

Do you have any comments on the structure or clarity of the Draft Guidance?

Whilst I support the overall objective of the legislation addressing fake reviews for example, I am extremely concerned that certain parts of the proposed implementation may not align well with established practices in the self-catering tourism sector that could lead to unintended consequences. The current draft guidance on unfair commercial practices under the DMCC Act 2024 poses considerable challenges to the short-term holiday let industry, particularly concerning the role of agencies. While ensuring consumer protection is crucial, some of the proposed measures have the potential to disrupt the core operations of agencies, compromise security, infringe on property owner privacy, and affect the overall integrity of the sector.

Do you have any comments on the illustrative examples of commercial practices applying the prohibitions? Are there any areas where you think additional examples could usefully be reflected in the Draft Guidance?

I have concerns that certain industry-specific scenarios, which should not fall within the scope of the ‘viable in practice’ category, may inadvertently be included. Examples include: Dog-friendly holiday homes (and agents): Some properties market themselves as dog-friendly, making this a key selling point. However, an additional fee applies for bringing dogs. Linen charges: Some holiday homes offer an optional linen service—guests can bring their own, but if they choose to have linen provided, an extra fee applies. While both charges are optional, I am concerned that, given the nature of the product and consumer expectations, it should be clarified that the provisions outlined in section 9.20 of the guidance do not apply in these cases. My concerns include the following: I kindly request further clarification and tourism-specific examples to confirm that the concept of ‘viability’ (where an optional charge is treated as mandatory) does not apply to scenarios such as these. In these cases, while consumers may be inclined to opt for the additional service due to the nature of the accommodation, it is not a certainty—particularly if they do not have a dog or require fewer services than the maximum allowance.

Do you have any comments on the Draft Guidance on the ‘drip pricing’ provisions in the DMCC Act (found in the ‘Material pricing information’ section of Chapter 9 of the Draft Guidance), including the illustrative examples? In particular, are there any specific pricing practices that have not been included in the ‘drip pricing’ illustrative examples which you think it would be helpful to include, and if so, what should such further guidance specifically cover?

If a refundable damage deposit—whether paid upfront or held against a card—is classified as a mandatory fee and therefore required to be included in the headline price, I am concerned that this could mislead guests by making the booking appear more expensive than it actually is. In reality, the deposit is only charged in the event of damage. I believe it is not in the spirit of the legislation to include such charges in the headline price, as they are rarely incurred. However, I fully support ensuring that these charges are clearly communicated to consumers during the booking process. I respectfully request further clarification on this issue and strongly advocate for the guidance to explicitly address refundable damage deposits, confirming that they do not fall under drip pricing regulations.

Do you have any comments on the Draft Guidance on the banned practice relating to fake consumer reviews (found in Annex B to the Draft Guidance)?

I am happy with any steps taken to avoid fake consumer reviews. I would however like to hear any guidance relating to if lettings agencies put up their own reviews - being obvious that the review is by the lettings agency itself - on why they love the property.

Do you have any other comments on topics not covered by the specific questions above? If so, the CMA requests that respondents structure their responses to separate out their views in relation to each of the Draft Guidance's chapters

One of the most pressing concerns is the proposed requirement for agencies to disclose full contact details of property owners at the invitation to purchase stage. This raises significant issues related to privacy, security, and the overall viability of the agency model. Mandating the disclosure of owner contact details would: Increase the risk of fraud and phishing attacks, exposing both owners and guests to potential cyber threats. Undermine the role of agencies as intermediaries who provide critical services such as guest screening, dispute resolution, and secure payment processing. Disrupt the agency business model, diminishing the value agencies bring in marketing and operations, and potentially encouraging direct bookings. This could lead to revenue losses and the withdrawal of properties from the short-term rental market. I strongly urge the CMA to acknowledge the essential role agencies play in safeguarding both property owners and guests and to revise the guidance to allow agencies to continue operating as intermediaries without the obligation to disclose owner contact details. I fully supports fair trading practices and consumer protection; however, I emphasise the need for regulations that do not disrupt a well-functioning market. The agency model is instrumental in ensuring security, guest support, and fraud prevention—benefiting both consumers and property owners. Disclosure of Contact Information I am deeply concerned about the draft guidance requirement for agencies to disclose full contact

information of the individuals they represent. In the context of the tourism industry, where agencies act on behalf of property owners, such a requirement presents considerable challenges that must be carefully reconsidered. Within the self-catering tourism industry, holiday booking agencies play a crucial role in marketing and promoting properties on behalf of individual owners. These agencies range in size from global platforms like Airbnb, Booking.com, and VRBO to smaller operators managing just a few dozen properties. While section 3.14 of the guidance includes 'agents' within the broad definition of traders, it lacks a clear definition of the term. Furthermore, section 9.11(g) explicitly states that when agents act on behalf of another party, the contact details of that party must be provided—subject to the principles of context and communication limitations. This interpretation suggests that under section 230 of the DMCC Act, property owner details, including contact information, may need to be disclosed at the invitation to purchase stage on agency booking websites. However, this raises several practical concerns:

- Owner preference for agency representation:** Property owners engage agencies precisely because they do not want direct consumer interaction. They rely on agents to handle inquiries and manage bookings, which aligns with long-standing industry practices and consumer expectations.
- Privacy and security risks:** Making owner contact details publicly accessible—such as email addresses—would expose them to spam and phishing attacks, undermining their confidence in the industry, which is vital to the UK economy, particularly in rural and coastal areas. This also increases the risk of scam holidays, where fraudsters could impersonate owners using spoofed emails.
- Property security concerns:** Requiring agencies to disclose exact property addresses alongside booking availability calendars could provide criminals with critical information about when properties are unoccupied, putting both properties and belongings at risk.
- Commercial impact on agencies:** Providing owner details at the invitation to purchase stage could encourage direct bookings, bypassing the agency and resulting in financial losses. Agents invest significant resources into marketing and generating inquiries, and losing commissions in this way threatens the sustainability of their business model. These concerns are not theoretical; past experiences validate them. For instance, Premier Cottages—a platform facilitating direct bookings with owners—initially displayed owner contact details online, leading to a surge in spam emails. They were forced to implement a contact form system to mitigate the issue. The practice of booking self-catering accommodation through an agent is well-established and widely understood by both consumers and owners. Booking websites clearly indicate that the property is being offered through an agent, with terms and conditions explicitly outlining the agency's role. Consumers are accustomed to contacting agents with queries, reinforcing the legitimacy of the process.

Key limitations to mandatory disclosure include:

- Increased risk of fraudulent holiday scams targeting consumers.
- Exposure of owners to unsolicited spam and phishing attempts.
- Potential threats to property and owner security.
- Financial loss to agents who have invested in generating inquiries.

Agencies already have measures in place to address these concerns,

providing contact details through monitored customer service teams rather than public-facing listings. I urge that the guidance be revised to acknowledge these unique industry circumstances. Specifically, I request confirmation that the context, marketing limitations across multiple platforms, and existing customer service provisions fall under section 230(8), thereby exempting agents from disclosing owner contact details at the invitation to purchase stage. Forcing agencies to provide full owner contact information at this stage would not only be detrimental to agents and property owners but would also ultimately harm consumers by increasing security risks and undermining the trusted role agencies play in the booking process.

Other information

With the restrictions already imposed and proposed on the tourism sector, there is no way the government will hit their target of increasing the revenue brought by tourism in this country. If anything tourism will begin to die out as people holiday abroad and owners decide it is easier to not let out their property if lettings agencies aren't able to perform their role effectively which in turn leads to a massive loss of jobs in the sector and in those economies that rely on tourism for businesses to thrive.
