

Frequently Asked Questions (FAQ) accommodation for tourism

I am planning to rent one or various homes - of any kind - in the Region of Valencia “for tourism, holiday or leisure use”.

What is tourist accommodation?

Accommodation for tourist use includes whole residential units (flats, chalets, semi-detached homes...), which are rented out regularly for tourist, holiday or leisure use, through the Internet or other new technology systems.

Article 47 of Consell Decree 10/2021, of 22 January, regulating accommodation in the Region of Valencia (hereinafter Decree of Accommodation) rules that homes may be rented whole, while individual rooms may not be rented.

Who is the titleholder in the Tourism Register?

The titleholder of the tourist accommodation is the legal or natural person, who may or may not be the owner of the property, responsible for the commercial use and for compliance with tourism regulations. Tourism accommodation may only be registered under one titleholder.

Can I register a home in the Tourism Register in person?

No. This process is fully digital, although the titleholder is a natural person (art. 21.2 of the Decree of Accommodation). Applications for processing can be sent through the following means of accreditation and digital signature:

- If you have a valid DNI and a DNI reader, you can obtain your certificate as a natural person without having to go to a Registration Office:

<https://www.sede.fnmt.gob.es/certificados/persona-fisica/obtener-certificado-con-dnie>

- Otherwise, if you are resident in the Region of Valencia, you can find your nearest Registration point to obtain your electronic certificate in this link:

<https://www.accv.es/encuentra-tu-pru/>

- If you are resident in another Autonomous Community, you can find information to obtain your electronic certificate in this link:

<https://www.sede.fnmt.gob.es/certificados>

- If you are resident abroad, you can find information to obtain your electronic certificate in the following link:

https://www.sede.fnmt.gob.es/preguntas-frecuentes/certificado-de-persona-fisica/-/asset_publisher/elal9z2VE0Kb/content/1225-que-pasos-debo-de-seguir-si-resido-fuera-de-espana-y-deseo-obtener-el-certificado-de-usuario-de-la-fnmt-?inheritRedirect=false&fbclid=IwAR39OaQQIewDQMIRmKxB84RYONV71BjFZmnCudLR6gi-a0R1e-Hg-vtotec

Can I register a home in the Tourism Register through an agent?

Yes, you can register accommodation through an agent. In this case, the application must be made at the following link:

https://www.gva.es/es/inicio/procedimientos?id_proc=14752

In accordance with the laws governing digital administration, the agent must accredit their status through one of the following options:

- a) The represented (titleholder of the tourist accommodation) must have a personal digital certificate and authorize the agent through a digitally signed document. The agent must also have a personal digital certificate.
- b) Providing notarised powers of attorney.
- c) Through accreditation of registration in the digital register of powers of attorney (<https://www.accv.es/servicios/registro-de-representantes/>)

What do I need to do to assign accommodation for tourist use? .

You must obtain the corresponding registration number for the accommodation in the Tourism Register of the Region of Valencia (hereinafter, Register).

The process varies according to the type of area where the accommodation is located.

URBAN AREAS

Prior to entry in the Register, you must obtain a favourable report on the accommodation's compatibility for tourist use from the local council (arts. 65 and 77.5 of law 15/2018, of 7 June, of the Generalitat, on Tourism, Leisure and Hospitality in the Region of Valencia).

The accommodation must have a residential licence (previously, the certificate for habitation), comply with all requirements for the category in which it is entered (standard or superior), be clean and in perfect condition. The mandatory requirements, as in Annex III of the Decree of Accommodation, are:

1. ACCESS, COMMUNICATIONS AND PARKING

	Superior	Standard
• Customer entrance	YES	YES
• Lifts	YES	YES

From number of floors (1)	G+2	B+4
• Parking for customers	YES	-

(1) This means that ground+2 or ground+4 do not have a lift.

2. UTILITIES AND SERVICES

	Superior	Standard
• Power sockets in all rooms with voltage indicator (1)	YES	YES
• Air-conditioning (2):		
In bedrooms	YES	-
In living and dining areas	YES	-
• Heating (2):		
In bedrooms	YES	-
In living and dining areas	YES	-
• Telephone or Internet access	YES	-
• Hot water	YES	YES
• Shared gardens	YES	-
• Swimming pool (can be replaced by beachfront situation)	YES	-
• Individual strongboxes	YES	-
• Emergency evacuation plan on front door of accommodation	YES	YES
• List of emergency telephones and numbers of interest in a visible location	YES	YES

The provision of cleaning and laundry services, changes of bedding, repairs, maintenance and waste collection shall be included in the contract signed for occupation of the residential unit.

