

# HOTREC CHART TOWARDS A SUSTAINABLE AND RESPONSIBLE “SHARING” ECONOMY IN TOURIST ACCOMMODATION

## 01 Integrate Short-Term Private Accommodation Rentals in Legislation as Tourist Accommodation

Legislation surrounding tourist accommodation should be amended to ensure that private residential spaces rented for short term via P2P platforms is properly recognised and accounted for through an official, publicly available register in each destination.

## 02 Establish Processes for Registrations, Permits

- Specifically, destination authorities shall require all hosts wishing to rent space through STR, to first register and obtain a licence, the number of which should be publicly visible through whichever channel (online or offline) the space is listed. The cost of setting up such a system in each jurisdiction should be covered by a licence fee relative to the type of space to be rented out.
- Destination authorities should also take all measures necessary to monitor licensed and unlicensed STR activity in their jurisdictions and engage platforms in the regular monitoring and removal of unlicensed STR offered through their services.
- Legislation should control the concession of permission to operate STR in each geographical area according to key considerations (e.g. quality of life of residents, safety and security of visitors, visitor flow management, protection of publicly-funded social housing, etc.).

## 03 Measure Short-Term Private Accommodation Rentals in Tourism Statistics

Registration would also help to build reliable statistics on the extent of the offer through STR.

## 04 Enforce Requirements and Carry Out Inspections for Safety and Security

- Basic safety requirements for STR shall be put forward as expressed e.g. in Hotel [Fire Safety MBS Methodology](#): Clear indication of a responsible person for fire safety procedures, including a contact number in case of emergency, a fire safety register, an emergency response plan including the indication of escape routes, fire risk assessment, a contingency plan; when food is offered, registration of the activity and following the HACCP procedures, mandatory for all food providers; pesticide control.
- Hosts renting through STR should be aware of the safety and security regulations for rented visitor accommodation in force in their respective destination and that compliance is ensured.
- Platforms shall ensure that their listings only contain offers complying with such safety and security regulations, thus reassuring consumers.

## 05 Comply with Fiscal Regulations

- Data on STR registration should be cross-referenced by tax authorities in cooperation with destination authorities to ensure that income received from STR is subject to appropriate fiscal scrutiny, and that hosts are able to pay tax and other fiscal contributions due on this income in a timely and efficient manner.
- Specifically, it is recommended that destination authorities imposing a tourism tax ensure that this tax is applicable to visitors using STR, and that this tax is collected from the guest by the P2P platform and remitted on the host's behalf directly to the destination authority.
- Where tourism tax is remitted by P2P platforms to the appropriate tax authorities, this should be done in a transparent manner, with a public declaration of the quantity of tax due vs the number of bednights stayed.

## 06

### Verify Visitor Identity according to Schengen Convention Requirements

- Signatory States to the Schengen Implementing Convention shall state clearly that they consider spaces rented through STR as ‘establishments providing accommodation’. They shall make clear what mechanisms are taken to ensure that hosts comply with the Schengen requirements on the collection of guests’ ID upon arrival, as is the practice for good reasons in the regulated accommodation sector with respect to Article 45 of the Convention.

## 07

### Protect Employees’ Rights and Benefits

Hosts renting through STR should be aware of their obligations towards their employees and that compliance is ensured in relation to the rights and obligations that arise from an employment contract according to the legislation in force in each destination.

## 08

### Protect Quality of Life in Neighborhoods

- Before a permit to operate a residential property as STR is granted, the host must declare that he or she has notified the immediate neighbours (above, below and adjacent), and where applicable, the building management of the intention to engage in STR.
- Specifically, it is recommended that destination authorities dedicate sufficient resources and set up adequate mechanisms to receiving and following up on complaints relating to STR, and to sanctioning offending STR where applicable.
- Destination authorities should hold public consultations on the use of residential units for STR in order to properly inform the legislative process, and ensure that long-term residents are properly aware of the implications of zoning with regard to STR in their jurisdiction.

## 09

### Clarify and Ensure Proper Distinction between Residential and Commercial Property

The use of residential property for STR should be monitored and controlled (through enforcement of relevant legislation and introduction of new mechanisms). Specifically, it is recommended that destination authorities should devote sufficient resources to:

- coordination with other relevant governmental authorities (e.g. housing, urban planning, citizen registration)

- concession of licences to operate according to limitations reflecting properly the nature of rental activity in each destination (e.g. maximum number of STR in a neighbourhood or building, selected neighbourhoods in which STR are permitted, selected types of housing for STR, maximum number of rental days per year, maximum number of times per year a property can be rented, maximum number of properties that a host can rent, maximum number of guests that can occupy a property).
- planned and random inspections to monitor enforcement
- periodic reviews of policy impact and implementation
- regular consultations with long-term residents
- periodic impact assessments of STR and visitor flows in their jurisdictions in light of STR as a commercial activity
- the control the use of publicly-funded social housing for STR
- the control of the operation of multi-unit rentals and ‘illegal hotels’

## 10

### Control the Dispersal of Short-Term Private Accommodation Rentals

- Specifically, it is recommended that destination authorities update legislation so as to ensure that spaces rented through STR are rented solely by the owner of that space or at least with the consent of the owner, provided that the availability of affordable housing is protected. Systems used for the registration of spaces to be rented through STR should be sufficiently integrated with systems used for the registration of citizens and building use, so as to allow for the efficient monitoring and enforcement of regulations resulting from this recommendation.
- Where a listing contravenes local legislation (for example, by not being properly registered, or through not meeting local criteria for STR), P2P platforms should act first to remove the offending listing.
- Where hosts rent spaces through STR that are in clear contravention of local regulations, P2P platforms should adhere to a duty of care not to allow offenders to continue to list their space and process bookings, by removing the listing and suspending existing bookings. P2P platforms should also facilitate data that would allow for the proper identification and prosecution of hosts who operate STR in contravention of the law.
- Where hosts rent spaces through STR, properties should not be rented to visitors for more than 60 days per year.