the chapter. Next, this dissertation proceeds as follows. Chapter two provides a literature review that sets the stage for understanding the extension of diffusion beyond the formulation and initial adoption phases of the policy process, the inward and outward directions of diffusion via diffusion return. Chapter three provides information for understanding the history and context of government regulation of short-term rentals. Chapter four focuses on four diffusion return models offered in this study. Chapter five concentrates on the domains explored in the study. Chapters six and seven include research design, methodology, data operationalization, data identification, methods, and analysis. Chapter eight explores the network map developed from the data sources with diffusion return patterns. Chapter nine includes a thematic analysis that analyzes the data. Finally, chapter ten discusses the implications of this study and future research.

CHAPTER 2: THE POLICY PROCESS, GOVERNMENT INNOVATION, POLICY DIFFUSION AND DIFFUSION RETURN

2.1 Introduction

This chapter begins with an overview of government innovation literature with a focus on its two main subsets- internal determinants and policy diffusion and how they eventually merged together. Then this chapter provides an overview of the policy process. Next, this chapter blends diffusion and the policy process to provide an overview of policy revisions, modifications and diffusion past initial adoption. Next, this chapter provides an overview of the extension of policy diffusion beyond formulation and initial adoption. Lastly, this chapter explores the concept of diffusion return. This chapter provides the academic context and background to investigate the relationship between government innovation, policy diffusion and the policy process.

2.2 Government Innovation

Academic research regarding government innovation is extensive. Policy scholars, researchers, and academics have produced a considerable body of literature regarding government innovation. Government innovation is defined as when a new program or policy is adopted that is new to the government adopting it (Walker, 1969). Although they are similar concepts, innovation is different from invention. The invention of a policy or program is where original ideas are conceived (Berry & Berry, 2007). Innovation is different from invention in that it concentrates on how invented programs or policies are subsequently adopted by other jurisdictions. Government innovation has been organized into two principal categories that initially were regarded as independent but eventually merged together: internal determinants, and diffusion (Berry & Berry, 1990). There are two main bodies of government innovation literature, internal determinants and

diffusion. In this section, first, internal determinant literature is reviewed, second, diffusion literature, and lastly, how both bodies of literature have merged together.

2.2.1 Government Innovation- Internal Determinants

Internal determinants explanations of government innovation presume that factors causing the adoption of policy are political, economic, and social characteristics of the jurisdiction (Berry & Berry, 2007). Internal determinants theory precludes diffusion effects where a government is influenced by the actions of other governments. Internal determinants theory assumes that once a jurisdiction's policymakers are aware of a new policy, the internal characteristics, rather than the pressure created by other governments' adoptions or explicit evaluations of the impacts of the policy in earlier-adopting jurisdictions, determine its probability of adoption (Berry & Berry, 2007).

There are three main areas of internal determinant theory: (1) causes of innovativeness at the individual level (Berry & Berry, 1990, 1992; Mikesell, 1978; Mintrom, 1997), (2) innovation at the organizational level (Berry, 1994; Berry & Berry, 1990; 1992; Cyert & March, 1963; Ma, 2013; Mintrom, 1997; Mohr, 1969; Mooney & Lee, 1995; Rogers, 1962; Roh & Berry, 2008; Walker, 1969) and (3) problem severity (Allard, 2004; Mintrom & Vergari, 1998; Stream, 1999). All of these areas aim to account for how the characteristics of a jurisdiction impact the propensity of a government to adopt a policy or set of policies (Berry & Berry, 2007). However, these areas vary at the level of examination. The names are somewhat self-explanatory for the individual and organization levels. The individual-level examines the characteristics of particular people in a jurisdiction and how that impacts policy adoption. Similarly, the organizational level examines characteristics of multiple people as an organization and how that impacts policy-adoption. The third and last level is problem severity. Problem severity may influence the motivation of the

government to adopt policies through the need of the policy or demand for the policy by societal groups. The basic notion is that the more of a problem an issue is for a jurisdiction, the more likely the government may look to adopt a policy.

The main issue with internal determinants theory is that it isolates a jurisdiction as a unit of analysis. As the literature has evolved, so has the need to consider the influence of jurisdictions on each other and external influences. To examine a jurisdiction in isolation ignores the important context that must be accounted for when examining the probability of adopting a policy. This is where the need for policy diffusion comes in. Policy diffusion acknowledges that jurisdictions do not operate in isolation and actually borrow ideas and information from one another. This extends the government innovation literature beyond examining jurisdictions in isolation. In the following section, policy diffusion and how it fits within the government innovation literature are discussed.

2.2.2 Policy Diffusion

Policy diffusion is defined by Rogers (1983) as; “the process by which an innovation is communicated through certain channels over time among the members of a social system” (p.5). The study of government innovation through diffusion focuses on a social system where there are patterns of policy adoptions resulting from emulating behaviors of jurisdictions where the probability of adopting a policy is influenced by the choices of others in the social system (Berry & Berry, 2007). Diffusion literature is extensive, yet there are themes that have emerged. These themes have been termed “diffusion mechanisms.”

Berry and Berry (1990, 2007) summarize a large part of diffusion literature by identifying and categorizing five (5) common mechanisms that impact policy diffusion. The five (5) main mechanisms are learning, imitation, normative pressure, competition, and coercion. Learning in diffusion happens when one jurisdiction infers information about the effectiveness of a policy from

previously adopting governments (Berry & Baybeck, 2005; Braun & Gilardi, 2006; Gilardi, Fuglister & Luyet, 2009; Gray, 1973; Levy, 1994; Meseguer, 2004; Rogers, 1962). Imitation occurs because one jurisdiction believes another jurisdiction is worthy of emulation (Grupp & Richards, 1975; Karch, 2007; Meseguer, 2006; Simmons, Dobbin & Garrett, 2006; Volden, 2006; Walker, 1969). Normative pressure is when a jurisdiction gives into a perceived pressure because it observes that a policy is being widely adopted by other jurisdictions. Because there are shared norms across jurisdictions, the jurisdiction under perceived pressure chooses to conform to what other jurisdictions have done (Balla, 2001; Clark & Little, 2002; DiMaggio & Powell, 1983; Haas, 1992; Majone, 1997; McNeal, Tolber, Mossberger & Dotterweich, 2003; Mintrom, 1997, 2000; Mintrom & Vergari, 1998; Simmons, Dobbin & Garrett, 2006; Sugiyama, 2012; Teodoro, 2009; Walker, Avellaneda & Berry, 2011).

Diffusion via competition occurs when a jurisdiction's decision around the adoption of a policy is motivated by the achievement of an advantage over other jurisdictions or to prevent other jurisdictions from gaining an advantage (Bailey & Rom, 2004; Baybeck, Berry & Siegel, 2011; Berry & Baybeck, 2005; Berry & Berry, 1992; Berry, Fording & Hanson, 2003; Burge & Piper, 2012; Elkins, Guzman & Simmons, 2006; Meseguer & Gilardi, 2009; Mossberger, 2000; Most & Starr, 1980; Peterson & Rom, 1990; Shipan & Volden, 2008; Volden, 2002; Walker & Jackson, 2009). Diffusion by coercion occurs when a jurisdiction is coerced into adopting a policy when a more powerful jurisdiction either forces or increases the incentive for the original jurisdiction to adopt the policy (Berry & Berry, 1990; Bush, 2011; Hoekstra, 2009; Stone, 1994).

Early studies examined these mechanisms individually. As diffusion research and literature have progressed and matured, studies evolved and began to examine combinations of mechanisms to examine how multiple mechanisms impact the likelihood of diffusion. Multiple mechanisms of

diffusion may concurrently influence the diffusion of policy rather than singular mechanisms of diffusion (Berry & Berry, 2014; Shipan & Volden, 2008). Mechanisms responsible for diffusion may vary depending on the context. Mechanisms underlying policy diffusion may change over time. The nature of the policy also influences mechanisms by which policy diffuses (Balla, 2001; Berry & Berry, 1990, 2007; Collier & Messick, 1975; Crain, 1966; Elazar, 1972; Freeman, 1985; Grupp & Richards, 1975; Lutz, 1986; Menzel & Feller, 1977; Mintrom, 1997; Mooney & Lee, 1995; Walker, 1969). This section went beyond internal determinants to examine diffusion mechanisms and how that impacts avenues of diffusion. In the following section, both internal determinants and diffusion are combined.

2.2.3 Government Innovation- Simultaneous Internal Determinants and Diffusion

Early government innovation literature treated internal determinants and diffusion as separate and unrelated subjects. However, as the literature evolved and matured, the need for the two concepts to merge became more apparent. Studies that have combined internal determinants and diffusion have included topics such as economic competition where jurisdictions compete with each other, especially geographic neighbors (Berry & Baybeck, 2005; Berry & Berry, 1990; Boehmke & Witmer, 2004; Peterson & Rom, 1990; Volden, 2002; Walker, Avellaneda & Berry, 2011), social learning where government officials who want to solve the policy problems in their own jurisdiction review and gain information from other jurisdictions that have experimented with policy solutions to similar problems (Case, Hines, & Rosen, 1993; Grossback, Nicholson-Crotty & Peterson, 2004; Pacheco, 2012; Volden, 2006; Walker, 1969) and policy networks where the network through which policies travel locally, regionally, nationally and internationally (Aiken & Alford, 1970; Baturo & Gray 2009; Berry & Baybeck, 2005; Berry & Berry, 1990; Bingham, 1977; Brooks 2005; Canon & Baum, 1981; Collier & Messick 1975; Crain, 1966; Desmarais, Harden &

Boehmke, 2015; Gilardi 2005, 2010; Gray, 1973; Hecló, 1974; Ito, 2001; Jensen & Lindstädt, 2012; Ka & Teske 2002; Karch, 2006, 2007; Kraemer, Gurbaxani, & King, 1992; Lee, Chang & Berry, 2011; Lubell et al. 2002; Meseguer, 2005; Mildarsky, 1978; Mintrom, 1997; Moon & Norris, 2005; Mooney & Lee, 1995; Pacheco, 2012; Shipan & Volden, 2006, 2008; Simmons, 2000; Simmons & Elkins, 2004; Tolbert & Zucker, 1983; Volden, 2006; Walker, 1969; Weyland, 2004).

Over the past 50 years, there have been over 1,000 research articles in political science and public administration journals about policy diffusion (Shipan & Volden, 2012). Examining the concurrent impact of internal determinants and diffusion has advanced the government innovation literature to make it more comprehensive. However, even with the concurrent study of both internal determinants and diffusion, there are still gaps in the government innovation literature. Specifically, there are gaps in relation to the policy process. The government innovation literature for both internal determinants and diffusion has concentrated on the initial adoption phase of the policy process. This is an issue because both internal determinants and diffusion impact the policy process past initial adoption into the implementation and evaluation phases of the policy process.

2.3 Policy Process

Policy diffusion literature thus far has focused on the formulation and adoption stages of the policy process. This has led to the implementation and evaluation stages of the policy process being overlooked and resulted in major portions of the public policy process unexplored as to how they relate to diffusion. This is an issue because the policy process does not end at initial adoption. The implementation and evaluation stages are very different than the formulation and initial adoption stages, where diffusion and networks of jurisdictions are relevant, but there has not been a concerted effort to explore these stages compared to the copious amount of diffusion studies

focused on the formulation and initial adoption stages. This dissertation examines government innovation through the extension of policy diffusion beyond the formulation and initial adoption stages of the policy process.

The policy process is a system that translates policy ideas into actual policies that are implemented and have impacts. The traditional model of the policy process is the “textbook” or “stages” model. The stages model is a type of systems model. The stages model of the public policy process is categorized into five main stages. The five stages in order are agenda-setting/problem identification, policy formulation/alternative selection, policy adoption/enactment, policy implementation, and policy evaluation (Birkland, 2016). In the stages model, public issues arise to reach the agenda, policies are developed, policies are enacted, implemented, and evaluated, and then feedback completes the cycle where the issue goes back to the agenda in a cyclical manner. The main critiques of this model include that it implies policy making is a step by step chronological process when in reality it may not be, that policy may not reach every stage of the process, and that implementation and evaluation are not separate steps (Birkland, 2016; Nakamura, 1987). The strength of the stages model is that it helps organize thinking and understanding of the policy process.

As policy literature has grown, the stages model has not been widely utilized. Theories have mostly either implicitly or explicitly rejected the stages model as a theory of the policy process. The stages model still has analytical and instructional value, but because the stages model does not have predictive elements for the theory it has not been widely utilized as a theory (Birkland, 2016; deLeon, 1999; Nakamura, 1987). The stages model is not utilized in this dissertation as a theoretical base but more as an analytical base to examine a major shortcoming in the diffusion of innovations literature, where diffusion literature has focused almost exclusively

on the first-time formulation and initial adoption of policy (Berry et al., 2010; Jordan et al., 2013; Ragusa, 2010). In the following section, what happens after the initial adoption of policy and how diffusion impacts the policy process is reviewed.

2.4 Extending Diffusion Beyond Formulation and Initial Adoption

There is missing insight and unexamined segments of diffusion's impact on the public policy process. Implementation and evaluation are important phases of the policy process, but, both have been largely absent from the government innovation literature. Policies may evolve through the policy process after initial adoption through implementation and evaluation. During the implementation and evaluation of policy, additional needs that may not have been apparent initially may manifest. There are differing levels of pressure and differing system policy dynamics in the policy process based on whether it is during initial adoption or past the adoption stage in implementation or evaluation. For policy to be optimally effective, its deficiencies must be addressed and improved for both the governmental organization and its citizens. It is important to explore and distinguish if policy adoption and ongoing policy modification have different processes, pressures, and decision-making logic that impact how diffusion is utilized. It is now time to expand understanding to analyze how policy evolves past adoption through implementation into the evaluation and ongoing policy revision. This is not a widely studied topic within government innovation literature. Extending beyond formulation and initial adoption and into the implementation and evaluation phases of the policy process extends and advances the government innovation and diffusion literature.

In the government innovation diffusion literature, extending beyond initial policy adoption is needed broadly for diffusion literature and is long overdue (Shipan & Volden, 2012). This dissertation builds upon the idea put forward by Shipan and Volden that extension beyond initial

policy adoption is needed and undertakes what they emphasized to shift government innovation and diffusion from the traditional focus on the formulation and adoption phases of the policy process to insights from implementation and evaluation phases to examine evaluation and revision (modification) impacts on government innovation. This dissertation puts forward the concept that government jurisdictions innovate not only at initial adoption but ongoing as well during other stages of the policy process. Karch and Craven (2014) promote the idea that the study of diffusion needs to move beyond initial adoption, "... diffusion scholars should be more attentive to what happens after policies are adopted. Few diffusion studies have focused on the modification process, however."

There are terms that have been used to describe the post-adoption process, such as policy expansion (Boehmke & Witmer, 2004), reinvention (Hays, 1996), evolution (Stewart, 2006), change (Bennett & Howlett, 1992), customization (Karch, 2007), post-adoption modifications (Karch & Cravens, 2014), post-adoption dynamics (Howlett & Joshi-Koop, 2011) and policy accommodation (Biesenbender & Tosun, 2014). This presents an issue because there are many ways to describe similar events, yet all are different with their own aims and goals in what they are describing. The common theme for all of these terms is that they are focused around the area of initial adoption in the policy process without concerted undertaking to include ongoing amendment or modification. The exception from the list above is the term "post-adoption modification" used by Karch and Cravens (2014). Post-adoption modification is concentrated on the areas past initial adoption within the policy process.

Karch and Cravens (2014) define post-adoption modification as; "... related [to policy diffusion] but distinct process through which officials revisit existing statutes and alter them in response to changing societal or political conditions" (p. 463). Post-adoption modification occurs

past initial adoption in the implementation and evaluation phases of the policy process. This has received limited attention but addresses a gap in the government innovation literature. Moving past initial adoption treats innovation and diffusion as a multistage process rather than an outcome and a process that may be long-term or developmental while evaluating the impact of social and political forces at different stages of the policy process (Elkins & Simmons, 2005; Karch & Cravens, 2014). This dissertation extends the work of Karch and Cravens by identifying information sources used by jurisdictions to modify their policy to examine how diffusion patterns emerge and how diffusion sources stay the same or change, and issues that may arise from that when creating and modifying policy. Compared to when there is not a policy in a jurisdiction, the existence of a policy reshapes any actions following initial adoption (Pierson, 2011; Skocpol, 1992).

As policy develops through the policy process, the impacts of the policy generate feedback and stimulate the political environment. Jurisdictions monitor information sources both internally and externally, where they may continually assess what has occurred in other jurisdictions in addition to their own experience for evaluation. Moving past adoption and into later stages of the policy process recognizes innovation and diffusion as a multistage process rather than an outcome (Elkins & Simmons, 2005). Jurisdictions monitor information sources both internally and externally, where they may continually assess what has occurred in other jurisdictions in addition to their own experience for evaluation. This dissertation extends and builds upon the work of Karch and Cravens (2014) to explore policy modification by identifying information sources used by jurisdictions to modify their policy to examine (1) how diffusion sources change and (2) if information that has diffused returns back to jurisdictions when modifications are made.

2.5 Summary

Government innovation has a large and rich body of literature. This chapter reviewed the two main areas of government innovation- internal determinants and diffusion. Overall this chapter identified key issues and debates that describe the government innovation scholarship. Additionally, this chapter reviewed a new subset of the diffusion literature regarding diffusion return. This dissertation targets a research gap in the government innovation literature by extending policy diffusion literature beyond the formulation and adoption phases of the policy process to the implementation and evaluation phases of the policy process where modifications occur. Diffusion return is a new concept that accounts for both inward and outward directions of diffusion. Diffusion return provides new insights that may lead to new directions in the government innovation literature.

Fundamentally, this chapter provided an academic context and background to investigate the relationship between government innovation, policy diffusion, and the policy process. This review assisted in more fully answering the questions, what makes a jurisdiction more or less likely to experience diffusion return and what are the implications of diffusion return on policy modification? This chapter reviewed the literature regarding government innovation and provides and foundation for exploring new areas of the literature. This chapter provides an infrastructure to form a new area of the literature. The rest of this study extends the literature in this chapter while acknowledging past contributions to detail how governmental jurisdictions innovate past the initial adoption phase of the policy process.

CHAPTER 3: GOVERNMENT REGULATION OF SHORT-TERM RENTALS

3.1 Introduction

The aim of this study is to answer the questions, what makes a jurisdiction more or less likely to experience diffusion return and what are the implications of diffusion return on policy modification? To properly explore these questions requires an appropriate area of examination. Two major factors that impact the likelihood of observing diffusion return in a governmental jurisdiction are; (1) jurisdictions with issues that impact the budget and (2) issues that impact cities versus states because there are more cities, and cities are more able to react to issues timelier. In searching for an appropriate topic to demonstrate and study diffusion return, short-term rental regulation in the United States fits these criteria and offers an excellent topic to showcase patterns of diffusion return. In this chapter, the history of short-term rentals, how they have been regulated in a general sense, and how they have been regulated by local governments in the United States are covered.

3.2 Regulation of Short-term Rentals

With the growth of the internet as a medium of communication, new opportunities to connect people directly for services have advanced. One of the areas this has been most apparent is in the travel lodging industry. Traditionally, when people travel and need lodging, they would contact hotels or motels in the area they are traveling to and rent rooms for shelter during the period they are in the area. However, as technology has developed with the internet, new websites have emerged that connect people directly to one another to facilitate lodging arrangements. This is commonly known as short-term renting. In the beginning, people would rent their personal spaces for lodging to other people directly. However, as short-term renting has evolved, many people

have bought real estate specifically for short-term rentals, and small commercial organizations dedicated to short-term renting have grown. Person-to-person lodging websites give users the ability on one end to rent out their properties for travelers and on the other end for travelers to rent directly from property owners/occupants for short (generally less than thirty days) periods of time. Short-term rentals are when a home or property is rented or leased for thirty calendar days or less.

Short-term rentals and how to deal with them is a relevant and developing topic. Governments are struggling to address the growth of short-term rentals. Local governments across the world are constantly devising policies to deal with the growing trend of short-term rentals. Technology and access to technology have increased the need for governments to address the issue of short-term rentals. Short-term renting has become a viable alternative to traditional lodgings like hotels and motels. Websites such as Airbnb, VRBO, FlipKey, HomeAway, and many others continue to grow in popularity and usage among both renters and property owners. This has caused revenue to be diverted from regulated hotels/motels, which impacts both the traditional lodging business stability and, for governments, the amount of taxable revenue. The increasing popularity of short-term renting has led some cities in the United States and internationally to develop regulations aimed at various areas of short-term renting. Regulations vary by intent, severity of consequences, and other factors. Regulations have been adapted by various sizes of cities and types of populations, including urban and rural.

Government regulation was not able to predict and react timely to the explosion of short-term rentals. This has led to chaotic situations where the legality of short-term rentals is in a gray area where actions and consequences are unclear. This has increased the pressure for government response through regulation. However, short-term renting has grown so quickly and substantially that government resources have not been adequate to enforce most regulations that have been put

in place. Regulation has been reactive to immediate conflicting needs from multiple constituents and has been inconsistent across jurisdictions. Governments have competing for internal and external pressures from traditional lodging interests, citizens in neighborhoods (both renters and non-renters), corporations/businesses that rent, and short-term rental websites. Each of these parties has varying interests and makes regulation complex. There are not many studies that guide governments or show how governments have dealt with short-term rentals with regulation. Governments and policy practitioners need help to understand ways to deal with short-term rentals.

This study details how regulations impact local jurisdictions initially and ongoing as more jurisdictions adopt and modify short-term rental regulations. Short-term rental regulation impacts everyone because, with short-term rentals, your neighbor's residence and your neighborhood could be turned from a quiet and considerate residential location to a semi-commercial location flooded with people going in and out, disruptive noises, increased trash/waste and increased traffic/parking. Short-term regulation is important to address these issues and how governments form regulation is vital to how successful regulation may be in addressing any of the issues associated. The spread of short-term rental regulations is important because it highlights the responses of governmental jurisdictions to technology and the innovation technology creates through connecting people more efficiently than previously possible. Due to the scope and variance of short-term rental regulations, this study does not focus on a specific form of regulation but encompasses the variety of regulations that have been developed and how it has spread. Short-term rentals are here to stay, and government regulation must be significant and viable to address the issues for the parties involved.

Short-term rentals have become increasingly prevalent with the rise of online platforms such as Airbnb that directly connect renters with customers on an easy-to-use website. With the

increased popularity of short-term rentals, there has been a disruption to the traditional travel lodging or tourism accommodation industry (hotels, motels, bed and breakfast), the gentrification of neighborhoods, housing affordability issues, and neighborhood impacts such as increased traffic and homes being used for parties/noise complaints. Peer-to-peer accommodation itself is not a new phenomenon and dates back centuries. However, online platforms have revolutionized the capability of users to both rent out and obtain tourism accommodations through short-term renting. short-term rentals are offered on a growing number of websites, including Airbnb, Wimdu, 9flats, Roomorama, Onefinestay, HomeAway, HouseTrip, and FlipKey (Guttentag, 2015).

Airbnb is the largest platform for short-term rentals and is a large part of this study due to its size and popularity, it has been the focus of short-term rental regulation at the city government level. Airbnb began in 2008 and has grown to a \$30 billion dollar company with over 3 million listings in 190 countries and 65,000 cities with more rooms available than hotel chains including Hilton, Intercontinental, and Marriott (Gallagher, 2017; Mudallal, 2015; Nieuwland & Melik, 2018). There is a broad spectrum of spaces being rented on Airbnb, including a futon in the living room, a private room, entire apartments, entire houses, and even islands (Guttentag, 2015; Wortham, 2011). Previous studies on topics Airbnb include the motivations of hosts and guests to use Airbnb (Guttentag, Smith, Potwarka, & Havitz, 2017; Ikkala & Lampinen, 2015; Nieuwland & Melik, 2018; Stors & Kagermeir, 2015; Varma, Jukic, Pestek, Shultz, & Nesterov, 2016) economic impact on communities (Fang, Ye, & Law, 2016) geographic location patterns in cities (Arias-Sans & Quagliari, 2016; Cocola Gant, 2016; Gutierrez et al., 2017; Nieuwland & Melik, 2018).

There are some common positives to short-term rentals through websites like Airbnb. These positives may include the extra income for renters, additional options for tourists/customers,

more personalized experience for tourists, increased tourism jobs in an area, more access to rural areas, avenues to supplement retirement incomes, and revitalization of and investment in neighborhoods (Fang, Ye, & Law, 2016).

There are some negatives that may come with short-term rentals, including increased rents, neighborhood change, nuisance (loud parties and intoxicated people), car and foot traffic, parking issues, waste management, safety (increased strangers in neighborhoods and buildings), loss of culture, commercialization of residential areas and gentrification (Cocola Gant, 2015; 2016; Espinosa, 2016; Fuller & Michel, 2014; Gallagher, 2017; Gurran & Phibbs, 2017; Nieuwland & Melik, 2018; Oskam & Boswijk, 2016). When homes and apartments are utilized for short-term rentals, that takes them off the market for long-term rentals. This can cause housing shortages and affordability issues for local residents (Jefferson-Jones, 2014; Lines, 2015). When prices rise in a neighborhood, that may lead to residents using short-term rentals to gain extra income to be able to stay. A cycle is created where using Airbnb to rent out is required to pay for increased rent, which in turn increases rent prices even higher (Nieuwland & Melik, 2018).

Short-term rentals have become a viable alternative to traditional travel lodging. Short-term rentals allow customers to explore outside of tourist bubbles and connect socially with hosts where the person feels more like a traveler or temporary resident versus being a tourist (Belarmino, Whalen, Kohl, & Bowen, 2017; Feifer, 1985; Russo & Quagliari, 2016). Short-term rental hosts are able to offer lower prices since they have fixed rent and utility costs without paying staff. Additionally, there are no standard health, safety, insurance, and in some instances, tax requirements (Nieuwland & Melik, 2018). These factors give short-term rentals tremendous advantages over traditional travel lodging. This is striking when short-term rentals do not always

have traditional travel lodging qualities like service quality, staff friendliness, brand reputation and security (Chu & Choi, 2000; Dolnicar & Otter, 2003; Guttentag, 2015).

From a theoretical perspective, short-term rentals are best matched with disruptive innovation theory (Bower & Christensen, 1995; Christensen, 1997; Christensen & Raynor, 2003). Disruptive innovation theory develops a framework where a disruptive product transforms a market to the point of upending previously dominant companies (Guttentag, 2015). In the theory, a disruptive product appeals to the lower ends of a market or creates new markets. The new market is limited, so traditional products tend to ignore the shift of the disruptive product while the disruptive product improves where it underperforms until the disruptive product is entrenched and then has market advantages over the traditional product with traditional attributes but with alternative benefits (Bower & Christensen, 1995; Christensen, 1997; 2006; Christensen & Raynor, 2003; Schmidt & Druel, 2008). Disruptive innovations may occur in any economic sector (Guttentag, 2015).

3.2.1 Local Government Regulation of Short-Term Rentals

Short-term rentals are illegal in most cities across local governments in the United States. Local governments are struggling to find ways to regulate short-term rentals (Guttentag, 2015; Nieuwland & Melik, 2018). Factors like city population/space, location, tourism impact, and concentration of listings impact local government regulation (Nieuwland & Melik, 2018; Oskam & Boswijk, 2016). Short-term rentals are usually found through peer-to-peer platforms that are very different than traditional lodging models of business-to-business or business-to-consumer. Disruptive innovations with new technology tend to outpace legislation and regulation, which leads to legal issues. Local governments have focused on short-term rental hosts as the target of regulation versus corporations like Airbnb (Lines, 2015). Corporations have maintained that they

cannot police what users do and relies on the user to follow local laws (Guttentag, 2015; Levy & Goldman, 2012; Lieber, 2012). However, enforcement of host regulation is difficult because of the dynamic nature of the market, online base, and a high number of hosts with a low number of enforcement resources. Previous enforcement efforts have been negligible but have increased as short-term rentals have become more popular (Glantz, 2011; Jaffe, 2012; Tuttle, 2010). Reasonable regulations may assist in making enforcement more sensible and simpler.

Nieuwland and Melik (2018) categorize local government regulation of short-term rentals in three ways: 1) full prohibition, 2) the laissez-faire approach, and 3) limitation with certain restrictions (Guttentag, 2015; Jefferson-Jones, 2014; Miller, 2014). Full prohibition is where short-term rentals are banned altogether. Laissez-faire is where there are no regulations but the local government makes a deal for a benefit. For example, a local government making a deal with a short-term rental platform to receive taxes. Limitation with restrictions has four types with 1) quantitative restrictions, 2) locational restrictions, 3) density restrictions and 4) qualitative restrictions (Nieuwland & Melik, 2018). Quantitative restrictions include limiting the amount of short-term rental accommodations, limit on the number of visitors or days rented, and the number of rentals per year (Gottlieb, 2013; Guttentag, 2015; Jefferson-Jones, 2014; Miller, 2014; Nieuwland & Melik, 2018). Locational restrictions confine short-term rentals to specific locations (Gurran & Phibbs, 2017; Nieuwland & Melik, 2018). Density restrictions limit the number of short-term rentals in neighborhoods (Jefferson-Jones, 2014; Nieuwland & Melik, 2018). Qualitative restrictions include type of accommodation, requirements for safety and permits or licenses to rent (Guttentag, 2015; Jefferson-Jones, 2014; Miller, 2014; Nieuwland & Melik, 2018).

Short-term rentals tend to operate in the informal sector without regulation. This leads to guests being able to avoid taxes because there may not be formal regulation in place for taxation

of such accommodations. When travelers utilize traditional travel lodging there is almost always special taxes that are earmarked for tourism-related uses in addition to sales taxes. Special taxes on tourists are appealing for local governments because it targets tourists and not residents who have the power to vote for local government positions. Because most short-term rental platforms do not have these taxes in all jurisdictions, users are able to free ride on the benefits from traditional lodging taxes that tend to increase the promotion of and quality of tourist factors. Short-term rentals divert people away from traditional lodging with benefiting from tax funded promotion efforts. For local governments that allow short-term rentals, they need to decide how to tax them. Short-term rentals platforms like Airbnb have used the promise of tax dollars as leverage when engaged in legal discussion. It is particularly tricky in local governments where short-term rentals are illegal to try and tax them. As short-term rentals continue to grow and become more of a part of the formal economy, local governments may be in better positions to tax short-term rentals. Airbnb prefers that guests pay for accommodation taxes; however, it is logical for Airbnb to pay the tax because they are the collectors of the financial transaction.

3.3 Summary

The aim of this study is to answer the questions, what makes a jurisdiction more or less likely to experience diffusion return and what are the implications of diffusion return on policy modification? In this chapter the history of short-term rentals is covered. How they have been regulated in a general sense and how they have been regulated by local governments in the United States. Short-term rentals in the United States is an excellent topic to properly explore the research questions. Short-term rental regulations meet both major factors that impact the likelihood of observing diffusion return in a governmental jurisdiction are, (1) jurisdictions with issues that

impact the budget and (2) issues that impact cities versus states because there are more cities and cities are more able to react to issues timelier.

Short-term rentals have exploded, especially with the increased popularity and use of internet-based companies that facilitate connections between renters and property owners. Governments have scrambled to regulate the industry but have had challenges because of the quick rise in popularity, resources to enforce regulations and how quickly the issue has evolved. All of these factors have contributed to many local jurisdictions in the U.S. adopting policy initially and then quickly modifying policy as the issue changes quickly they need to adapt faster. These jurisdictions have both diffused information to themselves and been used as diffusion sources as well. This is a topic that is likely to showcase diffusion return and it's impacts.

CHAPTER 4: MODELS

4.1 Introduction

In this study four different diffusion return models are offered: (1) Single, (2) Double, (3) Screen and (4) Dropped Source. Each model is new and offers different insights into how diffusion return patterns may emerge. Each model is further explained in detail later in this chapter but all offer models regarding how diffusion return may occur after a jurisdiction initially adopts a policy. Generally speaking, these models explain how diffusion return patterns develop as information travels outward after initial policy adoption then inward at policy modification. Additionally, five models are offered which the domains are based on in a later chapter. There is a leader-laggard model, neighbor model, similarity model, new source and same source model.