(1) The voltage indicator next to the power sockets could be replaced by a general voltage indication for the whole residential unit in a visible location.

(2) Always with the option to obtain a temperature in accordance with current legislation on energy savings. Controls in superior accommodation must be individual for each space, while in standard it can be the same for all rooms.

3. SIZE OF THE ACCOMMODATION

	Superior	Standard
• Double bedroom in m2, including wardrobe	12	8
• Main bedroom in m2, including wardrobe (1)	14	10
• Single bedroom in m2, including wardrobe	9	6
• Extra m2 for each bunk bed	-	3.50
• Living-dining-kitchen in m2	26	18
• Living-dining space in m2	20	14
• Bathrooms (2) :	YES	YES
Area in m2	5	3.5
Provision by number of places	+ 4 places	-
	2 bathrooms	1 bathroom
• Kitchen in m2	8	5
• Laundry room	YES	-
• Study space in m2 (3) (4)	34	24

(1) At least one per residential unit.

(2) The bathrooms must have bath or shower, washbasin and toilet.

(3) Residential units consisting of combined living-dining-bedroom, kitchen, open plan or not, and bathroom.

(4) Bathroom not included.

4. FACILITIES OF THE ACCOMMODATION:

- In general, the accommodation will have furniture, cutlery, tableware, bedding and all other utensils and accessories required to cater to the needs of the customers in accordance with their capacity.

- All bedrooms will have wardrobes, either inside or outside, whatever the category of the accommodation.

- Accommodation will always have a television.

- The kitchen will be equipped with:

	Superior	Standard
-Cooker (1)	YES	YES

-Fridge	YES	YES
-Electric iron	YES	YES
-Oven/Microwave oven	YES	YES
-Smoke extractor, hood, etcetera	YES	YES
-Automatic washing machine	YES	-
-Dishwasher	YES	-

(1) The cooker will have at least two rings when the accommodation capacity is no more than 4 places, and three or more when the capacity is higher.

If you apply for the rural specialization, you must provide a certificate from a qualified technician to show that the building where the accommodation is located is of traditional, historical, cultural or ethnographic interest, or at least corresponds to a local type of architecture (art. 68 of the Decree of Accommodation). The capacity limit for this specialization is 16 places, and the furniture, fittings and decoration must correspond to the specific style of the region where it is located, in villages with a population of under 5000, unless sited on land not approved for development, in which case the settlements may have a larger population.

LAND NOT FOR DEVELOPMENT

The process varies whether it belongs to the rural system or not.

Use the following link to check if the area where the accommodation is located is part of the rural system:

<https://politicaterritorial.gva.es/documents/20551069/166426134/28+Anexos/e43663b9-987d-467c-ad87-3f7b89997676>

If it is part of the Rural System:

You must request from the local Council exemption from the DECLARATION OF COMMUNITY INTEREST (DIC) as in arts. 218 and 216.2 of the Revised Text of the Law of Territorial and Urban Planning and Landscape, approved by legislative Decree 1/2021, of 18 June (hereinafter, LOTUP).

Once this exemption from the Declaration of Community Interest has been obtained, you can register the accommodation using the normal process:

https://www.gva.es/es/inicio/procedimientos?id_proc=14752

If it is not part of the Rural System:

If it is a renovated residence, you must request exemption from the DECLARATION OF COMMUNITY INTEREST (DIC) from the local council, as in art. 219.1 of the Revised Text of the LOTUP.

If the building is a new construction, a DECLARATION OF COMMUNITY INTEREST (DIC) must be submitted to the Territorial Planning Service of the province where the accommodation is located, as stated in art. 211.1 f) 1 of the Revised Text of the LOTUP.

Once this exemption from the Declaration of Community Interest has been obtained, you can register the tourist accommodation using the normal process:

https://www.gva.es/es/inicio/procedimientos?id_proc=14752

Can I rent tourist accommodation with a seasonal lease under the Urban Leasing Act? -

If you use the Internet or other new technology systems to offer your tourist accommodation you must enrol it in the Tourism Register. You cannot sign a seasonal lease contract.

