Data collection and sharing relating to short-term accommodation rental services

2022/0358(COD) - 29/02/2024 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 493 votes to 14, with 33 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on data collection and sharing relating to short-term accommodation rental services and amending Regulation (EU) 2018/1724.

The proposal aims to establish harmonised rules for the collection and sharing of data with the competent authorities regarding the provision of short-term rental services offered by hosts through online short-term rental platforms.

It aims to promote a transparent and responsible platform economy in the EU, while protecting consumers from fraudulent short-term rental offers.

The European Parliament's position adopted at first reading under the ordinary legislative procedure amends the Commission's proposal as follows:

Registration procedures

A Member State that imposes a requirement on online short-term rental platforms to transmit data to competent authorities in accordance with this Regulation should establish or maintain a registration procedure for units located in areas of its territory where such data transmission requirement applies.

Member States should ensure that:

- registration procedures operate on the basis of declarations made by hosts;

- registration procedures are provided **online, and free of charge, where possible, or at a reasonable and proportionate cost**, and allow for the automatic and immediate issue of a registration number, that shall not include personal data;

- registration procedures are subject to effective appeal mechanisms within the Member State;

- registration numbers are included in a **public and easily accessible registry**;

- hosts are able to submit all documents required as part of the registration process in a digital format.

Information to be provided by hosts

The amended text states that for each unit, the host should submit a declaration containing the following information:

- the specific address of the unit including, where applicable, its number, letterbox number, if different, the floor that the unit is on, the land registry reference or any other type of information that enables it to be precisely identified;

- the maximum number of available bed places and of guests that the unit accommodates;

- where applicable, whether the unit is subject to an authorisation scheme under which the host is required to obtain authorisation to offer short-term rental accommodation services from the relevant competent authority, and if so, whether the host has obtained such authorisation.

Where a host is a natural person, that person's name; national identification number or other information allowing the identification of the person; address and contact telephone number should be communicated.

Where appropriate, Member States may also enable hosts to declare additional services that are ancillary to the short-term accommodation rental services.

Verification by competent authorities

Competent authorities may, at any time after the registration number has been issued, verify the declaration and any supporting documentation submitted by a host. Where a host fails to rectify the requested information or documentation, the competent authority should have the power to suspend the validity of the affected registration number or numbers and to issue an order requesting online short-term rental platforms to remove, or to disable access to, any listing relating to the unit or units in question without undue delay.

Where a registration procedure applies, Member States should ensure that national law enables the competent authorities to order providers of online short-term rental platforms to provide the requested information and to remove listings concerning units offered without a registration number or with an invalid registration number, or in cases involving the misuse of a registration number.

Safer rental services

Online short-term rental platforms should:

- make reasonable efforts to randomly check on a regular basis, declarations of the hosts concerning the existence or not of a registration procedure, and, where such a procedure exists, the validity of the registration number provided by the host;

- inform the competent authorities and hosts of the results of random checks as soon as possible, with regard to inaccurate host declarations, cases of misuse of a registration number, or invalid registration numbers;

- based on the information provided by the hosts, ensure that the datasets they transmit to the competent authorities pursuant to this Article are complete and accurate.

Exchange of data

Member States should set up a **single digital entry point** to receive data from platforms about host activity. Providers of online short-term rental platforms should collect and, on a monthly basis, transmit to the single digital entry point of the Member State where the unit is located, activity data per unit, together with the corresponding registration number as provided by the host, the specific address of the unit and the URL of the listing. Online short-term rental platforms that qualify as small or micro enterprises should not be expected to use machine-to-machine communication means of data sharing provided that they did not, in the previous quarter, reach a monthly average of 4 250 listings in the Union.

Member States should designate the national entity responsible for transmitting, for each unit, the activity data and the registration number obtained, the municipality where the unit is located and the maximum number of available bed places that the unit accommodates, on a monthly basis, to national, and where relevant, regional statistical offices and make such data available to Eurostat.