

STRICTER RULES WILL APPLY TO SHORT-TERM RENTALS IN VIENNA



Summer is here, and many travelers are planning their vacations. However, starting July 1, 2024, those who host guests in Vienna through short-term rentals will be subject to new regulations.

Due to an increase in the conversion of living spaces into tourist accommodations, the city has imposed these regulations to regulate the industry.

Although this is a new development, **Vienna only follows in the footsteps of other European cities like Paris, Barcelona, and Amsterdam**, which have already implemented similar rules. But what does this mean for Airbnb's business model? Does it mean the end of it?

The answer is no. Short-term rentals in Vienna of two to thirty days, also known as home sharing, will continue to be available throughout the city, but with certain limitations.

Short-term rentals in Vienna Go Back to the Origin

It is allowed for a person to rent out a dwelling as their main, secondary, or secondary residence for a short period—no more than 90 days a year. This means you can rent your home during holidays, for example. Property owners who decide to rent out their homes are usually required to pay a local tax, even though they don't need the co-owners' permission.

However, you can no longer offer an apartment exclusively for short-term rental. This change brings the law closer to Airbnb's original idea, where the founders, Brian Chesky and Joe Gebbia, placed an air mattress in their living room to create a sleeping option for guests. This change takes the law back to its original business idea.

Authorization Required

If you want to offer a short-term rental in Vienna that doesn't meet the conditions mentioned above, you'll need an exemption in the future. Whether your apartment is inside or outside a residential zone makes a difference. Residential zones are areas designated to preserve the housing stock in a particular zone. Getting a permit for a short-term rental within a residential zone is harder.

To get an exemption for an apartment outside a residential zone, you must meet the following requirements: The apartment must not be in a residential zone or an allotment, and no housing subsidies must have been used to build it. Also, more than 50 percent of the units in the affected building must still be used for regular residential purposes.

To be granted the exemption, you'll need the consent of all (co-) building owners. The exemption is valid for a maximum of five years, after which you'll need to apply for a new one. Even if short-term rentals are allowed, they're not allowed for an unlimited period.

An exemption permit can be granted for using an apartment for short-term rental within a

residential zone, subject to certain conditions. The permit must be granted only if, after excluding the ground floor and basement, at least 80% of the usable living space remains in the building. An exemption can also be granted if the quality of living in the affected recreation rooms is reduced by external factors such as lighting and ventilation or due to the apartment's unfavorable position on the ground floor. Additionally, an exemption can be granted if an equivalent living space is created in the same residential zone and district with a similar apartment size, equipment, and average rent. Co-owners in the building can object to this exemption, but once the permit is obtained, it will remain valid indefinitely.

More Control and Penalties

Enforcing the ban on short-term accommodation in residential areas without a permit was challenging in the past. Vienna's authorities relied mainly on complaints to take action. However, new measures have been introduced to make tracking easier. **This includes a requirement for authorization and exchanging data with the tax authority on existing local tax accounts.**

Furthermore, the penal provision has been extended to cover not just the actual rental but also the offering of an apartment online in violation of building regulations. This is punishable as an administrative offense, leading to 300 additional administrative criminal proceedings per year. The penalty range of up to 50,000 euros applies to the provider and the owner.

Although some will still be allowed to rent short-term homes in Vienna, companies offering entire homes through Airbnb must find a new approach. One option may be repurposing the zoning, meaning the premises would no longer be classified as apartments.

Date: 2024-04-08

Article link:

<https://www.tourism-review.com/short-term-rentals-in-vienna-to-be-regulated-more-strictly-news14298>