Article 5 e) of Law 29/1994, of 24 November, on Urban Leasing, excludes the seasonal leasing of whole furnished accommodation equipped for immediate use, offered and promoted in tourism channels or any other form of

promotion for rent for financial gain when it is subject to a specific regime derived from the regulations of the tourism sector.

What is the process for registering tourist accommodation? .-

1. FROM ONE TO FOUR RESIDENCES

Link to SELF REGISTRATION:

http://www.turisme.gva.es/opencms/opencms/turisme/es/contents/tramitacion/viviendas_turisticas/autoregistro_viviendas.html

Once the process has been done, the relevant Territorial Service will check the declaration and documents submitted (favourable municipal report on compatibility with tourism), entering the accommodation in the Tourism Register if all data is correct. If it is not correct, the application will be rejected. In both cases, the notification will be sent to the [citizen folder of the Generalitat](#).

Link to the CITIZEN FOLDER GVA:

<https://sede.gva.es/es/faqs/carpeta-ciudadana>

Exceptions to submission via SELF REGISTRATION:

- ACCOMMODATION REGISTERED VIA SIGNATURE OF A LEGAL REPRESENTATIVE
- ACCOMMODATION WITH CAPACITY FOR MORE THAN 16 PLACES
- CHANGE OF TITLEHOLDER FOR REGISTERED ACCOMMODATION
- ACCOMMODATION ON LAND NOT FOR DEVELOPMENT

In these cases, the processing will be done at the following link>

https://www.gva.es/es/inicio/procedimientos?id_proc=14752

2. FOR FIVE OR MORE RESIDENCES

In this case the titleholder must be entered in the Register as a management company.

Management companies, as defined under article 47.3 of the Decree of Accommodation are natural or legal persons whose business activity consists of the commercial lease of at least five tourist residential units, regardless of whether they are in the same building or complex, the nature of this representation and whether this is their principal business activity.

The procedure for registering the management company and at least five residential units is through the following link:

https://www.gva.es/es/inicio/procedimientos?id_proc=14754

Once registered, the management company can use the EEAT-i application to process the registrations, modifications and deletions of the tourist accommodation it manages:

The link to the EEAT-i application:

<http://empresaturisticas.gva.es/forms/frmservlet?config=eeat>

Emblems.-

Tourist accommodation in the Tourism Register of the Region of Valencia shall display a red Pantone 485 vinyl sticker visibly at the entrance, either indoors or outdoors. It measures 200x276 mm by 6 micras and is cut with a plotter, the corners with a radius of 10 mm. There is a space at the top for the registration number for each residential unit, and an outline shaped like a key ring in the form of a house.

The vinyl sticker for rural tourism accommodation will be brown Pantone 483 with the outline of a key ring in the form of a house with a chimney.

The emblem will have the institutional logo of the Region of Valencia, with the printed border, symbols and registration number in white.

The format of the emblem is at the following link:

<https://presidencia.gva.es/documents/174670202/174983662/2.+Viviendas+tur%C3%ADsticas.pdf/81c3d155-078a-43e7-931c-3f115a52fc25>

Advertising: Should I advertise the registration number?

Advertising for registered tourist accommodation must necessarily feature the registration numbers of the accommodation in question.

The advertising in different tourism portals will be subject to special vigilance.

Advertising, offers and management of tourist accommodation must abide by the standards of accuracy, objectivity and good faith, providing the customer or user enough information about the nature of the accommodation, conditions of use and facilities included in the services acquired, without prejudice to current regulations that apply to advertising and consumer and user's rights.

Complaints forms.-

The titleholders of tourist accommodation units must have copies of complaints forms as specified by Consell Legislative Decree 1/2019, of 13 December, approving the revised text of the Statute of Consumer and User's Rights of the Region of Valencia.

The process for access is found at the following link:

https://www.gva.es/es/inicio/procedimientos?id_proc=2738.

