

STRICTER REGULATIONS FOR AIRBNB GRAVELY AFFECT THE PLATFORM



For years, there was a wild match between municipalities and the accommodation platform Airbnb, especially in Europe. The cities were primarily concerned that, on the one hand, residential space should not be misused for tourism purposes, and on the other hand, that all commercial law and, above all, tax principles should be observed.

In many cities, this has now led to corresponding regulations for Airbnb with sometimes drastic consequences. For example, **Airbnb has lost around 80 percent of its addresses in Amsterdam following the introduction of stricter rules for private room rentals.**

Since October 1, Amsterdam has had a registration requirement. Anyone who wants to rent out their apartment to tourists must register in advance. As a result, the number of ads on all online accommodation agencies has fallen drastically, with the market leader Airbnb down from more than 16,200 in spring to around 2900 now.

Amsterdam Tries to Face the Housing Shortage

Amsterdam had previously made several attempts to curb the private room rentals, primarily to counter the great housing shortage in the Dutch capital and curb mass tourism. Since October, landlords have now had to include a registration number in their advertisement. This makes it much easier for authorities to track down illegal landlords. Airbnb removed all ads that did not have this number. However, the platform expects that more tourists would seek accommodation on the outskirts of the city.

Airbnb operates an internet platform on which rooms and vacation apartments are offered for rent. In December 2019, the Berlin district office Tempelhof-Schöneberg had obliged the Dublin-based company to provide the names and addresses of numerous providers and the exact location of their quarters. The landlords had been listed in online listings. According to the court, the district office suspected that the ban on the misappropriation of apartments was being violated because the advertisements had no or incorrect registration numbers or the business data of commercial landlords could not be identified.

Permission Also Required in Berlin

However, a registration number was introduced by law precisely because of the increasing anonymous offer of vacation homes on the Internet, the court said. It usually applies to landlords who offer their apartment as a vacation home for a short time. The number is supposed to be a proof of a legal offer on the Internet. Anyone in Berlin who wants to rent out their apartment to vacationers has needed a permit to do so since 2014. The law has been tightened further, and the regulations for Airbnb are to become even stricter because of the shortage of living space.

Airbnb had argued that the district office's decision was unlawful and that the requested information was unconstitutional.

In addition, Airbnb was being asked to violate the Irish data protection law. However, the court

ruled that there were no constitutional objections to the decision. Although the fundamental right to informational self-determination was infringed, this was proportionate, sufficiently defined and clear. The plaintiff could not invoke Irish data protection law. The so-called country of origin principle could not be applied here.

According to a survey by Deutsche Presse-Agentur, Berlin districts have imposed millions of euros in fines on providers of unauthorized vacation rentals since 2018; in seven districts, the total amounted to 3.4 million euros.

Municipal Apartments in Vienna Blocked

In Vienna, Airbnb recently announced that it would take all municipal buildings off the platform. This was preceded by a ruling by the Vienna Commercial Court that municipal apartments may not be offered for rent by the platform. Apartments there can therefore no longer be re-rented via the provider. Vienna Authorities prohibit its tenants from doing this, but not all have complied in the past. Airbnb had previously promised to no longer offer municipal apartments, but asked the city to report corresponding advertisements. City Hall did not consider this feasible and insisted on a general blocking of the addresses.

As part of a voluntary initiative, Airbnb said it was now removing offers in community housing from the platform. Because one wants to support a fair and future-oriented regulation for short-term rentals. The list had been provided by the city. It was not blocked if customers explicitly declare that the accommodation is not located in a municipal building or no effective subletting ban exists.

Access to the Portal for the City of Vienna

Furthermore, Airbnb regularly informs all Viennese hosts, that accommodations in municipal buildings should not be offered in case of a subletting ban. If advertisements do violate this and this is reported, they will be taken off the platform. "To make this as easy as possible for the city, Airbnb would like to grant the city of Vienna access to the Airbnb city portal as the first partner in Austria," it said. **Through the portal, city authorities could inform the company directly about problematic listings so that Airbnb could take appropriate action.**

In addition, a nationwide digital registration process for hosts is supported. According to the platform, such a procedure already exists in other European countries. Furthermore, Airbnb will provide regular key figures on rentals in Austrian cities in cooperation with the EU Commission.

Date: 2021-11-08

Article link:

<https://www.tourism-review.com/eu-countries-introduce-more-regulations-for-airbnb-news12256>