Duke University Laidlaw Scholars Present

Regulating Airbnb in The Mother City

a policy analysis for the

COUNCIL FOR THE ADVANCEMENT OF THE SOUTH AFRICAN CONSTITUTION

1 September, 2025

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Presentation Outline

Policy Question

To bring about the systems change promised by the South African Constitution, **how should the City of Cape Town regulate short term rentals offered by Airbnb?**

We are not in a position to propose how Cape Town should regulate short-term rentals (STRs) and Airbnb. This is because in the time we have had to investigate the question, we are unable to discern the degree to which Airbnb is the key driver of the housing shortage and affordability crisis in Cape Town. Any such proposal would need to understand the role property sales to international investors and high net worth individuals also play.

Instead, we recommend: (1) the City **enforce** its 2025-25 Budget **property rate reclassification** of STRs from residential to commercial and **evaluate** whether it has any **impact on the STR market** (2) it conduct **independent statistical analysis** of Airbnb's impact on Cape Town. We also set out an account of the **problem,** conduct a **stakeholder analysis,** and offer ideas drawn from the case of **Barcelona** to aid in considering future regulation.

Relevant Constitutional Standards

Relevant Constitutional Standards[I, II, III,]

Preamble[1]	"We the people of South Africa… **Recognise the injustices of our past**; Believe that South Africa **belongs to all who live in it,** united in our diversity. **Heal the divisions** of the past and establish a **society based on democratic values, social justice and fundamental human rights**; Improve the **quality of life of all citizens** and **free the potential of each person**."

Relevant Constitutional Standards

Chapter 1[2]	1(a): "The Republic of South Africa is one, sovereign, democratic state founded on the following values: (a) **Human dignity**, the achievement of **equality** and the advancement of **human rights and freedoms**." 3(a): "There is a **common** South African citizenship. **All citizens** are: (a) **equally** entitled to the **rights**, **privileges** and **benefits** of citizenship."
Chapter 2[3]	9 (1)(2): " **Everyone** is **equal before the law** and has the right to **equal protection** and **benefit** of the law (2) Equality includes the **full** and **equal enjoyment** of all rights and freedoms. To promote the achievement of equality, legislative and other measures designed to **protect** or **advance persons**, or categories of persons, disadvantaged by **unfair discrimination** may be taken."

Relevant Constitutional Standards

Chapter 2 (cont'd)[4]	10: Everyone has inherent **dignity** and the right to have their dignity **respected** and **protected**. 25(1): No one may be **deprived of property** except in terms of law of general application, and no law may permit **arbitrary deprivation** of property. 25(2): Property may be expropriated only in terms of law of general application— (a) for a **public purpose** or in the **public interest**; and (b) **subject to compensation**, the amount of which and the time and manner of payment of which have either been agreed to by those affected or decided or approved by a court.

Relevant Constitutional Standards

Ch 2[5] **(cont'd)**	25(4): For the purposes of this section— (a) the public interest includes the **nation's commitment to land reform**, and to reforms to bring about **equitable access** to all South Africa's natural resources; and (b) property is not limited to land. 25(5): The state must take **reasonable legislative** and other measures, within its available **resources**, to foster **conditions** which **enable** citizens to **gain** access to **land** on an **equitable** basis 25 (7): A person or community **dispossessed** of property after 19 June 1913 as a result of **past racially discriminatory laws** or practices is **entitled**, to the extent provided by an Act of Parliament, either to **restitution** of that property or to e**quitable redress.**

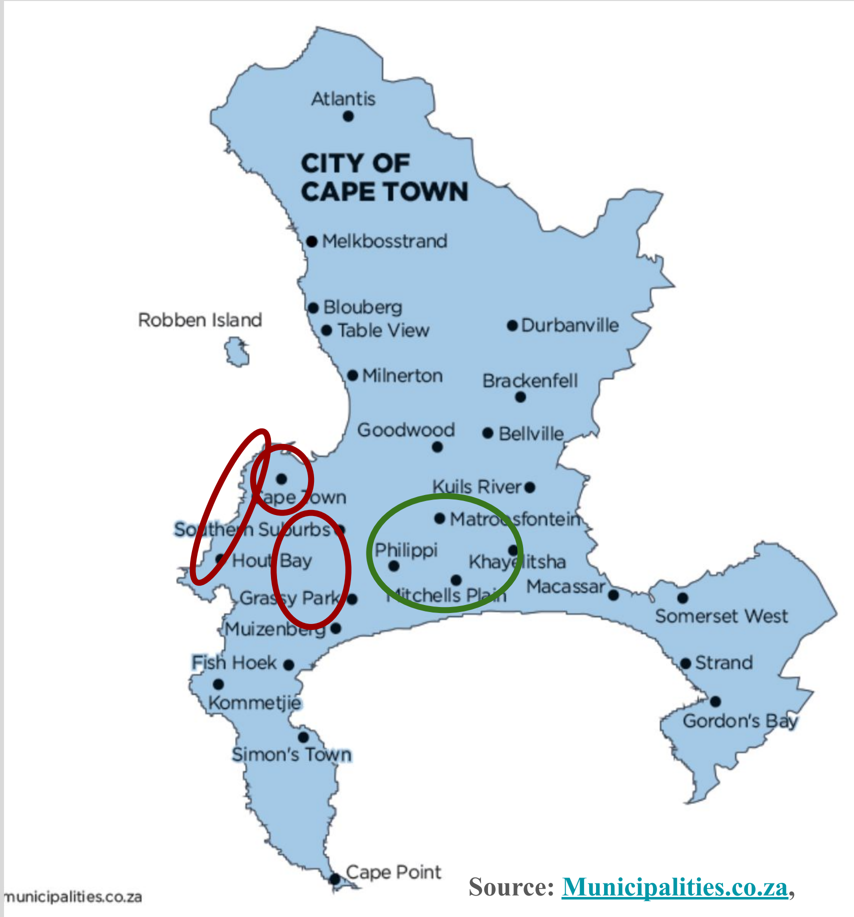
Relevant Constitutional Standards

Ch 2[6] **(cont'd)**	26(1)(2): (1) Everyone has the right to have access to **adequate housing**. (2) The state must take **reasonable** legislative and other measures, within its available resources, to achieve the **progressive realisation** of this right. 27(1)(2): (1) **Everyone** has the right to have **access to**— (a) **health care services**, including reproductive health care; (b) **sufficient food** and **water**; and (c) **social security**, including, if they are unable to support themselves and their dependants, appropriate **social assistance**. (2) The state must take **reasonable legislative** and other measures, within its available resources, to achieve the **progressive realisation** of each of these rights. 29(2)(c): the need to **redress** the results of past racially discriminatory laws and practices.

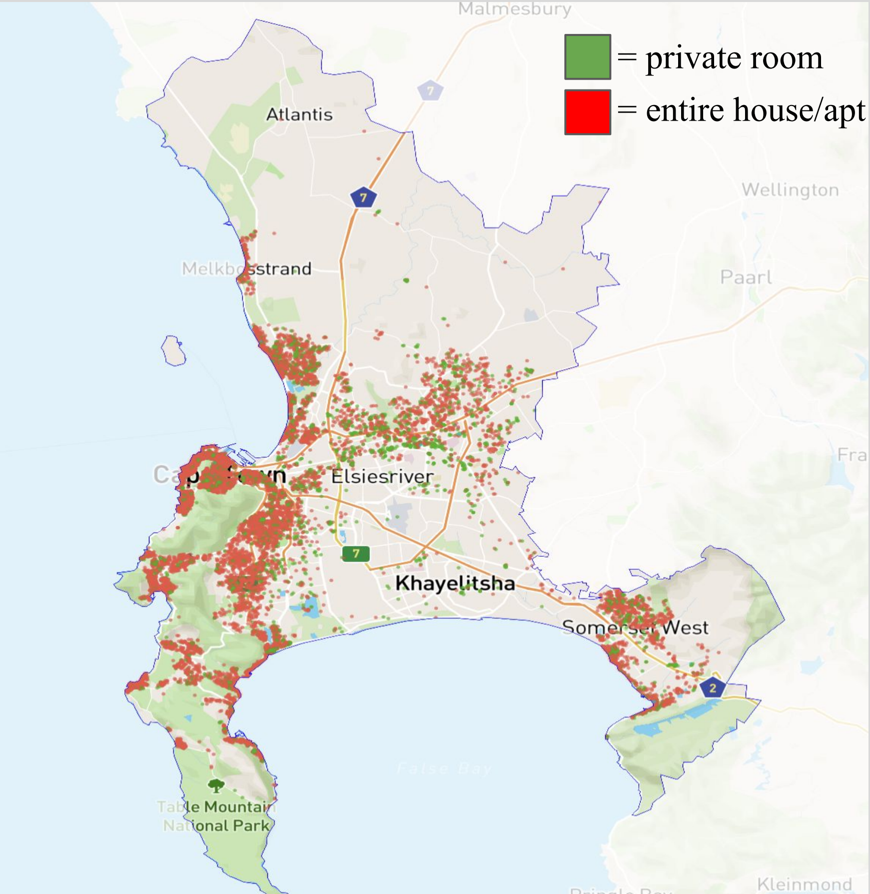
Relevant Constitutional Standards

Chapter 2 (cont'd) [7]	33(1): Everyone has the right to **administrative action** that is **lawful**, **reasonable** and **procedurally fair**. 36(1) The rights in the Bill of Rights may be limited only in terms of law of general application to the extent that the limitation is **reasonable** and **justifiable** in an open and democratic society based on **human dignity**, **equality** and **freedom**, taking into account [5] relevant factors…
Chapter 7[8]	153(a): Developmental duties of municipalities. A municipality **must** (a) structure and manage its administration, and budgeting and planning processes to give priority to the **basic needs** of the **community**, and to promote the **social** and **economic development** of the community
Chapter 10[9]	195(1)(i): Public administration must be **broadly representative** of the South African people, with employment and personnel management practices based on ability, objectivity, fairness, and the need to **redress the imbalances of the past** to achieve broad representation

Maps



Source: [Municipalities.co.za](),



Source: Inside Airbnb, 15th March, 2025 ([##]())

Desirable/Proximate Areas To Live In CT

Atlantic Seaboard [edit]

Suburb	Street Code
Bakoven	8005
Bantry Bay	8005
Camps Bay	8005
Clifton	8005
Fresnaye	8005
Green Point	8005
Hout Bay	7806
Imizamo Yethu	7806
Llandudno	7806
Mouille Point	8005
Sea Point	8005
Three Anchor Bay	8005

City Bowl [edit]

Suburb	Street Code
Bo-Kaap (Malay Quarter)	8001
CBD	8001
Devil's Peak Estate	8001
De Waterkant	8001
Foreshore	8001
Gardens	8001
Higgovale	8001
Oranjezicht	8001
Salt River	7925
Schotsche Kloof	8001
Tamboerskloof	8001
University Estate	8001
V&A Waterfront	8001
Vredehoek	8001
Walmer Estate (District Six)	7925
Woodstock (including Upper Woodstock)	7925
Zonnebloem (District Six)	7925

