

Short Term Letting

What is Short Term Letting?

Short term letting is the term used to describe the letting of your home for less than 90 nights per calendar year, as a means of additional income.

If you are considering letting your property for short stay holiday accommodation through on-line platforms such as Airbnb or Booking.com you need to be aware of the legislation.

The legislation

The Deregulation Act 2015 amended the existing legislation so that the short-term letting of a residential house or flat is now permitted, subject to 2 conditions:

the total number of nights that a property is used for short term letting in a calendar year (1 January to 31 December) must not exceed 90;

at least one of the persons providing the accommodation for short term letting is liable to pay Council Tax at the property where the accommodation is provided.

This is the link to the Act: <http://www.legislation.gov.uk/ukpga/2015/20/section/44/enacted>

Consequences of Non Compliance

If you let your property for more than 90 nights or you are not liable to pay council tax then you are acting unlawfully and you may be served with an enforcement notice. An enforcement notice would be served on all those with a legal interest in the land, such as the freeholder, leaseholder and the mortgage provider.

This notice would also be entered on the local land charges register, which could make any future sale or financing of your property more difficult.

Failure to comply with an enforcement is an offence which may result in an unlimited fine upon conviction in the Magistrate's Court or the Crown Court.

We trust that home owners would take reasonable steps to ensure that the use of the property for short term letting does not cause any disruption to the neighbourhood or any nuisance to your neighbours.

Reporting Short Term Letting

Should you suspect that a property is being let for more than 90 nights in a calendar year you can report it here:

<https://www.rbkc.gov.uk/planning-and-building-control/planning-applications/guidance-and-advice/planning-enforcement>

You can help us with the investigation by providing the following information:

Details of the on-line listing;

How long the property has been used for short term letting;

Whether it is being used permanently for short term letting;

Details of any managing agents you suspect are involved;

How the use of the property adversely affects you.

If you have any queries please contact the planning enforcement team:

By phone: 020 7361 3012

By email: planning@rbkc.gov.uk

November 2018