The manner in which a diffusion pattern develops impacts the information that returns when modifications are made. When information diffuses outward through jurisdictions it changes and evolves as each jurisdiction adopts policy. When the information diffuses back inward, evolved information with interference is part of the diffusion and returns to the original jurisdiction. Patterns through which the information diffuses and returns is important because it can give clues as to how the information is formed and changes. The implications of this includes jurisdictions diffusing information inward from themselves, diffusing information inward from jurisdictions they may not want to receive information from and diffusing information that has interference or feedback that has resulted in lower quality or distorted information.

Diffusion return may be a straightforward effect as shown in the single diffusion return model where a jurisdiction adopts a policy initially, the information is diffused from that jurisdiction to another jurisdiction and later returns when the original jurisdiction makes policy modifications. Diffusion return may also be more complex as evidenced by diffusion paths that go

through multiple jurisdictions and information ends up returning to a jurisdiction where policy was diffused from previously. In this study, the focus is in on what makes a jurisdiction more or less likely to experience these models of diffusion return and the impact that creates.

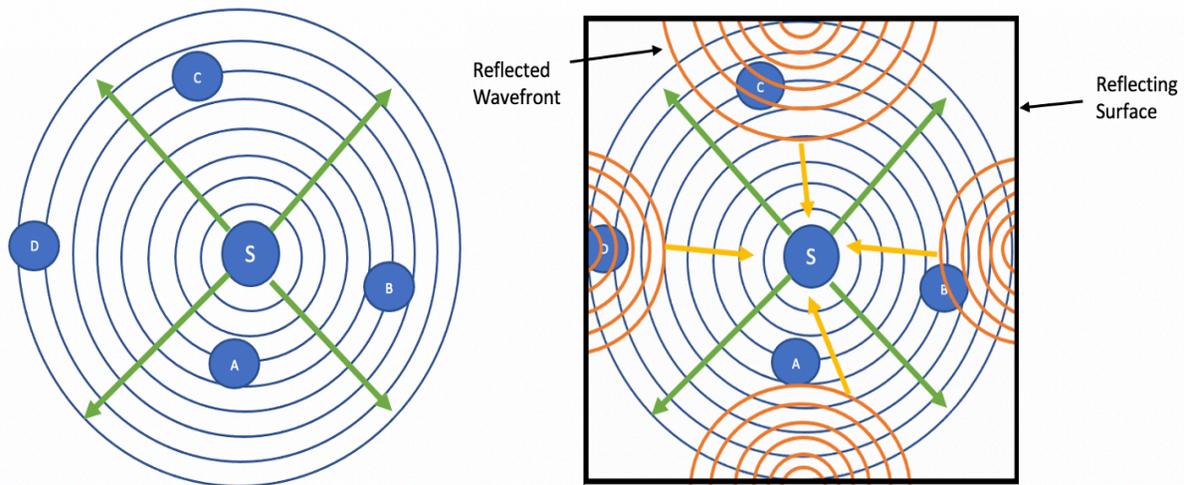
4.2 Diffusion Return Models

Extending diffusion beyond initial adoption provides more opportunity to observe new effects that impact ongoing government innovation. This dissertation focuses on one effect in particular “diffusion return.” Diffusion return is when the jurisdiction that is diffusing information inward has been a source of outward diffusion within the diffusion path previously. Diffusion return has not been previously included in the diffusion literature because the literature has been focused on initial adoption and this type of effect could not be observed during initial adoption because initial adoption has been studied as a one-time event and not an ongoing process. In the models presented thus far, jurisdiction A utilizes diffusion to obtain information to create and modify policy both before initial adoption and when it makes modifications to the policy. When this occurs, there is a major issue that government jurisdictions must be aware of.

An analogy or example that assists to explain and better understand diffusion return is the ripple effect. In Figure 2 on the left side of the graphic, a jurisdiction that initially adopts a policy is the source in the middle represented by *S*. When *S* adopts a policy initially, the experience and information from the initial policy adoption of *S* diffuses outward as represented by the waves going outward in Figure 2. *S* creates a ripple by their initial adoption that reverberates out and other jurisdictions (A, B, C and D) that gather information for their own initial policy adoption receive the waves of information from *S*. *S* impacts more than one policy adoption as the information goes outward. This represents the current policy diffusion literature that focuses on

that outward trajectory of the diffusion where other jurisdictions receive diffused information from *S*.

Figure 2: Diffusion Return and the Ripple Effect



Where this study is unique and new is what is portrayed in Figure 2 on the right side with the addition of the outer lines which is the reflecting surface. This represents the basics of diffusion return. The reflecting surface portrayed by the square line around the outward waves is when *S* decides to modify policy. When *S* modifies policy it previously adopted, it diffuses information inward that includes jurisdictions that have diffused information from *S* at an earlier time (represented by points A-D in Figure 2). Just like when waves that are rippling out hit a reflecting surface, it causes those ripples and energy to reflect back inward.

Figure 2 represents the basics of diffusion return where it extends the diffusion literature to the modifying stage of the policy process. Figure 2 showcases diffusion return where the policy process is dynamic and includes both the outward and inward directions that diffusion may take.

After initial policy adoption energy is created and diffuses across other jurisdictions. That energy continues and returns later when the jurisdiction modifies policy. However, the catch is that the returning energy then has elements of other jurisdictions that have been included along the diffusion path. This may create issues that are explored in this study.

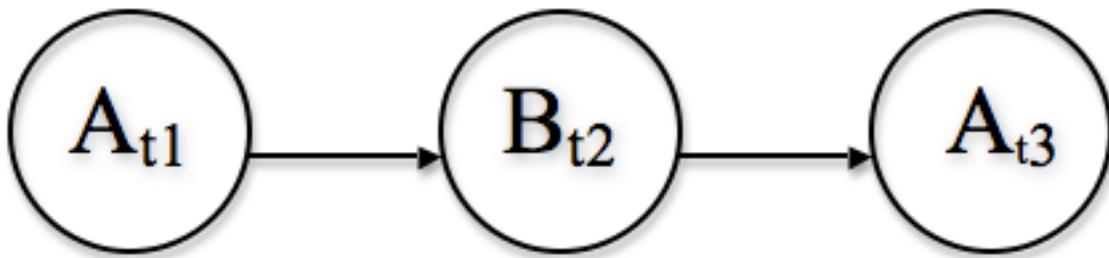
As demonstrated in Figure 2, when outgoing waves cross incoming waves, those waves cross and it creates interference. This is comparable to ripples in water when a drop causes waves and those waves are reflected. When reflected, outward and inward waves cross and cause turbulent and choppy water causing interference. In Figure 2, when *S* makes policy modifications it may intentionally or unintentionally diffuse information inward that includes interference because of the path of diffusion. Interference is something that jurisdictions should be aware of when diffusing policy. Interference within diffusion return includes distorted information that may lead a jurisdiction to make policy decisions without full knowledge or context of how the policy or information developed including if *S* is receiving information from a past iteration of itself.

There are different patterns that may emerge when policy diffuses outward then returns inward. It is possible to trace how policy diffuses outward then inward and decipher how patterns emerge. In this study four different diffusion return models are proposed that are possible when tracing diffusion patterns. These four models have differing paths and how they develop. Some models involve just two jurisdictions which feature information transfer going to one and then back to the other. Other models feature multiple jurisdictions where the movement of information may not be as obvious if not traced or patterned like in this study. In the next few sections the four models are offered: Single, Double, Screen and Dropped Source.

4.2.1 Single Diffusion Return

The single diffusion return model is the most basic, straightforward diffusion return model. The other diffusion return models expand from the single return model. The single return model features policy information only going through a single jurisdiction. This is the most straightforward model because the information only diffuses through one other jurisdiction before returning to the modifying jurisdiction. The information diffuses outward from the jurisdiction where the original adoption occurred through another jurisdiction then returns to the original jurisdiction when modifications are made to the first policy adoption. The single model highlights the most fundamental concept of diffusion return, that information diffused from a jurisdiction returns when modifications are made.

Figure 3: Single Diffusion Return Model



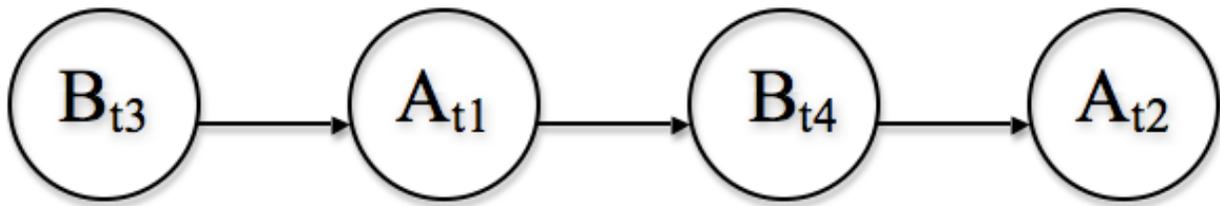
In Figure 3, jurisdiction *A* at *t3* experiences diffusion return because *B* at *t2* diffused information from *A* at *t1* and *A* at *t3* diffuses from *B* at *t2*. *A* at *t3* receives information from itself via *B* at *t2*. More extensive models are covered below but the overarching issue is presented here

in the single model. The main issue with diffusion return is that governments that utilize diffusion may directly and indirectly receive information from themselves via other jurisdictions. When diffusion return occurs the information that originally diffused from jurisdiction A is filtered through the lens of other jurisdictions experiences and could include diffused information from sources that they did not want. This may lead to issues such as self-affirmation, confirmation bias, self-doubt, bandwagon effect, pro-innovation bias and false consensus effect. These effects could impact the accuracy of information and quality of policy that is modified. Next, some alternative models are explored where diffusion return impacts the quality of information that jurisdictions receive.

4.2.2 Double Diffusion Return

The double diffusion return model expands the single diffusion return model by adding two jurisdictions that diffuse from each other twice. One jurisdiction diffuses from the other, subsequently, the jurisdiction that was diffused from diffuses from that jurisdiction and then is diffused from the other jurisdiction again. B at t_4 and A at t_2 experience return of information through diffusion. This is important to recognize because A is a filter/screen to B and vice versa. This creates a relationship where these two jurisdictions look to each other for information and experience when adopting or modifying policy.

Figure 4: Double Diffusion Return Model



In Figure 4, the double diffusion return model, two jurisdictions experience diffusion return. Double diffusion may lead to an echo chamber type effect where these jurisdictions utilize each other and may be missing out on valuable information that may be available through other jurisdictions. Conversely, this model may also be viewed as beneficial for both jurisdictions where they find reliable partners to exchange and diffuse information from.

4.2.3 Screen Diffusion Return

The screen diffusion return model focuses on when a jurisdiction becomes part of a diffusion path at policy modification and that jurisdiction diffused from other jurisdictions in the diffusion path previously. The screen model builds on both and may occur in both the single and double diffusion return models. The screen jurisdiction is when a jurisdiction that was not in the diffusion path previously becomes a part of the diffusion path and has diffused information from other jurisdictions in the previous diffusion path.

Figure 5: Screen Diffusion Return Model

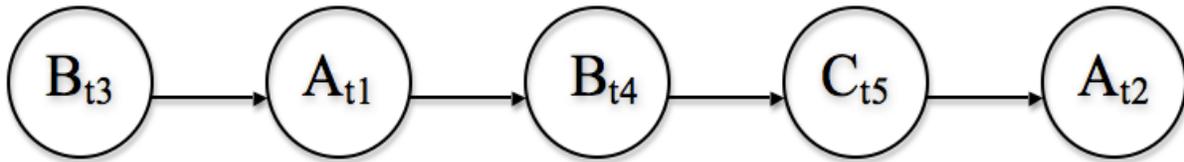


Figure 5 illustrates a screen example, A diffuses from B, B diffuses from A, C diffuses from B, A diffuses from C. In this example C is the screen jurisdiction. C received information from both A and B in the diffusion path then A diffused from C which means that A received diffused information from itself, B and C. The screen model is interesting because when A diffuses information at the end of the path, it may not have wanted to use B as a diffusion source again, however, by diffusing from C who had diffused from B, A indirectly used B as a diffusion source while diffusing information from itself. In this path A utilized B twice as a diffusion source without intending to.

4.2.4 Dropped Source Diffusion Return

The dropped source diffusion return model is similar to the screen model except one of the jurisdictions is not involved in the path twice.

Figure 6: Dropped Source Diffusion Return Model

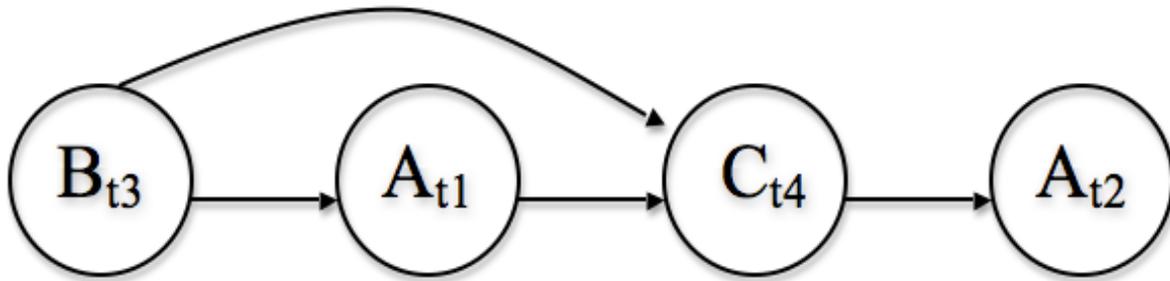


Figure 6 illustrates an example of a dropped source model where the diffusion path is, A diffuses from B, C diffuses from A and A diffuses from C. However, what makes the dropped source model different is that when C diffused from A, it also diffused from B. This means that A diffused from B twice, once directly and once indirectly through C. This is relevant because A may have diffused from B at one point, then did not want to use them as a diffusion source again but ends up indirectly diffusing information through C. This effect is important to study because jurisdictions may intentionally avoid other jurisdictions (the dropped source) but still indirectly diffuse from them.

These models have not been previously included in the diffusion literature because the literature has been focused on initial adoption and this type of effect could not be observed because it has been one-time event focused and not ongoing process focused. To observe diffusion return, a focus on modification of policy must occur. This allows for observation of diffusion return models offered in this study and development of policy diffusion literature into new and important areas where valuable information and observation is possible.

There are additional factors that have contributed to diffusion return not being studied previously. A large factor is that the diffusion literature has been overwhelmingly focused on states. States aren't as likely to have diffusion return because it is a contained and relatively small

sample size that is fairly static. States are larger jurisdictions in both area and population with a larger set of diverse populations and complex elements in the policy making process. This results in state being more careful and static when creating and modifying policy. Cities have been labeled as policy laboratories because cities are better able to deal with dynamic issues more quickly and are more likely to adapt and change. Cities are able to take more risk because they are able to correct and update more quickly than the larger state jurisdiction is able to. This enables an effect like diffusion return to be observed.

Another factor that has contributed to diffusion return not being studied previously is the issue being studied is also an important factor in diffusion return. Issues are considered more urgent are more likely to experience diffusion return because more urgent issues make the agenda sooner and subsequently are more likely to be modified sooner. Issues that impact the budget versus purely social or political issues may not be as likely to experience diffusion return because jurisdictions may not have them as high on the agenda with urgency versus issues that impact the budget. Budget issues that need to be addressed more urgently have not been prominent in previous diffusion literature and may have contributed to diffusion return not being observed previously.

It would be easy to label diffusion return as a type of feedback loop; however, there could be disagreement with that label. Feedback loops are sustained, systematic loops or paths where information travels continuously. Diffusion return does not have these features. Diffusion return is not as likely to occur in a sustained manner where it could be counted on to occur over and over again where jurisdictions go to the same sources repeatedly or in groups. Diffusion return may only happen once and only with one issue. Additionally, because when diffusion return happens a jurisdiction may get both direct and indirect return. For example, A makes a modification and

diffuses from B and C who both diffused from A. A would get two different stories as to the impact of policy. This isn't a usual feature of a sustained feedback loop.

4.3 Traditional Diffusion Concepts

This section explores three concepts that are found in the traditional diffusion literature. Each concept has a depth of literature and have been utilized to study a broad range of real-world phenomenon. These three have been chosen because they serve as bridge concepts or a priori domains from previous diffusion literature to the new concept of diffusion return that is offered within this study. Short-term rental regulation fits well with these concepts and showcase how these domains may be applied to real world situations to increase understanding and function. This section moves forward by first exploring the leader-laggard concept, second the neighbor effect and last similarity effect.

4.3.1 Leader-Laggard

The leader-laggard concept has deep, early roots in diffusion literature. The basic premise of leader-laggard is that diffusion is a social system process and when adoption spreads and occurs it can be represented graphically in a normal distribution. This is sometimes referred to as the Rogers curve because Everett Rogers published the graph in the early seminal work, *The Diffusion of Innovations*. The normal distribution graph is broken up into five segments going from left to right along the normal distribution. The five segments as follows (1) Innovators, (2) Early Adopters, (3) Early Majority, (4) Late Majority and (5) Laggards.

Some jurisdictions are pioneers or leaders in the adoption of a policy and other jurisdictions subsequently emulate these leaders (Walker, 1969). Policy makers in jurisdictions impact the likelihood of being a leader to adopt earlier (Collier & Messick, 1975). Policy makers that are

more risk acceptant may be more prone to earlier adoption versus ones that are more risk averse and prefer to wait until they see the results from other jurisdictions. As more jurisdictions adopt comprehensive policies after the leader jurisdictions, the pressure increases for nonadopters and limited adopters to pass policy components (Taylor et al., 2012). Successively adopting jurisdictions reinvent the policy so that it covers more areas, is stronger and bolder, and moves further in the desired policy direction (Mooney & Lee, 1999). Adopters at the end of the diffusion chain may not be the most innovative in the sense of early adoption but may be able to adopt the most innovative policy based on experience of previous adopters (Hays, 1996). Early adopters tend to amend their policies to catch up with later adopters and this is where diffusion return is likely to occur (Glick & Hays, 1991; Taylor et al., 2012).

Jurisdictions that adopt policy earlier are more likely to experience diffusion return when modifications are made because jurisdictions that adopt earlier are diffused from earlier and have more time for the information to spread which increases the likelihood that the information will return when the leader jurisdictions makes policy modification. Additionally, earlier adopters are more likely to be used as a diffusion source for subsequent adopting jurisdictions because subsequent adopters need diffusion sources and depending on the timing, early adopters may be one of a few sources that have adopted and have information available.

The leader-laggard concept fits well with short-term rental regulation. When examining short-term rental regulation in the United States it becomes apparent that the leader-laggard pattern emerges where more innovative jurisdictions adopt regulation and that is followed by other adoptions as the innovations diffuse across jurisdictions. In this study the concept of diffusion return is central. This study connects the traditional concept of leader-laggard to the new concept of diffusion return to explore if leader-laggard is relevant past initial adoption when jurisdictions

modify policy. Based on the leader-laggard principles, there is an expectation to see that leader jurisdictions would experience diffusion return more because they made the initial adoption earlier which in turn leads to them making modifications earlier and experiencing diffusion return.

Short-term rentals are ideal for this because many jurisdictions adopted stop-gap type policy for their initial adoption which has prompted jurisdictions to modify policy earlier than they may have had to if other subjects are being regulated. In this study there is examination of jurisdictions that adopted regulation earlier as an innovator are more likely to experience diffusion return because they adopted earlier and thus may make modifications earlier or if they truly are an innovative jurisdiction that they make modifications earlier which makes them more prone to information from themselves diffusing inward. Additionally, if a jurisdiction is viewed as a leader that may lead to more jurisdictions diffusing information from them which may increase the likelihood that when they modify policy and diffuse that their own information would return. Utilizing short-term rental regulations offers an opportunity to explore these ideas and cultivate insight into how diffusion return impacts jurisdictions in the U.S.

4.3.2 Neighbor Effect

The neighbor effect is where government officials may be more likely to limit their attention to geographically nearby jurisdictions because geographically proximate jurisdictions are more likely to be impacted by competition and spillover with each other (Berry & Baybeck, 2005; DiMaggio & Powell, 1983; Sugiyama, 2012). Jurisdictions compete for advantages through regulation or reform. Jurisdictions adopt policy to gain an advantage over other jurisdictions or to prevent other jurisdictions from gaining an advantage. Adoption of one jurisdiction may pressure a non-adopting jurisdiction to adopt (Bailey & Rom, 2004; Baybeck, Berry & Siegel, 2011; Berry & Baybeck, 2005; Berry & Berry, 1992; Berry, Fording & Hanson, 2003; Burge & Piper, 2012;

Calcagno, Walker & Jackson, 2010; Elkins, Guzman & Simmons, 2006; Meseguer & Gilardi, 2009; Mossberger, 2000; Most & Starr, 1980; Peterson & Rom, 1990; Shipan & Volden, 2008; Volden, 2002).

Geographically proximate jurisdictions influence each other, especially where there are shared borders (Berry & Berry, 2007). The probability that a jurisdiction will adopt a policy is positively related to the number or proportion of jurisdictions bordering it that have already adopted it (Balla, 2001; Berry & Berry, 1990; Mintrom, 1997; Mooney & Lee, 1995). Jurisdictions are more likely to learn from nearby jurisdictions because it is easier to relate with proximate jurisdictions. This is due to shared economic and social problems and they likely have environments where policy actions have similar impacts (Elazar, 1972; Mooney & Lee, 1995).

Short-term rental regulation is ideal to examine if the neighbor effect is prevalent in diffusion return. The neighbor effect is another concept that has deep, early roots in the traditional diffusion literature. Many studies emphasized geographic proximation and how that impacted the likelihood of diffusion. Examining the neighbor effect with short-term rentals is an excellent fit. Jurisdictions in the U.S. have adopted short-term rental regulation and it appears that they may have been impacted by diffusion through regionally proximate jurisdictions. This fits the body of literature and allows for extension into diffusion return.

For example, if a jurisdiction adopts short-term rental regulation it is easy to imagine that geographically proximate jurisdictions that craft their own regulation would look to regional partners to gain information that may help themselves. As more jurisdictions that are geographically proximate that likely leads to more adoption within that region. Short-term rental regulation has been a quickly evolving topic across the U.S. and that is likely to be seen geographically as jurisdictions adopt and eventually modify policy.

Geography has an impact on the likelihood of a jurisdiction experiencing diffusion return. Jurisdictions that are geographically proximate likely have relationships, exchange ideas and actions taken by one jurisdiction impact the others. Lines of communication develop and information is exchanged that impacts policy decisions. Along these lines of communication and information is where information flow goes both outward and inward. Jurisdictions are impacted by geography not only when they initially adopt policy but also when they modify policy. This is when information that diffused from the jurisdiction diffuses back and returns to the jurisdiction.

4.3.3 Similarity Effect

The similarity effect is where policy makers tend to emulate policy from jurisdictions that share similar partisan and ideological orientations (Volden, 2006). Desmarais, Harden, and Boehmke (2015) promote that states depend on information from source states that are politically similar, rather than geographically close, in their adoption decisions. Characteristics of a jurisdiction such as need for the policy, public support for the policy, political or ideological cleavages and institutions impact the patterns of diffusion (Hays, 1996). Similar jurisdictions build relationships and exchange ideas due to their similarities.

Because similar jurisdictions are more likely to create relationships to exchange policy ideas and emulate each other and that these similarities also lead to a higher likelihood that diffusion return occurs where information is exchanged in both directions. Short-term rental regulations are ideal for the similarity effect because it allows for examination of the effect in a real-world setting. Short-term rental regulations have exploded with jurisdictions needing to address the issue. By exploring the similarity effect with short-term rental regulation, it allows for examination if it is relevant. In previous diffusion literature the similarity effect was relevant at initial adoption of policy but it is unknown if it is also relevant at policy modification. Through

short-term rental regulation it is explored if jurisdictions that are similar in key ways develop diffusion relationship where they may use diffused information from each other at either initial adoption or ongoing modification.

4.4 New Diffusion Return Concepts

This section explores two new concepts to the diffusion literature that are offered in this study. This study offers two new concepts that are centered around jurisdictional sources that jurisdictions utilize to diffuse information beginning at initial adoption and ongoing policy modifications. Short-term rental regulation fits well with these concepts and showcase how these domains may be applied to real world situations to increase understanding and function. This section moves forward by exploring jurisdictions as sources first when the same sources are utilized then second when new sources are utilized between initial adoption and modification.

Short-term rental regulation is ideal to examine if diffusion sources are prevalent in diffusion return. Jurisdictions as diffusion sources that are both diffused from and diffused to is a major concept of this study. Through examination of sources and how they change or stay the same offers tremendous insight into diffusion return and its impact on policy modification. Short-term rental regulation is a prime area to showcase how diffusion sources change or stay the same. Jurisdictions have been quick to adopt and subsequently modify policy regarding short-term rentals. Short-term rentals impact budgets and involve major constituents with varying interest in how the regulation develops. That has led to diffusion sources that have both changed and stayed the same between initial adoption and ongoing modifications. Short-term rentals provide an excellent resource to showcase the development of sources and explore domains that are developed.

4.4.1 Jurisdictions as Sources- New and Same

When a jurisdiction goes to modify their policy via diffusion, they make decisions on which jurisdictions to utilize as sources to diffuse from. Jurisdictions are likely to include the same sources that they used when they adopted the policy initially. There is familiarity in the relationship and it may be useful to use the same source to gather updated information on what has occurred since the initial diffusion. Choosing jurisdictions as diffusion sources initially create a link or pathway where information travels between the two jurisdictions and relationships are built.

When these linkages are made it increases the likelihood that the jurisdiction modifying the policy is going to experience diffusion return and receive information that they may have initially provided. These linkages create a reciprocal relationship where the exchange of information is ongoing, thus increasing the likelihood of diffusion return for both jurisdictions in the relationship. Using to the same sources provides more opportunity for each jurisdiction to better gauge change in relation to their policy decisions and compare to the modifying jurisdiction to assist in making more informed policy decisions.

Another interesting aspect of examining which sources a jurisdiction uses for diffusion is when they use new jurisdictions at modification that were not used initially. When a jurisdiction goes to modify their policy via diffusion, they may use new sources that are different from when they adopted the policy initially. After a jurisdiction initially adopts, other jurisdictions subsequently adopt and become new sources from which jurisdictions can gather information and diffuse from. Because jurisdictions choose new jurisdictions that were not diffusion sources initially it decreases the likelihood that there may be already created links and pathways where information travels between the two jurisdictions and relationships are built. Because these linkages are new and less established, it decreases the likelihood that the jurisdiction modifying

the policy is going to experience diffusion return and receive information that they may have initially provided.

4.5 Summary

In this chapter four different diffusion return models are offered: (1) Single, (2) Double, (3) Screen and (4) Dropped Source. Each model is new and offers different insights into how diffusion return patterns may emerge. Each model was explained in detail in this chapter and offered models regarding how diffusion return may occur after a jurisdiction initially adopts a policy. Generally speaking, these models explain how diffusion return patterns develop as information travels outward after initial policy adoption then inward at policy modification. Additionally, five models are offered in this chapter which the domains are based on in the next chapter. There is a leader-laggard model, neighbor model, similarity model, new source and same source model.

CHAPTER 5: DOMAINS

5.1 Introduction

The objective of this study is to explore the concept of diffusion return. This study utilizes short-term rentals as an avenue to tie together and explore some subset concepts of diffusion mechanisms and offer new concepts to develop domains regarding how diffusion return impacts government policy. This chapter integrates the proposed model of diffusion return (from Chapter 4) with the context of the study to establish five domains to explore. This chapter has two main sections. The first section addresses traditional diffusion concepts with three a priori domains: leader-laggard, neighbor and similarity. The second section addresses sources concepts with two domains: new sources and same sources. These domains are able to be integrated with diffusion return models offered in a previous chapter and are both a bridge from previous diffusion concepts and offering new concepts related to diffusion return.

5.2 Leader-Laggard

The basic premise of leader-laggard is that diffusion is a social system process and when adoption spreads and occurs it can be represented graphically in a normal distribution. This study posits that jurisdictions that adopt policy earlier are more likely to experience diffusion return when modifications are made because jurisdictions that adopt earlier are diffused from earlier and have more time for the information to spread which increases the likelihood that the information will return when the leader jurisdictions makes policy modification. Additionally, earlier adopters are more likely to be used as a diffusion source for subsequent adopting jurisdictions because subsequent adopters need diffusion sources and depending on the timing, early adopters may be one of a few sources that have adopted and have information available.

All four of the diffusion return models (single, double, screen and dropped source) may be explored with this domain. The main variable being explored is time. Time is measured in three ways: 1) when the jurisdiction made the initial adoption, 2) the time between adoption and modification, and 3) the time between any subsequent modifications. Additionally, interview questions are crafted that measure how much leader-laggard concepts impact the likelihood of diffusion return. These allow exploration of how likely leader jurisdictions are to experience diffusion return and how often. How early or late a jurisdiction adopts a policy initially will likely increase the likelihood of that jurisdiction experiencing diffusion return leading to the following domain:

Domain 1: A jurisdiction that initially adopts a policy earlier is more likely to experience diffusion return when modifications are made. More time between initial adoption and modification increases the likelihood that diffusion return occurs.

5.3 Neighbor Effect

The neighbor effect is where government officials may be more likely to limit their attention to geographically nearby jurisdictions because geographically proximate jurisdictions are more likely to be impacted by competition and spillover with each other (Berry & Baybeck, 2005; DiMaggio & Powell, 1983; Sugiyama, 2012). Geographically proximate jurisdictions influence each other, especially where there are shared borders (Berry & Berry, 2007). The probability that a jurisdiction will adopt a policy is positively related to the number or proportion of jurisdictions bordering it that have already adopted it (Balla, 2001; Berry & Berry, 1990; Mintrom, 1997; Mooney & Lee, 1995). This study posits that geography has an impact on the likelihood of a jurisdiction experiencing diffusion return. Jurisdictions that are geographically proximate likely

have relationships, exchange ideas and actions taken by one jurisdiction impact the others. Lines of communication develop and information is exchanged that impacts policy decisions. Along these lines of communication and information is where information flow goes both outward and inward. Jurisdictions are impacted by geography not only when they initially adopt policy but also when they modify policy. This is when information that diffused from the jurisdiction diffuses back and returns to the jurisdiction.

All four of the diffusion return models (single, double, screen and dropped source) are explored with this domain. The main variable being explored is geography. Geography is measured in three ways: 1) jurisdiction is in the same state 2) the jurisdiction is within 100 miles and 3) the jurisdiction is in the same census region. Additionally, interview questions are crafted that measure how much geographic neighbor proximity impacts the likelihood of diffusion return. These allow exploration of how likely geography impacts the likelihood of a jurisdiction to experience diffusion return and lead to the following domain:

Domain 2: Jurisdictions are more likely to experience diffusion return from geographically proximate jurisdictions.

5.4 Similarity Effect

The similarity effect is where policy makers tend to emulate policy from jurisdictions that share similar partisan and ideological orientations (Volden, 2006). Similar jurisdictions build relationships and exchange ideas due to their similarities. This study posits that because similar jurisdictions are more likely to create relationships to exchange policy ideas and emulate each other and that these similarities also lead to a higher likelihood that diffusion return occurs where information is exchanged in both directions. In previous diffusion literature the similarity effect

was relevant at initial adoption of policy but it is unknown if it is also relevant at policy modification.

All four of the diffusion return models (single, double, screen and dropped source) are explored with this domain. The main variable being explored is similarity. Similarity is measured in three ways: 1) population 2) political ideology and 3) median household income. Additionally, interview questions are crafted that measure how much jurisdictional similarity concepts impact the likelihood of diffusion return. These allow exploration of how likely similarity impacts the likelihood of a jurisdiction to experience diffusion return and lead to the following domain:

Domain 3: Jurisdictions are more likely to experience diffusion return when diffusing from similar jurisdictions.

5.5 Sources

When a jurisdiction goes to modify their policy via diffusion, they make decisions on which jurisdictions to utilize as sources to diffuse from. Jurisdictions are likely to include the same sources that they used when they adopted the policy initially. There is familiarity in the relationship and it may be useful to use the same source to gather updated information on what has occurred since the initial diffusion. Choosing jurisdictions as diffusion sources initially create a link or pathway where information travels between the two jurisdictions and relationships are built. When these linkages are made it increases the likelihood that the jurisdiction modifying the policy is going to experience diffusion return and receive information that they may have initially provided. These linkages create a reciprocal relationship where the exchange of information is ongoing, thus increasing the likelihood of diffusion return for both jurisdictions in the relationship. Using the same sources provides more opportunity for each jurisdiction to better gauge change in relation to

their policy decisions and compare to the modifying jurisdiction to assist in making more informed policy decisions.