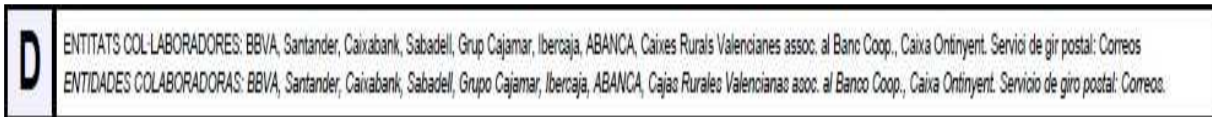
Form 046 must be completed at the following link:

https://atenea.ha.gva.es/sara/servlet/com.hacienda.pdf.pdf417.ServletRecogidaDatosSimulador?ID_SIMUL=SIMU046-9922

Once form 046 is completed, you must press ACCEPT and a new screen with two steps will appear:

STEP 1 (mandatory) to print form 046 in triplicate.

If you are not going to complete step 2, you must go to a collaborating entity to make a payment of €2.33.



If you are paying by card, you must complete STEP 2:

SARA

Paso 1 / Pas 1: (Obligatorio/Obligatori)

Pulse "Imprimir" para obtener el documento /
Pulse "Imprimir" per obtenir el document

Imprimir

Paso 2 / Pas 2: (Opcional)

Recuerde: La realización del pago no implica la presentación del documento. Deberá presentar el documento y el justificante de pago ante el órgano correspondiente /
Recorde que la realització del pagament no implica la presentació del document. Tindrà que presentar el document i el justificant de pagament davant l'òrgan corresponent.

Pagar

Once the payment is made, you must collect the complaint forms from the relevant Territorial Service or any PROP building of the Region of Valencia, presenting a copy of the payment slip.

Traveller Registration.-

The titleholders of tourist accommodation must abide by Royal Decree 933/2021, of 26 October, which states the requirements for registering and reporting for natural and legal persons offering accommodation and motor vehicle hire and for informing the police of the information contained in the registration books referred to in Order INT/321/2021, of 31 March, which modifies Order INT/1922/2003, of 3 July, on registration books and traveller's entrance forms in accommodation facilities and similar, and obligations for document records.

This data must be submitted to the police authorities or, where relevant the offices of the Guardia Civil. This is not a tourism regulation, so in case of doubt, please contact the Guardia Civil office in the region where the accommodation is located.

Applicable legislation:

<https://www.interior.gob.es/opencms/es/servicios-al-ciudadano/tramites-y-gestiones/seguridad/registro-documental-de-viajeros/partes-de-entrada-y-obligaciones-de-registro-documental/>

Can Resident Associations limit or condition tourism activities?

The current text of section 12 of article 17 of Law 49/1960, of 21 July, on condominiums, (see consolidated text <https://www.boe.es/buscar/pdf/1960/BOE-A-1960-10906-consolidado.pdf>), states that Resident Associations can agree to limit the tourist use of accommodation, but this, however, does not apply to tourism accommodation previously entered in the Tourism Register.

Article 5 of the same law states that agreements reached in virtue of article 17 above must feature in the statutes, in public documents and be entered in the property register in order to have effect over third parties. If this is not done, the accommodation entered in the Register cannot be removed, although it was entered after the agreement was signed.

With regard to Tourism Administration and the exception mentioned in the paragraph above, the consequences of applying these limits will be different in view of the time when the Resident Association made the agreement and whether the tourism accommodation is already entered in the Tourism Register or not.

- When the accommodation was entered prior to the agreement, the Registration will be upheld as the agreement cannot have retroactive application.

- In the case of accommodation entered after the agreement by the Resident Association, a process of cancellation and removal of the entry can be started, which will necessarily entail a hearing for the titleholder.
- If the tourism accommodation has not been registered, a penalty process may be started for engaging in the tourism business without declaring it using the legally appropriate process.

What legislation applies to tourism?

Consult the content of current law 15/2018, of 7 June, of the Generalitat, on Tourism, Leisure and Hospitality in the Region of Valencia. (DOGV nº8313 of 08.06.2018), with special attention to the specific regulations contained in Consell Decree 10/2021, of 22 January, approving the Regulatory standards for tourism accommodation in the Region of Valencia. (DOGV nº 9015 of 08/02/2021)

These regulations can be found at the following links:

Consolidated Tourism Act

<https://www.boe.es/buscar/act.php?id=BOE-A-2018-8950>

Decree of Accommodation

https://dogv.gva.es/datos/2021/02/08/pdf/2021_999.pdf