Southern Suburbs [ed

Suburb	Street Code
Bergvliet	7945
Bishopscourt	7708
Claremont	7708
Constantia	7806
Diep River	7945
Dreyersdal	7945
Grassy Park	7941
Harfield Village	7708
Kenilworth	7708
Kirstenhof	7945
Lakeside	7945
Meadowridge	7806
Mowbray	7700
Newlands	7700
Observatory	7925
Plumstead	7800
Rondebosch	7700
Rosebank	7700
Southfield	7880
Tokai	7945
Westlake	7945
Wynberg	7800
Zeekoevlei	7941

Charts from: Wikipedia

Problem Description

Our research discloses at least **5 problems** associated with Airbnb's footprint and operations in Cape Town:

1. **Spatial Apartheid**
2. **Rising Homelessness**
3. **Scarce Housing Stock**
4. **Gentrification including Loss of Ancestral Heritage**
5. **Diminished Community Cohesion**

Problem Description

Spatial Apartheid	The physical separation of racial groups that resemble Apartheid segregation are highlighted when rich visitors can pay high prices for STRs in desirable proximate areas and local residents cannot.
Rising Homelessness	Rates of homelessness are rising in Cape Town, meaning many Capetonians are forced to live in harsh conditions with little access to resources and on the periphery of the city.
Scarce Housing Stock	Cape Town has a limited housing stock and low numbers of rentals in desirable proximate areas. In these areas, the amount of STRs are now significantly outnumbering the amount of long-term rentals.
Gentrification Including Loss of Ancestral Heritage	The cycle of gentrification begins with visitors renting STR's in the city center. Once locals are "priced out," they are no longer able to live in parts of the City where they have strong ancestral and communal ties.
Diminished Community Cohesion	The constant turnover of short-term rental (STR) guests, combined with seasonal vacancies and a decline in long-term residents, gradually erodes the mutual trust, support, and unity that define strong community cohesion.

Problem Description

Potential Problem	Why it was not included
Social Integration	We did not include social integration because we discovered contradictory research that we did not have time to explore in depth. A 2008 study by Charlotte Lemanski (Oxford University) explores Westlake village, a desegregated community in the Southern Suburbs.[10] Her findings challenge our initial assumption that physical integration would advance social integration. Instead, the study reveals racial segregation was replaced by class segregation when communities were combined in the same physical area.
Regulatory Challenges: Collecting Taxes and Tracking Compliance	We did not include regulatory challenges because, although cities around the world have faced such issues with Airbnb[10a], we found no sources suggesting they are occurring in Cape Town.

Problem #1: Spatial Apartheid

On a **trajectory** where **only rich people (SA & non-SA) can live in Cape Town/City Bowl, Atlantic Seaboard, Southern Suburbs**

- Individuals with the **highest incomes** often stay in what is referred to as the “leafy suburbs” of Cape Town[11]
    - low-density populations
    - free-standing houses
    - close to city center
    - high percentages of white residents employed in the formal sector or own a business
- Individuals with the **higher incomes** often stay in CBD
    - Apartment blocks with “low end” costs of upwards of R10,000 per month[12]

On the **periphery** of these areas is where there are larger percentages of Black and “coloured” and unemployed residents

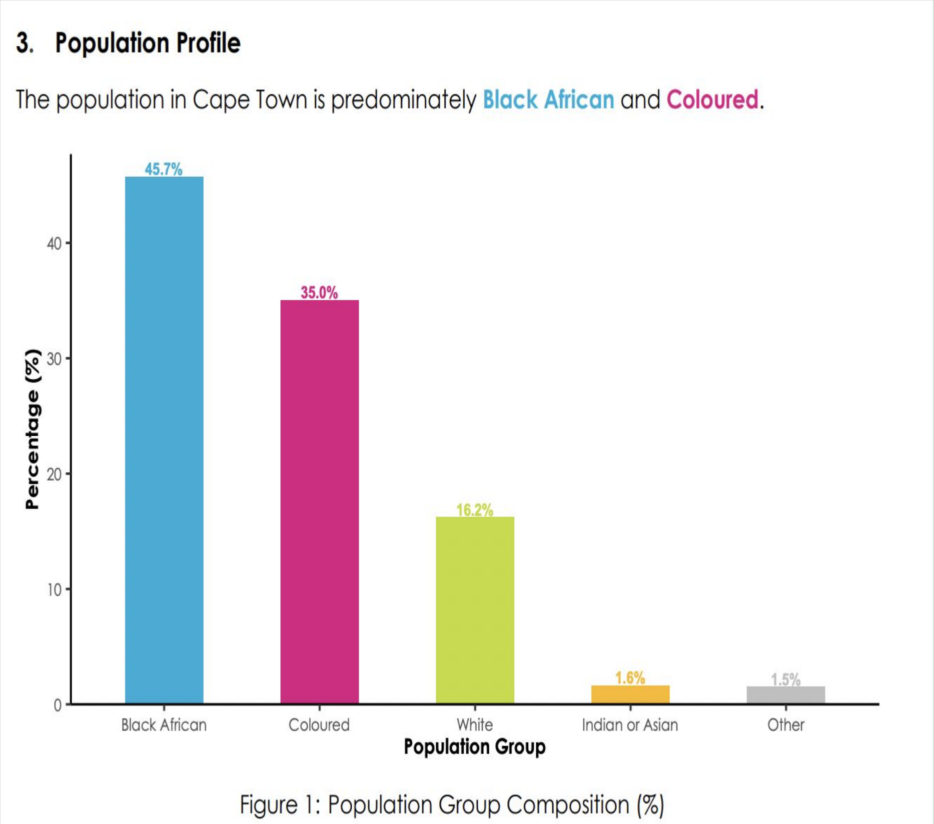
- Suburbs where home prices and rental rates are more affordable for **middle and lower income** individuals
    - further from city center
- Locations/townships or informal settlements (eg. Cape Flats) for **middle and low income**[13]
    - higher population-densities
    - less access to basic services such as piped water

Problem #1: Spatial Apartheid

Human Sciences Research Council household survey (1,000 residents, different parts of Cape Town) in **2021**[14]

- **60%** of "leafy suburbs" residents were white
- **88%** of residents in Townships were black African
- **97%** of residents in informal settlements were black African

White residents, who make up 16.2% of the population, take a majority of the housing in "desirable" (well serviced, proximate) areas. [15] Black and coloured residents, who combined make up 80.7% of the population, often stay at the periphery or in poorly serviced areas.



Source: City of Cape Town

Problem #1 (cont'd): Spatial Apartheid

- Are the rights to **access to adequate housing** and **dignity** being respected?
  - Ndifuna Ukwazi: "Not enough has been done to prioritise the constitutional imperative to accelerate urban land reform in a way that will **meaningfully advance** related, intersecting constitutional rights[16] to access **adequate housing**, **healthcare, education** and **safety**, as well as the right to **dignity** and the right to **equality**"[17]

- Are the **1994 and 1996 promises** of an end to apartheid in South Africa and the establishment of a human-rights-based democratic society fundamentally failed when Cape Town is the **playground only of the rich**? [17(A)]

Problem #2: Rising Homelessness Rates

Large number of people living in and around Cape Town are unhoused and the rates of homelessness are rising

- As of 2024, Cape Town, South Africa has an estimated **14,357** people living on the street or in temporary shelters[18]
- According to researchers studying Cape Town, chronic homelessness is defined as people who have experienced homelessness consistently for at least a year [19] p. 21
    - 50% chronic homelessness rate with the average **time of being unhoused** for these individuals being **8 years and 7 months** [20]
- Many unhoused individuals are forced to inhabit informal settlements which they make into their homes for long periods of time under **harsh conditions**
    - sometimes homes completely **burn** down because firefighters are unable to enter their area in time [21]
    - ambulances arrive much later than they would have if they hadn't needed police escorts [22]
    - people have to travel far to access **clean water**
    - And sometimes don't have access to sanitation [23]

Portable toilets in Khayelitsha. Photo: Masixole Feni
https://groundup.org.za/article/city-taken-court-over-toilets/

"Mavis Saunders from Harry Gwala informal settlement in Philippi, Cape Town rakes puddles of foul smelling sewage water from outside her door."- link here

Problem #2: Rising Homelessness Rates (cont'd)

- Since 2021, the City of Cape Town's municipal law provides for the forced removal of residents from their informal settlements after they have been given a warning and offered "social assistance" (transitional shelter, personal development planning, employment opportunities, and referrals for mental health, medical, and substance abuse treatment)[24]

- The bylaw was passed with the intention to "protect land and buildings from unlawful occupation" and to "prevent hazards and hardships that come with occupying unsafe land"[25]

- Informal settlements are found far more commonly on the outskirts of the city where regulations such as these are not as heavily enforced [26]

- Land closer to the city centers is used for profit such as temporary parking lots [27]

- The right to dignity promised in section 10, the need to redress the results of past racially discriminatory laws and practices promised in section 29 of the South African constitution is not being protected for unhoused individuals and this needs to be addressed [27(a)]

Problem #3: Housing Stock

Cape Town is experiencing growing pressure on its **limited housing stock** particularly in City Bowl, Atlantic Seaboard, and Southern Suburbs

- STR offer high yields to investors who can earn roughly **R25,000–R45,000** per month (**R45,000–R80,000 in high-demand areas**)[28]
- STR listings have **high vacancy rates**, but result in **much higher nightly yields** when compared to long-term rentals [29]
- Long-term rental availability in central Cape Town is strikingly low—**fewer than 700 long-term rentals** were listed at the start of 2025 in areas like the City Bowl, despite thousands of STRs operating in the same area.[30]
    - For every **13.5 STR Airbnbs**, there is **1 long-term rental**[31]

Problem #3: Housing Stock (cont'd)

- Home-sharing can "diminish the available housing stock and exacerbate the affordable housing crisis by converting long-term rental accommodations to short-term rentals," and the increasing amount of Airbnb's often surpasses the amount of "new construction and reducing available housing stock" [31]
- The number of privately owned apartments in the Cape Town CBD grew from **5,791** to **7,188**, indicating the addition of roughly **1,400 new units**; however, new units are **insufficient to counterbalance speculative pressure** and **the conversion of long-term rentals to short-term rentals** [32]
- Cape Town **building heights** are tightly controlled through zoning laws, overlay zones, and heritage protections [33]
    - In heritage overlay zones (eg Bo Kaap), buildings of 3–6 storeys often face opposition to zoning variances
    - Suburban residential zones are typically capped at 2–3 storeys
- **87.5%** (of 1.45 million households) in Cape Town stay in **formal dwellings** [34]
    - Meaning there are roughly ~ **1,271,240** occupied formal dwellings [35]
- **12.5%** stay in informal dwellings, some 146,000 households[35a]
- Housing is also getting smaller
    - Average 1-2 bedroom apartment is down from 67 square meters to 39-55 square meters [36]

