
Airbnb rentals : How to rent your French home without trouble?

Renting a french property on the Airbnb platform may seem attractive, but **it's still subject to legal rules**. Here are the mistakes to avoid all troubles before renting on Airbnb in France.

If the rental Airbnb platform can seem attractive, being cautious is still very much advised when it comes to use it in France. Often unknown, French laws governing rents and lease may still apply. And all landlords and tenants are not sailing on the same boat.

In order to comply with French rental law, users of Airbnb must be aware of their own obligations. On the internet site, the rules clearly state : « The guests should be aware of local laws before they register as an host or as a guest on Airbnb ».

Many French cities are starting to implement more frequent checks, and the tax administration too. **Here are the precautions to take before anyone shall begin to rent its home.**

I am a tenant

For tenants, you must carefully read the lease. **For any contract signed before March 27th 2014, you do not violate any law in subletting your apartment without telling your landlord**, unless a clause is inserted on your contract.

However, and since the new so-called ALUR act of parliament passed on March 27th 2014, **it is now required for tenants to seek prior authorization from their landlord**. They will need either a letter or any written consent, or an amendment to the lease. If it is not granted, the property cannot be sublet. It is also compulsory to provide the subtenant with a copy of this authorization and a copy of the lease.

I am an owner and I wish to rent my French residence on Airbnb

If you are the proprietor and want to sublet your principal residence in France, you do not need any authorization. It is specified that a residence is considered to be primary or principal when it is occupied for more than eight months a year by its owner. This duration can be adjusted in regard of professional reasons, health problems or force majeure. So be careful with frequent sublets : your home may not

be considered as your primary residence anymore if you rent it too often, specially over four months a year.

I own and wish to rent a second home

If you own a French property as a second home and want to rent it, **you must declare this activity at the local City Hall**. Some municipalities, often those of areas over 200.000 inhabitants, not only oblige you to declare this rental activity, but also to apply for a formal authorization.

If your property is located on a touristic area, **you must charge your tenants a stay tax** (“*taxe de séjour*”) and then repay it to the municipality every six months.

The French rules on rentals

Other laws also govern the French rentals. If Airbnb may be a solution to earn some additional income, **you are still not free to determine the rent price totally by yourself**. The law state “the rent price per square meter of living space cannot exceed that paid by the principal tenant”.

The French law also regulates the surface of the rental. A room can only be rent if its surface is greater than 9 meters. If the room is smaller, its volume must be at least 20 square meter.

As per your tax obligations, they are simple. Your rents are declared under the micro BIC (business profits) as long as the return does not exceed 32.900 € a year. You will report the gross income on your annual tax return and be imposed on only a fraction of it.

What if I rent for more than 4 months a year?

In such a situation, it is necessary to comply with a heavier formalism. Before setting up a guest apartment rental, **you must first declare the activity at the local City Hall**. Next, and most importantly, you must apply for a permission to operate as a non-professional landlord at companies’ house and **modify the destination of your property at the Land Register and the homeowner association** if there is any.