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Herndon vacation rental checklist

Fairfax County, Virginia | Rules checked November 7, 2026

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Herndon allows short-term lodging only in the operator's permanent home, with a $200 town zoning permit good for two years, an inspection, and a spot on the town registry. Whole-house rentals with you away are capped at 90 nights a year, and no more than six adults a night. Stays pay 6% sales tax plus an 11% lodging tax (6% town + 5% county).

> We read Herndon's rules from a 2020 news report of the vote, not the town code. Confirm the current fee and rules with the town's zoning office.

Licensing steps

COMMONWEALTH OF VIRGINIA

- [ ] **Know who pays the tax**
  When a platform like Airbnb books the stay, it collects and pays the state sales tax and the local lodging tax for you. If guests pay you directly, register with Virginia Tax for sales tax and with your county or city for the transient occupancy tax.
  Register a business with Virginia Tax: https://www.tax.virginia.gov/registering-new-business
- [ ] **Register with your locality if it has a registry**
  Many counties and cities require short-term rental hosts to register every year. Registration is a simple filing (your name, each address, and the owner's permission if you lease the home), but listing an unregistered rental can cost up to $500 per violation.
- [ ] **Check your zoning**
  Counties and cities keep their power to decide where short-term rentals are allowed and whether you need a zoning or use permit. HOA and condo rules still apply on top. Pick your area for the local rules.

FAIRFAX COUNTY, VIRGINIA

- [ ] **File the transient occupancy tax if guests pay you directly**
  Airbnb and other platforms collect and pay Fairfax County's tax on their bookings. For direct bookings, file a return and pay the Department of Tax Administration every month by the 20th.
  Fairfax County transient occupancy tax: https://www.fairfaxcounty.gov/taxes/business/transient-occupancy-tax
- [ ] **Then your town or area**
  Towns set their own zoning and some set their own lodging tax. The county's rules apply outside town limits. Pick your area.

TOWN OF HERNDON

- [ ] **Apply for the town zoning permit**
  Apply to the Town of Herndon for a short-term lodging zoning permit ($200, good for two years) and add the home to the town's registry. The town inspects before you start and can reinspect. The permit doesn't override HOA rules.
- [ ] **Advertise with your permit number**
  Every listing must show your permit number and where guests park: two designated spaces for a single-family home, one for a townhouse or condo.
- [ ] **Taxes on each stay**
  Stays under 90 days owe 6% sales tax, and stays under 30 days also owe the local transient occupancy tax. Airbnb collects both on its bookings. If guests pay you directly, file sales tax with Virginia Tax. Herndon charges its own 6% lodging tax, and the 5% tourism and regional tax goes to Fairfax County. For direct bookings, file the town return every month, even when you owe nothing.

Fees

$200 every two years

Short-term lodging zoning permit (2 years)	**$200**

Inspection checklist

- [ ] **Working fire extinguisher.**
- [ ] **Smoke and carbon monoxide detectors.**
- [ ] **Town inspection before you start.** With reinspections later.

House rules for guests

Events: Not allowed

No gatherings beyond the registered guests.

Who to contact

Department of Tax Administration (lodging tax): 703-222-8234

Official sources

Virginia Tax: Guidelines for sales tax on accommodations (P.D. 21-116)-
. https://tax.virginia.gov/laws-rules-decisions/rulings-tax-commissioner/21-116

Virginia General Assembly: Short-term rental registries (Va. Code § 15.2-983). https://law.lis.virginia.gov/vacode/15.2-983/

Fairfax County Department of Tax Administration: Transient Occupancy Tax-
. https://www.fairfaxcounty.gov/taxes/business/transient-occupancy-tax

Connection Newspapers: Town of Herndon Approves Short-Term Lodging (January 15, 2020)-
. https://www.connectionnewspapers.com/news/2020/jan/15/town-herndon-approves-short-term-lodging/

Virginia Tax: Virginia Locality Transient Occupancy Rate Chart (as of July 1, 2025)-
. https://www.tax.virginia.gov/sites/default/files/inline-files/transient-occupancy-tax-rate-chart_18.xlsx