Problem #4: Gentrification (including loss of Ancestral Heritage)

https://www.cntraveler.com/shops/cape-town/the-old-biscuit-mill

- Many Capetonians find it difficult to remain in their ancestral homes due to the rise in cost as tourists and property firms (offering STRs or real estate) are willing to pay higher prices for these properties
- **Woodstock** gentrification
  - Buildings are bought with intention of being turned into STRs and residents are bought out. For example: **Gympie St.** apartment building bought in advance of 2010 World Cup to be turned to STRs for incoming tourists [37]
    - 60+ people lived here and were evicted in the middle of Cape Town's winter
  - The **Old Biscuit Mill** was turned into a "hipster heaven" with designer boutiques, art galleries, antique shops, and security guards upfront that often do not allow local residents entry [38]
  - "Rich people have been buying up buildings, shops and houses in the area and rents have gone up. Businesses that were here for years have closed and many people have been forced to move out of Woodstock, because they can't afford to stay here anymore. We were always a close community, we looked out for one another, but that has all changed." - Lorna Thompson, long time Woodstock resident [39]

https://groundup.org.za/article/photos-people-woodstock-threatened-gentrification/

<u>Problem #4:</u> Gentrification (including loss of Ancestral Heritage)

Source: TripSavvy

- Bo-Kaap is a historic working-class, Muslim-majority neighborhood in Cape Town
  - one of the oldest surviving residential areas with deeply rooted Cape Malay identity
- Urban revitalization in CBD affects **Bo-Kaap**
  - old **industrial buildings** have been converted into **loft apartments**
  - A new **Hilton Hotel** was constructed within Bo-Kaap
- These changes likely have impacted those who seek to **preserve the "Cape Malay Muslim" identity** and heritage of the area [40]
  - As **property prices rise** and older residents **pass on**, more homes will likely be sold to **outsiders**
  - The **distinctive character and landmarks** of the Bo-Kaap are at risk of being lost [41]
- Many residents express **deep concern** about cultural erosion. There is a **strong sense of determination** among locals to **protect their neighbourhood and heritage** (see next slide)

Source: Property24

Problem #4: Gentrification (including loss of Ancestral Heritage)

In 2016, Bo-Kaap residents applied to halt development of new building. The Western Cape high court dismissed the application.

Source: Mail & Guardian

Problem #4: Gentrification (cont'd)

- "Locals are being bought out of their neighborhoods, and these super owners don't have to follow any regulations that hotels or bed and breakfast have to follow.* And it's worse than that actually. Mass tourism also destroys businesses that locals need because if there's more money in selling imported coffee, avocado on toast, mimosas to foreigners, why keep your general grocery store open? If there's more money in high end boutique fashion for tourists, then why keep your everyday clothing store going? So the result is, the city becomes unaffordable and unlivable and locals are driven out of their own neighborhoods." - Dan Corder[42]
- Corder argues that the gentrification of Cape Town that is brought on by tourism must be addressed:* "people are losing their homes now!" [43]
- Reddit User: "This is [expletive]! It's almost impossible for us locals to find decent places to live at an affordable price. Airbnb's are everywhere! Turn some of them into monthly rentals that actual SA citizens can afford!"
- *But see Cape Town's 2025-26 Budget (slide 49 below)

Problem #4: Gentrification (including loss of Ancestral Heritage)

Tourists pay high prices for small spaces, closer to the city center (the prices are disproportionate to the size and amenities simply due to proximity to desirable areas)

The residents, who are historically wealthy, are then drive to working class areas

They then drive out the locals from those areas

Housing market becomes competitive and inaccessible for low-income and unemployed Capetonians

Visualization by Rogers, Westlake, Rocha Rocha

Problem #5: Diminished Community Cohesion

- Community cohesion: “the sense of mutual trust, support, and unity in a community” [44]

- STRs erode community cohesion through:
  - **Constant flow** of new people entering communities [45]
  - Reduced demand for **community assets**: tourists don’t send their children to schools so local schools have fewer families on which to draw enrollment; fewer year-round residents to support clinics/hospitals [45a]
  - High season **spikes** followed by **low season vacancies**

- Accompanying high density, STRs researchers have found:
  - Elimination of communities of mutually-invested neighbors [46]
  - Kids being forced to move schools, due to lack of long-term housing
  - Guests not invested “in protecting the neighborhood from disturbances”[47]
    - “Increased noise levels, unsanitary conditions, and illegal disposal of garbage” [48]
  - “Worsened health equity, and residents' quality of life” [49a]

Case Study:

Barcelona

Why Barcelona?

Barcelona provides an **instructive case study** for Cape Town due to its **varied policy response** to short-term rentals. The city has a robust history that highlights how municipalities can assert regulatory authority through **licensing and enforcement**, **data-sharing agreements**, and **phased policy interventions**. Its legal system also establishes **similar constitutional housing rights** and **rights groups** have developed in both cities to claim these rights.

The **evolving regulatory strategy** and environment in Barcelona is available for Cape Town to study as it seeks to balance tourism development with housing accessibility.

Limitations of Case Study

Although Barcelona provides an instructive case study for Cape Town, there are some limitations to the comparison.

In Barcelona, **more limited forms of regulation** did not achieve the impacts the City intended. Now the City is **moving to an outright ban**.

Notably **different political environments** exist across the cities with leaders leading from **different ideological frameworks.** Cape Town's Democratic Alliance (DA) is likely to have a different outlook on regulation and macro-economic policy than Barcelona's Socialist Party of Catalonia (PSC).

Comparing	Cape Town	Barcelona
Demographic Information	**2nd largest** South African city Population: **4.73 million** people, 7.7% percent of national population [49b] City 2,461 square kilometers Population density: 1,800 people per square kilometer [50] > 10 million visitors in 24-25 fiscal year [51]	**2nd largest** Spanish city Population: **1.62 million** people[52], 3.3% percent of national population [53] City just over 101 square kilometers Population density: 17,000 per square kilometer [54] > 15.5 million tourists stayed in city overnight in 2024 [55]
Legal Context: Constitut. Law	Constitution adopted in **1996** [56] **Section 26**: Right of access to adequate housing; no eviction without court order **Section 25**(1): property protected from arbitrary deprivation **Section 33:** right to lawful, reasonable, and procedurally fair administrative action	Constitution adopted in **1978** [57] **Article 47**: Right to “enjoy” decent, adequate housing; public authorities must promote conditions and regulate land use to prevent speculation **Article 33(1)**: The right to private property and inheritance is recognized. **Article 33(3):** no one may be deprived of property rights, except on justified grounds of public utility or social interest

Topic	Cape Town	Barcelona
Current (2025) Airbnb Information	- estimated **25,882** Airbnb listings [58] - 21,303 **(82.3%)** of the listings are entire houses or apartments [59] - Each listing is occupied for an average of **40 nights** a year [60] - **36%** of hosts have over **five** listings [61] - **41%** of hosts have **one** listing [62]	- estimated **18,927** Airbnb listings [63] - 11,657 **(61.6%)** of the listings are entire houses or apartments [64] - Each listing is occupied for an average of **82 nights** a year [65] - **66%** of hosts have over **five** listings [66] - **18%** of hosts have **one** listing [67]
Aligned civil-society actors*	Ndifuna Ukwazi Reclaim the City	Barcelona en Comú

*In 2017, members of Ndifuna Ukwazi attended a global gathering hosted by Barcelona en Comú to learn more from their experiences and join the campaign to support housing for Barcelonians by limiting the number of licenses for tourist apartments. At a rally, Ndifuna Ukwazi members led over 3,000 people in chanting “**Amandla aWethu!**”[68]

Judgment 64/2025 (Appeal 798-2024) - Spain's Constitutional Court determined Catalonia did not exceed its authority, nor did it infringe on constitutional rights by regulating Airbnb-type tourist rentals in areas experiencing housing stress. Eight constitutional objections ("tachas") were raised against Catalonia's Law (Decreto-ley 3/2023) regulating Airbnb-type rentals by more than fifty deputies of the Popular Parliamentary Group. [69] We will highlight 5 objections that are relevant to Cape Town. [70]

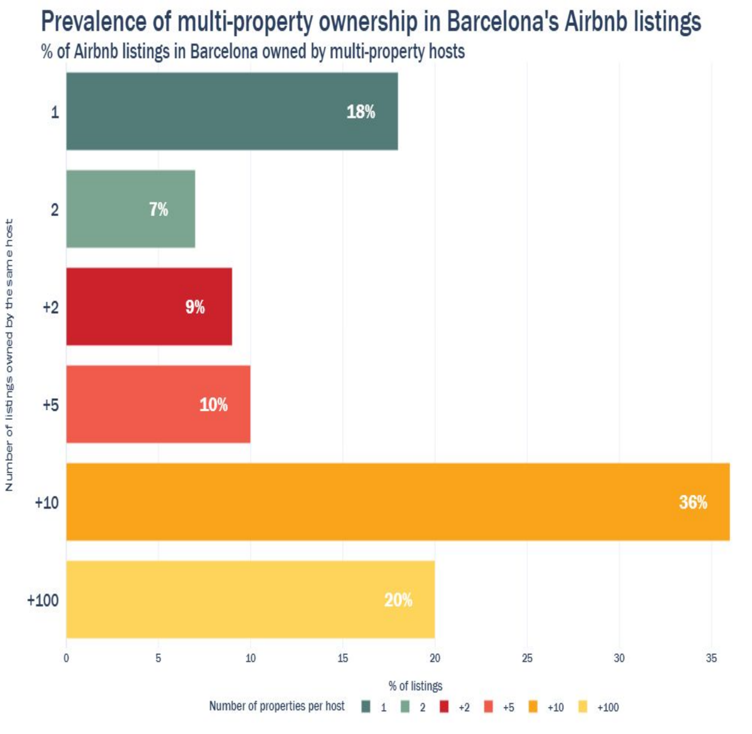
Objection	Constitutional Court's Determination	Constitutional Article[s]
Law treats municipalities differently.	Differences are based on objective housing pressure.	Art. 14
Citizens can't challenge license denials properly.	Courts remain accessible for appeal.	Art. 24.1
Law limits powers of local governments.	Municipalities retain discretion in applying licensing rules.	Arts. 137 & 140
Restricts use of property without compensation (like expropriation).	Regulates use but does not deprive ownership; no compensation required.	Art. 33.3
Measures are excessive in relation to their goals.	Reasonable balance between private rights and public interest.	General Constitutional principles

