

Creation of a single digital entry point for rentals (RD 1312/2024)

Legal Alert

March 2025

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We set out below a general overview of the **most relevant** aspects of **Royal Decree 1312/2024**, regulating **the single registration procedure for rentals** and **creating the single digital entry point in this connection**, with a view to data collection and sharing relating to short-term accommodation rental services, which will come into effect on **1 July 2025**.

Published at the end of 2024, **Royal Decree 1312/2024 of 23 December 2024** (BOE 24/12/2024) regulates the **single registration procedure for rentals** and creates a **single digital entry point in this connection**, with a view to data collection and sharing relating to short-term accommodation rental services ("RD 1312/2024" or "the Royal Decree").

The purpose of the Royal Decree is to (i) create a single digital entry point for rentals and (ii) define the single registration procedure for rentals, in accordance with **Regulation (EU) 2024/1028 of 11 April 2024, on data collection and sharing relating to short-term accommodation rental services and amending Regulation (EU) 2018/1724** and the applicable domestic legislation.

Although Royal Decree 1312/2024 entered into force on 2 January 2025, it will not take **effect** until **1 July 2025**, to give those required to comply with the obligation time to make the necessary technological and functional changes.

Until such time as a penalty regime for the infringements regulated in RD 1312/2024 is approved, the penalty regimes and obligations provided for in state, regional and local regulations will apply.

We set out below the main **features** of the Royal Decree.

Scope of application

RD 1312/2024 applies to:

- (i) **services rendered by online platforms to "hosts" providing short-term accommodation rental services in Spain**, irrespective of the place of establishment of such platforms; and
- (ii) **the accommodation rental services provided by hosts via the platforms**.

This legislation will apply **throughout Spain**.

However, RD 1312/2024 **will not apply to accommodation rental services not provided for remuneration**, understood as any form of economic compensation, regardless of its value or nature.

Definitions

This legislation includes the following definitions, inter alia:

- **"Short-term accommodation rental service"** means the short-term letting **for remuneration** of **one or more units**, whether for **tourism purposes or otherwise**, on a **professional or non-professional, regular or non-regular basis**, subject to the regulations governing
 - seasonal lets, under article 3.2 of the **Urban Leaseholds Law** ("LAU", per its Spanish acronym);
 - boat rentals subject to Regulation (EU) 2024/1028;
 - tourist rentals and the related penalty regime established by autonomous regions and local entities; and
 - where appropriate, the protection and defence of consumers and users.
- **"Unit"** means a **furnished accommodation** - affecting the whole unit or otherwise, where this is provided for in the applicable legislation - that is the subject of the provision of a short-term accommodation rental service.

It does not include:

- **hotels and similar accommodation** (including hotel complexes, apartment hotels, motels and hostels); or
- the provision of accommodation on **campsites** and in **caravan parks**.

- **"Host or lessor"** means a natural or legal person who provides, or intends to provide, a short-term accommodation rental service for remuneration through an online short-term rental platform, on a professional or non-professional, regular or non-regular basis.
- **"Single digital entry point for rentals": a national single digital gateway** for the electronic transmission of data between online short-term rental platforms and the competent authorities, as well as for reporting on the different uses, regulation and purposes of short-term rental units throughout national territory, set up as the means for compliance in Spain with the data reporting obligations set out in Regulation (EU) 2024/1028.

Characteristics of short-term accommodation rental services

These services may be provided in respect of **all** or **part** of a property (where this is possible under the applicable legislation), and also in respect of accommodation on **ships, boats or naval vessels**, provided such accommodation is not linked to a service that enables or entails navigation, in which case it shall always be governed by the applicable legislation. In either case, the services must relate to the unit as defined in this legislation.

Under the LAU and Regulation (EU) 2024/1028, short-term accommodation rental services:

- a) concern accommodation **not primarily intended for residential use** per article 2 of the LAU, but for temporary use, such as holidays, tourism, work, study, medical treatment or any other use that does not entail a permanent need for housing on the part of the lessee, per article 3 of the LAU.
- b) must include **adequate equipment, furniture and fittings** for the temporary use of the unit in accordance with Regulation (EU) 2024/1028.

Single registration procedure for rentals

As regards the single registration procedure for rentals:

- A system is established whereby an **identification number is required to operate on digital short-term rental platforms**.
- The **single digital entry point** will issue a **registration number for each dwelling earmarked for short-term rental**, i.e. tourist apartments, seasonal lets, or rooms, boats or any other properties eligible for use as short-term accommodation.
- To apply for **renewal of the registration number**, lessors must provide a list of the contracts signed and, in the case of seasonal contracts, the reason for signing such contracts.
- Under this system, it will also be necessary to provide a **copy of the licence** to operate the tourist accommodation, issued by the competent authority.

Voluntary registration number for urban leases under the LAU

Elsewhere, holders of in rem rights permitting them to enter into leases over properties may **voluntarily apply** for a **long-term rental registration number** in accordance with the procedure set out in Royal Decree 1312/2024.

In such cases, it will be necessary to submit the **information form** approved each year by Order of the Ministry of Housing and Urban Agenda.

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