

From: [REDACTED]
Sent: martedì 22 novembre 2022 12:05
To: [REDACTED]
Cc: [REDACTED]
Subject: Meeting with Airbnb - 21/11/2022

Dear [REDACTED]
Here a minute of yesterday's meeting with Airbnb
A shorter version will be put in the overview

Meeting with Airbnb

Participants

- [REDACTED] + 3 Airbnb Lawyers
- [REDACTED]

Airbnb welcomes the proposal but regrets that authorisation schemes - which according to Airbnb are strictly linked to registration, are fragmented, non-proportional or discriminatory - are not tackled at all. Airbnb would also have preferred a EU registration scheme and an EU SDEP.

Airbnb asked the following questions/raised the following issues:

- Preparatory process:
 - How did we arrive to the proposal? What happened with the scrutiny board?
 - COM: Originally market access was part of the proposal but then has been taken out taking into consideration subsidiarity. The Services directive apply in any case. The proposal concentrates on data sharing which has also spill over effect on transparency and exchange of data. In particular the Services directive is still there so this also helps and this is how things evolved. More data can bring to more proportionate rules
- Registration schemes:
 - COM: Registration schemes are best practice. The proposal set some rules to harmonise registration scheme
 - Existing regulations on registration scheme: what will happen for example [REDACTED] where you registration and permit are linked?
 - COM: The proposal envisage the separation of the two: the registration scheme cannot be linked to the permit
 - Could we say that a registration scheme is unlawful if it is not in conformity with the STR proposal?
 - COM: Article 4 of the proposal provides that Any registration procedure established by a Member State, at national, regional or local level, for units located in its territory, shall comply with the provisions of this Chapter
 - Registration scheme in a MS is ok but the underlining authorisation scheme is unlawful, what happens?

- COM: The proposal does not touch on the authorisation scheme so even if the latter is unlawful you should not be able to refuse the sharing of data
- Random checks:
 - Who will decide if a platform complies with the random checks obligations?
 - COM: The enforcement in this case will be the same as in the DSA so the coordinator will be responsible
 - What is a random check?
 - COM: Difficult to say in detail today: it depends on the general approach under the DSA (how DSA will be implemented and the way our colleagues in CNECT will interpret in the more general context)
- SDEP:
 - Would it be possible to have a testing period for platforms and public authorities to make sure that the system works? The coordination group for SDEP should also interact with platforms
 - COM : could be part of the 2 year period for the establishment of the SDEP
 - The Commission should have an obligation (and not only a possibility) to adopt implementing acts to harmonise all technical specs
 - COM : we will see what the reactions and developments on the ground are