



STAA response to the CMA's consultation on draft guidance on the protection from unfair trading provisions in the Digital Markets, Competition and Consumers Act 2024

Q5. 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so, the CMA requests that respondents structure their responses to separate out their views in relation to each of the Draft Guidance's chapters.

The Short-Term Accommodation Association (STAA) welcomes the opportunity to respond to the consultation on the CMA's draft guidance regarding unfair commercial practices. We appreciate the CMA's efforts to provide clarity on issues such as "drip pricing" and trader obligations. We have specific concerns relating to Chapter 9, Section 9.11 "Required (material) information" of the Draft Guidance. In particular, the guidance notes that UCP provisions require disclosure of "the identity of any other person on whose behalf the trader is acting" (section 9.11(e)) or, "if the trader is acting on behalf of another person (e.g., as an agent, subcontractor or representative), that other person's contact information" (section 9.11(e)).

The STAA is concerned by the potential implications of these requirements for operators in the short-term let sector, in particular agents, property managers and owners, for three reasons.

a. Protecting owners' privacy

Firstly, we wish to protect the privacy and security of property owners who have chosen to rely on agents and property management companies. Publicly displaying owners' personal contact details not only violates their privacy, but also opens them to risk of spam, targeted scams, their data being used on fake listings, or other forms of intrusion. Disclosing the property owner's identity and contact information on all listings would undermine the very service and safeguards that agents and property managers are contracted to provide by owners who wish to avoid such risks.

b. Protecting consumer experience

Secondly, the consumer experience risks becoming affected. If consumers were to use owners' contact details to negotiate a direct booking, they would lose out on the standards of safety and cleanliness as well as complaint handling mechanisms guaranteed by the advertising property manager, while being put at greater risk of targeting by scam holiday proposals.

c. Impact on tourism sector's economic growth



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On a separate note, the STAA worries that these requirements would have unintended consequences for the holiday let sector as a whole by undermining the well-established agency model. Agents, property managers and platforms invest significant resources in marketing, customer service, and booking infrastructure. Allowing users to circumvent them by directly contacting property owners would deprive them of returns from their investments and thus harm the UK tourism industry at a time where the country is prioritising economic growth.

d. Proposed clarification

Accordingly, we urge the CMA to consider clarifying or amending its guidance to acknowledge the unique structure of the short-term rental sector. This could mean recognising that, when engaged, the agent or property manager should be the only trader required to provide its contact information. In line with provisions of s230(8) of the DMCCA, agents or property managers could take steps to overcome limitations in communication. This approach would also be closer to the current European one, i.e. allowing consumers to contact property owners through booking platforms' own direct messaging systems, but without requiring property owners to disclose personal details, which would be irrelevant to the consumer's core interest. Hence, we recommend recognising the role of agents and property managers as the principal point of contact or exempting owner details where there is an agreement in place for agent or property manager to handle guest enquiries.

The STAA fully supports transparency and fairness in transactions and believes that the proposed solution would protect the privacy of property owners as well as the interest of consumers. We appreciate the CMA's willingness to listen to stakeholders and would welcome further discussions to explore practical solutions to ensure that the final guidance reflects the realities of our industry.