All four of the diffusion return models (single, double, screen and dropped source) are explored with this domain. A main variable being explored is if the jurisdiction uses the same sources between initial adoption and modification. Same source is measured by if the jurisdiction uses at least one source at both initial adoption and modification. Additionally, interview questions are crafted that measure how much same source concepts impact the likelihood of diffusion return. These allows exploration of how likely same source use impacts the likelihood of a jurisdiction to experience diffusion return and the following domain:

Domain 4: Jurisdictions that use the same sources between initial adoption and modification are more likely to experience diffusion return.

Another interesting aspect of examining which sources a jurisdiction uses for diffusion is when they use new jurisdictions at modification that were not used initially. When a jurisdiction goes to modify their policy via diffusion, they may use new sources that are different from when they adopted the policy initially. After a jurisdiction initially adopts, other jurisdictions subsequently adopt and become new sources from which jurisdictions can gather information and diffuse from. Because jurisdictions choose new jurisdictions that were not diffusion sources initially it decreases the likelihood that there may be already created links and pathways where information travels between the two jurisdictions and relationships are built. Because these linkages are new and less established, it decreases the likelihood that the jurisdiction modifying

the policy is going to experience diffusion return and receive information that they may have initially provided.

All four of the diffusion return models (single, double, screen and dropped source) are explored with this domain. A main variable being explored for new sources is if the jurisdiction uses the new sources between initial adoption and modification. New source is measured by if the jurisdiction uses at least one new source between initial adoption and modification. Additionally, interview questions are crafted that measure how much new source concepts impact the likelihood of diffusion return. These allow for exploration of how likely new source use impacts the likelihood of a jurisdiction to experience diffusion return and the following domain:

Domain 5: Jurisdictions that use new sources between modification and initial adoption are less likely to experience diffusion return.

5.6 Summary

This chapter outlines five domains to address the research questions, what makes a jurisdiction more or less likely to experience diffusion return? And, what are the implications of diffusion return on policy modification? These domains are based on prior policy diffusion literature and new concepts presented in relation to diffusion return. These domains were intertwined with and described within the context of short-term rental regulation development from initial adoption to ongoing modifications. Short-term rental regulation is an appropriate subject area to explore these domains and provide an area of examination for each domain described in this chapter.

These domains explore causal factors around time, geographic proximity, jurisdictional similarities and diffusion sources utilized at initial adoption through ongoing modification. These

domains are able to be explored to better understand if diffusion return occurs and four different models offered within this study (single, double, screen and dropped source). This provides valuable insight into diffusion return as a new concept and provides a foundation to build from going forward both in this study and future studies. The remaining chapters of this study define the research design and methods that explore these domains, summarizes the study's data and discusses if the data supports or refutes the domains offered within this chapter.

CHAPTER 6: RESEARCH DESIGN AND METHODOLOGY

6.1 Introduction

The purpose of this chapter is to introduce the research design and methodology for this study. Given the research questions and domains in this study, the research design is a historical descriptive case study (Hancock & Algozzine, 2016; Merriam, 2001; Yin, 2003, 2013) that focuses the diffusion of short-term rental policy from and to New Orleans, Louisiana. This approach supports the exploration of how short-term rental policy has moved in both an outward and inward direction across local governments to explore domains discussed in previous chapters. The applicability of the historical descriptive case study as an approach of this study is discussed in this chapter. This chapter first describes the rationale for a historical descriptive case study, then short-term rental regulation as a case study. Subsequently why New Orleans was chosen as the subject of the case study is described and why there is a focus on a single city as the case study.

6.2 Rationale for a Historical Descriptive Case Study

According to Yin (1994), “As a research method, the case study is used in many situations, to contribute to our knowledge or individual, group, organizational, social, political and related phenomenon” (p.4). Case studies illuminate and develop theory through empirical manifestation of social theory. Case studies are used as a research methodology in social sciences that help to understand complex social phenomena while retaining holistic and meaningful characteristics (Easton, 1992; Parkhe, 1993; Tsoukas, 1989; Yin, 1993, 1994). A case study is an empirical inquiry that investigates a contemporary phenomenon within its real-life context especially when the boundaries between phenomenon and context are not clearly evident (Yin, 1994).

Case studies may be based on any mix of qualitative and quantitative approaches and are beneficial because the phenomenon is within its real-world context. Because it is within a real-world context, there is not a need to replicate in a laboratory or experiment to better understand what is being studied. Case studies are not ethnographic and frequently uses multiple data sources that may include direct detailed observation, interviews and documents. Case studies may also involve a single case or multiple cases. Case studies spread the net for evidence widely versus experiments and surveys that have a specific focus (Bromley, 1986).

This study is a historical descriptive case study (Hancock & Algozzine, 2016; Merriam, 2001; Yin, 2003, 2013). This section describes historical case studies, then descriptive case studies and then why the mix or overlap of the two is the best fit for this study. According to Hancock and Algozzine (2016), “Historical case studies are often descriptions of events, programs, or organizations as they have evolved over time” (p.37). Historical case studies are more than a chronology of events. Historical case studies are interpretations of factors that cause and result from events (Hancock & Algozzine, 2016). Historical case studies decipher how something came into being, what periods of time were like and what changes occurred over time. Historical approaches interpret records, papers and other sources of information about people, phenomena, or practices using document analyses or interviews (Hancock & Algozzine, 2016). This study deals with operational links that are traced over time rather than frequencies or incidence which fits the case study research design (Hancock & Algozzine, 2016).

Descriptive case study research designs are used to illustrate or explain key features of a phenomenon within its context (Hancock & Algozzine, 2016). According to Mills, Durepos and Wiebe (2009),

A descriptive case study is one that is focused and detailed, in which propositions and questions about a phenomenon are carefully scrutinized and articulated at the outset. This articulation of what is already known about the phenomenon is called a *descriptive theory*. It helps to specific the boundaries of the case, and it contributes significantly to the rigor of the finished case study” (p. 289).

A central goal of a descriptive study is assessing a subject in detail with depth. This interacts with articulation of a descriptive theory which in this study is policy diffusion. With the depth of the policy diffusion theory, this study is much more descriptive than exploratory. Descriptive case studies aim to reveal patterns and connections that relate to theory to advance theory development (Mills, Durepos & Wiebe, 2009). “... descriptive case studies allow the reader to see the case through the theory-driven lens of the researchers” (Mills, Durepos & Wiebe, 2009, p. 289). A strength of a descriptive case study is how it is able to tell a story about a real world situation and how people that were involved addressed it.

This study is an overlap between historical and descriptive case studies to employ strengths of both approaches that fit the aim of the study. Historical case studies aim to outline how something comes to be, while descriptive case studies examine phenomenon through a theory driven lens. This overlap is a perfect setting and research design to drive this study to accomplish intended goals to better understanding policy diffusion and the concept of diffusion return.

6.3 Short-term Rental Regulation Case Study

The case study research design is appropriate for this research project because it is a modest scale research project that is based on a single jurisdiction (Rowley, 2002). Case studies are often viewed as useful for the preliminary or exploratory stages of research to later inform more structured tools like surveys and experiments. Case studies are used because they may offer

insights that may not occur with other methods. Case studies are useful when exploring the how and why of a question as exploratory, descriptive or explanatory research. For this study the case study is most applicable as detailed by Eisenhardt (1989) when stated that case studies are, “Particularly well suited to new research areas or research areas for which existing theory seems inadequate. This type of work is highly complementary to incremental theory building from normal science research” (p. 548-549).

Diffusion return is a new concept in the government innovation and policy diffusion literature. The case study research design is appropriate for diffusion return because it is adding to and extending the body of literature and theory as a new concept. Additionally, case studies are preferred when examining contemporary events where relevant behaviors cannot be manipulated (Yin, 1994). The case study research design has an advantage over non contemporary historical accounts because its unique strength is the ability to deal with a full variety of evidence beyond what is available in a conventional historical study.

This case study research design “... guides the investigator in the process of collecting, analyzing, and interpreting observations. It is a logical model of proof that allows the researcher to draw inferences concerning causal relations among the variables under investigation” (Frankfurt-Nachmias & Nachmias, 1992, p. 77-78). This case study engages in theory development as part of the design regarding policy diffusion. The case study examines times that diffusion return occurs and offer insights as to why. To accomplish this a single case study design is prudent versus a multiple-case study. This study contains one city government that interacts with several city governments. The case, New Orleans, is the unit of analysis for this single case study. The cities that New Orleans interacts with are considered as different units of observation.

A multiple-case design does not fit the depth of this particular study but a multiple-case study may be appropriate for future research regarding this topic. This study is a good fit for a single case study because it has government innovation and diffusion theory that has been established and is able to have specific propositions and conditions that may extend and challenge the theory. This study also has a revelatory nature where there is an opportunity to observe and analyze phenomenon not previously examined in social science (Yin, 1994).

This study has a holistic nature versus an embedded nature. As a holistic study the global nature of interactions between city governments is used. An issue with a holistic approach is that when the research begins the nature of the study may shift. Original questions may have one intent but as the study progresses the need to amend the questions may arise. This could result in developing different questions and orienting towards another study. This will be monitored for this study to ensure integrity and accuracy.

6.4 Case Selection: New Orleans

New Orleans is the subject of the single case study. New Orleans was chosen as a case study city because it has been a leader in addressing short-term rentals with regulations. New Orleans is a popular tourist destination with large annual events that include Mardi Gras. New Orleans became a popular place for investment via short-term rentals from both residents and outside parties because property could be obtained for a reasonable price and properties flipped as a short-term rental investment with ongoing financial returns. These factors contributed to the local government in New Orleans needing to respond with regulation because issues began to emerge where tax collections from traditional lodging decreased, gentrification increased and tourism increased in residential areas where it was previously confined to designated commercial areas.

New Orleans initially adopted short-term rental policy in 2016 and has subsequently made modifications in 2018 and 2019. New Orleans has been adaptive to the quickly changing dynamics of short-term rentals and how they impact cities economically, demographically and geographically. These factors make New Orleans a subject to explore the concept of diffusion return. New Orleans is a good candidate for diffusion return because it has both diffused from other jurisdictions and been a source of diffusion from other cities. This has created dynamic relationships where New Orleans has both been a source of information and also allowed New Orleans to gather information from others. All of these factors combine to make New Orleans an excellent subject for a single city case study to explore diffusion return and its impacts.

6.5 Logic of Single City Case Study

With New Orleans selected as the city for the case study, the next step was to determine how to explore the impact diffusion return has had on short-term regulation in the city. The best approach to this is to gather information from available sources. To begin, the history of short-term rental regulation in New Orleans is gathered and laid out chronologically. The history of short-term rentals in New Orleans is well documented with many publicly available sources online. Specifically, the New Orleans City Council website has public access to video and audio of meetings and documents that were used and developed during city council and planning commission meetings (New Orleans City Council, n.d.). Studies of short-term rental regulations developed by city planning commission staff are particularly vital to this study because the studies cite specific jurisdictions that they diffuse information from. This allows for the tracing and sketching of the diffusion of information. The same information and documents are examined for other jurisdictions that are identified as diffusion sources for New Orleans. The examination of

New Orleans and the other jurisdictions allows for construction of a diffusion network that showcases patterns of diffusion and the return of information to New Orleans.

Examinations of the meetings and documents on the New Orleans City Council website provide a rich history of how short-term rental regulations were crafted in response to the meteoric rise of short-term rentals. Based on the information that was gathered that also allows for sketching of diffusion sources that New Orleans has diffused from and diffused to. The sketch that was developed allows for better understanding of how diffusion return has impacted New Orleans and provides an avenue for examination through the lens of the five domains from the previous chapter. The diffusion sketch showcases how diffusion has happened, including when and where from and to. The diffusion sketch establishes that diffusion occurred and identifies which models of diffusion return are relevant to this case.

6.6 Summary

This chapter introduced the research design and methodology for this study. Given the research questions and domains in this study, the research design is a historical descriptive case study (Hancock & Algozzine, 2016; Merriam, 2001; Yin, 2003, 2013) that focuses the diffusion of short-term rental policy from and to New Orleans, Louisiana. This approach supports the exploration of how short-term rental policy has moved in both an outward and inward direction across local governments to explore domains discussed in previous chapters. The applicability of the historical descriptive case study as an approach of this study was discussed in this chapter. In this chapter the rationale for a historical descriptive case study is described, then short-term rental regulation as a case study. Subsequently described why New Orleans was chosen as the subject of the case study was described and why there was a focus on a single city as the case study.

CHAPTER 7: METHOD AND DATA

7.1 Introduction

The intent of this chapter is to outline the method and data collection used to answer the research questions. The procedure, participants, data collection, sources of the study, and analytical method are included. A city network that addresses short-term rentals is developed through network mapping. In addition to network mapping, interviews, documents, and meeting minutes are utilized as data collection and sampling. Thematic analysis of the data is outlined as the method utilized to analyze the data that is collected. Each domain is detailed with how it applies to both data collection and analysis.

7.2 Qualitative Method

Qualitative data is collected through interviews, documents and recorded meetings from New Orleans that probes the domains from the previous chapter. Data that is gathered is coded then applied to the domains and explored using thematic analysis. Questions for the interviews and structure of thematic analysis is designed to explore each individual domain. Tracing the diffusion patterns then conducting interviews and exploring the meetings and documents provide a rich data supply to explore and gather insight into the research questions of the study. The next section details why thematic analysis is the most appropriate choice to interpret the data that is gathered.

7.3 Method: Thematic Analysis

This study utilizes a qualitative method approach, thematic analysis, to analyze the data that is gathered from the New Orleans case study via network mapping, interviews, documents and meeting minutes. These combine to support one another in exploring the research questions,

case study research design, variables and exploration of domains put forward in this study. A qualitative method is most appropriate for this study because it gives depth and insight into diffusion return to better understand what impacts policy formulation between initial adoption and ongoing modification. Qualitative research helps to detail feelings, opinions, experiences and meanings to actions (Denzin, 1989). Qualitative research also has an ability to better understand individual voices, meanings and events (Richardson, 2012). Qualitative research emphasizes contextual understanding to better understand behavior, beliefs, and values where the research is conducted (Bryman, 2016). Qualitative research produces insight that is not as easy or possible to produce with quantitative measurement and provides more in-depth descriptions (Gephart, 2004).

For the purposes of this study, qualitative research through thematic analysis provides flexibility to adapt with emerging information and themes as data is collected. In this study, flexibility is particularly useful to adapt to what emerges as the concept of diffusion return is explored. What may be most important is that thematic analysis may be employed both deductively and inductively. Deductive analysis utilizes a framework of themes for the coding process (Azungah, 2018; Bradley, Curry & Devers, 2017; Braun & Clarke, 2006; Burnard et al., 2008). Inductive analysis derives information from the experiences in the qualitative data that drives the analysis (Azungah, 2018; Bradley, Curry & Devers, 2017). This study employs both deductive and inductive approaches to explore the domains. This was a main factor in choosing a qualitative approach and thematic analysis. These allow for flexibility to explore both pre-determined themes for deductive exploration and themes that develop from the data for inductive exploration.

7.3.1 Data Collection

This study gathers data first, through network mapping where information flows are traced from New Orleans and on through other cities in the United States. Second, data is gathered

through interviews with city staff. Third, data is gathered through documents on New Orleans websites that detail research completed by committees and councils that developed short-term rental ordinances and regulations. Finally, data is gathered through city and planning commission meetings where both professionals, citizens and elected officials interacted. This study uses multiple sources of evidence as data and establishes a chain of evidence to ensure construct validity. Construct validity is a priority of this section. Much effort was made to ensure that the study identifies correct operational measures for the concepts being studied. The study protocol that was developed addresses any issues of reliability and emphasizes the importance of the three principles of data collection from Yin (1994): (1) using multiple sources of evidence, (2) creating a database and (3) maintaining a chain of evidence. Interviews, documentation and archival records are utilized as sources of evidence, a database was created and a chain of evidence was utilized.

Triangulation of data is achieved through using multiple sources of data. Multiple data sources are vital to producing a valid case study. For this study using first, network mapping, second, interviews, third, documents produced by New Orleans and fourth, public meeting transcripts where short-term rentals were discussed. These data sources complement and supplement each other. Each data sources builds upon the other to provide a more complete picture of diffusion return and how it impacts ongoing modification of policy. For this study, the documents and meeting records are limited in what they detail about diffusion return. However, interviews provide more flexibility and the ability to fill in gaps to the timeline of the case and knowledge from the documents and meeting minutes.

These sources build upon each other with the aim to triangulate findings. For this study the order of data collection may vacillate to some extent or may occur concurrently at times. In general, examination of documents from the New Orleans city council and planning commission is first.

This will assist in network mapping and sketching the diffusion network. Then there is examination of other jurisdictions documents that are available to continue the network mapping to examine if diffusion return occurs and what patterns occur. After network mapping, sketching is completed then coding of the rest of the documents in New Orleans is next. After that is complete then coding of meeting minutes occurred. Insights from the network map, the coding of documents and meeting minutes informed the interviews with New Orleans planning and city council staff to extract any needed information or insights. Finally, interviews with participants is coded to process the data that is extracted.

7.3.2 Study Participants

The study participants center around New Orleans, Louisiana's adoption and modification of short-term rental regulations. Participants are cultivated from New Orleans, Louisiana and how it has developed short-term rental regulation. In New Orleans, during regulation development, city officials researched what other cities have done to address short-term rentals with regulation. The primary participants in this study are the city officials that researched and produced three reports regarding the development of short-term rental regulation. The three reports identify authors that provided input and developed the report.

This study interviews a sample of the authors identified on the reports. There are three reports over three years. There is one each in 2016, 2018 and 2019. Over those three reports there are about 15-20 authors identified that contributed to the reports. There was an attempt to interview every author that is identified, however, that did not occur. Five interviews with the identified staff from the reports were completed. These interviews were completed via Zoom video conferencing. The interviews were recorded and transcripts were automated with a manual review to ensure accuracy of the wording. The five participants were ideal candidates because of their involvement

with the development and enforcement of short-term rental regulations. There was a mix of participants that are still employed with the City of New Orleans and others that are no longer employed with New Orleans. Each participant contributed directly to the research of the regulations and identification of diffusion sources presented in the three reports.

Additionally, this study collects data from and analyzes the reports themselves, 14 planning meetings and council meetings available online to the public and traces diffusion patterns that both go outward and inward from New Orleans resulting from these reports and meetings. New Orleans provides public access to committee and council meetings. Records of these meetings include disclosure of information sources that were utilized to study regulations and previous actions of other cities. This creates information linkages that spread to form networks where information diffuses. Data is gathered through the public information available on the internet on the local government websites that provides details regarding information sources jurisdictions used.

7.3.3 Interview Protocol

A semi structured interview protocol is used for inquiry into the thought process of individuals and teams that created and implemented short-term rental regulation in New Orleans. By interviewing and exploring the thought process of these individuals provides the ability to better understand how diffusion return occurs. A predetermined set of questions is constructed and allowed for probing and follow up with each interview subject. The questions are designed to address the domains being offered that involved both traditional diffusion and diffusion return concepts. Interview respondents are selected because they were involved in the development and implementation of short-term rental regulation and ordinances in New Orleans. Every author that is attributed on city reports was contacted to be a part of this study and number of people

participated. Participants were also asked for referrals to find if there were any others that may be potential participants.

Interviews were conducted via virtual teleconference on the platform Zoom. Every interview was recorded and detailed notes taken during each interview. Each interview was about 60 minutes. Field notes were taken immediately after each interview to capture reactions, moments and thoughts. The recordings were transcribed for qualitative analysis. Every interview transcript was imported into ATLAS.ti (2022), software for coding and analysis. The interview data was coded deductively by using key concepts and themes from diffusion literature and the concepts of diffusion return to interpret the words of the interview participants. Themes were grouped and checked for common themes. Additionally, themes that emerged inductively were coded and offered for analysis. Use of both inductive and deductive coding offers a wider breath of analysis with more information utilized and more insights given. Thematic analysis was employed throughout the process including after each interview preliminary analysis surrounding initial themes. Themes were triangulated with thematic analysis of documents and planning/council meetings to complete the data set.

7.3.4 Document and Meeting Data

Documents were found on New Orleans websites and compiled into a database for review and analysis. Internet sources in general may vary in quality and reliability. This study is prudent in determining the authenticity and legitimacy of internet sources prior to utilizing the sources as a reliable one. All internet sources are publicly available and from the jurisdiction directly. Private records were not utilized for this study. The length and detail of documents varied based on the type of report compiled or stylistic requirements of the jurisdiction. There is usually much more information available in these documents than information sources from which information was

diffused, however, for the purpose of this study only the information pertinent to sources of information and diffusion are considered.

7.4 Data Analysis: Network Mapping

A major contribution of this study is the outlining of diffusion patterns and how information returns to jurisdictions that diffuse information in both an inward and outward direction. To highlight this, the patterns of diffusion for New Orleans are traced. This begins by examining New Orleans and its history with short-term rental regulation. The beginning point is a document from January 2016 where the City Planning Commission completed a short-term rental study that was ordered by the city council (New Orleans City Planning Commission, 2016). A particular section of the study, Section E. Nationwide Best Practices in Short-term Rental Regulations, details all of the information sources from other jurisdictions that the planning commission utilized to craft the ordinance that regulates short-term rentals. In this section the document details how the following cities and one state were used as information sources to diffuse information to craft the New Orleans ordinance: New York City, NY; Austin, TX; Chattanooga, TN; Savannah, GA; San Francisco, CA; Nashville, TN; Philadelphia, PA; Portland, OR; Charleston, SC; Santa Fe, NM; Chicago, IL; Durango, CO; Jersey City, NJ; Key West, FL and the State of Wisconsin. Subsequently, reports in 2018 and 2019 that are similar to the 2016 report are evaluated to extract diffusion sources cited in there. All of the cities are laid out in a grid then diffusion sources those cities used are found. That second layer of cities is added to the grid and the grid outlines short-term rental regulation diffusion sources of cities.

This process led to the construction of a diffusion network that developed to address both the initial adoption and ongoing modification of short-term rental policy and used as a part of the study to better understand diffusion return. The patterns of diffusion that are traced are then

compared to predicted models within this paper to ascertain if predicted models emerge in a real-life case study. Pattern matching is comparing an empirically based pattern with a predicted one (Yin, 2011). If the patterns coincide, the results may help to strengthen internal validity. Patterns may be related to the dependent or independent variables. A dependent variable explored in this study are the patterns of diffusion return. These are nonequivalent dependent variables seeking to have theoretical replication.

7.5. Data Analysis: Thematic Analysis

“Thematic analysis is a method for identifying, analyzing and reporting patterns (themes) within data” (Braun & Clarke, 2008, p.79). This study utilizes thematic analysis to analyze data gathered from the case study, interviews, documents and meetings from New Orleans. Thematic analysis allows for organization, description in detail, interpretation of research and highlights different themes that emerge. Themes capture something important about the data in relation to a research question and is a patterned response or meaning in a data set. This study employs a deductive ‘top down’ approach that emphasizes established policy diffusion concepts and new diffusion return concepts at times and also an inductive approach when examining the data to develop themes. Additionally, themes that emerge inductively will be coded and offered for analysis. Use of both inductive and deductive coding offers a wider breath of analysis with more information utilized and more insights given. The case study is the overarching methodology with network mapping and thematic analysis from interviews, document and meeting minutes analysis as part of the case study.

When developing what qualifies as a theme, it is important to remember that there are not hard and fast rules or standards. For instance, there are not standard thresholds or levels that qualify data as a theme. The evidence in the data is the standard that informs the theme. Researcher

judgement is crucial and necessary to decide what a theme is. Flexibility is required in this approach because rigidity has been shown not to be productive. Thematic analysis is driven by the research question which informs the data and themes that emerge. Additionally, the themes are developed at a semantic or explicit level instead of a latent or interpretive level. The semantic level is appropriate for this study because themes are identified with explicit or surface meanings of the data and not for deeper meaning into responses and/or data.

This study employs thematic analysis as structured by Braun and Clarke (2008). Braun and Clarke (2008) structure thematic analysis into six phases; (1) Familiarizing yourself with your data; (2) Generating initial codes; (3) Searching for themes; (4) Reviewing themes; (5) Defining and naming themes; (6) Producing the report. Structuring thematic analysis in this way allows for a deliberate and rigorous method to analyze the data that is collected. This structure of thematic analysis is utilized in other qualitative methods as well and is not specific or unique to thematic analysis. These guidelines and structure are followed and fit the research questions and data that is gathered. This structure also allows for recursive instead of linear processing where movement through phases is acceptable.

Internal validity is an important consideration of data analysis. This study relies on theoretical propositions from government innovation- diffusion theory and utilizes pattern matching to address internal validity. The original objective and design of the case study is based on diffusion theory which led to the research questions, review of the literature and new domains. Diffusion theory has also shaped the data collection plan and analytic strategy.

7.6. Domains

This study is a qualitative study. This study offers five domains where data is collected and analyzed and qualitatively applied to each domain which generates valuable insight and knowledge

into diffusion return. In this section each domain is covered and how data is collected, analyzed, then applied. After this section a table is also available which summarizes the sections in table form.

7.6.1 Leader-Laggard Domain

Exploration of this domain requires identification of leaders and laggards in short-term rental regulation. This is accomplished by when, measured by month and year, jurisdictions adopted and/or modified short-term rental regulation as found in network mapping. In this study it is particularly important to highlight how the main subject, New Orleans, fits within the timeline as both an adopter and modifier of short-term rental policy. Network mapping is critical to determine who are leaders and laggards in short-term rental regulation. Network mapping outlines when jurisdictions adopted and modified policy which establishes their status as a leader or laggard. Additionally, interviews, documents and meeting minutes provide additional exploration through questions that are asked in interviews and highlights of documents and meetings that establish leader and laggard jurisdictions and how that impacts the likelihood of diffusion return occurring and patterns of how it occurs.

7.6.2 Neighbor Effect Domain

Exploration of this domain requires identification of geographically proximate neighbors to New Orleans. Geographically proximate neighbors are determined by how many miles away a jurisdiction is from New Orleans. Based on how many miles away a jurisdiction is from New Orleans will determine geographic proximity and how that impacts patterns and likelihood of diffusion return. Additionally, interviews, documents and meeting minutes provide additional exploration through questions that are asked in interviews and highlights of documents and

meetings that establish how geographic proximity impacts the likelihood of diffusion return occurring and patterns of how it occurs.

7.6.3 Similarity Effect Domain

Exploration of this domain requires identification of similar jurisdictions to New Orleans. Similar jurisdictions are determined by population size, political/ideological leanings and tourism numbers of the jurisdiction. Based on these factors and how similar they are to New Orleans determines similarity and how that impacts patterns and likelihood of diffusion return. Additionally, interviews, documents and meeting minutes provide further exploration through questions that are asked in interviews and highlights of documents and meetings that establish how similarity impacts the likelihood of diffusion return occurring and patterns of how it occurs.

7.6.4 Jurisdictions as Sources Domain

Exploration of this domain requires identification of sources used to diffuse information by New Orleans. Sources of diffusion are determined by what is cited in city reports as information sources from which New Orleans gathered information. Based on who is cited as sources and at which time determines who is the same source between adoption and subsequent modification and new sources between adoption and subsequent modifications and how that impacts patterns and likelihood of diffusion return. Additionally, interviews, documents and meeting minutes provide further exploration through questions that are asked in interviews and highlights of documents and meetings that establish how same sources and new sources impact the likelihood of diffusion return occurring and patterns of how it occurs.

7.7 Trustworthiness, Limitations and Bias

Credibility, transferability, dependability and confirmability are important in establishing trustworthiness (Lincoln & Guba, 1985). These principles are better established when the researcher does not have bias. Data interpretation must be unbiased. This study minimizes bias and increases the accuracy of the data through direct transfer of information from the documents via the internet to the spreadsheet. Potential bias through the procedures was minimized by using objective information resources and using cultivated information that is publicly accessible where the documents are not prone to manipulation. The author does not have any affiliations with New Orleans or the subjects of the data.

This study is particularly prone to confirmation bias. This bias may undermine trustworthiness. With confirmation bias there is a double standard where undesired conclusions are subject to tougher standards than evidence supporting wanted conclusions or not paying attention to alternative domains and explanations (McSweeney, 2021). To combat and neutralize the impact of confirmation bias in this study it is subject to rigorous pre-determined protocols including multiple levels of checks and input from various researchers, challenging of assumptions and preconceptions with an active search for anything that disproves or contradicts notions of the study, an acknowledgement of confirmation bias and its impact, an open and transparent research protocol that is open for examination of the data, a reflexive journal for thematic analysis to trace the research lines and a standard for what supports or does not support domain exploration. All of these steps and guidelines are established and followed throughout data collection and domain exploration to limit the impact of confirmation bias.

Transferability was limited because this is a new topic in the literature. The research is accessible including the source material and should be available for the foreseeable future. This

study had a clear set of rules and procedures to help minimize the bias of the research (Yin, 2011). Case studies must maximize their quality through four conditions around design quality tests (Yin, 1994). The four conditions or tests are (1) construct validity, (2) internal validity, (3) external validity and (4) reliability. Kidder and Judd (1986) summarize the four tests with the following:

- Construct validity- Identifying correct operational measures for the concepts being studied.
- Internal validity- Seeking to establish a causal relationship, whereby certain conditions are believed to lead to other conditions, as distinguished from spurious relationships.
- External validity: Defining the domain to which a study's findings can be generalized.
- Reliability: Demonstrating that the operations of a study- such as the data collection procedures- can be repeated, with the same results.

For construct validity this study uses multiple sources of evidence and establishes a chain of evidence. The study focuses on New Orleans adoption of short-term regulation. Additionally, there are multiple cities included in the study and it is shown how the data is collected. For internal validity the study does pattern matching, explanation building, addresses rival explanations and uses logic models. This is important because this study attempts to explain how and why an event leads to another event. There is an attempt to find any other events that contribute to the change being studied.

For external validity this study uses diffusion theory because it is a single-case study. There has been previous criticism around case studies and the ability to generalize. To overcome this issue the case study focuses on analytical generalization where a particular set of results is generalized to the broader theory of policy diffusion. To address reliability this study has a case study protocol and case study database. The goal of reliability is to minimize errors and bias in a

study (Yin, 1994). Other investigators should be able to repeat this case study based on the steps outlined and followed. To better achieve future repeating of this case study, protocols and a database have been developed.

The main limitations of the study are that network mapping may not capture all cities that have adopted or modified short-term rental regulation and every person targeted for interview may not be able to be contacted or agree to be interviewed. For example, a city may have adopted or modified short-term rental regulation but the records may not be available for examination to determine if and how diffusion sources were utilized. Additionally, qualitative research always has the risk of bias impacting the analysis.

7.8 Summary

The goal of this chapter was to outline the method and data collection used to answer the research questions. The procedure, participants, data collection, sources of the study and analytical method were included. A city network that addresses short-term rentals is developed through network mapping. In addition to network mapping, interviews, documents and meeting minutes are utilized as data collection and sampling. Thematic analysis of the data was outlined as the method utilized to analyze the data that is collected. Each domain was detailed with how it applies to both data collection and analysis. The domains are summarized in Table 1.

Table 1: Summary of Domains

Dependent Variable	Observations	Analytical Approach	
<i>A Priori Traditional Diffusion Concepts</i>			
<p>A jurisdiction that initially adopts a policy earlier is more likely to experience diffusion return. More time between initial adoption and modification increases the likelihood that diffusion return occurs.</p>	<p>Time: 1) when the jurisdiction made the initial adoption, 2) the time between adoption and modification, and 3) the time between any subsequent modifications.</p>	<p>- Diffusion Return Patterns Highlighted - Semi Structured Interviews with Planning Commission Staff - 3 Reports Regarding short-term rentals in New Orleans - Planning Commission and City Council Meetings</p>	Thematic Analysis
<p>Jurisdictions are more likely to experience diffusion return from geographically proximate jurisdictions.</p>	<p>Geographic Proximity: 1) jurisdiction is in the same state 2) the jurisdiction is within 100 miles and 3) the jurisdiction is in the same census region.</p>	<p>- Diffusion Return Patterns Highlighted - Semi Structured Interviews with Planning Commission Staff - 3 Reports Regarding short-term rentals in New Orleans - Planning Commission and City Council Meetings</p>	Thematic Analysis
<p>Jurisdictions are more likely to experience diffusion return when diffusing from similar jurisdictions.</p>	<p>Similarity: 1) population 2) political ideology and 3) median household income.</p>	<p>- Diffusion Return Patterns Highlighted - Semi Structured Interviews with Planning Commission Staff - 3 Reports Regarding short-term rentals in New Orleans</p>	Thematic Analysis

- Planning
Commission and City
Council Meetings

New Diffusion Return Concepts

Jurisdictions that use the same sources for diffusion from initial adoption are more likely to experience diffusion return.

