

Call for Evidence on the Affordable Housing Act

eu travel tech position paper

eu travel tech represents Europe's leading travel intermediaries, including major platforms facilitating short-term rentals (STRs) such as Airbnb, Booking.com, and Expedia Group and Awaze. As a key interface between hosts and consumers, our members have direct insight into the functioning of the STR ecosystem and are well placed to contribute constructively to this discussion.

eu travel tech welcomes the opportunity to comment on the European Commission's [call for evidence](#) on the forthcoming Affordable Housing Act, as announced by Housing and Energy Commissioner Dan Jørgensen. Three core points should guide future discussions on this initiative:

Housing stress and the limits of single-factor explanations

Housing stress arises from a wide range of structural and local factors, including urban planning constraints, construction dynamics, demographic developments, and the availability and use of existing housing stock. Its causes are therefore inherently context-specific and cannot be reduced to a single driver. In this context, the apparent focus of the initiative on short-term rentals as a primary area of intervention warrants particular attention.

While short-term rental activity is frequently cited in policy debates, the extent to which it materially contributes to housing stress remains uncertain and likely varies significantly across local markets. The coexistence of STR activity and housing pressures does not, in itself, establish a causal relationship. Any such relationship must be demonstrated through robust, localised and data-driven analysis that distinguishes correlation from causation and situates STR activity within the broader housing ecosystem.

This limitation is central to the current policy discussion: where the evidentiary basis for identifying specific drivers remains incomplete, targeted regulatory intervention risks being both ineffective and disproportionate.

The role of the EU STR Regulation in closing the data gap

In this context, the forthcoming application of Regulation (EU) 2024/1028 on short-term rental data collection and sharing (the EU STR Regulation) is a critical development. For the first time, it will provide public authorities with access to harmonised and comparable

data on STR activity across the European Union, enabling more granular and reliable analysis at local level.

This framework has the potential to significantly improve the understanding of how STR activity interacts with housing markets, including whether, and under what conditions, it may contribute to housing stress. However, this potential will only materialise once the Regulation is fully implemented, data is consistently collected, and sufficient time has elapsed to allow for meaningful analysis.

Advancing additional regulatory measures before this data framework is operational would risk pre-empting the very evidence needed to possibly justify such action, if, and only if a causal link between housing stress and Short-Term Rental activity can be reasonably established. A more effective approach would be to allow the Regulation to fulfil its purpose, with a view to informing any future policy decisions on a solid empirical basis.

An existing framework already enabling proportionate action

The current EU legal framework already provides Member States and local authorities with the tools necessary to act where justified by local conditions.

Under the **Services Directive**, as interpreted by the EU Court of Justice in the *Cali Apartments* judgment (joined Cases C-724/18 and C-727/18), restrictions on short-term rental activity are permissible where they pursue a legitimate public interest objective and comply with the principles of **necessity, proportionality, and non-discrimination**. This framework allows for targeted intervention in areas experiencing housing pressures, while ensuring that measures remain appropriately tailored to their objective.

In parallel, the **Digital Services Act** establishes a horizontal framework governing the responsibilities of online platforms. Along with the EU STR Regulation, these instruments form a coherent system that already accommodates regulatory responses to short-term rental activity, without the need for additional sector-specific legislation at EU level.

Where uncertainties remain, these are primarily linked to the interpretation and application of existing rules, rather than to the absence of a legal framework. In this regard, the development of **targeted legal guidance at EU level** could represent a constructive and proportionate way forward. Guidance building on existing EU legislation and relevant case law could help clarify how key principles—such as proportionality, necessity and non-discrimination—should be applied in practice to short-term rental activity.

Such an approach would provide **greater legal certainty for both public authorities and market participants**, supporting consistent and well-calibrated regulatory responses across Member States, while avoiding the risks associated with unjustified or overly prescriptive legislative intervention that would have adverse impacts on local economies that depend on tourism facilitated by the STR sector.

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Conclusion

eu travel tech remains committed to engaging constructively with the European Commission and stands ready to contribute its expertise to support balanced, evidence-based and proportionate policy solutions.