

Duff on Hospitality Law

## **OTA & Travel Distribution Update – Dec. 9th, 2016**

By Greg Duff on 12.23.16 | Posted in OTA Update

Our weekly client OTA & Travel Distribution Update for the week ending December 9, 2016 is below. Nothing too earth shattering this week, so we will keep things short . . .

**Short-Term Rental Regulations Continue to Evolve [SHORT-TERM RENTALS].** If I were asked by a law student today to identify areas of the law most likely to need new lawyers in the future, I'd have to say the short-term rental industry. Monitoring San Francisco's every-changing regulatory landscape alone will require at least 3 or 4 lawyers. In a surprising move, the mayor of San Francisco last week vetoed legislation that would have capped the number of nights that a host could make her residence available for nightly rentals at 60.

Only a few days earlier, Airbnb made several large concessions over earlier adopted City legislation requiring hosts to register with the City (which legislation remains subject to a pending (and still unresolved) federal lawsuit brought by Airbnb). Oh to be counsel to Airbnb . . .

**New Definitions of “Direct Booking” Begin to Emerge [OTA / METASEARCH].** Tnooz last week featured a story highlighting a discussion among panelists at a recent travel industry event co-hosted by Tnooz and the London School of Economics. Although the discussion was focused on airline distribution, the points made have equal application to the hotel industry. While reading the story, I was again struck by the fact that distributors and suppliers (at least those realizing the challenge of supporting and managing the dozens of existing and anticipated future distribution channels used by travelers) are beginning to strike a much more conciliatory tone about the distributor / supplier relationship. Yes, everyone on the surface remains a competitor, but many of these competitors are starting to realize the need to leverage each other's technological advances, historical relationships with travelers and customers, etc. These new relationships are likely to challenge the traditional notions of “direct” and “indirect” bookings.

### **S.F. mayor vetoes 60-day cap on Airbnb rentals**

San Francisco Mayor Ed has vetoed the city's 60-day hard cap on the amount of time residents can rent out their homes through Airbnb and similar competing sites.

NY Business Journal Residential Real Estate News on Dec 9, 2016

**When a Direct Booking (Maybe) Isn't a Direct Booking – Tnooz**

Where does the intermediary's relationship with the customer end and the airline's begin and what exactly is a direct booking? When you gather travel distribution execs together, inevitable discussions ensue around collaboration, emerging technologies and the power of Google and other companies including Facebook.

Tnooz on Dec 5, 2016