If the jurisdiction uses at least one source at both initial adoption and modification.

- Diffusion Return Patterns Highlighted
- Semi Structured Interviews with Planning Commission Staff
- 3 Reports Regarding short-term rentals in New Orleans
- Planning Commission and City Council Meetings

Thematic Analysis

Jurisdictions that use new sources between initial adoption and modification are less likely to experience diffusion return.

If the jurisdiction uses at least one new source between initial adoption and modification

- Diffusion Return Patterns Highlighted
- Semi Structured Interviews with Planning Commission Staff
- 3 Reports Regarding short-term rentals in New Orleans
- Planning Commission and City Council Meetings

Thematic Analysis

CHAPTER 8: NETWORK MAPPING

8.1 Introduction

The following chapter constructs and explores a network map of cities that illustrates how short-term rental policy diffused across cities in the U.S. The network map is constructed from data collected from short-term rental regulation reports produced by New Orleans city planning staff. In the reports the staff outlined cities that they had diffused information from. After compiling the list of cities New Orleans city staff utilized, this study determines which information sources were utilized by each city featured in the New Orleans city planning reports. Subsequently, those new cities are incorporated to expand the group of cities in the sample. Based on the expanded sample, this study is able to trace when and where information diffused to construct a network map that details where the information flowed. Network mapping is vital to establish when and how the information diffused. This allows for better understanding of how the information diffused initially and the patterns in which the information diffused after initial adoption. This is essential to establish if diffusion return exists with details regarding how return patterns impact ongoing policy modification.

8.2 Establishing the Network Map

Between 2015 and 2019 New Orleans city planning staff produced three reports on short-term rental regulation that detailed research and suggestions on short-term rental regulation for the city council to consider and adopt (New Orleans City Planning Commission, 2016, 2018, 2019). Each report contains a section that details the information sources utilized by city planning staff during research and development of regulation recommendations. Table 3 displays which cities were utilized as information sources and report year where the city was utilized.

Table 2: City and Year utilized in New Orleans Short-term Rental Reports

City	Report Year	City	Report Year	City	Report Year
Savannah	2015	Savannah	2017		
Charleston	2015	Charleston	2017		
Nashville	2015	Nashville	2017	Nashville	2019
San Francisco	2015	San Francisco	2017		
Santa Monica	2015	Santa Monica	2017		
New York City	2015	New York City	2017		
Austin	2015	Austin	2017		
Key West	2015				
Chattanooga	2015				
Durango	2015				
Portland	2015				
Philadelphia	2015				
Santa Fe	2015				
		Boston	2017	Boston	2019
		Chicago	2017		
		San Antonio	2017	San Antonio	2019
				Seattle	2019
				Pacific Grove	2019

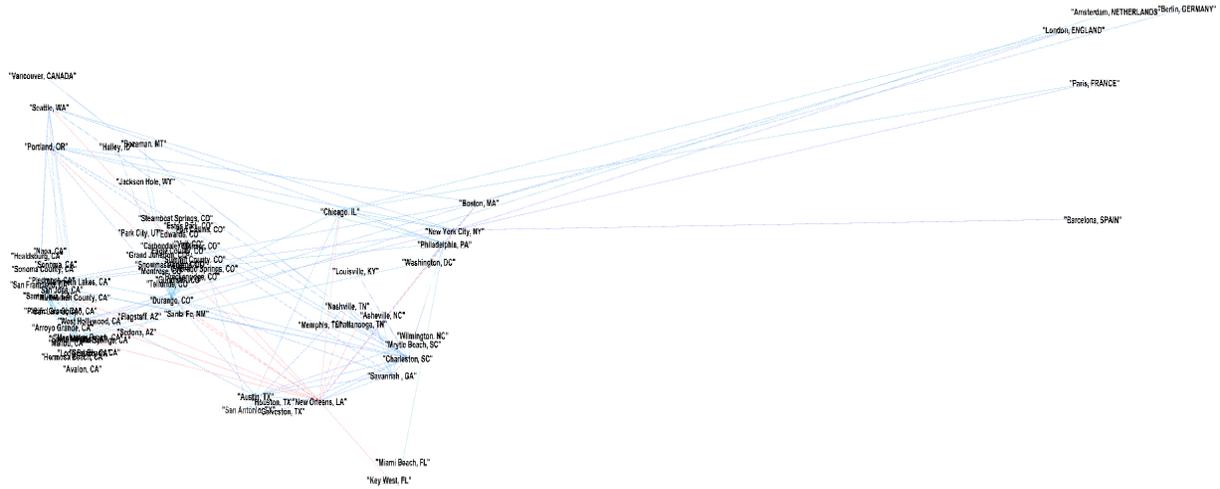
Table 3 displays how the city planning staff cited 18 total cities during the three reports. The cities were all in the United States and are not concentrated in a certain geographic area. The staff used only one city (Nashville, TN) in all three reports. The staff used nine cities twice (Savannah, GA; Charleston, SC; San Francisco, CA; Santa Monica, CA; New York City, NY; Austin, TX; Boston, MA and San Antonio, TX) and eight cities once (Chattanooga, TN; Durango, CO; Portland, OR; Philadelphia, PA; Santa Fe, NM; Chicago, IL; Seattle, WA and Pacific Grove, CA).

To construct the network map, each city was examined that New Orleans planning staff featured in their reports with an intent to establish what information sources each city used to

develop their short-term rental regulations, if any. My examination of each city featured in the reports was consistent with the examination of New Orleans itself. Official reports, public meetings, and any other sources were searched, probing for indications that a city was utilized as a diffusion source to develop short-term rental regulations. Cities that were utilized as diffusion sources were added to the network with an intent to examine overall patterns of diffusion and diffusion return.

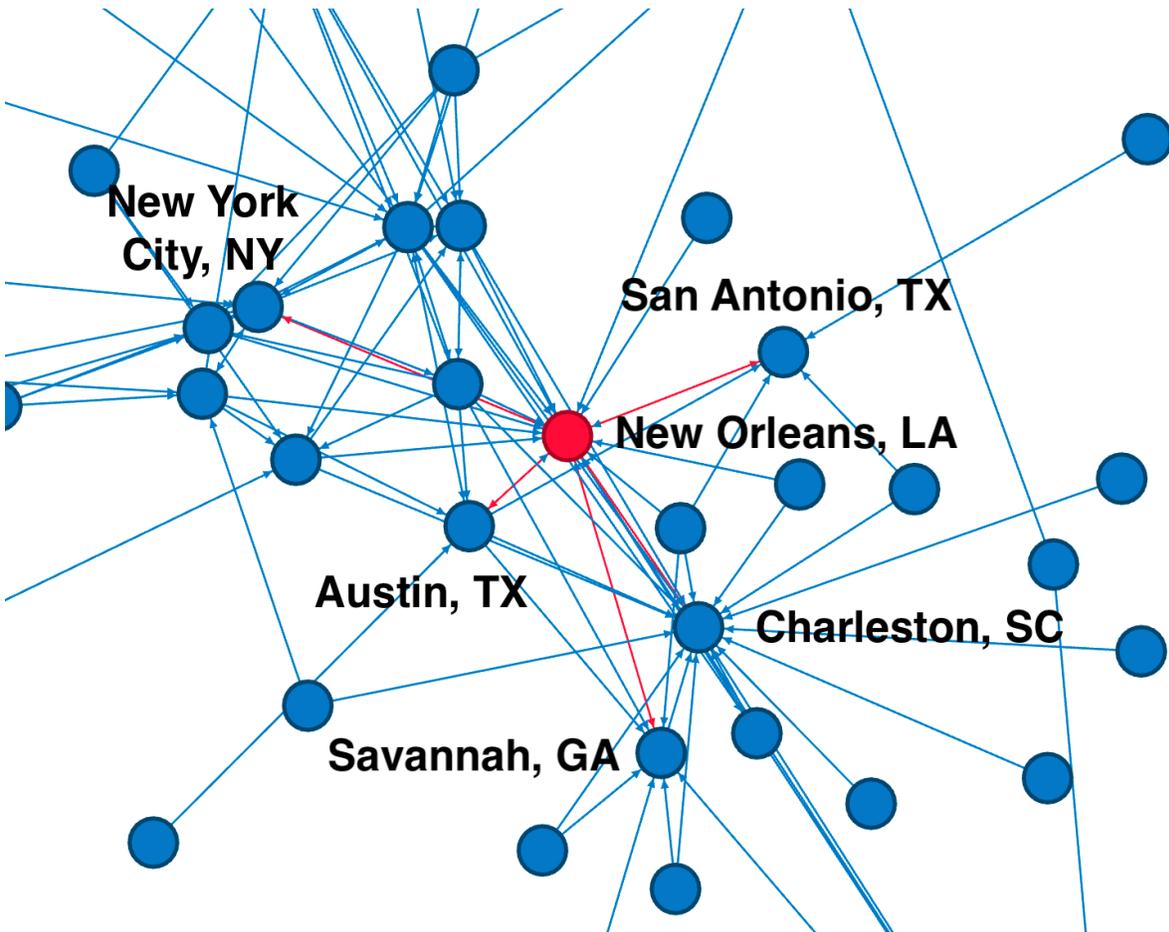
Each city was categorized as a node and the connections between cities were categorized as edges based on the year the city was used as a diffusion source. The nodes and edges were input into the computer software Gephi (2022) to construct the network maps in Figure 7, Figure 8, and Figure 9. The network consists of 84 nodes and 173 edges. The network map provided a graphic reference to determine which cities interacted with New Orleans as a diffusion source. During the construction of the network map, the network is bound based on the cities that New Orleans named in the report. There was a decision not to fully investigate and or include the next levels of cities beyond the first level in this study because there was no theoretical reason to. Additionally, including more levels of the network made the network too large for the intention and purpose of this study which focuses on New Orleans and potential diffusion return there.

Figure 9: New Orleans Short-term Rental Diffusion Network International Layout



The following cities utilized New Orleans as a source of information, with New Orleans also utilizing these cities as sources of information: Savannah, GA; Charleston, SC; San Antonio, TX; Austin, TX and New York City, NY (Figure 10). Focusing on these cities allows for the identification of diffusion return patterns that impact New Orleans. There are likely diffusion models that form and impact other cities identified in the broader network; however, by narrowing the focus to the cities that utilized New Orleans as a diffusion source and likewise New Orleans utilized as a diffusion source provides a solid base to examine patterns of diffusion return in an applied manner.

Figure 10: Network Map of New Orleans Diffusion Return



8.3 Diffusion Return Models Applied

In this section four models presented earlier in the paper are applied to observe if these patterns occur in the network developed from New Orleans. All four models are observed in the network map where information diffuses both to and from New Orleans. This is important because it pertains to the first research question, does diffusion return exist? By applying these real-world examples, it proves that diffusion return does exist and occurs in patterns predicted by models presented in this paper. There are likely more applications of each model in this network map;

however, in this study only one application of each model is applied in each of the following sections. In diffusion return models, there may be repercussions to policy and policy makers that include issues such as self-affirmation, confirmation bias, self-doubt, bandwagon effect, pro-innovation bias and false consensus effect. These effects may influence the accuracy of information and quality of policy that is adopted or modified. Differences in return patterns may influence the likelihood and severity of consequences. In the following sections, first the single diffusion return model is applied. Second, the double diffusion return model is applied. Third, the screen diffusion return model is applied. Fourth, the dropped source diffusion return model is applied.

8.4 Single Diffusion Return

Figure 11: Single Diffusion Return Model

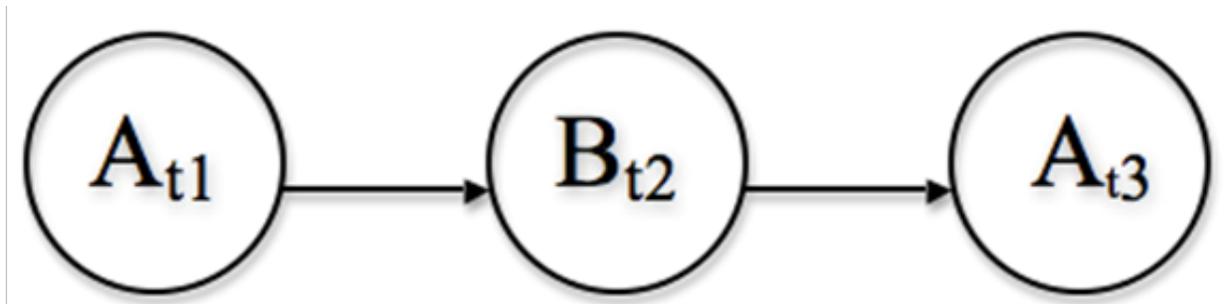
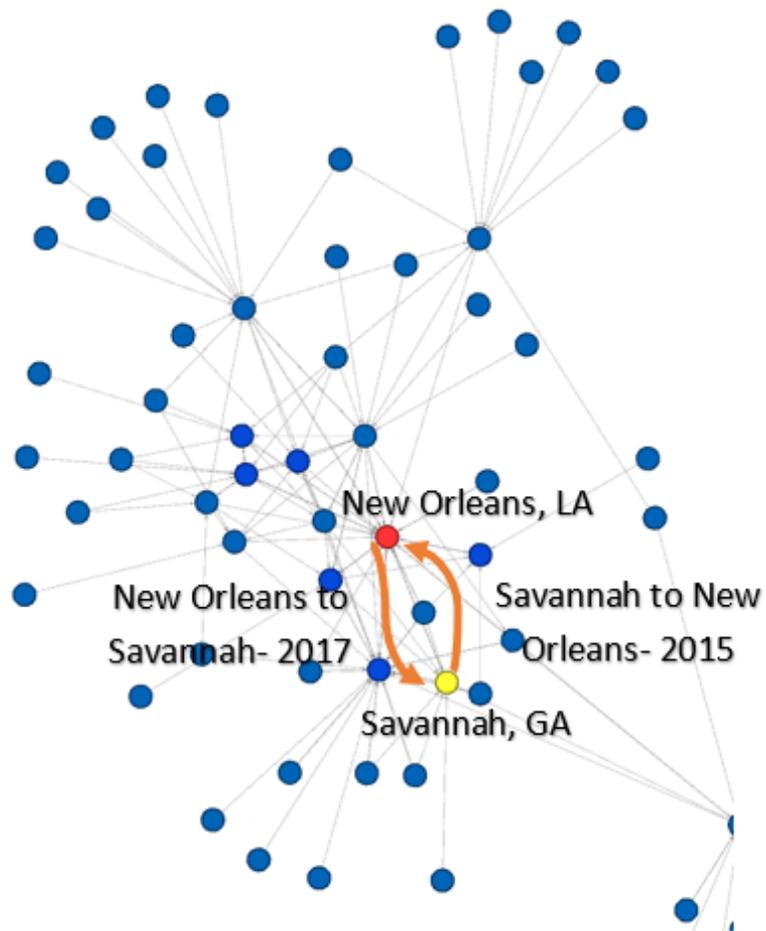


Figure 12: Application of the Single Diffusion Return Model



Figure 13: Single Diffusion Return Model in Network Map



Figures 12 and 13 display a single return model where New Orleans diffused from Savannah in 2015 then Savannah diffused from New Orleans in 2017. In Figure 11 Savannah represents A in the model and New Orleans represents B which corresponds to A to B then B to A which fits the single diffusion return model. This may be the most likely or common model observed in real world application because it involves two cities with two transfers of information.

The single diffusion model is the simplest pattern with less complexities that may come with increased number of cities and timing of policy adoption or modification. In this applied example, Savannah receives diffusion return feedback from themselves via New Orleans. This may be an issue because it may lead consequences that are not optimal and deceiving. New Orleans may have adopted actions from Savannah to craft short-term rental ordinances. Subsequently, Savannah observes that New Orleans adopted similar structures to what Savannah had previously. This may lead Savannah to believe their previous actions were justified or optimal because New Orleans adopted them where really Savannah is just looking at their own previous actions adopted and manifest through New Orleans.

8.5 Double Diffusion Return

Figure 14: Double Diffusion Return Model

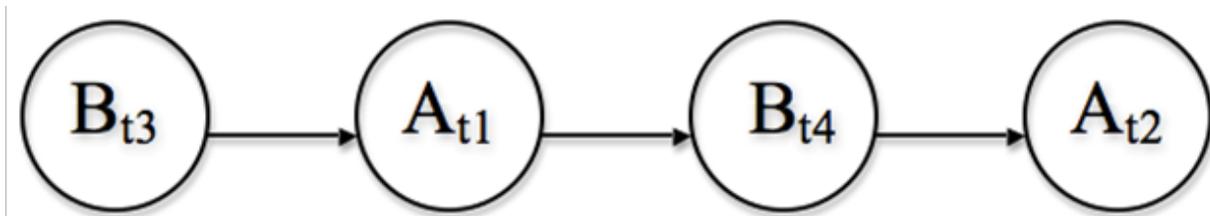


Figure 15: Application of the Double Diffusion Return Model

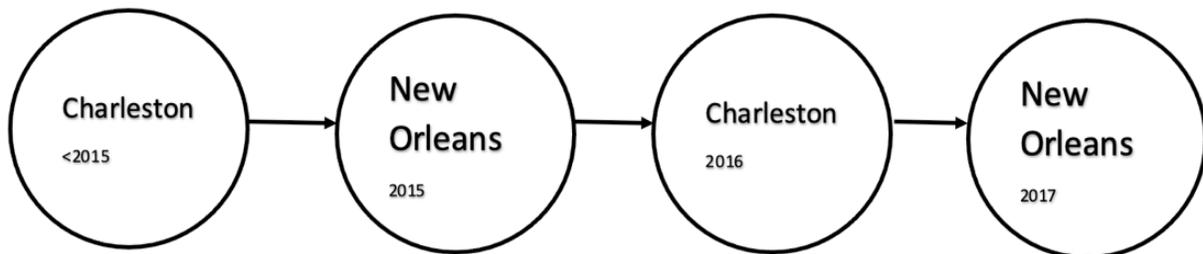
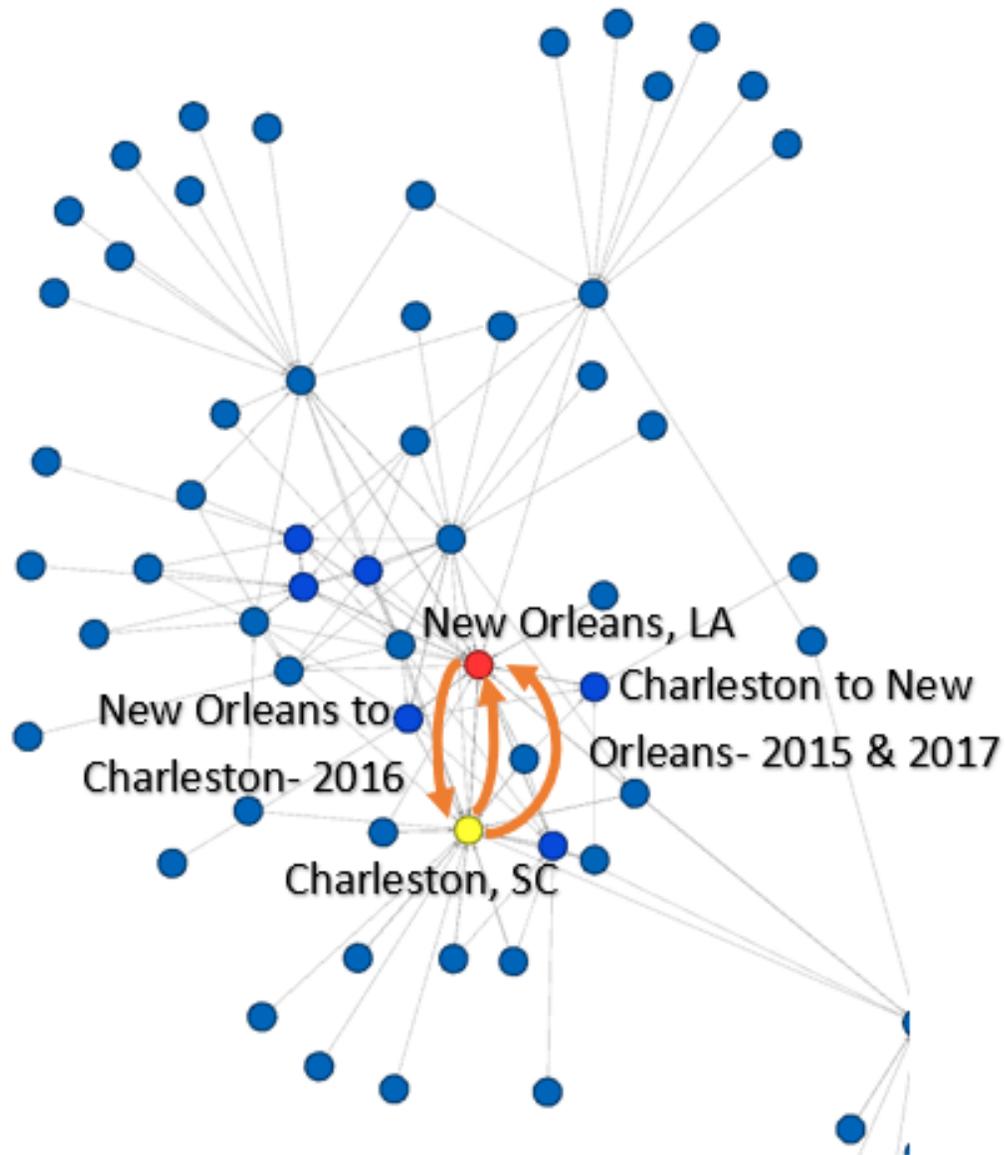


Figure 16: Double Diffusion Return Model in the Network Map



Figures 15 and 16 display a double return model where New Orleans diffused from Charleston in 2015 then Charleston diffused from New Orleans in 2016. Subsequently, New Orleans diffused from New Orleans in 2017. In Figure 14 New Orleans represents A and Charleston represents B in the model. The pattern that developed between New Orleans and Charleston fits the double diffusion return model. The double diffusion model has more information transfer than the single return model. In this example extracted from the network map,

New Orleans diffuses from Charleston, then Charleston from New Orleans, then Charleston from New Orleans again. This pattern compounds issues observed in the single return model where information travels an additional level back to a jurisdiction in the diffusion chain.

A double diffusion return model creates a relationship where two jurisdictions look to each other for information and experience when adopting or modifying policy. Double diffusion may lead to an echo chamber type effect where these jurisdictions utilize each other and may be missing valuable information that may be available through other jurisdictions. Conversely, this model may also be viewed as beneficial for both jurisdictions where they find reliable partners to exchange and diffuse information from. In this case, New Orleans and Charleston considered each other as sources of information to examine their experiences and craft policies for short-term rentals in their jurisdictions.

8.6 Screen Diffusion Return

Figure 17: Screen Diffusion Return Model

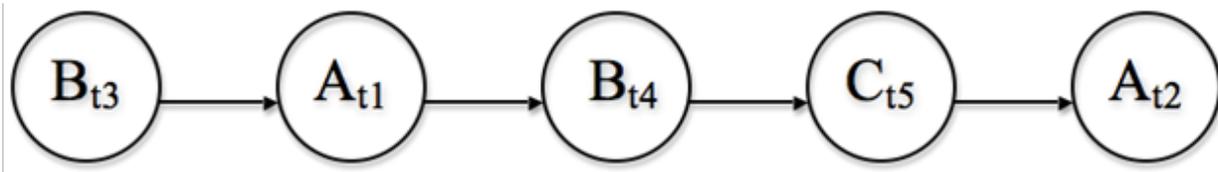
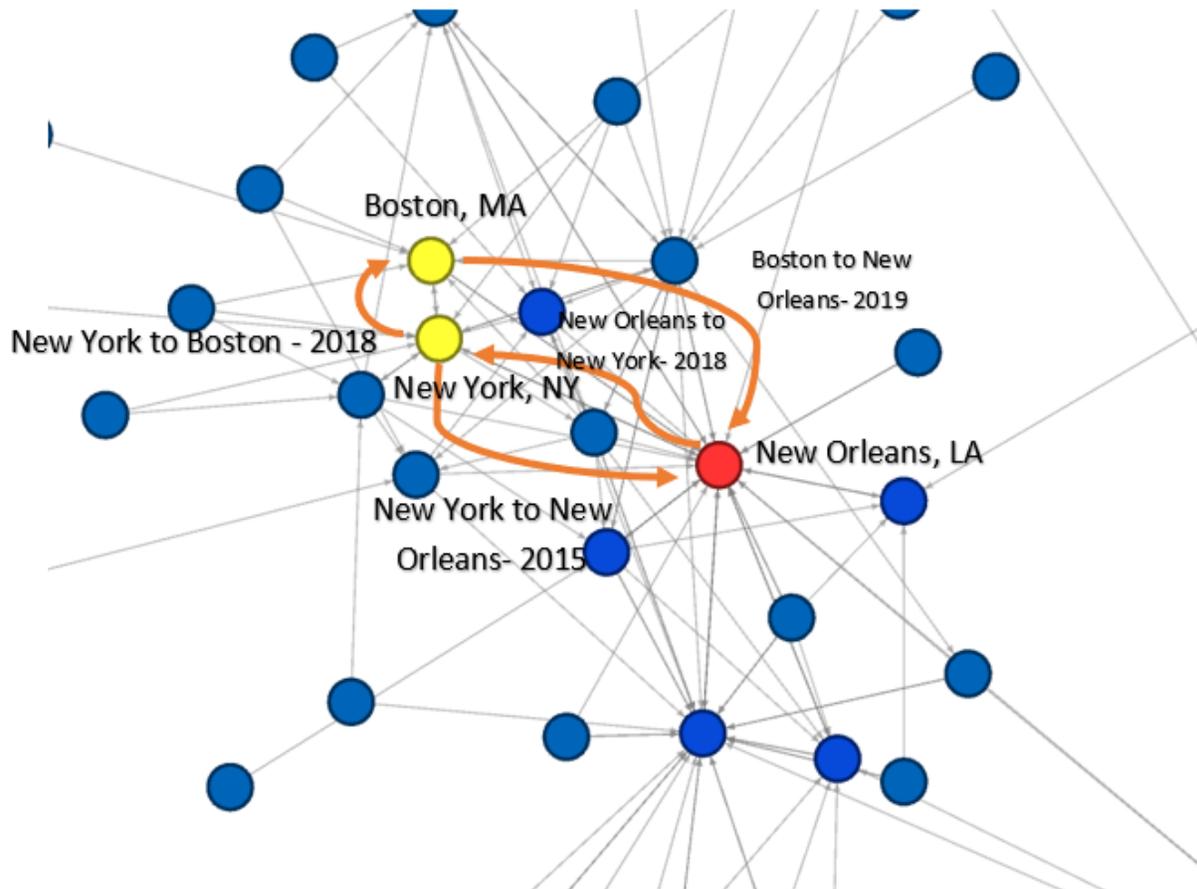


Figure 18: Application of the Screen Diffusion Return Model



Figure 19: Screen Diffusion Return Model in the Network Map



Figures 18 and 19 display a screen return model where New Orleans diffused from New York City in 2015 then New York City diffused from New Orleans in 2018. Subsequently, Boston diffused from New York in 2018 and New Orleans diffused from Boston in 2019. In Figure 17 New Orleans represents A in the model, New York City represents B and Boston represents C . These correspond in the model of B to A then A to B then B to C where Boston serves as a screen that diffused to New Orleans in 2019.

The screen diffusion return pattern presented is engaging because New Orleans utilized New York City as a diffusion source in 2015 but then chose not to use them again in 2019 but chose Boston in 2019. In the screen diffusion pattern, New Orleans is not only receiving information from themselves, but they are also receiving information from New York through Boston. New Orleans may have intentionally not used New York as a diffusion source in 2019 after using them previously in 2015 and 2017. Depending on the intention of the staff, in what diffusion sources are utilized, this may be problematic because they received information from New York when they may not have desired that. Additionally, New Orleans is receiving information from themselves via New York and then Boston. Information returning to New Orleans had been through two jurisdictional filters and impacts what information New Orleans receives.

The screen model is unusual because when A diffuses information at the end of the path, it may not have wanted to use B as a diffusion source again; however, by diffusing from C who had diffused from B, A indirectly used B as a diffusion source while diffusing information from itself. In this path A utilized B twice as a diffusion source without intending to. The screen model presents potential issues in how information moves across networks and manifests as jurisdictions gather information to adopt and modify policy.

8.7 Dropped Source Diffusion Return

Figure 20: Dropped Source Diffusion Return Model

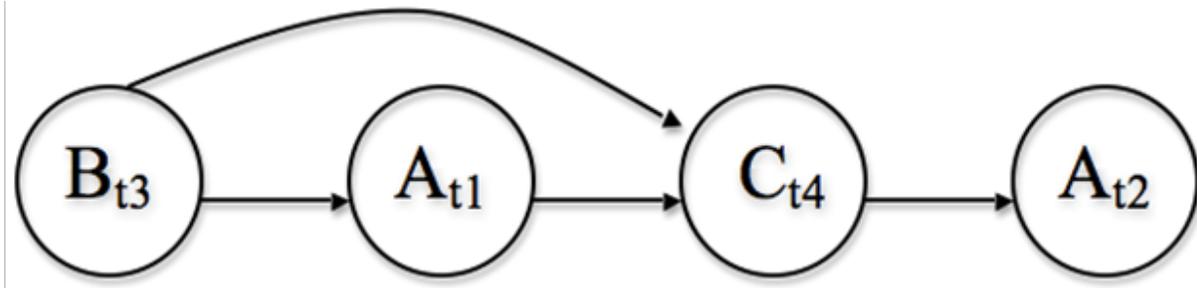


Figure 21: Application of Dropped Source Diffusion Return Model

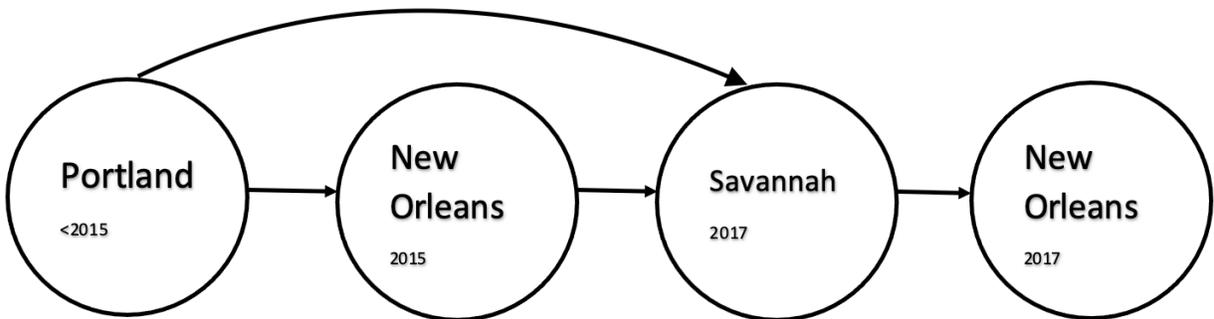
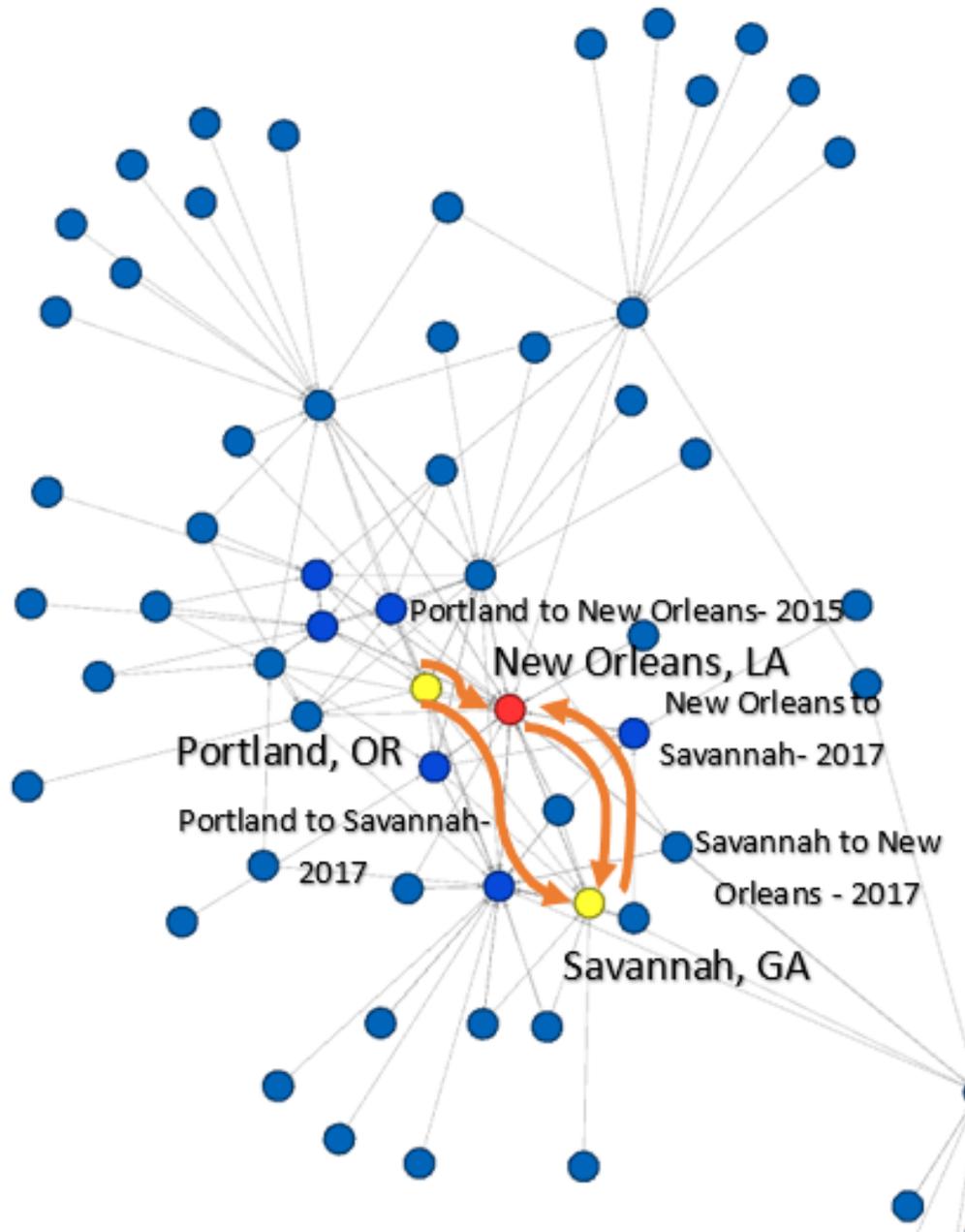


Figure 22: Dropped Source Diffusion Return Model in Network Map



Figures 21 and 22 display a dropped source return model where New Orleans diffused from Portland in 2015 then Savannah diffused from New Orleans in 2017. Subsequently New Orleans diffused from Savannah in 2017. In Figure 20 New Orleans represents A in the model, Portland

represents *B* and Savannah represents *C*. These correspond in the model of *B* to *A* then *A* and *B* to *C* then *C* to *A* where Savannah diffused from a source that New Orleans had previously used but did not use again in 2017.