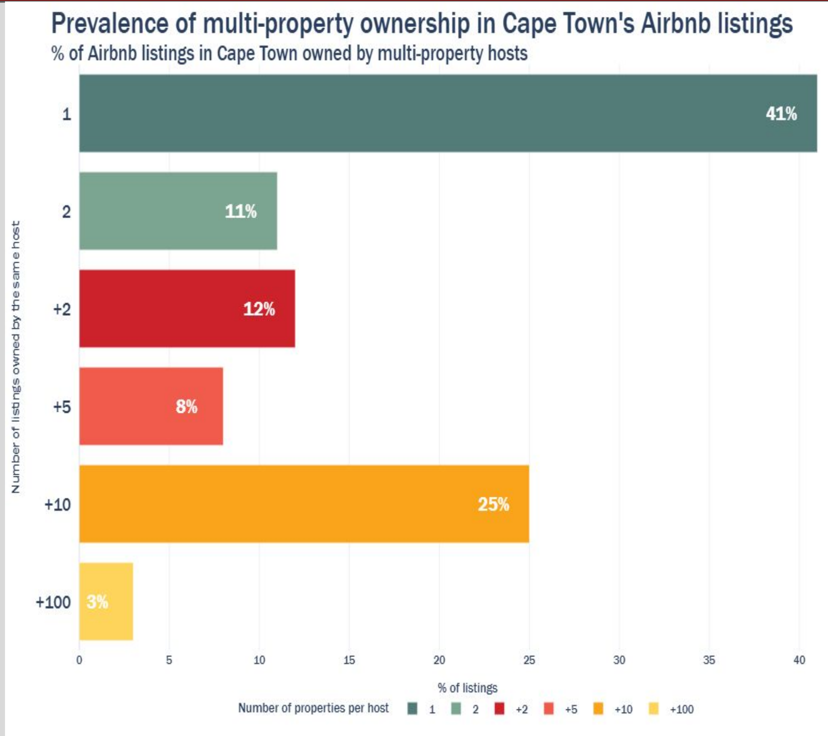
Judgment 64/2025 (Appeal 798-2024) -

Constitutional Objection: Restricts use of property without compensation (expropriation)
Constitutional Court's Determination: Regulates use but does not deprive ownership; no compensation required

From STC 64/2025, of 13 March 2025, FJ 3 (Constitutional Court of Spain):
Translated from Spanish: "The aforementioned statutory conception of property does not prevent recognition of the existence of a constitutionally protected prima facie content of the right enshrined in Article 33.1 of the Spanish Constitution — namely, the right to **use, enjoy, and dispose of one's own assets** and **property rights**. However, it implies that the definitive scope of the right protected by the Constitution for each category of property must primarily be **defined by the legislature,** in consideration of the **necessary protection** of other **constitutionally significant** legal interests."

"This constitutional conception of **property rights** has had a particularly strong impact on **real estate** (STC 37/1987, Legal Ground 2), whose specific content is defined by law and by **territorial and urban planning regulations**, given that 'the natural characteristics of the property in question and its location make it suitable for different **social uses**, which can and should be **reflected** in **differentiated restrictions** and duties for owners' that, 'as a general rule, can only be established through **regulation'** (STC 37/1987, Legal Ground 3; similarly, STC 141/2014, Legal Ground 9 B)."
71





52% of Cape Town listings are offered by hosts with either 1 or 2 listings, whereas in Barcelona 25% of listings are offered by hosts with either one or two listings. Furthermore, in CT only 3% of the listings are offered by hosts with more than 100 listings, whereas in Barcelona 20% of of listings are offered by hosts with more than 100 listings.

Visualizations by Lee, Eunsol (University of Illinois Urbana-Champaign, B.S. '28)

Data scraped from Inside Airbnb on 15 July, 2025 and coded using Python

Regulatory Phases in Barcelona

- Airbnb emerged in Barcelona in 2012; Barcelona immediately introduced tourists tax and registration system [72]
- Regulations changed in phases from then to now [73]
    - Ending the distribution of new licenses
    - Fines up to €600,000 (approx. R12.4 million) for listing unregistered properties
    - Data sharing agreements with Airbnb
- **Regulation moved from limits to a ban**
    - 2024: Barcelona Mayor announced a city wide ban on all STRs by 2028 (will not renew any licenses when they expire, eventually no more legal STRs) [74]
    - March 2025: Spanish Constitutional Court upheld decision, rejected argument that it violates rights of property owners [75]
- Reasons for regulation:
    - Rents have risen over 60% in last decade [76]
    - Record high levels of tourists visiting the city [77]
    - Robust demonstrations against tourism and Airbnb [78]
        - Water guns sprayed at tourists
    - Mayor was co-founder of grassroots housing movements that stop evictions and campaign for housing rights (La Pah) [79]

"Your Airbnb used to be my home"

Source: [BBC]

Stakeholder Analysis

Stakeholder Analysis

The City of Cape Town	The City of Cape Town is a stakeholder because it both has the authority and responsibility to regulate and implement inclusive economic policies that serve all residents and sustain revenue through property rates.
Airbnb	Airbnb has a large stake in the regulation of STR's because it makes a substantial amount of money through its presence in Cape Town (Slide 59); it also has a longstanding relationship with the City of Cape Town and the South African government to promote mutual tourism-related interests.

Stakeholder Analysis

National property investment and management firms and corporate speculators	National property investors, management firms, and corporate speculators are stakeholders in Airbnb regulation because they hold large-scale, profit-driven portfolios that depend on favorable policies towards Airbnb STRs; any changes to licensing, enforcement, or the interpretation of property rights under Section 25 of the Constitution could directly impact their returns and investment strategies.
International property investors and corporate speculators	International property investors and corporate speculators are stakeholders because they hold high-value real estate in Cape Town, often convert properties into short-term rentals, and rely on local regulations, including those on Airbnb, to protect the profitability of their global investment portfolios.

Stakeholder Analysis

Single property owners- positively affected by Airbnb	Single property owners are stakeholders because they often rely on Airbnb to supplement income, cover mortgage costs, or afford to stay in high-cost neighborhoods; any regulation of short-term rentals directly affects their financial strategies and may prompt them to engage with or respond to policy decisions.
Single property owners- negatively affected by Airbnb	Single property owners are stakeholders because Airbnb can increase property prices and municipal rates, disrupt shared spaces with frequent guest turnover, and create conditions that make living conditions worse; they may be prompted to advocate for more limiting regulation.

Stakeholder Analysis

Renters and would be renters who live in CT	Rising prices in Cape Town make certain desirable and proximate areas not accessible to local residents; STRs invite more tourists to stay in local communities and begin the cycle of gentrification that operates to drive out local residents from their communities. (See Slide 29)
Would-be renters and rights groups representing economically and socially excluded people living unhoused in Cape Town or renting in undesirable locations	Everyone has the right to have access to adequate housing. Tourism and STRs allow tourists to live in desirable areas and homes for higher costs while low-income and unemployed residents have high rates of homelessness; Residents continue to be pushed to the periphery of the city center. Often living in these areas entails high costs to get to and from city center for work. Buildings that could be turned into social housing continue to be used for profit. Inadequate social housing efforts closer to the city centers.

Stakeholder Analysis

Other stakeholders we considered, but left out of our analysis:

Airbnb/STR Competitors	The Hotel industry, Guest Houses, Inns, Hostels and other tourist accommodations
National Level Government Institutions	Department of Tourism, National Treasury, Department of Housing, etc.
Political Parties	Top national, provincial, municipal political parties (ANC, DA, EFF)

Stakeholder #1:
The City of Cape Town

Why is the City of Cape Town the number one stakeholder?

- Cape Town has the governance authority and duty to regulate in the interest of the residents of Cape Town
- Cape Town residents need government involvement to overcome entrenchment of spatial apartheid driven by wealth
- One of Cape Town's main sources of revenue are property rates and taxes
- Cape Town has the governance authority and duty to pursue macroeconomic plans that operate to the benefit of all its residents

2025-2026 City Budget “Invested in Hope”

- New Property Rates: “**increase of 7.96%** in the residential RiR [Rate-in-the-Rand] from 0.006631 (2024/25) to **0.007159** (2025/26).” [80] (p. 21)

- Budget defines the types of properties subjected to each rate [81] (p. 5):
  - “Commercial Accommodations”: **a property used for purposes of providing accommodation but …not being used as a primary place of residence** or where **more than 40% of a primary place of residence** is used or available to be used to provide accommodation to temporary visitors at a fee. This includes but is not limited to property used for transient/**short-term letting** such as **guest houses; self-catering; bed and breakfast establishments** as well as **residential apartments** that form part of a **hotel** rental pool.”
  - **Also classified as "Business and Commercial Property**”: property used for the provision of commercial accommodation

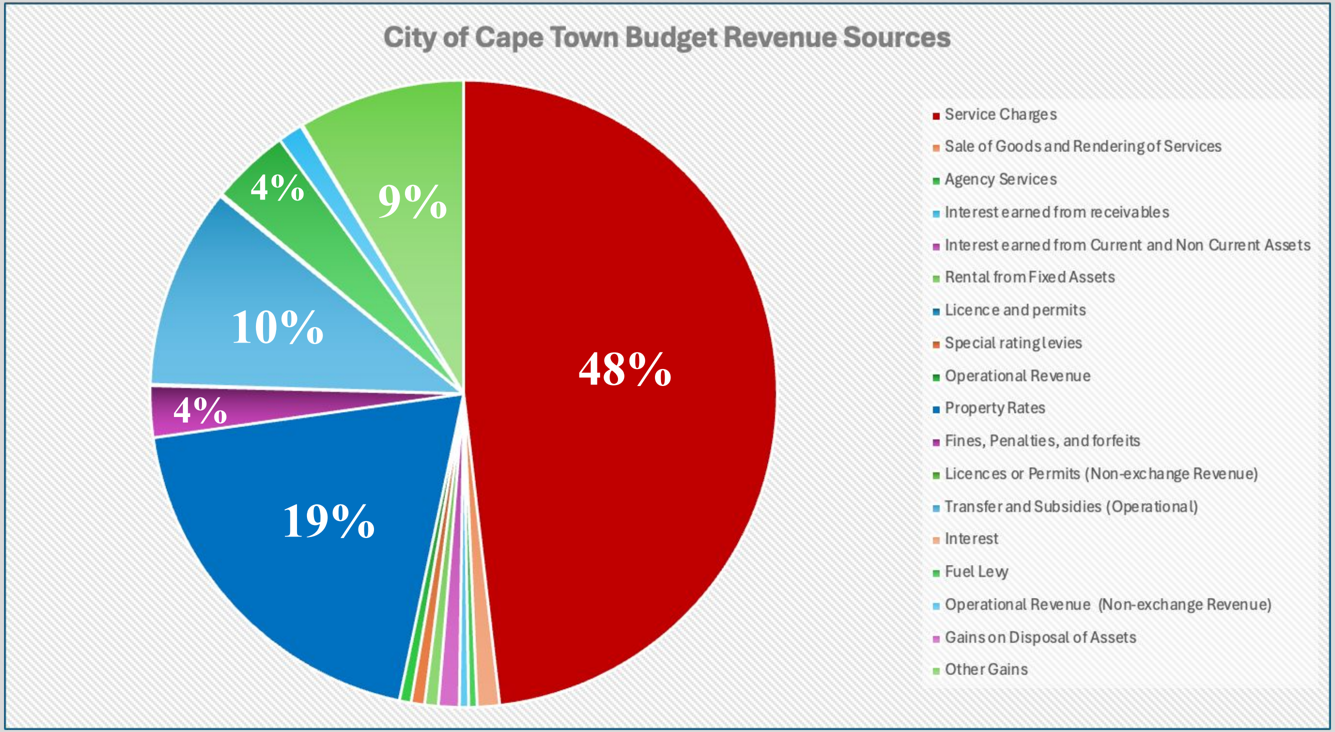
Budget Analysis

- Annexure 5 of the Budget also lists the property rate ratios [82] (p.21)
  - Residential Property - 1:1
  - Business and Commercial Property - **1:2.35**

