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Duff on Hospitality Law

Europe Moves to Rein In Short-Term Rentals

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Hi there - welcome back to the *Regulatory Check-In*!

This week: the EU lays out a new legal framework to help cities crack down on short-term rentals in stressed housing markets, and the FTC extends its comment period on personalized pricing enforcement.

EU Unveils Rules to Help Cities Crack Down on Airbnbs: The European Commission has proposed the Affordable Housing Act, a new legislative framework that would give local authorities a clear legal basis for restricting Airbnb and other short-term rentals in housing-stressed markets. The proposal creates an evidence-based screening process for identifying areas under pressure and requires authorities to show a "significant adverse effect" from STRs before imposing restrictions, which would be capped at five years. Crucially, the framework would remove STR restrictions from the EU's Services Directive, shielding cities from the legal challenges that have previously stalled local bans. Industry groups are pushing back, arguing the rules lack oversight and target STRs rather than the broader housing supply problem. If adopted, this regulation could meaningfully reshape the competitive landscape for hotels and resorts in European leisure markets. Cities that impose STR restrictions would effectively redirect traveler demand toward traditional hotel inventory, particularly in high-tourism destinations that have already been testing the limits of local regulations. The proposal still needs approval from EU member states and Parliament, but it's the clearest signal yet that the EU is handing to local authorities enforceable tools to regulate short-term rentals at scale.

FTC Extends Public Comment on Personalized Pricing Enforcement: The FTC extended by seven days the public comment period on its proposed enforcement policy statement regarding personalized pricing, i.e. the practice of using personal data to set prices based on what a company believes an individual consumer is willing to pay. The new deadline is September 25. This continues the surveillance-pricing wave we've been tracking, and the broader state-level push against data-driven pricing. A formal FTC enforcement posture would add a federal layer on top of the patchwork of state laws already emerging. The extension is modest, but it signals sustained public and stakeholder interest. If your pricing relies on any form of data-driven or dynamic pricing, the comment period is the time to weigh in or at least review the proposed statement for potential enforcement risk. If you are a hotelier and your revenue management system uses guest data (for instance booking history, loyalty tier, device type, geographic location) to adjust rates for individual consumers, this is squarely in scope. The FTC isn't targeting supply-and-demand-based dynamic pricing (seasonal rates, occupancy-based adjustments), but it is targeting the use of personal data to estimate an individual's willingness to pay.

Until next time.

EU Unveils Rules to Help Cities Crack Down on Airbnbs
September 9, 2026 via Skift
Brussels has laid out a legal roadmap for restricting short-term rentals in stressed housing markets. Critics argue the rules lack oversight.

FTC Extends Public Comment on Proposed Policy Statement Regarding Personalized Pricing
September 3, 2026 via Federal Trade Commission
The Federal Trade Commission extended by seven days the public comment period on the proposed enforcement policy statement regarding personalized pricing.

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