The dropped source diffusion return model is compelling because New Orleans decided not to utilize Portland as a diffusion source in 2017 when they had used them previously in 2015. However, New Orleans still received information from Portland via Savannah because Savannah used Portland as a diffusion source. This may be consequential because New Orleans may have intentionally not utilized Portland again but ended up with their information via Savannah who became a proxy. Additionally, due to the dropped source pattern of diffusion, New Orleans not only received information from Portland in 2015 directly but received information again through Savannah in 2017. This means they used Portland twice as a diffusion source even though one time was not intentional. This effect is important to explore because jurisdictions may intentionally avoid other jurisdictions (the dropped source) but still indirectly diffuse from them.

8.8 Summary

This chapter presented evidence that diffusion return does occur in real world applications, specifically in this case with New Orleans. A network map was developed based on the sources New Orleans diffused from. In the developed network map, there are clear patterns of diffusion that match models presented in this paper. This is important because if policy makers are aware of these patterns of diffusion return it may alter their behavior in choosing diffusion sources for information to develop policy initially and ongoing for their jurisdiction.

This chapter not only confirmed models that were predicted earlier in this paper but also revealed other potential models to explore. For example, a pattern emerged when examining the

relationship between New Orleans and New York. This unexpected pattern is illustrated in Figures 23, 24, and 25.

Figure 23: Additional Diffusion Return Model

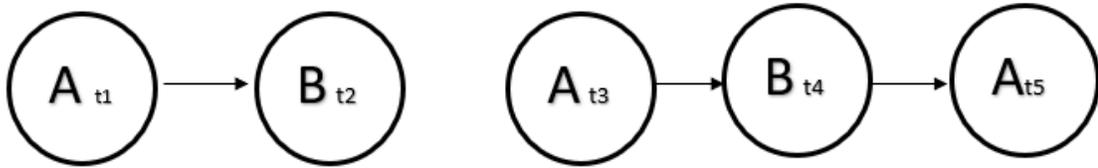
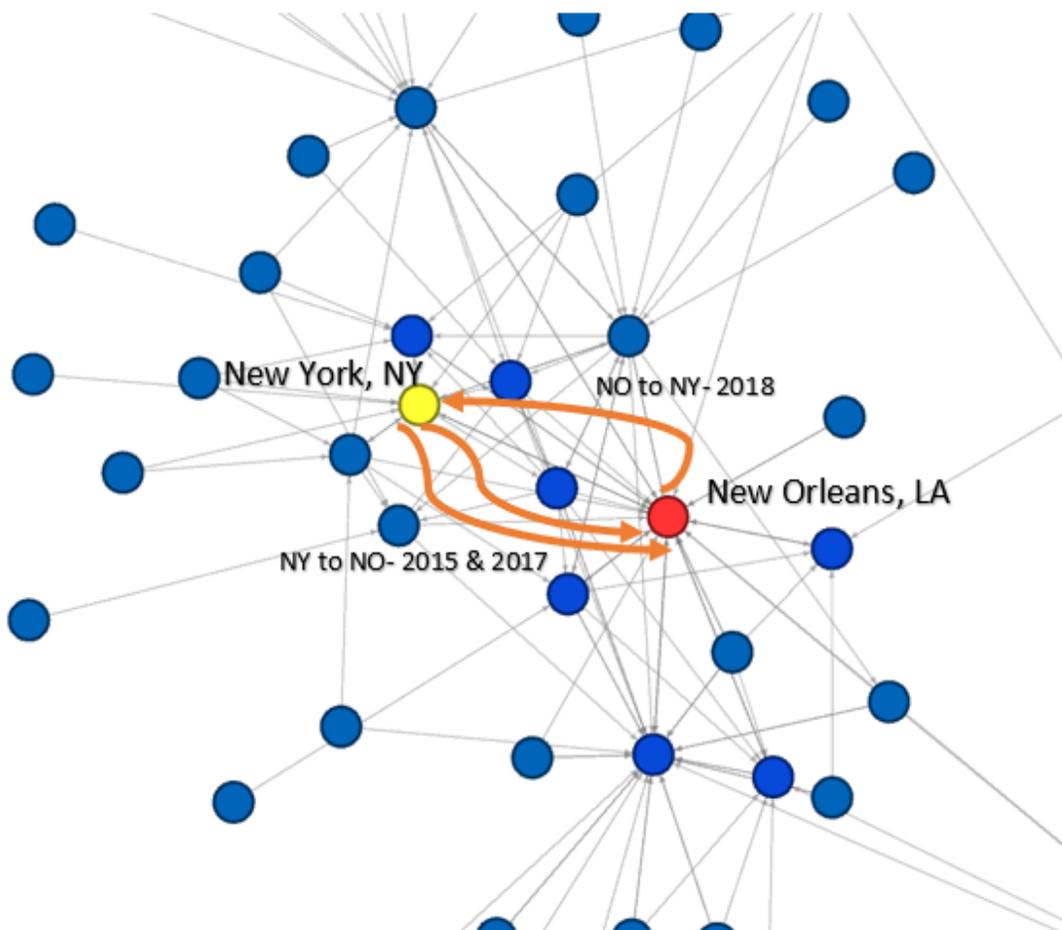


Figure 24: Application of the Additional Diffusion Return Model



Figure 25: Additional Diffusion Return Model in Network Map



In this additional model, New Orleans diffused from New York in 2015 then diffused from New York again in 2017. New Orleans diffused from New York twice then New York utilized New Orleans as a diffusion source in 2018. This is a particularly interesting pattern because New York receives information from itself via New Orleans because New Orleans utilized New York twice previously. This may compound potential issues of reflexivity and self-affirmation. Additionally, while searching for diffusion sources, New York may have been attracted to New Orleans as an

information source because they adopted similar policy structures due to using New York as a source not only once but twice.

There are potentially many other patterns within the short-term rental regulation network map featuring New Orleans. There may also be additional patterns that may emerge from expanding the cities featured in the network map. Diffusion theory would support the possibility that by expanding the map, new and unexpected patterns of diffusion return could emerge not only for New Orleans but for other cities in the network map. Additionally, the network map indicates that there are concurrent models of diffusion return occurring at one time. The transfer of information is highly dynamic where information is flowing in many directions through many different cities. These factors produce a network through which patterns occur at the same time and do not necessarily develop in a chronological manner.

All these factors in this chapter are exciting and provide a potentially fruitful field to explore. The models offered in this paper provide a basis for further investigation into how diffusion patterns emerge and how that impacts policy development by extension into the policy modification phases of the policy process.

CHAPTER 9: THEMATIC ANALYSIS

9.1 Introduction

The following chapter contains a thematic analysis of data collected from three sources: (1) interviews with New Orleans City planning staff, (2) public reports developed by the staff and (3) public meetings that include the New Orleans planning commission, citizens, and city council. Themes are based on the domains presented in this paper and developed for exploration. In this section the following domains are explored in this order: leader-laggard; geographic proximity; jurisdictional similarity; same sources and new sources. Organizing the themes by domain allows for exploration of each domain and its impact on the likelihood of diffusion return or potential patterns of diffusion return. Additionally, at the end of this chapter, themes that emerged from the data that were not based on offered domain are highlighted and explored.

9.2 Leader-Laggard Domain Exploration

Based on the interviews, reports, and minutes from the public meetings, the leader-laggard domain had an influence in New Orleans and influence on the likelihood of diffusion return. Examination and exploration of the leader-laggard domain in New Orleans is divided and summarized into two main groups. The first is the timing of leaders and laggards of policy adoption and ongoing modification. The second is leaders and laggards of issues addressed by regulation during initial policy adoption and modification.

9.2.1 *Timing*

The theme of timing is somewhat skewed in this discussion because the issue that cities are addressing is short-term rentals. Short-term rentals exploded in the early 2010s with the rise in

popularity of Airbnb, VRBO, HomeAway and other online platforms that connected consumers and short-term rental proprietors directly for travel lodging. The explosion of short-term rentals was an unanticipated issue for most cities across the United States. Consequently, cities scrambled to understand the impact of the short-term rental eruption on their jurisdictions. Some cities chose to apply bed and breakfast or hotel/motel lodging regulations towards short-term rentals. However, it was a highly debated topic if those types of regulations applied to short-term rentals. Other cities chose to take on the issue of short-term rentals and develop specific regulations to address consequences advancing in their communities.

Because this was a new issue to regulate with new challenges that evolved constantly, cities that chose to regulate short-term rentals specifically are considered leaders for this policy issue (Collier & Messick, 1975; Walker, 1969). This means that New Orleans itself may be considered a leader even though they looked to other leader cities that regulated short-term rentals. New Orleans as a short-term rental policy leader was both an embraced and a rejected idea for both the public and government in New Orleans. The anti-leader sentiment was expressed by one council member in a public meeting, “I don't want us to be the guinea pigs because I really don't think there are best practices and our best attempt to find one in the early stages of this experiment is going to be difficult” (New Orleans City Planning Commission, 2016, January 26).

Meanwhile, others embraced the idea that New Orleans was and should be a leader in regulating short-term rentals. A citizen in one city council meeting said, “We've truly become a model city for successful home sharing in the United States” (New Orleans City Council, 2016, December 1). Another citizen said, “We're a model piece of legislation that other cities are going to emulate across the country with the New Orleans approach” (New Orleans City Council, 2016,

December 1). One city council member recognized that New Orleans was an early adopter and should be a leader but that it could be a difficult path:

The administration has tried and they have not had much success and if you look at the examples all around the world, let's look at Paris. Paris has an absolute prohibition. You can rent about 8000 units in the city of Paris right now. So, if Paris can't do it, San Francisco can't do it, Boston can't do it, San Antonio can't do it, all of the cities that have tried to be more aggressive without the agreement of the agreement with the platform operators. I don't believe that we, in New Orleans are going to be special. However, we have the most aggressive agreement with the platform operators of any place in the country to date. We're going to lead the way. It is certainly my hope that the administration is going to do, and I believe they're going to use their commitment to getting it right, to be the first. Our mayor likes to be the one who does it best in the country. Let's use that desire to be the first for him. To be the first person to actually properly regulate short-term rentals in a way that is ultimately healthy for the community. (New Orleans City Council, 2016, October 20)

Another city council member had a similar thought about the role of New Orleans as a short-term rental policy leader:

The other cities that are out there contemplating additional changes, we believe, are actually going to model their legislation off of New Orleans. Whether it be Seattle, or Los Angeles, and in the end after their lawsuit is complete, San Francisco is basically going to put in place, as well as Chicago. The system that we have here, it's as far reaching as any city has done in the country and we believe it's the good compromise at this time to move forward. If it doesn't work well, we're certainly open to continuing to amend it in the future

but we want to give this compromised position a chance over the next year. (New Orleans City Council, 2016, December 1)

These citizens and city council members represent the sentiment of how New Orleans perceived itself as a leader in short-term rental regulation. This was both fully embraced while also creating skepticism about being on the front of this issue with the potential consequences that may bring.

New Orleans was an early adopter of short-term regulation; consequently, there were not many other early adopters. This resulted in a limited number of cities that they could research to find examples and ideas for regulation. One interview participant stated this when asked about characteristics of cities they focused on for research, “We were especially, initially, just looking to see what was out there. What had been done in other cities. You know cities that have taken the time to study this and put together regulations. What have they come up with?” (Participant A). Another participant stated, “Most cities hadn't even developed regulation specific to short-term rentals. At that point in time they were either relying on their bed and breakfast regulations and were not enforcing them at all. So, I think really, we looked to what cities actually had stuff on the books” (Participant D). Another participant had the following thought, “We were looking for anyone that had information we could find and that was willing to meet with us” (Participant B). A different interview participant had similar thoughts:

With the reality of this [short-term rentals] being new back in 2015, what other cities have even started looking at this? We had many, many, conversations and we had huge challenges in front of us. To figure that because, yes, looking at places like New York and San Francisco they're on the forefront of this, but so in our minds, as planners we were like these are so different from where we are and what we have to deal with politically. New

York, even though we used them because they were at the front, but night and day from what we were dealing with. (Participant C)

New Orleans was an early adopter and modifier of short-term rental regulations. Their early adoption limited the options that they examined for other examples of regulations. This was confirmed throughout the interviews, short-term rental reports and the meeting minutes. Nonetheless, throughout each of these data sources there was still leaders that emerged even in the small group of available cities.

San Francisco, New York City, Austin, Nashville, and Santa Monica are cities that were cited as leaders in timing throughout the interviews, reports, and meeting minutes. For example, reports talk about the timing of when cities adopted or modified. “Nashville, Tennessee enacted the first of their short-term rental regulations July 1, 2015. Nashville updated and amended these regulations on January 23, 2018” (New Orleans Planning Commission, 2019, p.50). “San Francisco had a prohibition on utilizing housing stock for short-term rentals for several decades, but in 2014, the ban was repealed when the first short-term rental regulations were enacted, and then amended again only a year later in 2015” (New Orleans Planning Commission, 2018, p.75). New York, Austin, Nashville, and Santa Monica have similar timeframes. New Orleans planning staff recognized how timing impacted why these cities were utilized as sources. When cities adopted or modified impacted if they were used as a diffusion source.

During one interview a participant highlighted why San Francisco was a leader in early adoption timing, “I think we saw San Francisco as being the most ahead of the game. They had been dealing with Airbnb the longest and with short-term rentals as a sort of housing issue and they had tried a lot of things that we were thinking of” (Participant E). During a different interview

a participant spoke about Austin and Nashville similarly to how the other interviewee spoke about San Francisco:

Probably Austin and Nashville specifically were two that I think probably had just a couple of years prior had just completed these types of regulation. I think those were two that we very closely looked at. Our rental regulations were probably most similarly modeled after those in the initial rounds of things. But yeah, as far as I think at that point, especially in the initial one [report] we, it was so much newer, and all these regulations were fairly new that the fact that they have done something I think was something to make themselves off of. There wasn't quite that track record out there to be able to say, oh yeah, you know these are obviously things that are working very well. I think in some of the subsequent studies when we had a little bit more knowledge. (Participant A)

The same participant also spoke about how New York and San Francisco were early regulation adopters:

I think some of them, like New York and San Francisco, they have had fairly prominent regulations in place. I think San Francisco had a couple of sided things where, San Francisco, I think had fairly strict regulation, but then maybe did not have all that great compliance as far as like maybe this is under their initial program that they put together. We looked at them, and it's like, oh yeah, you know, maybe an estimate was like 20 to 30 percent of the actual short-term rentals had short-term rental licenses. It was kind of like looking at it to see a little bit of what to do, but what not to do, and I think some of those cities were like San Francisco as well... so I think we were looking at what specific cities that had done that as well. Yeah, I don't know if that's something New York had done per

se. I know San Francisco had, and maybe even Santa Monica had, and that's why we looked at them.

Timing as an early adopter may have contributed to New York and Austin being a part of a diffusion return pattern with New Orleans highlighted in the previous section. However, timing as a factor is skewed because many cities reacted to the outburst of short-term rentals around similar timeframes (Mooney & Lee, 1999). Nevertheless, early adoption and modification as a timing influence played a role in who New Orleans diffused from and who diffused from New Orleans (Glick & Hays, 1991; Taylor et al., 2012). There were some cities that stood out more than others in this area even though timing played a role in any city being a diffusion source. Timing emerged as a relevant theme in the data related to leaders and laggards. Issues is another theme that emerged for leaders and laggards and is explored in the next section.

9.2.2 Issues

Leaders in short-term rental regulation issues is the other major category that emerged from the data in the leader-laggard domain. In the interviews, reports, and meeting minutes, there were cities that emerged as leaders in regulating specific areas of short-term rentals. New Orleans examined these cities and how they addressed specific issues to learn from and develop their own regulations. One participant spoke about the importance of being a leader in specific short-term rental topics when searching other city regulations, “If we thought that a city had a particular or was known for a particular policy related to short-term rentals, we would be interested in that. That may have been where San Francisco came in” (Participant B).

Similarly, to the timing section above, familiar leaders emerge in issues. Leaders in issues include cities such as San Francisco, New York and Santa Monica. Additionally, some other cities

like Chicago and Miami emerged as leaders in issues. One city council member spoke about why some cities were leaders in certain issues:

Have you all seen any other cities that are finally getting that comprehensive data sharing that we have been seeking? Yeah, so, San Francisco just got a great data sharing agreement from Airbnb. Airbnb also agreed to delist illegal listings from the city, which is great. Santa Monica got a similar deal. I've heard that Chicago is doing a good deal. They also licensed the platforms and required a certain amount of data sharing in order to allow Airbnb to operate again. We think it's really critical that it's not just a handshake deal with Airbnb or these platforms saying you're going to give us the information that we need right, like there needs to be a legal mechanism by which they are compelled to participate in being good corporate actors and those cities you mentioned have that legal mechanism. Because I remember when the current policies were put in place, I remember Airbnb saying that we don't do data sharing with anyone else so why should we really do it with you all but now obviously that precedent has been set in other cities where we could possibly move forward in that direction as well. (New Orleans City Council, 2018, May 24)

Based on the city council member's quote, San Francisco, Santa Monica, and Chicago were leaders in obtaining data sharing agreements with Airbnb. This was important to New Orleans because data sharing with Airbnb is something they tried to do initially but were rejected. However, when they saw that other cities were able to obtain an agreement it led to New Orleans obtaining a data sharing agreement as well.

Another council member spoke during a meeting to a different issue about how New Orleans learned from Chicago on getting base level data from Airbnb:

I will note that we would be the first city in the country to work out the length of days with the platforms which I think would be a major win for our city. It is being talked about in other places from Los Angeles to Seattle, Portland, but they have not gotten to that point yet. We would be the second city in the country to get base level data and pass through registration from the platforms, Chicago being the only one that is complete and again, in process in a number of other places. (New Orleans City Council, 2016, October 20)

Other cities were also cited as leaders in different areas of short-term rental regulation. In one study New York is cited as a leader for a one host one home stance, “New York City set the precedent for the ‘one host one home’ philosophy that has been advocated for by many New Orleans’ residents. In New York City, short-term rentals of less than 30 days in multi-family units without the host are strictly illegal” (New Orleans Planning Commission, 2018, p.74). A council member cited Miami as a short-term rental regulation leader because they were recently sued which initiated legal proceedings, “I urge you to take a look at what’s happening in Miami. Airbnb just filed a lawsuit preventing regulation for their website that makes them not responsible and that is a problem” (New Orleans City Council, 2019, January 10). Some cities that were cited as leaders in regulation of short-term rental concentration were Charleston, Portland, Chicago, Austin, Nashville, and Durango (New Orleans Planning Commission, 2016). San Francisco, Philadelphia, and Santa Fe are cited as leaders with a cap on days a unit may be rented without the resident there at the time of the rental (New Orleans Planning Commission, 2016).

From the interviews, reports, and meeting minutes cities are cited as leaders in various issues related to short-term rental regulations. Research completed by New Orleans was influenced by cities that were leaders in issues that impacted New Orleans. This shaped who New Orleans diffused information from and the resulting patterns of information that flowed from city to city.

Even with the various issues that came up with short-term rentals. Based on the data a major issue that New Orleans really focused on was legal challenges. If a city had their regulations legally challenged by short-term rental providers or others, New Orleans made those cities a priority.

San Francisco and Santa Monica emerged as leaders in legal challenges because both were sued by Airbnb and their regulations were upheld by regional courts. “San Francisco and Santa Monica demonstrate clear examples of municipalities that have successfully regulated platforms and overcome court challenges” (New Orleans Planning Commission, 2018, p.133). During a city council meeting, Santa Monica and San Francisco were cited as leaders, “Data sharing requirements enacted in other cities such as Santa Monica and San Francisco which were upheld after being challenged in court. These remain critical to the regulatory scheme so that you can enforce, although there is much in this study to applaud” (New Orleans City Planning Commission, 2018, September 25).

One council member spoke about San Francisco, “Let me just be clear, part of the new policy should include data sharing just like, just like the city of San Francisco. Obviously that precedent has now been set and it is high for the city of New Orleans to follow” (New Orleans City Council, 2018, May 24). In the 2018 short-term rental study San Francisco comes up again as an issue leader, “San Francisco does not place a ban on location or density of STRs [Short-Term Rentals], but does impose other noteworthy regulatory aspects of their STR laws” (New Orleans Planning Commission, 2018, p.75). Additionally, one city planning staff member talked about San Francisco during a meeting:

In terms of best practices, we found that many cities that had adopted short-term rental regulations in the past few years have amended their regulations within years of adopting them to put in stricter regulations many of the cities studied require a host on site during

the stay. We looked at San Francisco and Santa Monica, they've successfully regulated platforms and overcame court challenges because the regulations are focused on the transaction and not the content of the listing. That being said, those are courts in California, in a different area, so it's not clear whether it would hold up here. (New Orleans City Planning Commission, 2018, September 25)

This section highlights the impact that San Francisco and Santa Monica had on New Orleans. Both cities appeared frequently throughout the interviews, reports, and minutes with an emphasis on the cities' experience with the legal challenge from Airbnb. Santa Monica, San Francisco and other cities in this section provide evidence of how specific issues impact the likelihood of a city being used as an information source.

Legal challenges, data sharing, caps on the number of rentals, and caps on the number of days a place may be rented are some issues cited as reasons New Orleans sought out specific cities to gather information. In an interview one participant spoke about how specific issues influenced where they researched other cities:

Short-term rentals weren't really allowed anywhere so we were essentially creating the regulatory regime from the ground up for that report. We didn't really have much to go on or experiences really in New Orleans, other than people who are saying, oh this is happening, these need to be illegal and the city needs to enforce this, or these are happening, we need to put regulations in place to allow people to do some of this. We went and looked at what other cities have done to get guidance on how to really make it work. I think our initial first round of regulation certainly was very much based on what some of the other cities have done and kind of trying to create multiple different types of short-term

rentals from the temporary accessory and the commercial ones and maybe the temporary ones were something we really hadn't seen much in other places. (Participant A)

This quote and section demonstrate that planning staff gave attention to concerns from citizens and the city council, among others, and made those concerns a part of their research into other cities. The planning staff needed guidance through example and experience on what to do to address specific issues like temporary accessory and commercial regulations. This section has demonstrated how specific regulation issues influence which cities are used as information sources. In the following section the impact of the leader-laggard domain on diffusion return is explored.

9.2.3 Impact on Diffusion Return

What is difficult about the leader-laggard domain is that with short-term rental regulation everyone in this timeframe is a leader. If a city regulated short-term rentals during the early to mid-2010s or before they were one of the first in the world. That condenses these cities into a group that are considered leaders in both early timing of adoption and early adopters of regulation to address specific issues that emerge due to short-term rentals. Because of this condensed pool of cities, it does seem to heighten the likelihood of diffusion return because the information channels are concentrated between cities that have adopted regulations and cities that are developing regulations.

New York City is also highlighted in this section as a leader in an issue that other cities may look to them for information and New York City is highlighted as an early adopter and leader in timing. In a previous section of this study, New York City is involved in a diffusion return pattern with New Orleans. New York City as a leader in both timing and issues likely contributed to their involvement in being a component of a diffusion return pattern.

Conversely, San Francisco and Santa Monica were dominant cities that frequently came up throughout the interviews, reports, and meeting minutes. A diffusion return pattern that linked New Orleans directly to San Francisco and Santa Monica was not found. However, there are likely patterns that exist, but were not explored because of the focus on New Orleans in this study. There are likely patterns involving those cities. During the course of developing regulation in San Francisco policy makers cited cities that New Orleans cited including New York City, Santa Monica, Portland, and Austin. Similarly, Santa Monica cited some of the same cities as New Orleans including Portland, Chicago, and San Francisco. This means that by utilizing the same sources there is likely information exchange that traveled across these jurisdictions to each other and returned to adopting or modifying jurisdictions. This merits further exploration; however, it is outside of the scope of this current study. Future studies should follow these information flows to establish if diffusion return did occur in these other jurisdictions and if so, the patterns in which it occurred.

9.2.4 Summary- Timing and Issues

In this section the leader-laggard domain was explored (Collier & Messick, 1975; Glick & Hays, 1991; Hays, 1996; Mooney & Lee, 1999; Taylor et al., 2012; Walker, 1969). Overall, the leader-laggard domain may be a skewed domain because most cities are leaders in at least timing due to short-term rentals being a newer issue in general with large explosions in popularity and usage beginning in the early 2010s. However, there was still much to observe in the data gathered from interviews, reports, and meeting minutes that represent how New Orleans was a leader itself in short-term rental regulation but also who New Orleans viewed as leaders in short-term rental regulations and why. The leader-laggard domain was sorted into two main categories around timing and issues. These featured many of the same cities but with a focus on different reasons.

The issue of short-term rentals was fairly new, so timing and issues are very intertwined. In the next section there is a focus on and explore of how geography impacted New Orleans formulation of short-term rental regulation and resulting diffusion of information.

9.3 Geography Domain Exploration

Based on the interviews, reports, and minutes from public meetings, the geography domain had a mixed, limited impact in New Orleans with a limited impact on the likelihood of diffusion return. Exploration of the geography domain produced varied insights between two main groups. The first group is a focus on the southern United States. The second group is limited geographic impact. This section is divided into these two groups, however, both sections are fairly blended in how often they appeared between the interviews, reports, and meeting minutes. Both the southern U.S. and limited geographic impact appeared in the data sources and at times conflicted with each other. Some data sources indicated that there was a concerted effort for New Orleans to research cities in the southern U.S. However, other data sources indicated that geography had little to no impact. Overall, the geography domain had a mixed, limited, impact in New Orleans and limited impact on the likelihood of diffusion return. To begin there is a focus on the southern U.S. that emerged from the data.

9.3.1 Focus on the Southern United States

The 2016 short-term rental study described the geographic layout of the cities researched in some of the following ways, “The geographical distribution of surveyed cities is spread fairly evenly, with southeastern cities being the most represented group” (New Orleans Planning Commission, 2016, p.43). The study also cites the western region as the second most represented group with the northeastern region as the third most represented group and inclusion of a few

southwestern cities. The study describes these groups with the following, “All of these cities have varying characteristics and their regulations reflect the differences in land use regulation approaches” (New Orleans Planning Commission, 2016, p.43). The 2016 study description of the cities appeared to be steady throughout the other reports, interviews and meeting minutes. A large reason for the focus on the southern U.S. was the similarities in characteristics to New Orleans. Similarity is another domain explored in this paper and the line between geography and similarity is blurry. However, the data included in the geography section illuminates how New Orleans made a concerted effort to research other cities in the southern United States because they are located in that region as well.

One interview participant provides a good example of how the southern region impacted the New Orleans staff research:

I think we specifically try to look at cities that probably more closely resemble New Orleans and the fact that we are a southern city, but also in the fact that we are heavily tourist dependent city. Since short-term rental is such a tourist related thing where we in some cases, we might more closely resemble Mobile or Birmingham or something like that, for the sort of side economy. I think for short-term rental regulations, we were trying to look at more where, Nashville and Austin, which are southern cities, but also have large tourism industries. I think those were obvious examples of things to look at. (Participant A)

This participant provides insight into how the geographic proximity of other cities influenced where the staff cultivated diffusion sources. This participant also illustrates how the line between geography and similarity is blurred. Similarity and geography are basically concurrent in this case study. Based on this quote the southern region of the U.S. was a priority for the staff because of

similarity in geographic proximity. New Orleans as a southern city dictated that staff focus on the southern U.S. region. Additionally, the same participant describes the impact of the southern region on New Orleans:

I think there is a mindset in New Orleans, especially, to compare ourselves to whether there's other jurisdictions in Louisiana or other southern jurisdictions. Within the study, as well as just generally other sort of policy formation. What are we doing? How does this compare to other cities in the south? I think that's definitely a big draw. I think specifically on short-term rental it was partially that and it was also partially, well, what are other cities that have high tourism that have really looked into this issue and address this issue? I think we did make an effort to look at geographically proximate cities. (Participant A)

From this interview participant we may surmise that geography did have an impact on where New Orleans researched and examined for potential information sources. This participant reiterated the close relationship between geographic proximity and similarity in tourism. The impact of geography to this participant was pertinent with short-term rental regulation development but also seems to be pertinent in regulation development overall. This participant described geographic proximity as a “mindset” to compare New Orleans to close jurisdictions in Louisiana and the southern U.S. Additionally, this participant describes comparing other cities in the south as a “big draw” and “we did make an effort to look at geographically proximate cities.” To this participant geographic proximity made an impact in where New Orleans searches for diffusion sources.

A different participant elaborated a little further about the impact of the south:

Basically, this southeastern, deep south geographical area, recognizing that there are some sister cities in Texas. However, Texas as a whole is quite different. Right? But we have some similarities with San Antonio and Austin. Not so much with Houston, because they're

just so much bigger. It's a whole different, bigger animal. Then going to the east over into Florida and Georgia, looking at some of that, but their tourism is different. Especially in Florida beaches and that kind of thing are different than people coming here to want to party. You know, you want to go to the beach and party, but it's just different. But we didn't put out a perimeter or anything like that. But we definitely had conversations about what other cities are in that geography. (Participant C)

This participant highlights how the south had some impact but not a large impact. The intersecting relationship between geography and similarity is displayed here again. The participant spoke about how New Orleans staff attempted to examine jurisdictions within the south but were limited because those jurisdictions had a different type of tourism than New Orleans. In this case not qualifying some jurisdictions based on similarity but disqualifying jurisdictions because they were different. Nevertheless, according to this participant, there was a concerted effort to examine southern jurisdictions and their short-term rental regulations.