- Residential Property is taxed at a **0.0007159 rate** [83] (p.1)
- Business and Commercial properties are taxed at a **0.016824 rate** [84] (p.1)

- Property rates for this budget has generated **R13.768 million revenue,** an increase of 8.3% from the last fiscal year, accounting for **19.5% of the City's revenue** and representing the **second highest revenue stream** for the city. [85] (p. 31, 34)

- Projected to increase by **R15.944 million**, and then account for **20.0% of the city's revenue** by the **2027-2028** [86] (p. 73)



- Property Rates

- Service Charges

Information Source: 2025/26 Cape Town Budget, Visualization by Rogers, Westlake, Rocha Rocha

Cape Town's Regulatory History related to Airbnb

- The first STR regulation in Cape Town: **2015 Municipal Planning By-law (MPBL)**, which determined what buildings in the city could or could not be classified as short-term rentals such as "flats," with the goal of protecting long-term renters[87]
- In 2019, **an amendment to this bill**, the Municipal Planning Amendment By-Law (MPABL), **removed the earlier restrictions** on what could be considered a short-term rental and s**hifted most of the responsibility to regulate short-term rentals to body corporates** [88]
  - The MPABL also implemented **a 30 consecutive day limit on short-term rentals** booked through Airbnb [89]
- Airbnb states on its website that, "There are no specific short-term rental regulations in South Africa," while also advising hosts in Cape Town of the thirty-day limit.

DA Macro Economic Policy: Digital Nomads and Income Maximization

- Cape Town Mayor Hill-Lewis stated in 2022: “Innovation is necessary to continuously attract travellers. Digital nomads make up an ever-expanding market within tourism” [90]
- The City of Cape Town does not know how many digital nomads are actually living and working in Cape Town [91]
- Democratic Alliance (DA) party views digital nomads as a valuable economic resource that will boost the economy and should be welcomed to maximize the profit made by tourists [92]
- The City of Cape Town welcomes digital nomads
  - “thrilled” to announce and hold “Nomad Week” in March of 2025 where “like-minded individuals and experts” would get the opportunity to “engage” on issues regarding digital nomads [93]
- Hannah Winkler, a DA Member of Parliament who served on the Portfolio Committee on Tourism, [94] wrote to President Cyril Ramaphosa urging him to lead the way for South Africa to adopt a Digital Nomad Visa [95]
  - Argued digital nomads typically stay for longer periods of time in the country than leisure travelers and therefore spend more money
  - DA sees tourism as a key economic driver
  - DA urges South Africa not to allow its “tourism potential” to be “hindered by bureaucratic stumbling blocks and short-sightedness” and to support welcoming digital nomads [96]

Rates, Taxes, and Zones

City of Cape Town has a direct financial interest in **rising property values**, which increase revenue from property rates

According to the City's 2025/26 budget, **property rates and service charges** constitute **67%** of the City's operating revenue.

- Rates are calculated as a percentage of each property's municipal valuation, so high-value areas like the CBD, Sea Point, and Camps Bay, which have **high concentrations of short-term rentals, generate large contributions** to the City's budget

- From a fiscal standpoint, the City benefits from the growth of Airbnb and similar platforms, which can **elevate property values** and, in turn, **expand the rates base**

However, the City must also manage the **social trade-offs:** as rates rise, **affordability declines for long-term residents**, especially those in fixed-income households, potentially **driving displacement** of these residents

Stakeholder #2: Airbnb

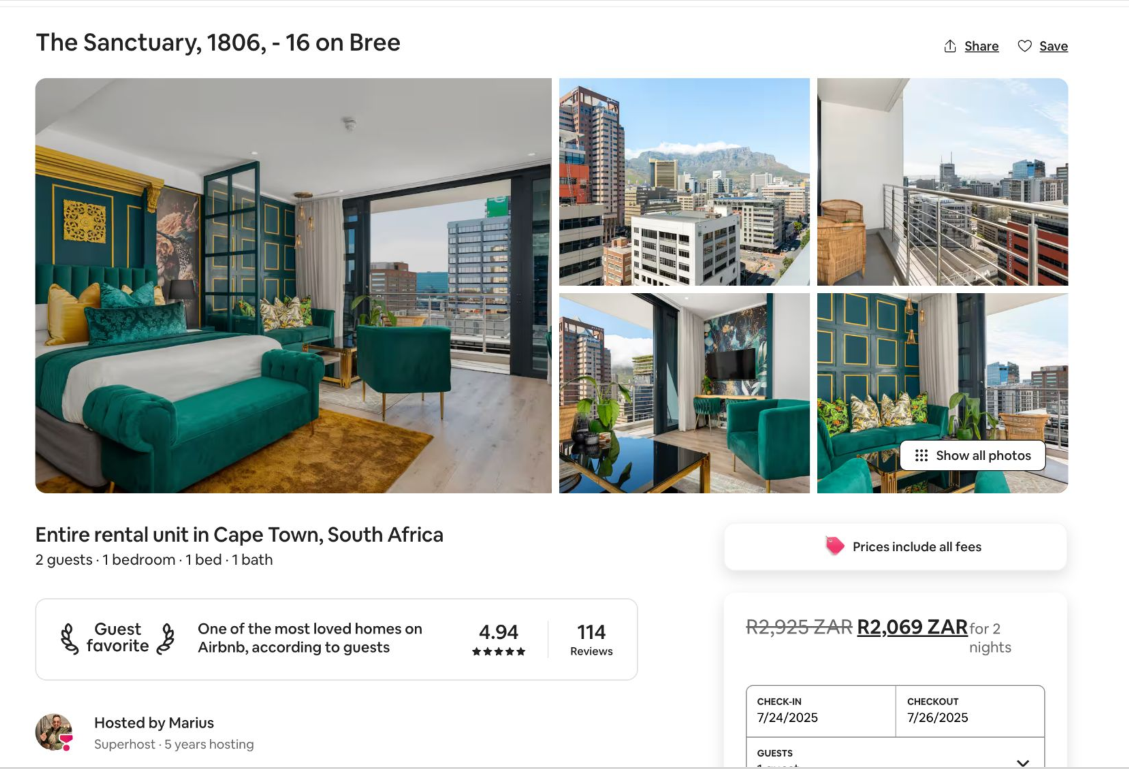
Why is Airbnb a stakeholder?

- Airbnb is by far **the largest STR platform** in the world and in Cape Town
- **Cape Town is home to the most Airbnb listings** than any other city in the world
- Airbnb makes a **substantial amount of money** from its Cape Town listings
- Airbnb claims it is **a significant contributor to the Cape Town GDP**

Airbnb in Cape Town and South Africa

- There are currently **25,882** active Airbnb listings in Cape Town [97]
- Roughly 71% of Airbnbs are occupied in Cape Town each night [98]
- In 2023, according to Airbnb, Cape Town welcomed **over 700,000 visitors** in Cape Town, who contributed over **R14.4 billion to GDP** and earned Airbnb hosts over **R2.5 billion** [99]
- There has been a **190% increase in Airbnb listings** on the Atlantic Seaboard **since 2022** [100]
- Airbnb rentals in Cape Town have produced a **10%-15% return on investment for hosts**, compared to the 4%-7% returns seen in long-term rental investments [100b]
- Airbnb typically makes **19.3% of the subtotal** of all listings, based on our estimate

What Airbnb Makes Per Listing: Random Selection from CBD/City Bowl [101]



What Airbnb Makes From This Listing

<u>Guest</u>

2 Nights (24-26 July): **R1780**

This includes any fees from the host (like cleaning fees)

+

Service fee: **R289**

~ 16% of subtotal

Includes VAT

=

Guest pays total of **R2069**

Airbnb makes **R289** from guest

<u>Host</u>

Host gets R1780 from guest

Including any fees they charged

Service fee: R53 [102]

~ 3% of guest subtotal

(.03 x 1780)

Airbnb makes **R53** from host

From this two night listing, Airbnb makes **R342** (19.2% of subtotal)

Airbnb typically charges guests ~ 16% of subtotal and hosts 3% [103]

Airbnb in Cape Town and South Africa

- **2015:** Airbnb **growth accelerated** in South African [104]
- **2017:** Airbnb entered its **first "collaborative agreement"** with the **City of Cape Town** to promote community-led tourism and promote the attractiveness of Cape Town, while also investing $1 million into these projects [105]
- **2019: Amendment to the Tourism Bill of 2014** was passed to define what a short-term rental is in **South Africa,** and Airbnb made recommendations to this amendment for "fair regulation" [106]
- **2020:** Global (not limited to SA) rollout of **Airbnb's City Portal** in 15 cities, including Western Cape Tourism, Trade, and Investment Promotion Agency (Wesgro) [107]
- **2021:** Airbnb launched a **national "three-year commitment"** to reduce barriers for tourism entrepreneurs and support inclusive tourism recovery [108]
- **2022:** Airbnb entered **a new partnership with South Africa**, collaborating with the Development Bank of South Africa, expanding its Entrepreneurship Academy, and promoting digital inclusion [109]
- **2022**: **Cape Town** entered another partnership with Airbnb, **launching a custom hub to promote long-term listings** and entry requirements **to attract digital nomads.** [110]

Airbnb in Cape Town and South Africa

- **2023: South Africa**’s Tourism Minister signed an **MOU** with Airbnb to boost tourism, create a **national short-term rental database**, and access to Airbnb’s City Portal for travel data. [111]

- **2024:** The Department of Tourism’s **White Paper** announced plans to regulate short-term rentals to integrate them into the formal tourism economy while minimizing harm to existing businesses. [112]

- **2024:** Airbnb released Impact Report for **Cape Town** [113]

- **2025:** Mayor of **Cape Town** announces “a process is underway to change tariffs for those operating short-term rentals,” adding that there needs to be an “equal playing field” in the accommodation sector” [as operationalized in the 2025-26 Budget]

Airbnb in Cape Town and South Africa

- After serving as the Head of Federal Policy for the DA from November 2019 to March 2023, and in that same month, **Gwen Ngwenya** became the Head of Policy for Airbnb until October 2024 [114]

- **Velma Corcoran**, who started at Airbnb in March 2016 and is now the Head of Policy Strategy for Airbnb, served as the Executive Manager in Marketing and Communications for the City of Cape Town Tourism from 2011-2016 [115]

- The **revolving door** connecting both Cape Town and South Africa's governments with Airbnb, suggests that Airbnb maneuvers to exert substantial influence on the government entities that might seek to regulate it

Airbnb Position on Regulation

Airbnb's 2024 Cape Town Impact Report states:

"While evidence suggests dedicated rentals on Airbnb represent a small share of housing units in Cape Town, we believe that **governments should have the tools and data to understand the impact of short-term rentals in their communities**. That's why Airbnb has long led calls for **short-term rentals to be regulated**. Regulation would help to provide policy certainty for hosts and guests, and create a **level playing field** for all operators." [116]

They also make three suggestions for Cape Town's government:

1. "A simple and free **national registration system** for all hosts is an important first step to shape clear, evidence-based rules. A national registration system, together with **data sharing with authorities**, are key instruments to provide local authorities the transparency they need to better understand the impact of short-term rental activity" [117]
2. "Regulation should be proportional to the level of intensity of the activity, so that the **rights of South Africans** to occasionally rent the place they live in are protected. Casual hosting should not be limited or costly" [118]
3. "If needed, when dedicated rentals risk competing with long term housing, **local authorities** should have the powers to introduce evidence-based tools that **disincentivise speculation**"[119]

Airbnb Position on Regulation

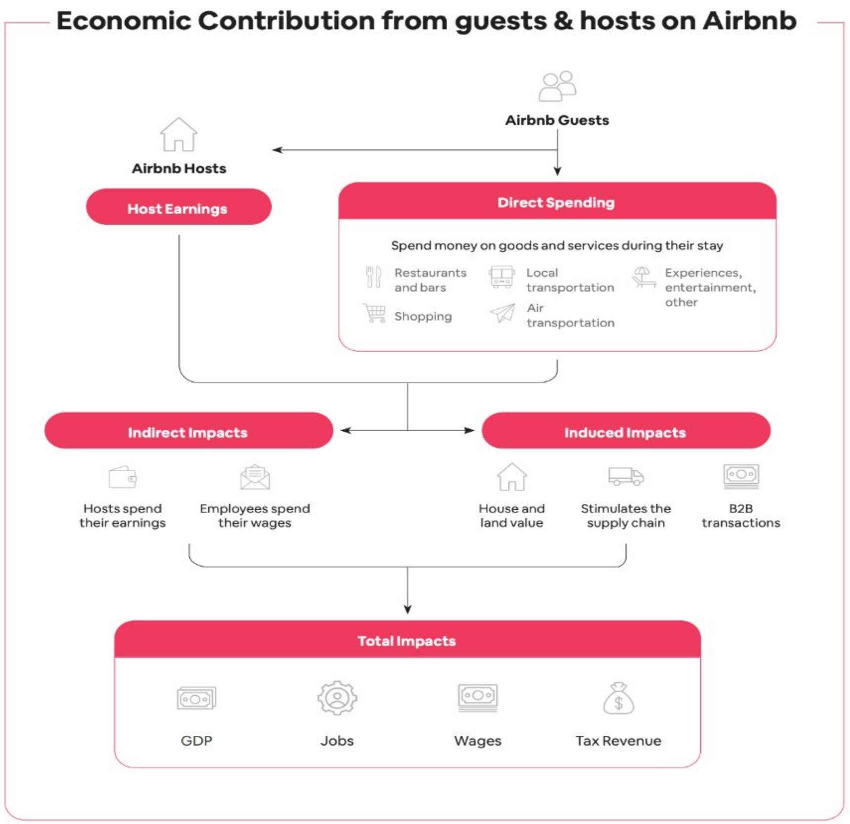
Airbnb appears to be discouraging cities like Cape Town from taking actions similar to Barcelona, such as implementing a complete ban on STR's, and encouraging them to shift their focus to other kinds of regulation

- In a June 2025 report, Airbnb argued to EU cities "to tackle the 'overwhelming impact' of hotels on overtourism" [120]
    - In this report it states: "Where Airbnb is restricted, visitor numbers continue to rise, more guests stay in city center hotels, and travel becomes more expensive – with fewer proceeds going to local families. We encourage leaders to look beyond hotels and embrace tourism that supports families and communities." [121]

Airbnb Position on Regulation

Airbnb claims guests and hosts impact the economy in terms of:

- GDP
- Jobs
- Wages
- Tax Revenue



Visual: 2024 Airbnb Cape Town Impact Report (p. 6)

Stakeholder #3: National Property Investment and Management Firms and Corporate Speculators

Why are national investment and management firms and corporate speculators stakeholders?

- These actors often **hold large-scale property portfolios** and **operate multiple Airbnb** listings as part of profit-driven investment strategies
- They have a **direct financial interest** in how Cape Town sets limits, licensing rules, and enforcement mechanisms for Airbnb
- Any **regulatory changes** affecting Airbnb could **impact their return on investment**, property acquisition strategies, and asset management practices
- They may also seek to influence policy to protect their economic interests in the STR market in response to regulation
- Have vested interest in the interpretation of property rights in Section 25 of Constitution

National Property Investment and Management Firms and Corporate Speculators

- South African property investment firms and speculators have identified Airbnb as a lucrative investment strategy

- STRs in the Atlantic Seaboard earn **30-50% more than long-term rentals**, and STRs in the Central Business District (CBD) earn **25% more** than long-term rentals in the area [122]

- **Six** hosts (STR management firms) manage over **90** entire home or apartment listings each and promise the **highest possible returns for investors** [123]

- Nox Management is the leading Cape Town STR property management company with **181 entire houses and apartments** listed [124]
  - Nox founder Richard Marshall notes he "**supports responsible regulation that creates fairness and stability in the industry**" but **opposes national regulations** and instead believes that "regulation should be handled at the most local level possible." He also thinks that compliance measures beyond guest reviews are not needed, wants to **avoid "unnecessary red-tape"** [125]

National Property Investment and Management Firms and Corporate Speculators

- Nox Cape Town and other property management companies founded the **South African Short Term Rental Association (SASTRA)**.
  - SASTRA operates through "discussions with regulators, policymakers and industry stakeholders and partners" alongside "educational resources and networking opportunities" in order to protect growth [126]

- STR management firms are likely to cite the economic impact that Airbnb has on Cape Town and emphasize the role of Airbnbs in the tourism industry in response to the prospect of regulation
  - Nox Founder Marshall turned to a **2022 Airbnb report,** citing that "the platform alone contributed **R23.5 billion** to South Africa's economy and supported almost **50,000 jobs**." [127]

Richard Marshall

Source: Facebook

Stakeholder #4:

International Property Investors and Corporate Speculators

Why are international property investors and corporate speculators stakeholders?

- International property investors and corporate speculators **hold and manage high-value real estate** assets in Cape Town
- They can often convert properties into **short-term rentals**
- **Regulatory decisions** in Cape Town such as those affecting short-term rentals **may affect** their **investment returns**
- Local policies may affect the **profitability** of global real estate portfolios
- Have vested interest in interpretation of **property rights** and allowance of **international property purchases**

International Property Investors and Corporate Speculators

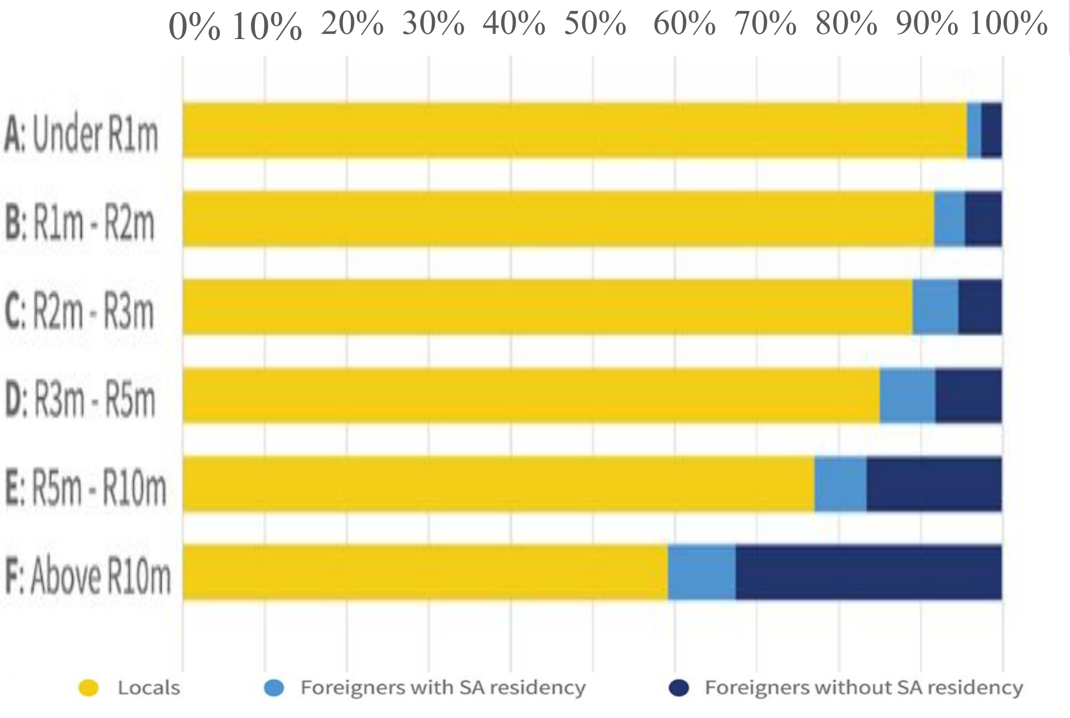
- International property investors have utilized Airbnb as a mechanism to **heighten returns** and **diversify portfolios**

- In response to geopolitical changes, regulatory challenges, and economic instability, international property developers and high-net-worth individuals (HNWIs) are developing **multi-continental property** portfolios [128]

- In 2024, international buyers accounted for **over 40% of all purchases over R10m** in the Western Cape, **25% of the purchases in the R5-10m** range, and **15% in the R3-5m** range [129]

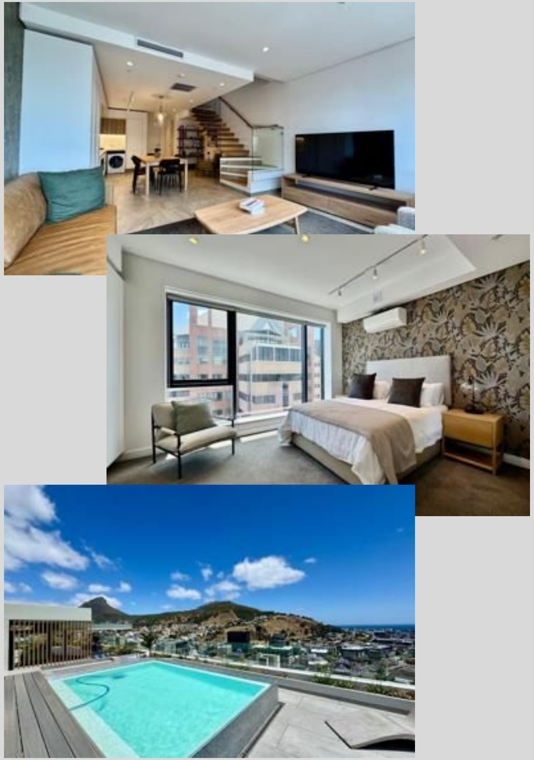
Source: Lightstone Property, April 2025

Western Cape Foreign Ownership by Housing Value Band–2024

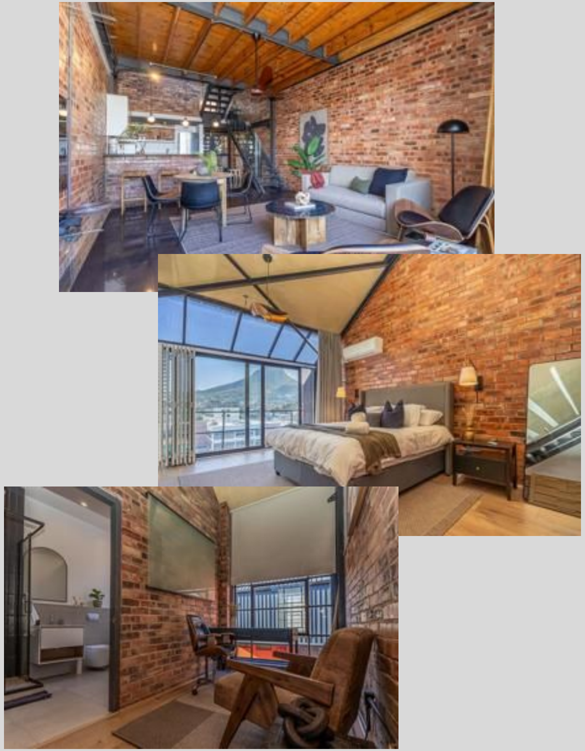


City Bowl [130]

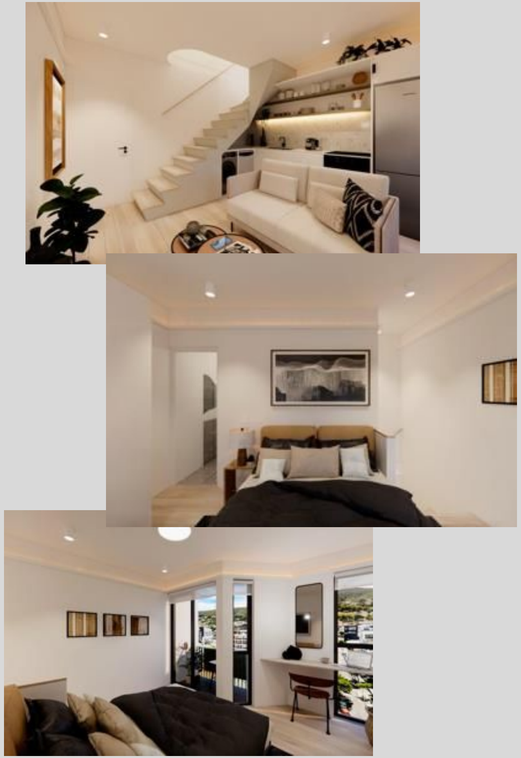
Over R10 million



R5-10 million

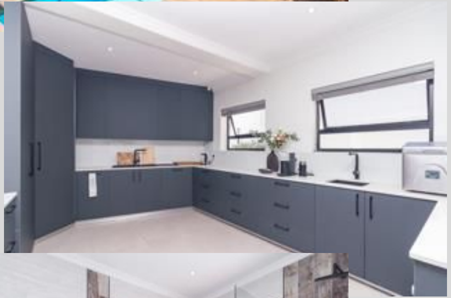


R3-5 million

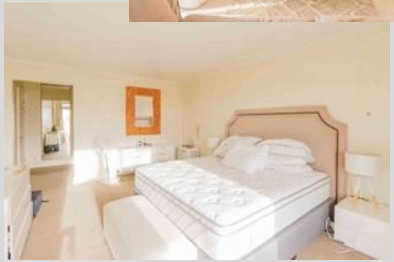


Atlantic Seaboard [131]

Over R10 million



R5-10 million



R3-5 million

Southern Suburbs [132]

Over R10 million

R5-10 million

R3-5 million

International Property Investors and Corporate Speculators

- International owners with properties listed in Cape Town often pay these management companies to list their properties and manage property maintenance and guest stays [133]
- Buyers from **over 40 countries** have **purchased property** in Cape Town this year: the highest investors are from Germany, the UK, the Netherlands, and other parts of Europe and Africa [134] with one of the leading African countries being Nigeria [135]
- Investors compare regulatory environments across cities and may **shift capital** in response to unfavorable policy. If Cape Town implements STR restrictions without investor protections, international investors may divest or redirect capital to more permissive markets
- In Barcelona**, international investors withdrew or restructured holdings after the city introduced bans on entire-home short-term rentals in key districts** [136]
- As a stakeholder group, international investors are **not aligned** with regulations that cap any one host's STRs, restricts licenses (limits the number of possible STRs and imposes restrictions within licenses), or enforces owner-residency requirements

Stakeholder #5: Single Property Owners–Positively Affected by Airbnb

Why are single property owners positively affected by Airbnb stakeholders?

- Single property owners may use Airbnb to generate income from their homes when not in use
- May use to supplement household earnings, cover mortgage costs, or rely on Airbnb as a way to remain in high-cost neighborhoods
- Those using Airbnb will be impacted by any regulation
- May be prompted to engage with or respond to policy decisions

Single Property Owners–Positively Affected by Airbnb

- Single property owners are direct stakeholders in Airbnb regulation. They typically host
  - Their entire home when away
  - A private or shared room while occupying the home
- These hosts are generally more sensitive to affordability and neighborhood dynamics
  - **39.8%** of Cape Town hosts (10,290 of 25,882) have **only one listing** on Airbnb [137]
  - **17.2%** of listings (4,459 of 25,882) are **part of owner-occupied homes** (private/shared rooms) [138]
  - difficult to determine whether all single listings = single property ownership
- Single property owners often use Airbnb to **earn supplemental income**
  - **~50%** of Cape Town hosts say Airbnb helps them afford their homes and rising living costs [139]
  - Regulating multi-property hosts may **increase occupancy rates** for single-property hosts (if tourist demand remains stable)
- Barcelona attempted regulation that single property owners would likely support
  - **Room rental permits** allow owner-occupied STRs to operate legally [140]
  - **Entire-unit STRs** without owner-occupancy face restrictions or bans [141]

Stakeholder #6: Single Property Owners–Negatively Affected by Airbnb

Why are single property owners negatively affected by Airbnb stakeholders?

- Airbnb can drive up local property prices and municipal rates, making it more expensive for single property owners to remain in their homes
- Airbnb guests can disrupt shared spaces and new-people coming in and out can impact these owners at a negative level
- Those negatively affected by Airbnb may voice their concerns and push for more regulation
- Single property owners impacted by regulation now will also be impacted by any changes to Airbnb regulation

Single Property Owners – Negatively Affected by Airbnb

- There are primarily two types of single-property owners who are negatively affected by Airbnb:
  - those being **pushed out** of ownership by **rising rates and taxes** (and rising City services costs)
  - those impacted by short-term subletting in their **Sectional Title and community housing schemes**
- Increase in Airbnb density associated with rising residential property prices
  - Based on aggregate results of five Italian cities, a 1% increase in Airbnb density leads to an average 0.63% increase in sales prices [142]
  - Research based on a data set of Airbnb listings across the entire United States finds that housing prices increase by 0.026% when Airbnb listings increase by 1% [143]
  - In Barcelona, neighborhoods in the top decile of Airbnb density saw property prices increase by 17% [144]
  - Airbnb raises property values through additional revenue potential and investor incentives, supply constraints, and increasing the concentration of tourist- facing amenities (cafes, shops etc.) [145]
  - In cities with high levels of inequality, this trend tends to exacerbate the gap between center and periphery prices [146]

Single Property Owners – Negatively Affected by Airbnb

In Cape Town, rising property values directly impact municipal rates and taxes

- As **values rise, rates also rise**, especially in high-demand areas
- General Valuation Rolls (GVLs) are **updated every 3–4 years;** when a valuation increases, the new valuation becomes the basis for rates [147]
- These single-property owners who are being **pushed out** of their homes by rising rates and taxes are likely to turn to the data and see Airbnb as the cause of their problems, and subsequently support STR regulations, **whether Airbnb is the main contributor or not**

- **Sectional Title schemes** that have been working to change conduct and STR policy
    - Some have been unable to because of the owners within these schemes who exclusively engage in short term subletting **oppose any changes** that would prohibit STR subletting [148]
    - Individuals within the body corporate of schemes that **have been unsuccessful in regulating STRs** on their own are **likely to support city-wide or national regulations**

Stakeholder #7:

Renters and would-be Renters who live in Cape Town (Non-Tourist renters)

Why are Renters and would-be Renters who live in Cape Town (Non-Tourist renters) stakeholders?

- Rising prices in Cape Town make make certain proximate and desirable areas not accessible to local residents(Slide 29)
- STRs invite more tourists to stay in local communities and begin the cycle of gentrification that operates to drive out locals from their communities

Renters and would-be Renters who live in Cape Town (Non-Tourist renters)

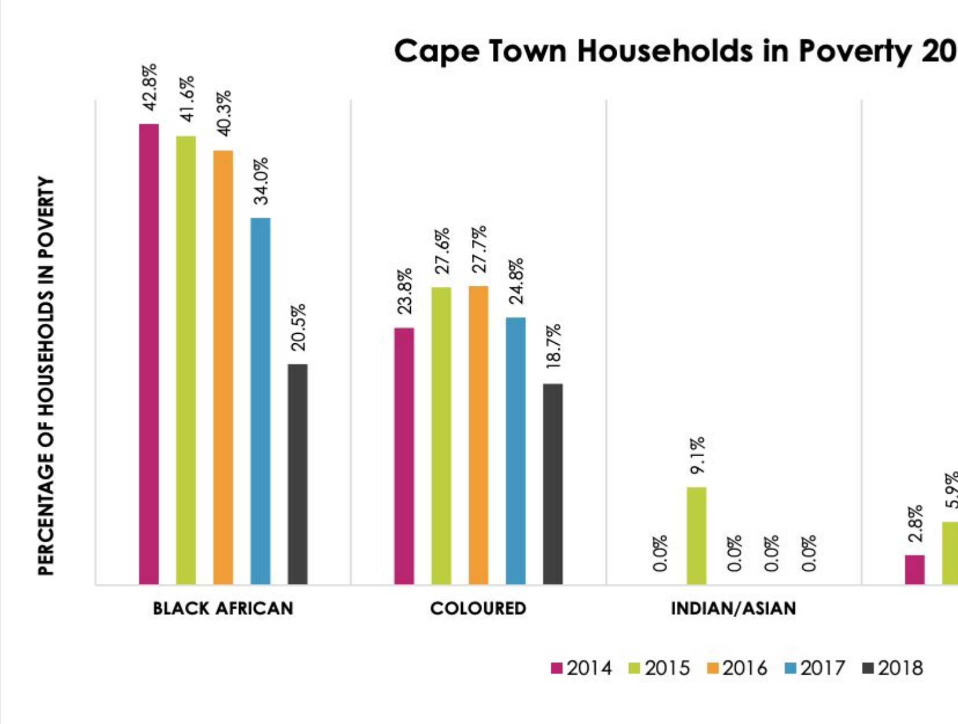
- Premise to be tested: if regulatory restrictions decrease the number of STR properties, then more housing will become available for long-term tenants
- The 30% Rule: No more than 30% of gross monthly income should go towards rent
- The **average** salary in Cape Town (CT) is **R292,000** a year [149]
    - average monthly income of about R24,333 a month
    - The lowest cost option to rent in these desirable areas is R10,500 in the City Bowl
        - the lowest cost option almost half of the average salary

Chart from: Wise Move

2025 Average Rental Prices in CT

Size/Suburb	Low range	Upper range
Studio/1-bedroom apartment (City Bowl)	R10,500	R14,000
2-bedroom apartment (City Bowl)	R18,000	R28,000
2-bedroom apartment (Atlantic Seaboard)	R22,000	R35,000
3-bedroom house (Southern Suburbs)	R20,000	R35,000

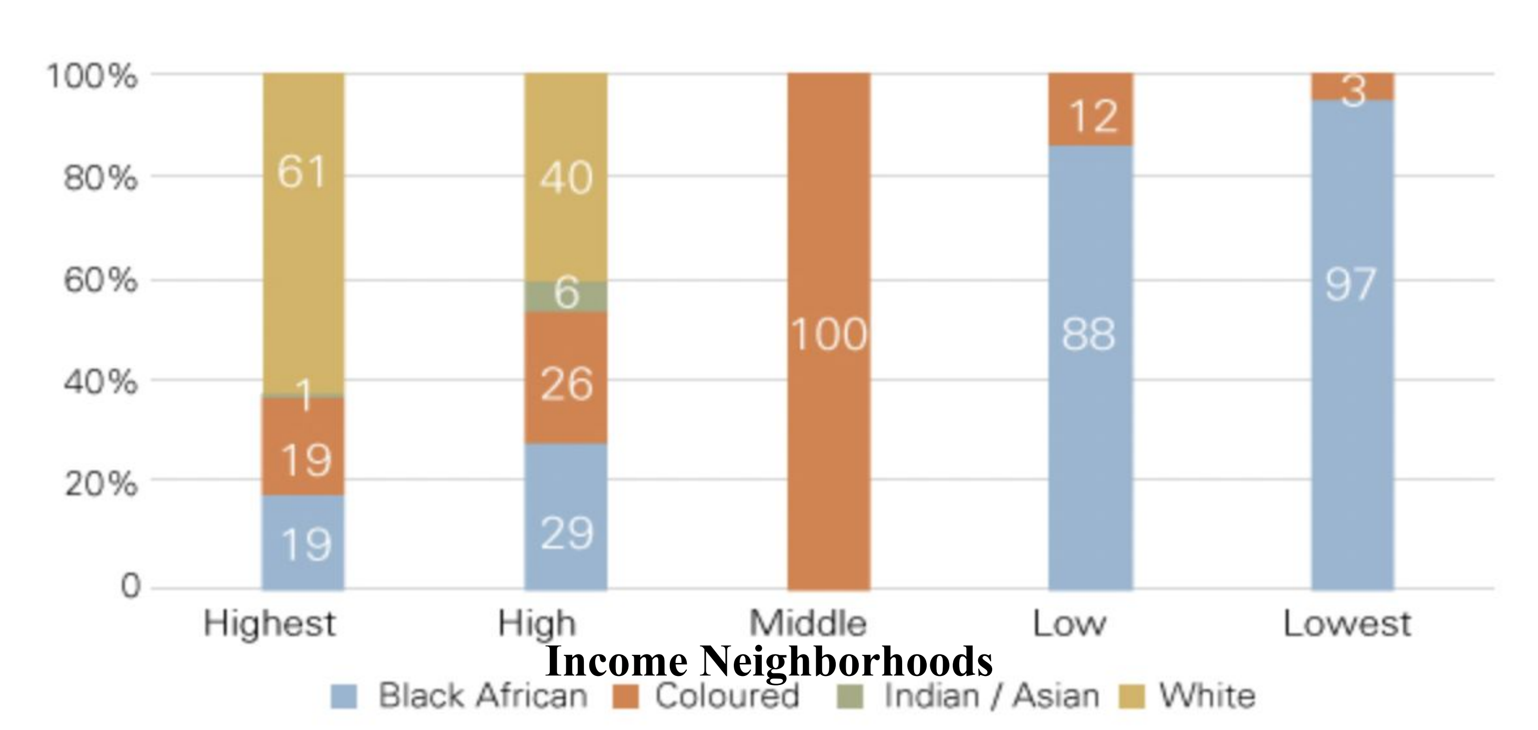
Renters and would-be Renters who live in Cape Town (Non-Tourist renters)



Graph from City of Cape Town “State of Cape Town Report 2020” (p. 16) [150]

While the largest population in Cape Town are black africans, they also account for almost half of the poverty in the city. While white individuals have remained at less than 10% of the poverty. Showing the overwhelming income inequality that disproportionately affects black african residents.

Renters and would-be Renters who live in Cape Town (Non-Tourist renters)

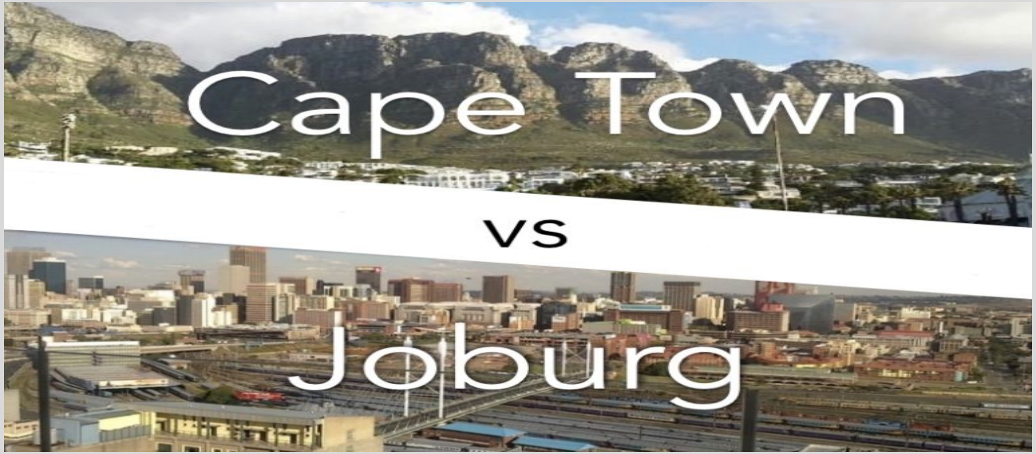


Human Sciences Research Council, 2021. Household survey of about 1,000 residents from different neighborhood as differentiated by income levels of the residents in Cape Town

Renters and would-be Renters who live in Cape Town (Non-Tourist renters)

For example, Tumi Mohapi, a lawyer in Cape Town for 8 years, moved to Johannesburg at the start of 2024 due to high rent n CT

- "Moving further out of the city has become the more affordable route. But then you have to deal with being stuck in a lot more traffic or move into an area that is not exactly that safe"[150 (a)]
- "I left Cape Town because, when you weigh up how much people get paid versus rental, it was astounding. It was not worth staying there anymore."[150(b)]



https://www.thesharonicles.com/2015/12/cape-town-vs-joburg.html

Renters and would-be Renters who live in Cape Town (Non-Tourist renters)

Irene Grootboom House: 104 Darling Street, District Six

- Once a residential property under different landlords, over time, this building became less and less maintained
- National Department of Public Works is pursuing its application in the Western Cape High Court to evict around 30 long-term residents of 104 Darling Street [151]
- According to Reclaim the City, “This represents the failure of the National Department to proactively manage its land and building portfolio in a way that advances the right to housing and access to land on an equitable basis.” [152]
- Irene Grootboom House is **named after the late housing activist and named applicant** in **2000 Constitutional Court** ruling that confirmed the state's responsibility to make a reasonable plan to provide access to adequate housing for vulnerable people. For more about the *Grootboom* landmark judgement, see Justice Albie Sachs’ explanation of the case on the Albie Collection website.[153]

Irene Grootboom House

Source: Reclaim the City

Stakeholder #8:

Would-be Renters/Rights Groups (Ndifuna Ukwazi and Reclaim the City) representing economically and socially excluded people living unhoused in Cape Town or renting in undesirable locations

Why are Would-be Renters/Rights Groups (Ndifuna Ukwazi and Reclaim the City) representing economically and socially excluded people living unhoused in Cape Town or renting in undesirable locations Stakeholders?

- Everyone has the right to have access to adequate housing
    - Tourism and STRs allow tourists to live in proximate and desirable areas and homes for higher costs while low-income and unemployed residents have high rates of homelessness
- Residents continue to be pushed to the periphery of the city center
    - Living in these areas entails high costs to get to and from city center for work
- Buildings that could be turned into social housing continue to be used for profit
    - Inadequate social housing efforts closer to the city centers

Would be renters/economically and socially excluded people living unhoused in Cape Town or renting in undesirable locations

- Affordable housing closer to city centers is nearly impossible to obtain for these stakeholders, including 600,000 unemployed individuals of working-age who continue to search for employment in Cape Town or are discouraged and non-searching [154]
- Transport costs to and from temporary housing made available in periphery areas are extremely expensive
  - Wolwerivier: 30 kilometres from the city centre
  - Residents pay up to R300 for private transport if they need to get somewhere urgently
  - One resident, Bongeka Dakwini, remains unemployed; a key barrier for Dakwini is the travel expenses associated with looking for work
  - Wolwerivier was meant to be a temporary solution but it is clear that these homes are permanent

Archive photo of Wolwerivier: Ashraf Hendricks
https://groundup.org.za/article/city-cape-town-shelves-wolwerivier-housing-project/

Would be renters/economically and socially excluded people living unhoused in Cape Town or renting in undesirable locations

- Social housing developments, such as **Leeuloop** developments in **Cape Town CBD**, are in the city center, however
  - two multi-floor buildings are estimated to provide **840** apartments,
    - **350** of them will be social housing (government-subsidized rental housing option for low-to-medium income households, typically earning between R1,850 and R22,000 per month)
    - the rest open-market
  - Appears to be no plan for meeting urgent and large-scale demand by shanty dwellers and unhoused

"Western Cape Government unveils first inner-city affordable housing development, hands over title deeds with FNB" - https://www.westerncape.gov.za/infrastructure/article/western-cape-government-unveils-first-inner-city-affordable-housing-development-hands-over#:~:text=Joint%20Media%20Release%20by%20Western,deliver%203%20500%20housing%20opportunities.

Would be renters/economically and socially excluded people living unhoused in Cape Town or renting in undesirable locations

- Rights groups such as Ndifuna Ukwazi continue to criticize the speed at which the city is constructing and opening social housing options
- The **Woodstock** and **Salt River** areas were declared an Urban Development Zone Area; developers gain a tax break if they build in the area [155]
    - led to high levels of gentrification and eviction
    - