

FREQUENTLY ASKED QUESTIONS FOR PLATFORM USERS LODGING AND VEHICLE RENTAL

(machine translated from [Preguntas-frecuentes-hospedajes-alquiler-vehiculos-20250409.pdf](#))

1. Where can I access Royal Decree 933/2021?

<https://www.boe.es/eli/es/rd/2021/10/26/933/con>

2. Who are considered obligated parties under the Royal Decree?

All natural or legal persons who carry out lodging or motor vehicle rental activities without a driver within Spanish territory, professionally or not, or act as intermediaries.

3. I am an individual, does the Royal Decree affect me?

Yes.

4. As an individual, what obligations do I have?

The communication obligations set out in Article 6.

5. If I am a professional, what obligations do I have?

- Registration: obligation to register individually, and also to register accommodations prior to starting activity.
- Data communication: obligation to provide the data specified in Annexes I and II.
- Record keeping: obligation to keep a computerized register containing the required data under Royal Decree 933/2021.

6. For the purposes of the Royal Decree, what is understood by carrying out the activity professionally?

All natural and legal persons, national or foreign, registered in the Census of Entrepreneurs, Professionals, and Withholders regulated by Royal Decree 1065/2007 of July 27, which approves the General Regulation of Tax Management and Inspection Procedures and the development of common rules for tax procedures.

7. What is the deadline to comply with the registration obligation?

Registration must be done within ten days from completing the administrative procedures required in each case to carry out the activity and, in any case, before the activity is effectively started.

8. What is the deadline to communicate the data?

This communication must be immediate and, in any case, no later than 24 hours from the following moments:

- a) At the time of making the reservation or formalizing the contract, or its

cancellation if applicable.

b) At the start of the contracted services.

9. What data must be communicated?

Data relating to reservations and the start of the activity as specified in Annexes I and II of the Royal Decree.

10. In case a property is advertised and rented through an intermediary (e.g., a web platform), who is obliged to communicate the data?

Each party must transmit the information they have and are obligated to report under the Royal Decree. However, when several intermediary entities participate in the commercial relationship, the obligated party is the one that maintains a direct and final contractual relationship with the client.

11. If the obligated party is foreign, does the Royal Decree apply?

Yes.

- Property owners when they operate in Spain.
- Intermediaries when the person providing the service on their behalf is located in Spain, regardless of the operator's nationality or the location of their tax domicile.

12. Does the Royal Decree apply to long-term rentals?

The Royal Decree applies regardless of the rental type or duration, provided the rental is not for residential purposes.

13. If I host someone in my primary residence, do I have to communicate traveler data?

Yes. Recording traveler data is mandatory for all lodging establishments in Spain.

14. Where should I register my accommodation to start communicating guest and reservation data?

You must register on the official Ministry of the Interior website:

<https://sede.mir.gob.es/opencms/export/sites/default/es/procedimientos-y-servicios/hospedajes-y-alquiler-de-vehiculos/>

15. Are university residences and college dormitories covered by the Royal Decree?

These are generally excluded because their purpose is to provide housing. However, if they are used similarly to hotels or hostels, even temporarily (e.g., during holidays), they must comply with the Royal Decree.

16. Are NGOs covered by the Royal Decree?

No, because their activities are non-profit.

17. What about hostels?

Hostels fall under the Royal Decree if guests pay for the room or space for overnight stays.

18. How should data be collected?

Establishments may collect data by any system that allows verifying data accuracy, even without physical presence, provided it complies with current data protection laws.

19. Can obligated parties use tools to verify guest identity remotely?

Electronic devices for remote identity verification are valid, but personal data handlers must comply with data protection principles like fairness, transparency, and provide data subjects with their rights, including the right to information.

20. How should data be communicated?

Data must be transmitted via the electronic procedure enabled by the Ministry of the Interior at:

<https://sede.mir.gob.es/opencms/export/sites/default/es/procedimientos-y-servicios/hospedajes-y-alquiler-de-vehiculos/>

21. What responsibilities do establishments have regarding data accuracy?

Lodging and vehicle rental establishments are responsible for ensuring the data matches identity documents or systems presented by users, who are obliged to provide them.

22. Can data communication be done by a third party?

Yes, if the third party is authorized by the obligated party according to legal means to act on their behalf.

23. Is it mandatory to complete entry forms?

Yes. Obligated parties must complete entry forms that collect data according to Annexes I and II, depending on the activity type.

24. What sanctions apply for non-compliance?

- Minor infractions (false data, errors, partial omission, late communication): fines between €100 and €600.
- Serious infractions (not registered as a provider or not reporting data): fines between €601 and €30,000.

25. Can I register a group of minors staying with an adult other than their parents?

Yes, stating the legal basis for the adult's responsibility (e.g., tutor, teacher, sports coach).

26. If there is a change in reservation data, must I report it?

Yes, any modification requires a new communication.

27. What documents are valid for user identity verification?

- DNI for Spanish citizens (mandatory for those over 14).
- Identity Document for EU citizens.
- Passport for foreigners.

28. Where can the DNI support number be found?

On most current DNI models in Spain, clearly displayed. On the first computerized DNI version from July 12, 1990, it appears inside the red circle in the photo.

29. What if I don't have an email address?

Providing a mobile phone number is sufficient.

30. Is it necessary to provide the person's gender?

Yes, if it appears on the ID document or if the person has provided it.

Useful links:

- <https://www.boe.es/eli/es/rd/2021/10/26/933>
- Technical questions: ses.hospedajes@interior.es