Similarity interacted with geography to influence where and who New Orleans looked to for information. Both similarities to but also difference with New Orleans impacted if a city was used as an information source even though the city may have also been in the south like New Orleans. For example, Mobile and Birmingham are usual similar geographic proximate cities that New Orleans utilizes as an information source regularly. However, neither of those cities were used as diffusion sources for short-term rental regulation because they were not similar to New Orleans in important ways including tourism demand.

It makes sense that the southern region had an impact on New Orleans. It is where the city is located and based on the data in this study, New Orleans has traditionally looked to other southern cities often both within the state of Louisiana and the southern region as a whole.

However, what is evident in the data is that because of the limited pool of cities that had regulated short-term rentals, New Orleans could not focus on the southern region but needed to expand their pool of cities to the point where geography did not have as much of an impact versus if New Orleans was working on an issue that had been around for a sustained amount of time with a high number of jurisdictions adopting regulations to diffuse from. Mobile, Birmingham, Atlanta, and Memphis were cities New Orleans typically looks to because of geographic proximity. None of these cities were utilized as information sources to diffuse from because they did not have relevant information to diffuse. Otherwise, New Orleans may have included them during their research for potential information to diffuse. In the data sources overall, geography had a limited impact. This is likely due to the small pool of cities to diffuse from with a low number of cities in the pool from the south. This led to an expansion of diffusion sources outside of the southern U.S. that spread across the continental U.S. In the following section the limited impact of geography is explored.

9.3.2 Limited Impact

Overall, there was more evidence for the limited impact of geography compared to a focus on New Orleans southern geographic proximate cities. In the interviews, reports, network map, and meeting minutes there was more material suggesting that geography had little impact on what cities were examined to diffuse information from. This is likely due to the smaller pool of cities to diffuse from. New Orleans was a leader in developing, adopting, and modifying short-term rental regulation. Because of that there was a limited group of cities from which to gather information. New Orleans adopted and modified their short-term rental regulations twice before most cities in the U.S. had even made their initial adoption, as New Orleans broadened their group of cities they examined for information to diffuse.

Some interview participants highlighted the broadening of where New Orleans staff considered short-term rental regulations:

I don't think we had a specific region because I believe we also had San Francisco. But I think a lot of the cities were in the south. But I don't know if that was intentional that we now focused on southern cities. But I think a lot of Charleston and Nashville and Savannah and Austin maybe happened to be in the south or maybe that's where tourism was.

(Participant D)

This participant highlights how similarity in the city's tourism draw played more of a role than a concerted effort to stay within the southern region. To this participant, it just so happened that some of the cities were in the south but that did not appear to be intentional.

Another participant echoed a similar interpretation, "We didn't set a perimeter of this will be the area that we look at. It really truly came down to what other municipalities may be similar, or facing the same things" (Participant C). Another participant reiterated a similar idea:

I think on this issue we did specifically cast kind of a wider net, nationwide. I think even some people, I think in the second study, they're like you need to look at what Barcelona is doing because they made it illegal to have short-term rentals and you get a 20,000 euro fine if you're caught illegally doing a short-term rental and New Orleans needs to do something like that. Yeah, we're a little bit different from Barcelona and its state law in Louisiana that limits people to a 500 dollar fine for land use and zoning violation.

(Participant A)

These participants illuminate how geography did not have a significant impact on where they searched for information. City staff focused on the U.S. as a whole. However, as one participant indicated, during public meetings people advocated for international cities including Barcelona,

Berlin, Venice, Paris, Amsterdam and Quebec. None of these cities made it into the formal reports but city staff did report examining some international regulations. These factors suggest that geography played less of an impact with this issue. Overall, staff made some effort to examine jurisdictions in the southern U.S. but did not limit their search to this region. In the network map there are cities from across the entire continental U.S. There was not a concerted effort to limit the geographic proximity of where city staff examined short-term rental regulation. Based on the data, the staff was open to examine any jurisdictions that had short-term rental regulation experience. This made geographic proximity less of a factor that it may have been if more cities had short-term rental regulation experience. Because New Orleans was an early adopter that made outside sources of information limited and motivated staff to make geographic proximity less of a factor than if this was a long-established issue with more jurisdictions adopting and modifying short-term rental regulation.

9.3.3 Impact on Diffusion Return

Geography has a mixed impact on diffusion return. Charleston, SC and Savannah, GA are part of diffusion return patterns in a previous section of this study. Both are southern cities; however, the similarity domain likely plays a larger role than geography in those cities being a part of diffusion return patterns with New Orleans. Geography and similarities have a narrow relationship where at times they may be interchangeable when applied to observed diffusion return patterns in this study. However, in a dropped source diffusion return pattern displayed in this study that involved Savannah, Portland was also a city within the diffusion return path. As a northwestern city in the United States, Portland is about as far away from New Orleans and Savannah as you can be in the continental U.S. This suggests that geography may not have an impact overall. However, in a screen diffusion return model in this study with New Orleans, New York, and

Boston, there is some geographic proximity between New York and Boston, but both of those cities are not geographically proximate to New Orleans. These examples elucidate how geography has a mixed impact on diffusion return. At times, geographically proximate jurisdictions matter in how diffusion return patterns emerge, while at other times geographic proximity does not matter at all. This is evident from the diffusion return patterns highlighted in this study and in the mixed responses throughout interviews, reports, and meeting minutes.

9.3.4 Summary

In this section the geography domain was explored. Overall, the geography domain has a mixed impact on how diffusion return patterns emerge. However, there is still much to learn and further clarify regarding the impact that geography has. Is it actually a mixed bag or as further study occurs and new data emerges could there be clarification on if geography has an impact or not? The geography domain was sorted into two main categories: the southern U.S. and limited impact. Based on the data, both categories played a role in which cities were utilized as information sources and consequently how diffusion patterns developed. In the next section there is exploration of how similarities impacted New Orleans formulation of short-term rental regulation.

9.4 Similarity Domain Exploration

Based on the interviews, reports, and minutes from the public meetings the similarity domain has considerable relevance. Exploration of the similarity domain through these various data sources was productive with much insight into the relevance of how similarity impacted the information sources utilized by New Orleans. One interview participant spoke to the impact of similar jurisdictions to New Orleans in finding diffusion sources:

The types of reputation that we would be interested in our similarities to New Orleans. So, not necessarily a huge city and a city that has a lot of tourism. It could be a city of similar size to New Orleans. We would sometimes look specifically look for southern cities... That's often where we would start, would be cities of a similar size and perhaps culture. Especially with short-term rentals we would branch out into whatever city we heard about that might have had a different experience or a good experience or just had a lot of information available. (Participant A)

From this participant the reputation and similarities to other cities played a role on if a city became a diffusion source. Tourism, city size, in the south, and if the jurisdiction had information available were similarity factors to this participant. These factors are explored as part of the similarity domain and those did emerge in the data.

Four sub themes were explored in the data sources: (1) tourism, (2) population size, (3) Louisiana, and (4) politics/state. These four themes provide insight into how New Orleans staff was influenced by similarities of other cities. The impact of similarities may be summed up with a quote from the 2016 short-term rental Study, “Cities were selected in terms of their similarities with New Orleans, whether similar in development pattern, population, region, role as a travel destination, or any combination of these characteristics” (New Orleans Planning Commission, 2016, p.43). Overall, similarity had an impact on what cities New Orleans staff examined for short-term rental regulations. In the following sections themes are explored with the similarity domain.

9.4.1 Tourism

Tourism had an impact on the sources utilized for policy diffusion in New Orleans. The explanation is simple in that New Orleans is a premier tourist destination in the U.S. with many large events annually that attract people from all over the world. As a tourist destination with large

events, there is a high demand for lodging and accommodations. Short-term rentals have emerged as a primary source of travel lodging for many travelers, therefore, the demand for short-term rentals is high in New Orleans and places like New Orleans.

Throughout the interviews, reports, and meeting minutes the impact of tourism is evident. Some cities were explicitly cited as being utilized because of the tourism, "... tourism-oriented cities like Savannah, GA, Charleston, SC, and Key West, FL" (New Orleans Planning Commission, 2016, p.43). At other times tourism was cited in association with other issues New Orleans needed to address, "[cities] particularly those that are also large tourist destinations experiencing an affordable housing crisis" (New Orleans Planning Commission, 2018, p.61). Tourism was a common topic throughout all the data sources and associated with other issues like affordable housing or geographic proximity. One interview participant spoke about the impact of tourism crossed with another issue, in this case party houses, with the following, "We were particularly interested in the cities that had a lot of tourism like Savannah and Charleston and I guess we were looking for ways in which we could still allow some short-term rentals but also address the issues with the party houses and unsupervised short-term rentals, which is where the owner occupancy requirement came in" (Participant B). Tourism by itself was a dominant topic in the data sources but also appeared to cross with or relate to other issues New Orleans wanted to address with diffusion sources. That led to New Orleans to focus in on jurisdictions that had similar issues with tourism or issues that crossed or related to tourism. Tourism on its own was an important theme but its impact multiplied when blended with other issues.

Similarity in tourism amplified the likelihood of a city to be utilized. The main example of this is Nashville, TN. Nashville was the only city cited in all three short-term rental studies. Nashville's similarity to New Orleans as a tourist destination with large events was a main

contributing factor to Nashville being utilized so many times. One interview participant outlined reasons for using Nashville with the following:

Nashville, like I said, sticks out really, really big on that one. Also, being a music tourist city people come solely for the music. Just like people come to New Orleans solely for the music. The similarities there were lots of boxes we could check off with them. Looking at what other places have big major events. Obviously, we have Mardi Gras and so what other places would have something similar to that was a factor, and then, like I mentioned before, people that go to the beaches, they go there with a different agenda. Lay back on the beach, relax, vacation. A lot of tourists come to New Orleans to go full throttle. (Participant C)

Nashville is famous for the country music community there and attracts tourists with large and small events. New Orleans also has large and small tourist based events like Mardi Gras and Jazz Fest. Additionally, both have professional sports and college sports venues that tourists from all around the world. Based on these similarities in tourism draw it is apparent why New Orleans would examine Nashville for what they have done with short-term rental regulation. These similarities likely contributed to Nashville being the only city utilized across all three short-term rental reports.

An interesting data point that was brought up during an interview regarding Nashville was how it was a 24-hour city like New Orleans. This also contributed to Nashville being utilized as a diffusion source because cities that are 24-hours, meaning many businesses stay open for longer hours versus traditional nine-to-five businesses, are not common. The similarity in being a 24-hour city was unanticipated in this study but makes sense. The commonality in dealing with the issues associated with a busier city made New Orleans and Nashville a good match. Other cities that are considered to be 24-hour cities were also utilized by New Orleans including New York, San

Francisco, Miami and Chicago. One participant recalled the impact of tourist cities that are 24-hour cities:

I remember us having a conversation about Vegas because as a similarity about Vegas was also what other places are 24-hour cities and Vegas came up as one. I don't think there were any type of regulations that we were able to get or anything, but I remember us having that conversation like again Nashville. But what other places are 24-hour cities that you know that it's just all go all the time. (Participant C)

The main difference between Las Vegas and Nashville is that New Orleans was looking for similar tourist destinations that ran for 24 hours. However, Las Vegas did not have short-term rental regulations where Nashville did. Additionally, Nashville continued to modify their regulations after initial adoption. Nashville adopted short-term rental regulations in the early 2010s and modified their short-term rentals multiple times in the subsequent years. The same participant had more thoughts regarding Nashville, “Well, they [Nashville] would definitely have some similarities to New Orleans, the tourism, the music industry being a southern city. They're probably bigger than us, but not an enormous city, and maybe just the information that was available (Participant B). The similarities to Nashville, especially tourism, and short-term rental regulation information being available made it the city that New Orleans diffused from the most.

Tourism had an impact on which cities were selected to diffuse information from. The impact of tourism is evident in the interviews, reports, and meeting minutes. Similarities in tourism to New Orleans led to many cities being included as diffusion sources because the issue of short-term rentals put travel lodging on the forefront of regulatory issues and tourism directly contributes to the demand for travel lodging. In the following section population size similarity impact on the likelihood of a city being a diffusion source is explored.

9.4.2 Population Size

Based on the data gathered from interviews, reports, and meeting minutes, population size did not appear to be a prevalent factor impacting which cities were researched by New Orleans staff. One interview participant stated the following:

I don't think population was so much a factor. I think it was more of tourism. More towards tourism and I guess probably southern. Like I said, also cities that have actually undertaken these regulations, which I think at the time, not a lot of like smaller cities had done. I think probably what we included in there were kind of larger cities that had the capacity to undertake looking at these regulations. (Participant D)

From this statement and other information gathered, what emerges is that population size was not a high priority because most cities that had adopted short-term regulation at the time were larger cities with more resources to do so. New Orleans is a smaller city, especially when compared to others they cited as sources like San Francisco, New York City, Boston, and others. New Orleans staff did attempt to examine cities with a similar population size but found that similar population size cities had not adopted short-term regulations thus offering no information to diffuse from. Similar sized cities to New Orleans may not have had the incentive to adopt short-term regulations as quickly because they were not as impacted. New Orleans as a leader in tourism had to be an early adopter of short-term rental regulation because it impacted them earlier. Another interview participant further illuminates this issue:

Absolutely that it was a struggle because the population had, like I mentioned, looking at New York and San Francisco and Portland and some of these places that are just, I mean, where we're a small city and looking at places like that was just overwhelming and not so

much in just looking at that, but the capacity within their government employee structure.

(Participant C)

With a smaller population size comes less resources that may be allocated for staff to research, develop, and implement regulations. New Orleans was able to find regulations developed by larger cities but found that those regulations developed by larger cities may not be as applicable to New Orleans because they may not have the resources to implement similar regulations.

Overall, population size was a not a major factor. New Orleans staff did not make population size an explicit factor in their research. However, while researching other cities for short-term rentals the majority of the cities had larger populations. This was not intentional but more so circumstantial. Larger cities had more consequences from the growth of short-term rentals and were compelled to respond quicker with initial and ongoing regulation than cities with less population. New Orleans was unable to find many cities with a similar population size so they diffused information from cities with greater population numbers even though that information may not have fit New Orleans as well as cities with a similar population size. As a result of larger population sizes and larger government capacity led to some information not being as useful to New Orleans. However, the data indicates that city staff still tailored regulation for New Orleans that was influenced by larger cities they diffused from. In the following section this study explores the similarity impact of cities in Louisiana as a diffusion source.

9.4.3 Cities in Louisiana

Based on interviews, reports, and meeting minutes there was some effort to examine other cities in Louisiana. However, similar to other issues in this study, there was not any information in cities within Louisiana to diffuse. One interview participant explains it well:

We did look at similar cities in Louisiana, even though I did say that, we had went out and we quickly exed them [cities in Louisiana] out just because Baton Rouge, even though there is a tourist population there, Alexandria, Shreveport in Louisiana, and just found that they were even though we're all in Louisiana just so different in their draw of who comes to it. (Participant C)

New Orleans staff examined cities in Louisiana because similarly they are in the same state but found that there was not much in terms of short-term rental regulation that those cities had done and that their tourism draw was different than New Orleans. That led to no other cities in Louisiana being cited as a diffusion source for New Orleans. If other cities in Louisiana had short-term rental regulations that may have made them a more likely diffusion source for New Orleans. However, this is purely hypothetical because other cities did not have regulation that New Orleans could diffuse. This theme is included because it was hypothesized as a factor in diffusion return. Based on the data sources it was not relevant but this is largely due to other cities in Louisiana not having short-term rental regulations when New Orleans was searching for information to adopt and modify their regulations.

9.4.4 Politics

Based on the interviews, reports, and meeting minutes, political makeup of a city did not have an impact on which cities were utilized as a diffusion source. This is surprising because based on previous diffusion literature political similarity is a driving factor across other issues. However, the previous literature was more state dependent without much insight from the city level (Desmarais, Harden, & Boehmke, 2015; Hays, 1996; Volden, 2006).

One interview participant offered the following when asked if political makeup of a city made an impact:

Oh, I am not entirely sure. No, I don't think much that we were necessarily very aware of and to a certain degree, I think a fair number of the municipalities, even if they tend to be in more conservative locations tend to be fairly more liberal and that they're an urban city. I mean there might be some of your kind of Savannah, Georgia or Charleston, which might end up being a little bit more conservative than say you know New York City, Portland, and San Francisco. I don't necessarily, I would say that's probably a little bit less of a factor just because I think yeah, especially with a fair number of cities, do you think that they're going to be fairly liberal? I guess there's a general assumption, but yeah, I don't know.

(Participant A)

This same line of thinking was a thread throughout the interviews, reports, and minutes. Political ideology of a city did not appear to be a factor on if a city was utilized as a diffusion source.

The lack of political impact is surprising because based on previous diffusion literature political similarity is a driving factor across other issues. However, the previous literature was more state dependent without much insight from the city level (Desmarais, Harden, & Boehmke, 2015; Hays, 1996; Volden, 2006). There are much more cities and their characteristics vary more than the states. When cities look to each other there are more options available and variance in political makeup. This may contribute to the lack of political ideology being a factor. However, the larger issue is likely the condensed sample of cities available with short-term rental regulations. Additionally, the small sample was skewed by larger cities with more resources to develop short-term rental regulations. In the following section the impact of similarities is explored.

9.4.5 Impact on Diffusion Return

Similarities had an impact on diffusion return patterns. Charleston and Savannah are in examples of diffusion return patterns in a previous section of this study. Similarities of being in

the south and a tourist destination influenced why Charleston and Savannah were selected as diffusion sources for New Orleans and vice versa likely impacted why New Orleans was selected as a diffusion source for those cities. Both Savannah and Charleston are high tourism cities in the south and this reasoning for their usage is found throughout the interviews, reports, and meeting minutes. Similarity is cited frequently as a reason why both Savannah and Charleston were utilized as an information source.

Similarity likely has more of an impact than cited in this study because not all diffusion patterns were outlined in the network map due to the focus on New Orleans where more condensed patterns were found. Additionally, specific similarity factors explored in this paper like population size, political leanings and a city within the state of Louisiana did not appear to have an impact. This is due to how early New Orleans was as an adopter and modifier of short-term rental regulation and other cities not having regulation so the impact of the similarity domain may change as more cities adopt and modify regulation.

Overall, similarity has a mixed but large impact on diffusion return. At times, similarity to other jurisdictions matters in how diffusion return patterns emerge, while at other times, it appears like similarity does not matter at all. This is evident from the diffusion return patterns highlighted in this study and in the mix of responses throughout interviews, reports, and meeting minutes.

9.4.6 Summary

In this section the similarity domain was explored. Overall, the similarity domain has a mixed impact on how diffusion return patterns emerge. However, there is still much to learn and further clarify regarding the impact that similarity has. Based on the interviews, reports, and meeting minutes there was anticipation that similarity had more of an impact on diffusion return. Similarity was brought up often in the data sources. However, population size and political

leanings had little to no impact. The main impact was tourism. This is largely due to short-term rentals being related to travel lodging and finding similar cities to diffuse from with a high demand for travel lodging was helpful for New Orleans. However, outside of tourism other factors around similarity did not appear to be an important part of potential diffusion patterns. In the following section this study focuses on and explore how diffusion sources impacted New Orleans formulation of short-term rental regulation.

9.5 Sources Domain Exploration

Based on the interviews, reports, and minutes from the public meetings, the new and same sources domains are relevant. Examination of the two sources domains through various data sources provided insight into the relevance of how new and the same sources of diffusion information impacted the information sources utilized by New Orleans. Through exploration of the data sources, four sub themes emerged: (1) diffusion return not a concern, (2) new sources, (3) same sources, and (4) influence of city council, interest groups, and citizens. These four sub themes provide insight into how New Orleans staff was influenced by utilization of new or different sources from initial adoption to ongoing policy modification.

Overall, the sources domains had a mixed impact on which cities New Orleans staff examined for short-term rental regulations but was not as relevant as anticipated. New Orleans staff was not concerned that diffusion return could occur or the impact it could have. Actually, the staff interviewed generally welcomed some feedback via diffusion return with the caveat that they preferred to know it was happening. However, as displayed in this study, finding diffusion return patterns is difficult. Timing is a major factor because if a jurisdiction had already adopted regulation, did they change it? Furthermore, if a jurisdiction adopted policy, did that policy match up with New Orleans when New Orleans was conducting research?

One participant sums it up well about how the focus of short-term rental research was more so on gathering information than filtering it, “Yeah, I don't think it ever was a point [if a city had used New Orleans]. It was more so much more about, who's in? Who's doing? Who's ahead of it? Who's doing something new and different?” (Participant C). In the following sections the four sub themes are explored in the subsequent order: (1) diffusion return not a concern, (2) new sources, (3) same sources, and finally (4) influence of city council, interest groups, and citizens.

9.5.1 Diffusion Return Not a Concern

Based on the interviews, reports, and meeting minutes diffusion return not being a concern emerged as a main sub theme. Especially in interviews, the participants welcomed the ongoing exchange of information with other cities even if that meant they could be receiving feedback with other cities that may have used New Orleans as a source of information both directly and indirectly. In this section how staff perceived the potential of diffusion return as not a major concern is explored.

One interview participant spoke about how the frequency of change with the issue of short-term rentals and subsequent regulation change impacts the welcoming of information:

I would say this particular problem of how to successfully regulate these [short-term rentals] is changing so frequently that there are places that their problems look like ours did some time ago. Just because we made changes to address new problems as we perceive them doesn't mean that they haven't already been there. I think everybody kind of looks at everybody else here. I don't think that it's, I don't think that there's a disqualifier like that.

You need as many allies as you can get. (Participant E)

Short-term rentals have been a volatile issue that have required frequent modifications to overcome deficiencies in policy that emerge during implementation. To this participant that means that any

information is welcome to learn from and improve regulation. The volatility of short-term rental regulation does not allow for policy makers to be persnickety but requires policy makers to be more welcoming of information exchange even if that could be diffusion return is present. For issues with longer, sustained history within a jurisdiction, that may allow for more policy maker patience or being more critical about what information sources to diffuse from. With short-term rental regulation in New Orleans, the issue grew so quickly that the participant described it as needing as many allies as they could get. This meant that being cautious about a potential issue like diffusion return was not considered and that any information that could be found was welcome to learn from.

Another interview participant spoke about how there is an assumption in planning that you look to other cities and adapt the other jurisdictions experiences to your own city's issues. Therefore, diffusion return may not be a large issue unless it involves verbatim copying:

It's probably assumed that you look at other cities and then adapt it to your own means. So, I don't know how much it would change. I mean, if somebody just copied verbatim what we have, which happens sometimes, I would be like, but probably don't use that. But especially the first round, because we had a lot of problems enforcing it. I guess it would have maybe impacted. I guess people recycle ideas all the time. Sometimes that's good and sometimes that's bad. But, I would still take a look. To me, like I said, actually talking to them and finding out the why is more important than if they copied some of our homework.

(Participant D)

Examining other jurisdictions is likely a reoccurring practice for most policy makers. That is a large part of why diffusion literature has grown substantially because it is prevalent with most policy makers exchanging information. This participant acknowledges the exchange of

information and conveys that the diffusion of New Orleans information is welcome where New Orleans may learn from the process and experience of others. There is not as much concern about other jurisdictions diffusing information back to New Orleans unless it was verbatim. That may impact the likelihood of diffusion return because the copied words are more apparent than sketching information networks and following information flows like in this study. The usage of the same wording may discourage jurisdictions that experience diffusion return from utilizing that other jurisdiction. However, as indicated by this interview participant, even if the words were copied verbatim that still may not completely disqualify diffusion return because with the issue of short-term rentals the welcoming of any and all information was more important.

Another interview participant spoke about welcoming information to discern and learn from:

From my perspective, I would want to see what it is that they [other cities] were able to use from the other places that we looked at and see if there was something we missed, or if there was a reason why we passed on. Maybe something that we had gotten information about. (Participant C)

This participant welcomes the lessons learned from other jurisdictions even if that means it may include information from New Orleans itself. This is compelling because one may have thought diffusion return may invoke more hesitancy in receiving redundant information. However, based on this participant and others there was no hesitancy but more of a welcoming of information even if it contained New Orleans previous policy iterations. This participant highlights how diffusion return may be welcome because it could contain lessons learned from the experiences of other jurisdictions with short-term rental regulations. The participant spoke about how diffusion return may even provide additional information about what New Orleans may have missed and provided

additional details to learn if they correctly passed on information or should have utilized the information differently when diffusing information previously.

Another interview participant spoke about the potential of diffusion return. This participant speaks about how diffusion return is not an enormous issue but is something that they would want to be aware of:

It [diffusion return] wouldn't be too problematic. It's mostly just trying to see what other people are doing and pick the best parts of what other people are doing that work within the context of what the city of New Orleans was trying to adopt.... I don't know if it [diffusion return] would be too much of a concern and we wouldn't necessarily completely rule out what they had done, but I think that would be something that we would want to know about. Especially similarly to the childhood game of telephone or whatever. People keep taking things and the message kind of changes along the way. These sorts of things we're hopefully learning good lessons from other jurisdictions.... If they took stuff from our regulation, they would be taking the best parts of it and improving upon what we had done. So, then if we went back and looked at Charleston, hopefully we would pull the most successful parts of what they had done, even if it was based off some of the stuff we had done. Then hopefully we're iterating and improving as opposed to having a more negative feedback loop, which I think would also be a potential possibility. But I certainly think it's something that we would want to know and also take into account and be cautious of, but I don't think it's necessarily something we would rule out looking at a city because they ended up making part of their regulations upon what New Orleans had done.... I think with all of these, it's good to be somewhat cautious that it's not looking at the regulations and saying all these other cities are doing this thing, therefore, this must be the right way to do

it. Because I think that's a problem in a way that we can, everyone gets into trouble because it's in that other people know what's going on. Maybe because no one knows what's going on and they keep stealing the same wrong idea from everyone else. I think to a certain degree, you looked at the other city for inspiration and apply that to your specific context of your jurisdiction. (Participant A)

An interesting part that this participant speaks about and acknowledges is how the information changes. The participant compares diffusion return to the game of telephone where there is a chain of people passing messages to one another. At the beginning of the chain a word is given and passed down the chain of people. What usually happens is by the end of the chain the word given initially is radically different. The changes are usually due to variances in conditions either introduced intentionally or unintentionally like a person along the line not being able to hear clearly or mispronunciation of words. Even with the acknowledgement that diffusion return could be like the telephone game, this participant would still want to receive the information but would like to be aware of the information return. The participant acknowledges the potential for a negative feedback loop where information quality degrades. However, even with this acknowledgement this participant takes a positive outlook in that there is hope jurisdictions would take the best parts of their regulations and experiences to build higher quality policy that improves upon each other with each new iteration.

Another participant spoke about how tailoring the information to your jurisdiction is more important than receiving your own information back:

I think that our experiences on the best practices research is interesting. It does give you some ideas, but in the end, you really are making regulations for your own city and its special circumstances and its political environment and the things you hear in meetings

with your own stakeholders and your own public hearings and that the best practice ends up not being nearly as important as all those other things. (Participant B)

Based on this quote best practices are relevant to policy development but perhaps it is not the main driver. Policy makers gather information from multiple sources both internally and externally to develop policy. Policy makers take the information and establish policy that is formulated for their jurisdiction. The information included that establishes policy may include information that came from New Orleans itself. This does not appear to be a major issue or concern for policy makers included in this study. For New Orleans staff their own stake holders and circumstances within New Orleans are the primary drivers of policy. Best practices or sources of diffusion information are not primary drivers but could influence resulting policy just not as a primary source.

Overall, based on the interviews, reports, and minutes, the potential for diffusion return from new and same sources was not a pressing concern for New Orleans staff. The staff welcomed all information but would like to be aware of any diffusion return. The concept of tailoring regulation for their own jurisdiction while learning from the experiences of others was more important than directly taking regulation or concepts from other jurisdictions around short-term rental regulation. In the following section new sources is explored.

9.5.2 New Sources

The new sources section is based on two main sub themes that emerged from the data. The first sub theme is new adopters. New Orleans utilized new sources because cities adopted regulations that had not previously been adopted when New Orleans was conducting research. The second sub theme is no modifications. No modifications are where previously used sources did not make modifications, therefore, there was not any new information to utilize.

9.5.2.1 New Adopters.

As New Orleans modified short-term rental regulation after initial adoption, the city staff continued to search for new diffusion sources. New Orleans was an early short-term regulation adopter so there were other cities that adopted short-term rental regulation after New Orleans that they could then diffuse from when they modified their regulations. Exploration of new sources in the data sources did not yield discernable return patterns where information returned to New Orleans directly. However, there are likely indirect patterns of diffusion return because there are common cities between new sources cities that New Orleans utilized as diffusion sources. These common cities include New York, San Francisco, Philadelphia and Portland. Due to the limitations on network exploration for this study those potential patterns were not pursued but would be attractive to explore in future studies.

After the first study, Boston, Chicago, San Antonio, Seattle, and Pacific Grove were new cities that New Orleans examined in their 2017 and 2019 reports. Boston, Chicago, and San Antonio were new sources in the 2017 study. Seattle and Pacific Grove were new sources in the 2019 study. One main thing they have in common is they had recently adopted new regulations around the time that those reports were developed. It makes sense that a recently adopting city with new information could subsequently be used as a new information source. Example information from the new short-term regulation adopters is found in the 2019 short-term rental study, “Both Seattle and San Antonio adopted their first STR [Short-Term Rentals] regulations while other major cities were in the process of refining and modifying previously implemented STR regulations” (New Orleans Planning Commission, 2019, p.53). Seattle and San Antonio were not utilized in the first short-term rental study but were utilized in the second and third studies.

This was in part due to Seattle and San Antonio adopting later than the first study which allowed them to be used as a new short-term rental regulation source in the second study.

During an interview Boston was mentioned by an interview participant. Boston became a new diffusion source for New Orleans in 2017. Based on what the participant recalled, Boston became a new source because they regulated short-term rental platforms:

Boston might have been another one of the cities that was regulating the platform. So maybe that's specifically why some people want us to look at them and I'm trying to think what else they ended up doing in their regulations because I think I remember specifically looking at some stuff with Boston during that second study. (Participant A)

There was not another specific example like this that was apparent in the data sources. However, there may have been specific attributes or recent actions in these new source cities that attracted New Orleans to diffuse information from them. Being a new adopter with specific aspects of regulation that New Orleans needed likely attracted New Orleans to utilize a city as a new diffusion source going from initial policy adoption to ongoing modification.

New Orleans did not use a high number of new sources across their three reports from 2015-2019. The first report included 13 initial sources but then only three new in the second and two new in the third. This may be due to a limited pool of cities to diffuse from ongoing. It is a short span of four years when the three reports were developed. As short-term rental regulation continues to diffuse it is important to monitor how new sources impact information flow across cities and how new sources interact with the concepts in diffusion return. There is likely more insight to be found. However, for this study the insights into new sources are limited. In the following section this study explores the impact of how not making modifications influences if a city uses a new source or not.

9.5.2.2 No Modifications.

Based on when the cities were cited in which short-term rental report year it is observed that some cities are not used more than once or twice and that other cities are then used as new sources of diffusion information. Based on the interviews, reports, and meeting minutes, variety in sources matters when developing regulations. Not making ongoing modifications impacts the ability of other jurisdictions to obtain new information. That then contributes to jurisdictions like New Orleans searching for and finding new or updated sources of diffusion information. One participant expounds on what contributes to new sources being utilized with the following:

With some of the cities that we looked at in the first report, but not following the report, I'm sure it's just we looked at the regulations and found that it wasn't quite as applicable moving forward, or if things hadn't changed. (Participant A)

This thought makes sense because if nothing has changed with a city when reexamined there may not be much, if any, new information to gather and diffuse from. This led New Orleans to look for and utilize new sources of information. The same participant continued about the variety and depth of cities matters in contributing to examining new sources of information:

I think initially we were looking more for places that had put together regulations and specifically had put together recent regulations because I think we did come across some places that were older, kind of completely tourism, or more so tourism dependent places that have had more vacation home regulation for decades. So, we didn't necessarily, we look at a lot of those places, but as more cities adopted regulation, I think as we're doing this sort of review. I think we want to look at a wide variety of different cities to the greater breadth of knowledge about the different types of regulatory regimes that are going on. I think we would want to try to avoid any echo chamber of looking at the 5 or 10 cities, all

of its regulations are kind of based on all of each other and you end up with just kind of looking at a fair number of cities that have fairly similar regulations or regulating things in the in the same way. I certainly think we would want to intentionally avoid that sort of situation. (Participant A)

From this quote and this section, the two main things that contribute to use of new information sources are new adopters and previous adopters with no new information. Both sections highlight how compressed timing between adoption and ongoing modifications impact the need for new sources. Short-term rental regulations evolved very quickly because of the quick expansion this issue presented. Due to compressed timing, cities that developed new policy and cities that did not develop new policy were at the forefront when examining short-term rental regulation in the U.S. As the participant highlights, not utilizing new sources could create an echo chamber type of effect where information is exchanged between certain jurisdictions. This may lead to less optimal policy where regulations are similar and may be missing needed elements. Finding new sources of information leads to more diversity and more experiences to learn and diffuse information. Breadth of information was a factor to the participant because it provides a better understanding of how different types of regulation end up with different consequences. In the following section this study examines what contributes to the use of the same sources across modification of policy.

9.5.3 Same Sources

In this section factors that impact the use of same sources from initial adoption to ongoing modification are explored. The main reasons same sources are utilized is because jurisdictions that have utilized a diffusion source once tend to reexamine the previously used source to identify if anything has changed and if anything can be learned from the time that has passed or during implementation of the regulation. In the 2018 short-term rental study a quote describes the

reexamination reasoning, “Many cities have enacted short-term rental regulations in the past few years, but have since amended their policies with further restrictions to counteract and help mitigate the unanticipated negative effects STRs [Short-Term Rentals] have had on the communities in which they are located” (New Orleans Planning Commission, 2018, p.7). Additionally, one interview participant described reexamination reasoning well:

Most cities hadn't even developed regulation specific to short-term rentals at that point in time and were either relying on their bed and breakfast regulations that they were not enforcing them at all. We looked to what cities actually had stuff on the books. Then in the second round we specifically looked at some of those cities again, but also whoever had already implemented and then they were on their second update, which is what we were doing at the time. What everyone had learned from that first attempt and so I think that's the cities that I was looking for in. (Participant D)

Another interview participant described the reasoning to going back to the same sources, “We looked at them before. What are they maybe doing now again? How are they doing? Have they figured it out?” (Participant C). From these sources the experience of other jurisdictions between initial adoption and ongoing modifications is an important timeframe because that is time where regulations are put to the test and learning from that experience occurs. New Orleans is able to learn from those other jurisdictions experiences and build upon them. Examining a jurisdiction at one point and then later points enables New Orleans to learn and improve their own policy thus making utilizing same sources across their own policy modifications an important practice.

A different participant gave an alternate view about why some cities are not used more than once:

I think to the extent that we looked at similar city both the first and second study I would say I was looking in to see what has changed. The some that had dropped off, I'm guessing they probably haven't really changed all that much or were probably just less applicable the second time around than the first time. We were looking for any and all ideas, just to develop the framework. The second time around, we already have a framework in place, and how do we modify that framework? There might have been some cities that just were less applicable because we looked at them the first time. We didn't really do regulations that were similar to them or something until it was and if their regulations hadn't changed, there wasn't much of a reason to go back and check them out again. (Participant A)

This participant illustrates why New Orleans went to same sources between studies. Mainly to examine what, if anything, had changed with that city. Additionally, New Orleans had built their framework for short-term rental regulation. With their framework in places that allowed them to cut out some cities that did not fit their developed framework while highlighting other cities that did fit their framework thus encouraging reexamination as a same source.

Another interview participant stated something similar where it appears they were interested in revisiting the same sources to examine any changes which is similar to what New Orleans was doing themselves:

If nothing, if you weren't aware of anything changing, any changes, it had really been only between the first two studies only two years. If we weren't aware of anything changing, we were experiencing unintended consequences and in looking to revise our regulations that if we had heard that they were too, we probably would have been very interested in that. But maybe we didn't. In some cases, and it was just, they hadn't taken any action to revise their regulations yet. (Participant B)

The 2018 short-term rental study reinforced the same idea about why same sources were utilized:

Most of these cities had recently implemented the first version of their STR [Short-Term Rental] regulations. In the years that have transpired since New Orleans' first study and the current study, several of the cities that were initially researched have modified their STR regulations in response to growing concerns regarding how short-term rentals affect the cities, communities and neighborhoods in which they are located (New Orleans Planning Commission, 2018, p. 61).

The participant and report highlight how changes to information and experience of previously utilized jurisdictions impacted the likelihood of being a diffusion source more than once. Modifying policy is a primary contributor because that means that a jurisdiction changed their regulation to improve upon their previous iteration. This made New Orleans more likely to utilize a jurisdiction again because they would be interested in the experiences and lessons learned within that jurisdiction.

This section exhibits the influences that impact the utilization of diffusion sources between initial adoption to ongoing modification. The main one is if a previously used source made any changes or offers any insights into implementation so that a jurisdiction like New Orleans may learn. On the other hand, same sources may not be utilized if they did not do anything and do not offer any insight into implementation or lessons learned. In the following section this study explores the influence of the city council, interest groups and citizens on the likelihood of using same or new diffusion sources.

9.5.4 Influence of the City Council, Interest Groups and Citizens

The influence of the city council, interest groups and citizens were an unexpected sub theme that emerged from the interviews, reports, and meeting minutes. Prior to the sources domain

exploration, there was not an association between the influence of these stakeholders with the use of new or same diffusion sources across policy adoption to ongoing modifications. However, there is data that confirms that these stakeholders had influence on what sources were utilized as diffusion sources. A main example of this is for the second study the city council named Nashville, Austin, Charleston, and Savannah specifically in the motion for the New Orleans staff to study. The city council motion locked in that those four cities would be utilized as diffusion sources. Additionally, throughout the data, different interest groups and citizens put forward cities as diffusion sources for short-term rental regulation that the staff utilized. During interviews multiple participants acknowledged the impact the council, interest groups, and citizens had in utilizing the same or new sources across ongoing regulation modifications.

One interview participant expounded on the influence of the city council, interest groups and citizens:

[For the first report] There weren't specific aspects of the regulation that the council members or certain advocacy groups on the pro or con side were pointing to us to look at. I think, especially moving forward, for the second and third, definitely the second study, I think so in the third study as well that a lot of the places we looked at were places that people had specifically pointed out as something a city to look at for one reason or another. Some things were specifically called out by city council and their motion that directed us to do the second study as well as stuff just came up during the public comments. I think for the most part we were trying to respond to what the city council wanted to do or what some of the outside organizations wanted us to do or to look at to see, what are these cities doing? Are there anything you can learn from it or what they're doing is something that really doesn't apply to us because of one reason or another. I think some of it was things that the

planning staff chose to look at and a lot of stuff was responding to what people were asking us to look at. (Participant A)

This participant sums up this section well and outlines how these three stakeholders promoted various cities that ended up in the short-term rental studies and influenced the resulting modifications to short-term rental regulation. In the following three sections each stakeholder's influence is explored. First is the city council, second is interest groups, and third is citizens.

9.5.4.1 Influence of the City Council.

In this section the influence of the city council on utilizing the same or different diffusion sources is explored. There are two main ways the council influenced the sources utilized by New Orleans staff. The first is explicitly naming cities the staff should investigate. This happened both by specifically naming cities in a council motion and by verbal direction during meetings. The second influence is how willing the New Orleans council was to address short-term rental regulation. Based on the data, the council was very willing to address the short-term rental issue ongoing which led to more modifications and to the use of new or the same sources across those modifications. In the next two sections this study explores first the council specific direction for diffusion sources and second the willingness of the council to modify regulation.

9.5.4.1.1 Specific Cities Cited by the City Council.

A sub theme that emerged from the data was regarding specific cities cited by the city council. In 2018 the New Orleans city council passed motion M-18-194 that directed the city planning commission to reevaluate the current situation of short-term rental regulation to modify their original regulation adoption from 2016 (New Orleans City Council, 2018). The initial motion was drafted in March 2018 then a new council was elected and began in May 2018. The new

council updated the motion with further direction. Part of the motion specifically outlined Austin, Savannah, Charleston, and Nashville to be sources of diffusion information. This motion mandated that the planning commission staff research these cities and is an example of how the city council is an influence on information sources. In this example, all four cities were a part of the first study and already used as sources previously, therefore, it is an example of same sources. However, it could have been other cities in the motion and been an example of new sources just as easily. One participant highlighted some of the timeline in 2018 and how that impacted which cities were utilized:

I think what happened in the timeline was the council changed in May. We had an initial study call in March where the council directed us to study the issue and we started working on it. Then a new group of council people came in and wanted to throw their name on it too. They submitted another motion where they, it literally says, where the prior city council submitted a motion, which led the CPC to undertake a study, but the existing council desires to provide additional guidance to CPC and in here they included Charleston, Nashville, Austin, Savannah, and specific regulations to look at in those cities. I think that also kind of directed where we looked. (Participant D)

From this motion the city planning staff was mandated to look into Charleston, Nashville, Austin and Savannah. Of course, the planning staff executed the language of the motion and included those cities and others in their study. A mandate in a motion is a powerful tool that governing bodies like a city council could use to ensure that specific diffusion sources are utilized. Even a policy developing body like the planning staff could not ignore diffusion sources outlined in approved motions. The use of a motion could mandate the use of same or new sources. In this case all four cities were same sources.

In addition to the city council motion, council members would specify cities during meetings. During one city council meeting, a city council member cited some cities and their experiences with short-term rental regulations:

The administration has tried, they have not had much success, and if you look at the examples all around the world, let's look at Paris. Paris is an absolute prohibition. You can rent about 8000 units in the city of Paris right now. If Paris can't do it, San Francisco can't do it, Boston can't do it, San Antonio can't do it. All of the cities that have tried to be more aggressive without the agreement of the agreement with the platform operators. I don't believe that we in New Orleans are going to be special. However, we have the most aggressive agreement with the platform operators of any place in the country to date. We're going to lead the way. It is certainly my hope that the administration is going to do, and I believe they're going to use their commitment to getting it right to be in the first. Our mayor likes to be the one who does it best in the country. Let's use that desire to be the first for him, to be the first person to actually properly regulate short-term rentals in a way that is ultimately healthy for the community. (New Orleans City Council, 2016, October 20)

In this quote the council member cites specific cities that were used in the short-term rental reports. Paris was not in the report but Boston, San Antonio, and San Francisco were. These cities were cited by the council member as examples of how prohibitions of short-term rentals did not appear to work, and that led to New Orleans taking a different approach by reaching agreements with short-term rental platform operators. This made the council member believe that New Orleans would be a leader in this area. This may or may not be true, but for this section, the influence of the city council and specific cities they put forward mattered. The New Orleans staff listened to these types of comments and tended to implement them in the research and recommendations for

regulation. In this section it was exhibited how the council impacted new and same diffusion sources. One way was to mandate diffusion sources via council motion and another was to speak about specific sources during planning commission and council meeting. In the following section the willingness of the city council to modify is explored.

9.5.4.1.2 Willingness of City Council to Modify.

A sub theme that emerged from the data was regarding the willingness of the city council to modify. This theme impacts the potential of new and same sources because if a city council was not willing to modify policy ongoing then there would not be information sought and no diffusion of information. For diffusion return to happen, a council must be willing to modify policy ongoing. In New Orleans, as observed in the interviews, reports, and meeting minutes, the city council embraced the idea that initial adoption was not the end of regulation development but was really the beginning with modifications to update the regulations ongoing.

The willingness of the city council to modify policy moving forward is really emphasized in the planning commission reports, “It will be essential for the City to put in place a system that not only addresses all of the concerns and issues surrounding short-term rentals, but to be prepared to adjust these efforts over time as issues arise” (New Orleans Planning Commission, 2016, p.60). “Many cities have struggled with the regulation and enforcement of short-term rentals; however, the cities that have been most successful have categorized short-term rentals into different types based on their impacts, put standards in place to ensure guest safety, set appropriate fees and fines to incentivize compliance, and reevaluated and revised the short-term rental regulations after their implementation” (New Orleans Planning Commission, 2016, p.5). “Regular evaluation and reporting of the successes and failures of short-term rental regulations is necessary in order to create the best possible system for that certain municipality. It would be impossible to simply

replicate another city's efforts and expect it to be successful in New Orleans" (New Orleans Planning Commission, 2016, p.60). In these excerpts in the reports the importance of ongoing modification is emphasized. The planning staff advocated for ongoing modification because during their research they saw cities that adopted and subsequently modified. From one of the quotes the staff state that jurisdictions that modify their initial regulations are more successful in accomplishing their short-term regulation goals. The staff put forward the idea that the regulation needed to be tailored for New Orleans needs and that it needed to change as issues arose and needed to be addressed. If a council was not willing to accept this recommendation and just keep the initially adopted regulations then new and same sources would not be relevant because there would not be any. The willingness of the council to modify ongoing is a key piece to new and same sources and the subsequent potential exchange of information.

A city council member echoed the sentiment of the planning commission around the importance of ongoing modification and affirmed the willingness of the council to address short-term rentals ongoing, "We're a part of that council and wisely cautioned everyone at the time, I'm just going to state the fact that we would have to come back and update the regulations after monitoring implementation, that they were right" (New Orleans City Council, 2019, January 10). In New Orleans the council was willing to adopt short-term rental regulation initially and ongoing as evidenced by the initial adoption in 2016 and then subsequent modifications in the following years. This allowed for the planning staff to be able to find new diffusion sources and utilize same sources that may have modified their previous regulations. If the council had not been willing to adopt or modify short-term rental regulations then the staff would not have had the opportunity to utilize those diffusion sources.

In this section the importance of the city council is highlighted. The influence of the city council was split into two main categories: (1) specific cities cited by the council and (2) the willingness of the city council to adopt and modify regulation ongoing. These are important because they have weight with if diffusion return occurs. If the council cited a city either formally in motion or informally during meetings it almost guaranteed that city would be a diffusion source. Additionally, if the council was reluctant to adopt or modify regulation then diffusion of information not even occur thus making the likelihood of diffusion return unlikely. If the city council was not willing to initially adopt or modify policy ongoing then diffusion return is not possible and thus will not have any prevalence. For diffusion return to occur and examination of diffusion sources then the city council would need to be on board to do so. In the following section the influence of interest groups is addressed.

9.5.4.2 Influence of Interest Groups.

During domain exploration, the influence of interest groups emerged in the data gathered through interviews, reports, and meeting minutes. Interest groups influenced the selection of cities mostly through written comment and testimony during meetings. There may have been additional meetings between interest groups and different stake holders; however, they are not a part of this study. The participation of interest groups in short-term regulation development was noted in the 2016 short-term rental study, “Over 120 people signed in or filled out a comment card. This issue really brought out the interest groups and citizens where other issues may not” (New Orleans Planning Commission, 2016, p.34). Another example is, “By the public comment deadline, the City Planning Commission has received approximately 460 written comments on the Short-term Rental Study” (New Orleans Planning Commission, 2016, p.34). The issue of short-term rental

regulation engaged different interest groups with various focuses including traditional lodging and affordable housing.

An interview participant spoke to the influence of the one of the interest groups, the hotel industry:

One of the players in the short-term rental studies was the hotel industry who had a vested interest in not allowing too many short-term rentals. They were always out there, advocating for their position. If we did not have a big tourism economy, that would not have had as great of an effect. Also, it wouldn't have led to quite as many short-term rentals as we had. (Participant B)

The influence of the traditional lodging industry was especially prevalent in the submitted comments and during meetings where industry representatives gave testimony at meetings that allowed public comment. Throughout the data sources the traditional lodging industry's presence was strong and very noticeable. A reoccurring issue in the meetings was having the people providing comment to identify if they were there representing themselves or an interest group. Interest group comment was common and occurred frequently. Not all testimony provided by interest groups was from the traditional lodging. There were other groups represented including community non-profits and neighborhood specific representation.

Another interview participant highlights how some interest groups put forward specific cities as examples because those cities had done what the interest groups wanted to do in New Orleans:

I think there had been a fairly large push from some of the advocates. Especially a lot of those promoting more strict regulations to say, Austin was doing this, but now they really

cut back on having the whole home short-term rentals and residential district. Look at Austin because they pulled back their regulation. (Participant A)

As this participant highlights, there were specific cities put forward by interest groups that benefitted what they believed they needed. If there was a certain issue an interest group could benefit from they would find cities that implemented that type of regulation and put it forward.

In the 2016 study additional cities are outlined that were suggested by interest groups and citizens:

The final group of comments focuses on examples of regulations from other cities. Public comments suggested that we look at regulations in the following cities: Austin, TX; San Francisco, CA; Portland, OR; San Antonio, TX; New York City, NY; Key West, FL; Vail, CO; Pima County, AZ; Los Angeles, CA; Santa Monica, CA; Durango, CO; Philadelphia, PA; Jersey City, NJ; Paris, France; Barcelona, Spain; Quebec, Canada; and a few other cities. (New Orleans Planning Commission, 2016, p.36).

What is interesting about this is the number of cities that were not used in the study. This includes Vail, Pima County, Los Angeles, Jersey City, Paris, Barcelona, and Quebec. These cities were put forward by interest groups and citizens but may not have had information diffused for the actual regulations. The influence of interest groups can have a powerful impact that may have some limitation as evidenced by not every city they put forward being used as a diffusion source. In the following section this study explores a similar impact from citizens.

9.5.4.3 Influence of Citizens.

The influence of citizens emerged in the data gathered through interviews, reports, and meeting minutes. Citizens influenced the selection of cities mostly through written comment and testimony during meetings. The participation of citizens was noted in the 2016 short-term rental

study, “Over 120 people signed in or filled out a comment card. This issue really brought out the interest groups and citizens where other issues may not... By the public comment deadline, the City Planning Commission has received approximately 460 written comments on the Short-term Rental Study” (New Orleans Planning Commission, 2016, p.34). The issue of short-term rental regulation brought out citizens who were impacted by the regulation either as short-term rental owners or operators or impacted by short-term rentals in their neighborhoods.

One interview participant spoke to why short-term rental regulation really incentivized many citizens to voice their opinion of regulation:

Watching the housing stock, even though we had lots of vacancy, not being affordable for the majority of our residents, it almost was like short-term rentals was something that we could point to and be like, there's the cause. We found the thing and so how do we? How do we do that? It made it something that may make neighborhood residents happy to have that scapegoat because they didn't want the short-term rentals in their neighborhood either.

(Participant C)

This participant highlights how the short-term rental issue brought out the citizens to participate because it became a scape goat for housing issues in New Orleans. With the influence of the citizens coming out in force with this issue there were some citizens that advocated for specific cities for the staff to examine and diffuse from. One interview participant spoke about the influence of citizens and specific cities they brought to city staff's attention:

Especially with the first study, I want to say we were, I can't recall if it was during a public comment process where people are like, oh, you should look at these cities and that helped with deciding what was out there. I think just at that time there were just fewer cities that

had really specific types of regulations on them. We were looking at what sort of things were out there. (Participant A)

From this it is observed that citizens had an influence on which cities were used as information sources for diffusion. Here are some quotes from citizens in meetings advocating for specific cities to diffuse information from, “I suggest that you look at the data sharing suggestions. Also look at what the Barcelona; Austin, Texas and Berlin have done. They put in some regulatory policies in place and they’ve done on a gradual basis so they can come on time with this issue” (New Orleans City Planning Commission, 2016, June 14). Another citizen offers insight into specific cities:

I just want to let you know about some other places that have also addressed affordable housing. Berlin has stopped completely whole home rentals from Airbnb in order specifically to combat the issues that are attached to affordable housing. Berkeley, California has completely outlawed whole home rentals in order to convex conversion. San Francisco is directly attacking the hotel invasion of homes by banning all rentals over 90 days. Portland, Austin, and Nashville had also established regulations on primary permitted rentals in order to combat the overpowering incentive to convert property and hotel for people who live in their homes that is associated with short-term rentals so there’s many jurisdictions, not only in this country, but around the world. I have specifically addressed this just because it’s happening here already doesn’t mean that we have to bow down to whatever they’re doing. Other jurisdictions have directly attempted to address this. San Francisco has just now created a six-person office outside of their arm and part of their mayor's office in order to regulate short-term rentals. (New Orleans City Planning Commission, 2016, August 9)

From these examples it is observed that citizens also put forward suggestions for cities that were diffusion sources for New Orleans. One citizen mentioned Austin and another advocated for Austin as well and San Francisco, Portland, and Nashville. The city staff affirm in reports and interviews that the citizens impacted which diffusion sources they examined. However, it is unclear how strong that influence is because there are cities that citizens put forward that were not utilized as diffusion sources. In the following section the impact of new and same sources is explored.

9.5.5 Impact on Diffusion Return

Even though there was restraint on the overall impact of new and same source with diffusion return, new and same sources is a central concept to how likely diffusion return occurs. Based on examples of diffusion return in this study, both new and same sources were a part of observed diffusion return patterns. Additionally, cities that are observed as part of diffusion return patterns promulgated during comments given by interest groups, citizens, and the city council. All of these different factors play a role in how diffusion return patterns occur. One specific example is Austin, Texas. Austin was a same source diffusion source that was given more support by advocates across the spectrum including the city council, citizens, and interest groups. The support of Austin as a diffusion source likely led to it being included more than once and contributed to Austin being a part of diffusion return patterns observed with New Orleans.

Overall, the sources domains have a mixed impact on diffusion return. There are additional factors that impact the use of new sources or same sources across policy modifications. These factors include citizens, interest groups, and the city council. All of these factors together influence which cities are used as diffusion sources and impact the resulting diffusion patterns. This is

evident from the diffusion return patterns highlighted in this study and in the mix of responses throughout interviews, reports, and meeting minutes.

9.5.6 Summary

In this section the sources domain was explored. Overall, the sources domain has a mixed impact on how diffusion return patterns emerge. However, there is still much to learn to further clarify the impact that new and same sources have. Sources was brought up often in the data; however, the potential impact of diffusion return had less of an impact than anticipated. There does appear to be factors that impact the likelihood of same or new sources across modification. For new sources, the timing of other cities adoption or modification is a main factor. For same sources, reexamining previously used sources for updates or learning was a main factor. Additionally, citizens, interest groups, and the city council impacted new or same sources that regulation was based on through their advocating of specific cities for staff to examine. In the following section missed opportunities in this study is explored.

9.6 Missed Opportunities in the Study

As analysis of the interviews, reports, and meeting minutes progressed, two themes emerged that were not a part of the planned themes. These two themes are put forward for brief examination but more importantly for future exploration. The first is the influence of the state. Based on the data, the state not only where the city diffusing information in is located, but also the state where the diffusion source is located has an impact on which diffusion sources were utilized. The second missed theme is the resources of the city. It was a difficult decision to classify this as its own sub theme or under the similarity domain. However, there was a decision to classify resources of the city as its own theme because there is enough data that it was an important factor

in how New Orleans chose diffusion sources. In the following two sections this study explores these missed opportunities to highlight how they impact diffusion return and provide some insight into future exploration.

9.6.1 Influence of the State

The influence of the state is a topic found within the traditional policy diffusion literature. The relationship between the federal government to the state and state to local government has been an explored topic (Ansell, 2011; Berry & Berry, 2007, 2014; Shipan & Volden, 2006). However, the influence of the state was not a chosen domain to explore for this study, even so, the influence of the state emerged from the data sources. Nonetheless, the federal government did not emerge within the data, only the state.

A main example that emerged from the data regarding state influence was the city of Nashville and the state of Tennessee. Nashville was the only city that was utilized as a diffusion source across all three New Orleans short-term rental reports. The influence of the state was an essential reason because Nashville was forced to adjust to short-term rental regulation because of mandates from the state resulting in frequent modifications that New Orleans observed and diffused information from. The influence of Tennessee on Nashville is highlighted in the 2018 short-term rental report:

Airbnb and other host platforms lobbied the State of Tennessee to restrict City control of STRPs [Short-Term Rental Property] and courted the state to pass the “Short-term Rental Unit Act” bill on April 24th, 2018, which blocks important aspects of Nashville’s ordinance passed in January of 2018. The bill grandfathers whole-home STRPs located in residential districts past the sunset date as long as the operator continues to renew their license. The exemption would last only until the whole-home STRP is sold or is no longer listed on

rental sites like Airbnb or VRBO. The zoning code has not been changed to reflect this state law and therefore the phase out provision is still included but not enforceable. (New Orleans Planning Commission, 2018, p. 68)

In addition to the report, an interview participant illustrates how the state of Tennessee impacted Nashville and the frequency at which they modified their regulations:

I think Nashville in particular, the regulations that I think have probably changed multiple times. I even think in Nashville, if I'm remembering correctly, at some point they put regulations in place and then the state had stepped in and changes were made in state law that invalidated some of the regulations that Nashville was trying to do at the local level. They ended up having to change the regulation two or three times. I think that because Nashville is probably fairly or Nashville I'm assuming is bigger than New Orleans, but you know is a reasonably comparable size, is reasonably comparable tourist destination. That and the fact that it had regulations. I think we're fairly close to them as well as we're changing a lot. I think that's probably the reason why we ended up looking at Nashville multiple times... but I think during the second study, I think that's where we were looking at them and as far as the changes that they had made to adapt to whatever state legislation that got put into place to curtail certain things that they were trying to do in their short-term rental regulations. (Participant A)

Nashville had to modify their regulations because of changes mandated by the state of Tennessee. New Orleans did not have to do the same thing because of mandates from Louisiana. Louisiana passed short-term rental related regulation in 2019 that allowed New Orleans to tax short-term rentals but this was already researched by city staff and information was ready. Additionally, the tax was passed in New Orleans by citizen vote and not by the city council. Due to the influence of

Tennessee on Nashville it made them modify more than they may have otherwise. These forced modifications from the state were noticed by New Orleans staff and influenced if Nashville was a diffusion source when New Orleans modified.

The 2018 short-term rental study notes specifically the influence that Massachusetts had on regulations developed by Boston. This is important because Boston was a diffusion source across two New Orleans short-term rental reports:

In July 2018, Massachusetts's State and House legislature sent their Governor a bill to make Massachusetts the first state in the country to create a rental registry where the street addresses of all STRs [Short-Term Rentals] would be listed on a public database. The bill would also subject STRs to certain taxes. At the time of this report, the Governor of Massachusetts, Charlie Baker, returned the bill back to the legislature with proposed amendments such as exempting homeowners that rent out their residence for less than 14 days. He also proposed limiting the type of information that could be made public on the rental registry to protect the identities of short-term operators (New Orleans Planning Commission, 2018, p.74).

This bill was passed in December 2018 (Session Law - Acts of 2018 Chapter 337, 2018). The Massachusetts law dictated what Boston could and could not do for their own city and New Orleans diffused from Boston twice. There were not any cities from Arizona utilized by New Orleans, but Arizona was a noteworthy state that passed legislation that impacted what cities could do in terms of short-term rental regulation (Arizona State limits on regulation of vacation rentals, 2017). In 2017, Arizona passed legislation that dictated that local jurisdictions could not regulate short-term rentals. This made it so that jurisdictions in Arizona are not going to be sources to diffuse information to or from. In early 2022, there has been a push from local jurisdictions in Arizona to

overturn the law and allow local jurisdictions to regulate short-term rentals (Brooks, 2022; Fischer, 2022; MacDonald-Evoy, 2022). If jurisdictions in Arizona are able to regulate short-term rentals they may be future sources of diffusion information and be a part of diffusion patterns. However, because of the actions of the state in prohibiting short-term rental regulation jurisdictions in Arizona could not develop or modify regulation. This highlights how states have an immense impact on local jurisdictions and their participation in the diffusion of information.

A New Orleans staff spoke about how the states influenced which cities were examined as diffusion sources:

I remember that we talked to certain cities that there was sort of a competing regulatory environment with the state where the state was in some cases trying to prevent the city from tightening the regulations because the state didn't have to deal with any of the negative consequences of short-term rentals but they could still benefit from the promotion of tourism or perhaps they wanted to satisfy that particular special interest group. (Participant B)

Another participant expressed a similar thought:

That's one of our hugest road blocks all of the time is state law. In a municipality we can always look at our charter, look at our code ordinances, but we always, always, have to check it with state law because that preempts everything. That would lead me to think, well, what is in their state law that says that they can do XYZ that's similar to, maybe us, or not, it would draw me to that. (Participant C)

These participants emphasize the impact of the state in how diffusion sources are found. The state may encourage or discourage the diffusion of information because the state law overrides what the city is able to do. This is a powerful influence and dictates what a city crafts in regulation and

impacts what other cities observe and diffuse. Across the U.S. there are varying formal power structures between state and local government. These various structures dictate the powers and abilities of local jurisdictions. Although not explicitly explored in this study, it is implied in the responses from the participants in this section that the ability of New Orleans to regulate itself and the ability of other cities across the U.S. to develop short-term rental regulation impacted where they investigated potential diffusion sources. This was an unanticipated theme that emerged but has significance in how diffusion sources are examined thus impacting potential diffusion return patterns. In the following section this study explores the resources of the city and how that emerged as a theme.

9.6.2 Resources of the City

Resources of the city emerged in the data because interviews, reports, and meeting minutes all referenced how resources available to cities influenced how and if a city was utilized as a diffusion source. An argument could be made that this should fall under the similarity domain; however, there was a decision to classify it as a missed opportunity because the data concentrated on what resources are available to the city in many ways including monetary availability, staff availability, organizational structure, and regulatory structure. These all contributed to available resources and if a city was considered as a diffusion source. The available resources for cities was a consideration for New Orleans staff as evidenced by this excerpt from the 2016 short-term rental study, “In San Francisco, the City created a six person office with a \$900,000 annual budget to administer their short-term rental program. Santa Monica plans to dedicate three staff members and spend \$410,000 in the first year to enforce their short-term rental regulations” (New Orleans Planning Commission, 2016, p.90). An interview participant also offers insight into the impact of city resources:

Absolutely that it was a struggle, because the population had, like I mentioned, looking at New York and San Francisco, and Portland, and some of these places that are just I mean where we're a small city and looking at places like that was just overwhelming and not so much in just looking at that, but the capacity within their government employee structure. The whole office is dedicated, where that was a thing. We could look at regulations all day and then look at the office of housing or planning in either of those cities. Hundreds of employees, our planning department had eight employees total. That also made it quickly became what can we extrapolate from them? Knowing that we will nowhere near the capacity of being able to manage even though our numbers are different as well housing numbers. (Participant C)

This participant highlights how the staff took into consideration the resources of the city and tried to apply the other cities regulations to New Orleans with available resources in mind. The staff would know that some regulation could not be diffused because the diffusion source city had more resources to utilize than New Orleans.

The resources of other cities were also observed in meetings. One city council member spoke about the impact of city resources:

Voting against a compromise that will allow us to get the data, the names, the addresses of the folks that are participating in short-term rentals in any format is voting against the people of this city because San Francisco has a whole lot more money than New Orleans. LA does as does every other city that council president head named and they lost this battle. By putting this in place by getting a commitment that we will have the names addresses and permit numbers of the people that will be participating in short-term rental gives us a

vehicle to control and curtail this particular disruptive industry and technology. (New Orleans City Council, 2016, October 20)

Another council member spoke about resources at a different meeting:

NYC, Portland, Austin, San Francisco, man no you don't have the job Jeff Hebert has but what do their operating budgets, what do what do their revenues look like compared to ours? Higher? Lower? Higher? I mean it is without a doubt, right? So, I mean, I think you know we particularly because this is a new bureau that we're standing up. One of the again, the core principles of our conversation is can we generate enough revenue to meet enforcement? That's why we went and changed the law at the legislature to include short-term rental use as part of the hotel motel tax and why we have the permit free structure set up so that we believe we can recoup enough of the revenue plus fines to be able to pay for the enforcement that we believe is necessary to limit and regulate and out of the 57 some odd cities in the world where there is a proliferation of short-term rentals, how many of them that have instituted an outright ban or ban of some kind have been able to reduce the number of short-term rentals physically that are operating in their neighborhood whether they're legal or not? Well, I don't know of an example in the United States... at least according to the internet, Chicago had say, \$450,000,000 budget for recreation. Add to total city budget but their budget just for recreation Department is 450 million so, so, we probably do not have the same resources of a city like Chicago to deal with this issue. (New Orleans City Council, 2016, December 1)

From these examples it is observed that the resources of cities played a factor in which diffusion sources were utilized. The group of cities to diffuse from was limited and included mostly larger cities with more available resources. Larger cities with more resources tended to be the first to

develop short-term rental regulations. These cities had the resources to develop regulation and have subsequent modifications to adjust. New Orleans was more limited in their resources but set aside resources and structured their regulation to develop more and to be more in line with these larger cities from which they diffused information.

9.6.3 Summary

As the interviews, reports, and meeting minutes were analyzed, two main themes emerged that were not a part of the planned themes put forth for further examination in this study and for future study. The first missed theme is the influence of the state. Based on the data, the state not only where the city is located, but also the state where the diffusion source is located have an impact on which diffusion sources were utilized. The second missed theme is the resources of the city. It was classified as its own theme because there is enough data that it was an important factor in how the city chose diffusion sources. In these two sections these missed opportunities highlight how they impact diffusion return and provided some insight that will benefit future exploration.

9.7 Chapter Summary

This chapter contained a thematic analysis of data collected from interviews with New Orleans City planning staff, public reports developed by the staff, and public meetings that include the New Orleans planning commission and city council. Themes were developed for deductive analysis and based on the domains presented in this paper, specifically, leader-laggard; geographic proximity; jurisdictional similarity; same sources; and new sources. Organizing the themes by domain allowed for exploration of each domain and its impact on the likelihood of diffusion return or potential patterns of diffusion return. In the final chapter implications of this study and a conclusion is offered.

CHAPTER 10: IMPLICATIONS AND CONCLUSION

10.1 Summary of the Study

The aim of this study is to understand the extent to which policy diffusion shapes policy after its initial adoption. A large body of research has explored policy diffusion; however, there is only a limited understanding of how policy diffusion “plays out” after a policy is adopted. To this end, this study examined how policy modifications occur during policy implementation and evaluation through a process of diffusion return.

This study explores three research questions that address the diffusion of policy information when post-adoption modifications occur:

RQ₁: Is there evidence that diffusion return exists?

RQ₂: What makes a jurisdiction more or less likely to experience diffusion return?

RQ₃: What are the implications of diffusion return on policy modification?

Policy diffusion explanations of innovation focus on intergovernmental relationships and networks where jurisdictions emulate previous adoptions of other jurisdictions. Thus, traditional diffusion literature focuses on an outward direction of diffusion. This is because the focus on the initial adoption of policy results in an outward direction as the only possible direction. When extending policy diffusion beyond initial adoption, new diffusion patterns emerge where information flows inward as well as outward. Moving past initial adoption treats innovation and diffusion as a multistage process rather than an outcome, and a process that may be long-term or developmental while evaluating the impact of social and political forces at different stages of the policy process (Elkins & Simmons, 2005; Karch & Cravens, 2014). In the government innovation diffusion literature, extending beyond initial policy adoption is needed broadly for diffusion literature and is long overdue (Shipan & Volden, 2012).

Karch and Cravens (2014) are the first to move the diffusion literature past the initial adoption policy phase with the term “post-adoption modification.” Karch and Cravens (2014) define post-adoption modification as, “... related [to policy diffusion] but distinct process through which officials revisit existing statutes and alter them in response to changing societal or political conditions” (p. 463). Post-adoption modification is a dynamic process and may be a result of different pressures that occur past the formulation and adoption phases of the policy process. Modification is distinct from initial adoption because compared to when there is not a policy in a jurisdiction; the existence of a policy reshapes any policy dynamics following initial adoption (Pierson, 2011; Skocpol, 1992). Karch and Cravens (2014) only explored if a post-adoption modification occurred or not. This study builds upon and extends the work of Karch and Cravens (2014) to explore policy modifications by identifying information sources used by jurisdictions to modify their policy to examine (1) how diffusion sources change and (2) if information that has diffused from a jurisdiction returns back when modifications are made.

To explore the concept of diffusion return, including its existence, likelihood, and implications a qualitative case study of the city of New Orleans was completed featuring the city’s adoption and subsequent modifications of short-term rental regulations between 2015 to 2019. The case study included five semi-structured interviews with New Orleans staff involved with the development, implementation and modification of short-term rental regulation; three short-term rental reports developed by city planning commission staff; and 14 meetings with minutes of city planning commission and city council meetings. The case study data sources provided triangulation of data sources and insight into if diffusion return exists, diffusion return likelihood and diffusion return implications.

Thematic analysis provided a structure to explore the five domains offered in this study. Exploration of these domains yielded insight into diffusion return and confirmed that potential diffusion return patterns offered in this study exist in a real-world application and that the domains have an impact on the likelihood of diffusion return with observed implications from the case study of New Orleans. The likelihood and implications of each domain varied with some having more relevance than others. However, each domain had an impact on diffusion sources and resulting patterns that was observed in the data from the network map, interviews, reports, and meeting minutes.

10.2 Policy Implications

The results of this study have three important implications for policy and policy makers. The first is the awareness and recognition of diffusion return and the resulting patterns. The second is the responsiveness of policy makers to rapidly evolving issues like short-term rentals which are increasing with the proliferation of technology. The third is the impact of the changing role of the city within the context of the state and federal government.

First, this study demonstrated that diffusion return exists and there are various patterns in which the information diffuses and moves across governmental jurisdictions. This is important for policy makers to be attentive of because it may lead to unintended consequences where information that diffused from them may return. This return of information may result in policy information that has been subject to interference, static, or feedback. Policy information with these influences may result in lesser quality policy at modification or may affirm previous policy that was not optimal. When policy makers are forced to respond to pressing issues with policy it may not be comprehensive and may be lower quality as a stop gap measure. This information may be prone to diffuse to other jurisdictions also looking to address the same pressing issue. If that information

returns, static, feedback, and interference may degrade information quality as it has advanced through other jurisdictions. Additionally, information return via diffusion may lead policy makers to examine policy that appears to be familiar to what they have done and implemented. When looking to other jurisdictions in this way it may lead the policy makers to be reflexive, self-referential, or self-reinforcing of policy that may not be optimal. Overall, in this study the policy makers interviewed were not too concerned with the potential of diffusion return and welcomed all information. That may be related to New Orleans being an early adopter without an excess of information. However, there was some interest in being aware of diffusion return to avoid echo chambers and degradation of information as exemplified in the game of telephone. Awareness of diffusion return and the potential consequences of it should be important to policy makers going forward.

Second, this study highlights the impact of regulating issues associated with technology. Short-term rentals have been around in practice for much longer than the early 2010s. However, short-term rentals proliferated in the early 2010s when online companies like Airbnb, VRBO and HomeAway provided technology-based platforms where people could connect directly with each other to both advertise and reserve short-term rentals. Similar issues have emerged for governments across the U.S. with ride sharing via Uber or Lyft. Technology related issues have demonstrated an ability to proliferate quickly and impact government jurisdictions in a variety of ways. This will likely continue with the advancement of technology both in capabilities of and access to. Technological usage across all age groups, demographics, geographies, and educational levels is likely to increase. Short-term rentals were an unanticipated issue that grew quickly with impacts on government with taxation, residential commercialization, and data sharing among the major issues. Technology will likely present similar issues in the future across other avenues. With

experience from short-term rentals government jurisdictions will be better prepared to address technology related issues. Jurisdictions must be prepared to regulate these quandaries quickly initially and then be prepared to make ongoing modifications with agility.

Third, is the impact of the changing role of the city within the context of the state and federal government. Katz and Nowak (2017) describe the changing role of the city:

City leaders are accumulating new forms of power by nontraditional means. They are rarely traveling to Washington, D.C., or their state capital as supplicants, begging for scraps of public resources or delegated powers. If they do make the sojourn, it is primarily to try to prevent higher levels of government from doing harm or to minimize the damage of bad policy. Federal and state governments, for the most part, are no longer in the problem-solving business; they have dealt themselves out of the equation through a combination of dysfunction, incompetence, and hyper partisanship. We are moving fast from a policy making world to a problem-solving reality. (p.225)

The city's role within the layers of government is changing. The response to the impact of short-term rentals with regulation is an excellent example of this where cities needed to and for the most part have been able to respond to abrupt consequences that change swiftly.

The state and federal government are not as well positioned to respond in the same way as city government. This is complicated by different relationships for cities to both the state and federal government. Specifically, the relationship between local governments and state government. Across the U.S. there are varying formal power structures between state and local government. These relationships may be organized into two broad categories: (1) Home Rule and (2) Dillon's Rule. According to Spitzer (2015), "Home rule is an approach to structuring government meant to push as much power down to the local level as practicable, reducing

interference by the legislature or other agencies of state government” (p.810). With a home rule relationship with the state, local government is empowered to make more jurisdictional decisions without interference from other levels of government. Cities with this type of relationship structure are authorized to be more autonomous and thus are better equipped to respond to rapidly evolving issues like short-term rentals. Contrary to home rule there is also the Dillon’s Rule doctrine where the state, “... limits local government powers to those expressly granted by statute or those necessarily implied” (Spitzer, 2015, p.811). With a Dillon’s Rule structure with the state, local governments are limited in their ability to self-govern, especially when compared to Home Rule relationship structures. Therefore, Dillon’s Rule structured jurisdictions may not be able to respond as efficiently to rapidly evolving issues like short-term rentals because they may not be able to based on their relationship with the state. This study highlights the power of city government and the ability to adopt policy quickly and make subsequent modifications in a condensed timeframe. However, city governments may be limited in what they are able to accomplish based on their relationship with their state.

With the dysfunction, incompetence, and hyper partisanship at higher levels of government, the city’s power and influence has and will continue to grow. Especially as rapid policy response through initial adoption and ongoing modification is required by technology related policy issues. The growing power of the city is described by Katz and Bradley (2013):

Empowered by their economic strength and driven by demographic dynamism, cities and metros are positioning themselves at the cutting edge of reform, investment, and innovation. In traditional political science textbooks, the United States is portrayed neatly as a hierarchical structure— the federal government and the states on top, the cities and metropolitan areas at the bottom. The feds and the states are the adults in the system, setting

direction; the cities and metropolitan areas are the children, waiting for their allowance. The metropolitan revolution is exploding this tired construct. Cities and metropolitan areas are becoming the leaders in the nation: experimenting, taking risk, making hard choices, and asking forgiveness, not permission. (p.2)

Short-term rental regulation is a prominent example of the growing power of the city within the various contexts of state authority across the U.S. Cities have been the driver of short-term regulation with states largely only responding to city action instead of facilitating or being on the forefront of the issue. The power of the city within the layers of government structure is only likely to grow, even within power structures like Dillon's Rule. As highlighted by the response to short-term rentals, most cities are asking for forgiveness, not permission.

10.3 Theory Implications

This study has four important implications for theory. The first is the relevance of policy diffusion past initial adoption of policy and into ongoing policy modification. The second is that with policy diffusion, information flow is dynamic with both outward and inward flows. The third is both traditional and new domains application during ongoing policy modification. The fourth is exploration of the various levels of government and different topics with diffusion return.

First, in this study it is demonstrated that policy diffusion has an impact ongoing past the initial adoption phase of the policy process. There was missing insight and unexamined segments of policy diffusion's impact on the public policy process. Implementation and evaluation are important phases of the policy process. However, both have been largely absent from the government innovation literature. Extending beyond formulation and initial adoption and into the implementation and evaluation phases of the policy process extends and advances the government innovation and diffusion literature. In the government innovation diffusion literature, extending

beyond initial policy adoption is needed broadly for diffusion literature and is long overdue (Shipan & Volden, 2012). This dissertation builds upon the idea put forward by Shipan and Volden (2012) and extended beyond initial policy adoption to shift government innovation and diffusion from the traditional focus on the formulation and adoption phases of the policy process to insights from implementation and evaluation phases to examine evaluation and revision (modification) impacts on government innovation. Moving past adoption and into later stages of the policy process recognizes innovation and diffusion as a multistage process rather than an outcome (Elkins & Simmons, 2005). As demonstrated in this study, New Orleans monitored information sources both internally and externally and continually assessed what occurred in other jurisdictions in addition to their own experience for evaluation. This dissertation extends and builds upon the work of Karch and Cravens (2014) and explored policy modification by identifying information sources used by New Orleans and other jurisdictions to adopt and modify their policy. This study provides insight into (1) how diffusion sources change and (2) how information that has diffused returns to jurisdictions when modifications are made.

Second, this study illustrates how policy diffusion information flows are dynamic with both inward and outward directions. In this study the argument is made that the diffusion of information occurs in both an outward and inward direction. Extending diffusion beyond the initial adoption of the policy process provides more opportunity to observe new effects that impact ongoing government innovation. This study focuses on one effect called “diffusion return.” Diffusion return is when the jurisdiction that is diffusing information inward has been a source of outward diffusion within the diffusion path previously. Diffusion return has not been previously included in the diffusion literature because the literature has been focused on initial adoption of policy and this type of effect could not be observed during initial adoption because initial adoption has been

studied as a one-time event and not an ongoing process. Diffusion return accounts for ongoing policy modification and the continual impact of policy diffusion on governmental jurisdictions. Diffusion return adds to the traditional diffusion field by acknowledging that the lens and experiences of other jurisdictions becomes a part of the information that diffuses. There is a return effect where diffused information returns from sources that may or may not include information a modifying jurisdiction intends. When diffusion return occurs, there may be lasting consequences that impact the accuracy of information and quality of policy that is modified.

Third, this study bridges and applies traditional policy diffusion domains past the formulation and initial adoption phases of the policy process and includes new domains for further exploration. The objective of this study is to explore the concept of diffusion return. This study utilizes short-term rentals as an avenue to tie together and explore some subset concepts of diffusion mechanisms and offer new concepts to develop domains regarding how policy diffusion impacts government policy. This study established and offered five domains for exploration. This study addressed a priori traditional diffusion concepts with three domains: leader-laggard, geography and similarity. Additionally, this study addressed new diffusion source related concepts with two domains: new sources and same sources. These five domains were explored and were both a bridge from previous diffusion concepts in the theory literature and offered new concepts related to diffusion return.

Fourth, various levels of government and topics may be explored with diffusion return. In the traditional diffusion literature all of the various levels of government have been featured as targets to study. This includes local, state, national and international levels of government. Diffusion return has the ability to be applied to any of those levels of government. This study focused on the local level, however, state, national, and international patterns of diffusion return

likely exist too. Additionally, different topics would be able to be explored as well. Diffusion return is not issue specific to short-term rentals. Many other topics may be explored in addition to short-term rentals. The theoretical implications of diffusion return are flexible and able to be applied to any level of government and a wide range of topics.

10.4 Areas for Future Research

There are many areas where this study may be extended for future research. However, four are focused on and offered. The first is further exploration of the short-term rental network of regulations. The second is further research into the consequences of diffusion return. The third is refining how to identify diffusion return and the resulting patterns that emerge. The fourth is application of this research to other geographic places and policy topics.

First, this study constructed a network of cities in the United States that regulated short-term rentals. However, due to the focus on the case study of New Orleans this study limited the extent to which the network was explored to cities that New Orleans utilized as diffusion sources. Further exploration of the network will likely yield more insight into diffusion return and the impact it has on policy development, adoption, implementation, and modification. For example, while exploring the network for this study, cities were found that utilized New Orleans as a diffusion source but New Orleans did not use them as a diffusion source. Therefore, these cities were not included in this study because that limited the likelihood of diffusion return to New Orleans. Nonetheless, these other cities may have diffusion patterns associated with them and New Orleans that could provide further insight. There are likely more applied examples of diffusion models put forth in this paper to affirm their existence in other cases outside of New Orleans. Additionally, with the exploration of other cities and their connections, further expansion will provide more variety of city characteristics. International cities should be included in future

network research samples. Cities in the short-term rental network utilized international cities but did not connect with New Orleans.

Second, this study explored if New Orleans staff would be concerned about the possibility of diffusion return. Based on the interviews, the staff had limited concern with the possibility of diffusion return. This was somewhat surprising because some consequences of diffusion return may include information that has been subject to interference, static, or feedback that may result in lesser quality policy at modification or that may affirm previous policy that was not high quality but that other jurisdictions adopted and subsequently have returned. This may lead to issues such as self-affirmation, confirmation bias, self-doubt, bandwagon effect, pro-innovation bias, and false consensus effect. These effects could impact the accuracy of information and quality of policy that is modified. This study was more focused on if diffusion return even exists. This impacted the ability to explore potential consequences of diffusion return well or at all. It would be interesting and important to further explore the potential consequences of diffusion return and if they are relevant at all in the policy process and diffusion of information.

Third, the process to identify diffusion return was tedious, difficult to organize, and convey. This study explored cities that developed short-term rental regulations beginning with New Orleans and snowballed out from there to construct a network. This yielded a large network with an extensive array of cities with much potential for diffusion patterns. However, these patterns were traced manually because there are not software programs that would trace information patterns based on chronological order to elucidate if models put forth in this study existed. Diffusion return modeling could be integrated into computer software programs that are able to construct and explore network maps with diffusion return patterns. Computer software was used to construct the short-term rental regulation network and a future option that could integrate

diffusion return principles to identify patterns and provide insight into how those patterns develop would be invaluable. The development of such software could assist policy makers in analyzing diffusion sources during initial adoption and ongoing modification phases of the policy process. This could limit the potential unintended consequences that may occur with diffusion return.

Fourth, application of this research to other geographic places and policy topics. A future area of research is the application of this research to other geographic places and other public policy topic areas. Diffusion return models could be applied to other geographic peers and public policy topics. Diffusion return has the flexibility to examine other geographic areas outside of New Orleans and other policy topics outside of short-term rentals. These both served as initial points of interest to establish if diffusion return exists. Now that it has been established that diffusion return does exist, occurs in various patterns, and impacts policy makers in various ways the next step is to apply these concepts to other areas in both geography and policy.

10.5 Conclusion

In conclusion, this study answers an important question by establishing that diffusion return exists. Further investigation of diffusion return and its implications ought to be important for both policy makers and for researchers in the policy diffusion field. To the degree that diffusion return continues through the policy process is an important omission from current understanding of policy diffusion. Based on the current understanding of diffusion you would expect information to travel only in an outward direction, away from a jurisdiction, however, this study posits that diffusion travels in both an outward and inward direction while intersecting with other jurisdictions more than once. There are three main contributions of this study. First, the study addresses a gap in the government innovation/policy diffusion literature by further extending the literature past the initial adoption phase of the policy process. Second, this study offers insight into how policy diffusion is

more dynamic than previously acknowledged. Third, this study establishes what diffusion return is and how it impacts ongoing policy modification.

First, this study addresses a gap in the government innovation/policy diffusion literature by further extending the literature past the initial adoption phase of the policy process. Policy diffusion is an established and profound academic field. Any search of an academic database regarding policy diffusion returns vast amounts of studies with a broad range of topics. In fact, a high amount of the literature includes papers that have to summarize or provide an overview of diffusion literature because the literature feels tangled and chaotic with the explosion of studies after the early 1990s. Until this study, the diffusion literature has focused almost exclusively on the initial adoption of policy. This dissertation expands policy diffusion into a new area that is ripe for academic study and new insights into policy diffusion. This study extends the government innovation and diffusion literature past the initial adoption phase of the policy process to offer new understanding and establishes new features of how policy diffusion impacts governmental jurisdictions. These new insights challenge government innovation and policy diffusion literature to expand into new concepts that provide valuable observations and an elaborated understanding of policy diffusion.

Second, this study offers insight into how policy diffusion is more dynamic than previously acknowledged. This study recognizes that information flows in both an outward and inward direction when diffusing. This is a key contribution to theory from this study. Previous diffusion literature focused mainly on the outward direction of policy diffusion resulting in a large gap in the literature. Understanding that jurisdictions are more dynamic than just outward direction diffusion, utilize diffusion to adopt policy, are an information source for other jurisdictional adoptions, and use other jurisdictions as a diffusion source is important. This recognizes

governmental jurisdictions as more dynamic entities rather than mostly static entities that make infrequent actions or one-time actions regarding a policy.

Finally, this study establishes what diffusion return is and how it impacts ongoing policy modification. This study explores diffusion return as a new concept that contributes to the diffusion literature. Understanding diffusion return offers new insight into the policy process and how diffusion impacts policy when modifications are made. Jurisdictions make modifications to policy after initial adoption to improve upon the initial adoption. Better understanding of diffusion return and the patterns in which it may occur with the impact it may have allows jurisdictions to be more aware that information from their previous adoption may return with interference, static and feedback. This also allows jurisdictions to make more fully informed decisions when modifying policy and allows for better quality, more comprehensive policy decisions.

APPENDIX A: IRB EXEMPT REVIEW NOTICE



ORI-HS, Exempt Review Exempt Notice

DATE: December 9, 2021

TO: Christopher Stream

FROM: Office of Research Integrity - Human Subjects

PROTOCOL TITLE: UNLV-2021-119 Diffusion Return: A Case Study of New Orleans

SUBMISSION TYPE: Initial

ACTION: Exempt

REVIEW DATE: December 9, 2021

NEXT REPORT DUE: December 31, 2999

REVIEW TYPE: EXEMPT

REVIEW CATEGORY: Category 2. (ii). Research that only includes interactions involving educational tests (cognitive, diagnostic, aptitude, achievement), survey procedures, interview procedures, or observation of public behavior (including visual or auditory recording).

Any disclosure of the human subjects' responses outside the research would not reasonably place the subjects at risk of criminal or civil liability or be damaging to the subjects' financial standing, employability, educational advancement, or reputation.

This memorandum is notification that the protocol referenced above has been reviewed as indicated in Federal regulatory statutes 45 CFR 46 and deemed exempt under Category 2. (ii). Research that only includes interactions involving educational tests (cognitive, diagnostic, aptitude, achievement), survey procedures, interview procedures, or observation of public behavior (including visual or auditory recording).

Any disclosure of the human subjects' responses outside the research would not reasonably place the subjects at risk of criminal or civil liability or be damaging to the subjects' financial standing, employability, educational advancement, or reputation.

PLEASE NOTE:

Upon final determination of exempt status, the research team is responsible for conducting the research as stated in the exempt application reviewed by the ORI – HS, which shall include using the most recently submitted Informed Consent/Assent and recruitment materials.

If your project involves paying research participants, it is recommended to contact HSComp@unlv.edu to ensure compliance with the Policy for Incentives for Human Research Subjects.

Any changes to the application may cause this study to require a different level of review. Should there be any change to the study, it will be necessary to submit a **Modification** request for review. No changes may be made to the existing study until modifications have been approved/acknowledged.

All **unanticipated problems** involving risk to subjects or others, and/or **serious and unexpected adverse events** must be reported promptly to this office.

Any **non-compliance** issues or **complaints** regarding this protocol must be reported promptly to this office.

Please remember that all approvals regarding this research must be sought prior to initiation of this study (e.g., IBC, COI, Export Control, OSP, Radiation Safety, Clinical Trials Office, etc.).

If you have questions, please contact the Office of Research Integrity - Human Subjects at IRB@unlv.edu or call 702-895- 2794. Please include your study title and study ID in all correspondence.

Office of Research Integrity - Human Subjects
4505 Maryland Parkway . Box 451047 . Las Vegas, Nevada 89154-1047
(702) 895-2794 . FAX: (702) 895-0805 . IRB@unlv.edu

APPENDIX B: INFORMED CONSENT



INFORMED CONSENT

Department of Public Policy and Leadership

TITLE OF STUDY: Diffusion Return: A Case Study of New Orleans

INVESTIGATOR(S): Neiufi Iongi and Dr. Chris Stream

For questions or concerns about the study, you may contact Neiufi Iongi at (435) 452-2457 or iongi@unlv.nevada.edu and/or Dr. Chris Stream at (702) 806-9067 or chris.stream@unlv.edu.

For questions regarding the rights of research subjects, any complaints or comments regarding the manner in which the study is being conducted, contact **the UNLV Office of Research Integrity – Human Subjects** at 702-895-2794, toll free at 888-581-2794 or via email at IRB@unlv.edu.

Purpose of the Study

You are invited to participate in a research study. The purpose of these study is exploring the concept of diffusion return using New Orleans development of short-term rental regulations as a case study.

Participants

You are being asked to participate in the study because you fit this criterion: Involvement in the development of the short-term rental regulation in New Orleans.

Procedures

If you volunteer to participate in this study, you will be asked to do the following: participate in an interview via Zoom

Audio/video recording is optional. Written notes will be taken if you do not give permission to be recorded. Audio/video recordings are used for transcription purposes. The transcripts are word based and will be utilized for analysis.

Any audio/video recordings will be stored on a password protected computer with only principal investigator access. The data, including audio/video recordings will be stored on a password protected laptop in an office. Only the researchers will have access to the audio/video recordings.

Copies of files will be kept to a minimum and not sent over email. If data must be sent over email it will be de-identified and encrypted.

Only the researchers will have access to the data. In accordance with federal guidelines, study data and any consent forms will be maintained securely for three years after the completion of the study. After the three year period all data with identifying information will be destroyed. During the retention period all data will be stored according to the protocol above.

Benefits of Participation

There be direct benefits to you as a participant in this study. However, we hope to learn from your experience in developing short-term rental regulations in New Orleans.

Risks of Participation

There are risks involved in all research studies. This study may include only minimal risks.

Cost /Compensation

There be financial cost to you to participate in this study. The study will take 1 hour of your time. You be compensated for your time.

Confidentiality

All information gathered in this study will be kept as confidential as possible. No reference will be made in written or oral materials that could link you to this study. All records will be stored in a locked facility at UNLV for three years after completion of the study. After the storage time the information gathered will be destroyed.

Participants may be indirectly identifiable from published data due to the small and concise population being interviewed are or were employed by the City of New Orleans, and may therefore be identifiable. However, these individuals are already identifiable through public documents, such as published reports, related to the development of short-term rental regulations. To minimize the risk involved in this study, all published data and insights will not have identifying information. Any data with identifying information will be kept confidential and secured to mitigate risk to participants. Participant contact information will be stored in a separate file from any study data. Any audio/video recordings will be stored on a password protected computer with only principal investigator access.

Voluntary Participation

Your participation in this study is voluntary. You may refuse to participate in this study or in any part of this study. You may withdraw at any time without prejudice to your relations with UNLV. You are encouraged to ask questions about this study at the beginning or any time during the research study.

Participant Consent:

I have read the above information and agree to participate in this study. I have been able to ask questions about the research study. I am at least 18 years of age. A copy of this form has been given to me.

APPENDIX C: SEMI-STRUCTURED INTERVIEW INSTRUMENT

Diffusion Return: A Case Study of New Orleans

Thank you for agreeing to take time from your schedule to discuss your professional involvement as a public servant in the regulation of short-term rentals in New Orleans.

This study is part of my dissertation research that aims to better understand the reasons underlying New Orleans adoption and modification of ordinance and regulations and how that was impacted by other cities across the U.S.

I have a series of questions to ask you. If at any point during the interview you want me to stop taking notes because you want to share something confidential, just let me know and the interview will then become confidential.

A. **Background**

1. Tell me a little about your involvement in ordinance and regulation development in New Orleans.
2. Tell me about your overall experience with developing reports and regulations for short-term rentals.
3. For short-term rentals, how did the practice of other cities impact your research and what you recommended be included in regulations?

B. **Leader-Laggard**

1. When you did research regarding short-term rental regulation in other cities, how did the city's reputation impact the likelihood that you would use them as an information source?

a. Were there cities that you perceived as leaders in short-term rental regulation? If so, what were those cities and why? Did that lead to you using them as an information source?

b. Were there cities that you avoided and did not want to utilize as an information source? If so, what were those cities and why?

C. Geography

1. How did geographic proximity impact the likelihood of using a city as an information source?

a. If there was an impact, why? Was there a certain geographic profile of a city (e.g, certain number of miles or a particular region) that impacted the likelihood of being utilized as an information source? Are there examples of cities you used based on geography?

b. If there was not an impact, why do you think geographic proximity did not influence your selection of information sources? Are there examples of cities you used?

D. Similarity

1. How did the similarity of a jurisdiction to New Orleans impact the likelihood of being used as an information source?

a. How did a similar population size to New Orleans make an impact?

b. How did a similar political/ideological leaning make an impact?

c. How did a jurisdictions tourist numbers make an impact?

E. **Sources**

1. The CPC staff produced three STR reports in 2015, 2017 and 2019. In each report the staff highlighted other cities they researched and learned from. When gathering information from other jurisdictions, was utilizing the same sources of information across different reports important? Why was it or was it not important?

a. The only city that was in all three reports was Nashville, TN. Why was Nashville used as a source in every report?

b. Savannah, Charleston, San Francisco, Santa Monica, New York, Austin, Key West, Boston and San Antonio were in 2/3 of the reports. What factors impacted that these cities were used in 2 reports but not 3 or why were these used more than once?

2. What factors impact the likelihood of using different sources of information?

3. What factors impact the likelihood of using a city as an information source just once?

a. If you decided to not use a city as a source of information more than once, would it be a concern if a city you use as a source of information at a later time used the other city as a source of information? Why would it be or not be a concern?

b. If you knew that a city you used as a source of information used New Orleans as a direct source of information, how would that impact the likelihood of you using them as a source of information?

c. If you knew that a city had indirectly used New Orleans as a source of information, how would that impact the likelihood of using them a source of information?

d. If you knew that a city used the same sources of information that you have or that you would like to use, how would that impact the likelihood of using them as a source of information?

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CURRICULUM VITAE

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Education

Ph.D. Public Affairs- Public Management, 2022, *University of Nevada Las Vegas*, **GPA 4.0**
Dissertation: Diffusion Return: A Case Study of New Orleans
Advanced to Candidacy: June 15, 2021 **Dissertation Defense:** June 8, 2022

M.A. Public Administration, 2016, *University of Nevada Las Vegas*, **GPA: 3.81**
Graduate Project: Program Evaluation for the Downtown Rangers
Certificates Earned: Graduate Certificate in Public Management

B.A. Dual Major in Political Science and Sociology, 2012, *Utah State University*, **GPA: 3.06**

Professional Experience

Program Administrator

State of Utah

November 2020- Current
40 hours per week- Salt Lake City, UT

- Coordinating program activities, services, and/or program implementation with private providers, other governmental entities, program users, etc.
- Representing the agency with federal, state, and local government units, in the media, or with private organizations.
- Developing plans to allocate and contract grant resources.
- Negotiating scope of work with contracted providers.
- Monitoring agency or program budget including revenues, expenditures and budget projection.
- Developing, directing, and/or evaluating programs.
- Developing performance metrics and data requirements for contracted providers
- Preparing reports for the State Legislature and Federal government that demonstrate outcomes.
- Developing training for community partners.

Program and Management Analyst

Clark County Department of Family Services

January 2013- July 2020
40 hours per week- Las Vegas, NV

- Conduct research to identify and analyze best practice policies, procedures and practice in child welfare and address areas of improvement and innovation.
- Design and write policies and procedures that represent federal, state and local law with accompanying best practices.
- Facilitate workgroups of employees ranging from field staff to executive management for projects that include policy and procedure, continuous quality improvement and data gathering.
- Construct data indicators and utilize data to inform policy design, implementation, practice, evaluation and feedback for continuous quality improvement.
- Provide direct training to all levels of staff on developed policies, procedures, and practice.
- Administrative support services for children and families served including various organizational, systems, budget and analytical tasks.

Technical Support

Infinity Business Support

September 2012- December 2012
40 hours per week- Logan, UT

- Provided full technical support for Infinity Business customers via phone and VPN support.
- Full customer service for commercial clients that included direct and indirect IT solutions.

Account Executive

The Leavitt Group Insurance

March 2009- May 2012
25 to 30 hours per week- Logan, UT

- Customize insurance policies to suit individual customers with a variety of risks.
- Worked with new clients and develop clientele with various ways of innovative marketing.
- Sold various types of insurance policies to businesses and individuals on behalf on multiple national insurance companies.

Tutor

America Reads

August 2011- May 2012
15 hours per week- Richmond, UT

- Tutored kindergarten through fifth grade children in reading, science, math and other various subjects.
- Cultivated and designed innovative learning techniques that developed critical thinking skills.