

# Renting Out Your Apartment (or House) for Seasonal Stays



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The trend of seasonal rentals has gained popularity since the launch of platforms connecting property owners and tenants, such as Airbnb. Hotels are no longer the only option for travelers, as seasonal rentals offer the freedom to stay easily in groups. However, if you're considering renting out your property, there are rules to follow. Discover them in the following lines.

## Seasonal Rental : Definition

A seasonal rental refers to the short-term rental of furnished accommodations, ranging from one night to several weeks. Specifically, Article D.324-1 of the Tourism Code describes these lodgings as "offered for rent to passing clientele who stay characterized by daily, weekly, or monthly rentals and who do not establish their domicile there." If the owner rents out their primary residence, such as through Airbnb, the rental is limited to 90 consecutive days per guest and 120 days per year. There are no limits if it's a secondary residence. Owners in tourist areas often resort to this, as there is high demand for temporary accommodations. Here's what you can rent in the market: Les appartements et les studios,

- Apartments and studios,
- Mobile homes or bungalows in a campground,

- Rooms in a private home,
- Unique accommodations (yurts, tipis, cabins, boats, etc.).

## The Concept of "Tourist Furnishing"

According to Article D.324-1 of the Tourism Code, a seasonal rental must be equipped with several items. These can vary depending on the type of accommodation, its location, or tenant requirements. However, there's a general list for essential everyday needs:

- **Basic furniture** : bedding, dining table and chairs, sofa or armchair, wardrobe or dresser, etc.
- **Kitchen equipment** : stove, hotplate, refrigerator, microwave oven, kettle, coffee maker, kitchen accessories, plates, cups, glasses, cutlery, etc.
- **Bathroom equipment** : shower or bathtub, mirror, clean towels, etc.
- **Internet connection**: most seasonal rentals provide free Wi-Fi.
- **Air conditioning and/or heating** : depending on the property's location.
- **Television**.
- **Cleaning and maintenance** : cleaning products and accessories (vacuum cleaner, broom), washing machine, dryer, or a nearby automatic laundry.
- **Recreational equipment** : board games, books, magazines, maps, and tourist information.
- **Safety equipment** : smoke detectors, fire extinguishers, first aid kits, electrical outlets.

While the setup depends on the property type and location, the tenant should feel at home!

## Owner's Obligations

Being the owner of a seasonal rental involves several commitments to both authorities and travelers.

### Administrative Duties

- Declare the seasonal rental to the municipality and the homeowners' association

The first step is to declare the seasonal rental to your city's town hall. This can be done online if the town offers the service, or by filling out Form [Cerfa n°14004](#) and sending it by registered mail with acknowledgment of receipt or submitting it in person..

In France, all tourist furnished rentals must be declared to the town hall unless the rental period doesn't exceed 120 days per year and the property is the owner's primary residence. The declaration must be made before the first day of availability and should include the following information: lessor's identity, property address, rental period, number of potential occupants, price, etc. The lessor will then receive a registration number to include in their online listings. Failing to comply with this requirement could result in a fine of up to €5,000.

Approval from the homeowners' association is also essential. Some associations may include clauses that prohibit or restrict seasonal rentals. L'accord de la copropriété est aussi indispensable. Certaines peuvent inscrire une clause pour interdire ou restreindre la location saisonnière.

#### • **Declare rental income to the tax authorities**

Annually, individual property owners must report rental income in the category of property income. A business must report it in the category of industrial and commercial profits (BIC). Depending on your personal situation, you may be subject to income tax and social contributions.

#### • **Tourist tax and security deposit**

The tourist tax is paid by the tenant, calculated per night and per person. It's either collected directly by online booking platforms (Airbnb, Booking, etc.) or paid by the tenant upon arrival or departure. In all cases, the tax is remitted to the relevant municipality. The amount varies based on locations within France and the type of accommodation.

While not mandatory for seasonal rentals, a security deposit is often requested to cover potential damages. The amount is not regulated by law but generally ranges between 20% and 30% of the rental price. The security deposit will be paid upon key handover and returned at the end of the stay. The rental agreement should outline the conditions for refund or otherwise

- **Individual Police Form**

This document attests to the tenant's identity and includes: name, first name, date and place of birth, nationality, usual address, phone number, email, and the stay's duration. It's mandatory for foreign clients, and the host must keep this information for 6 months to provide it to the police authorities if requested.

## **Responsibilities Toward Tenants**

In addition to obligations towards the municipality, homeowners' association, tax authorities, or judiciary, the owner also has responsibilities toward their clients.

- **Rental Agreement**

It must specify various elements such as the type of property (house, apartment, chalet, etc.), interior description (furniture, appliances, etc.), location, amount, duration, check-in and check-out times, payment terms, and cancellation conditions. This contract must be signed by both parties. As most people commit without an actual visit and rely on online ads, the contract must align with the advertised criteria.

- **Property Decency**

To rent out a property, it must meet certain hosting conditions. It must offer a minimum surface area, not pose any risk to the tenant's safety and health, not be infested with pests or parasites, have a minimum energy performance, and provide necessary equipment. These are essential elements for daily life.

- **Smoke Detector**

Installation has been mandatory in France since March 8, 2015. This safety measure applies to all property owners, whether the property is new or old. They must ensure its maintenance to prevent fire risks.

- **Home Insurance**

The owner is not obligated to have home insurance for a seasonal rental, but it's often necessary. It will cover potential damages caused by tenants.

Now you have all the tools you need to ensure your seasonal rental goes smoothly. It's time to take action!

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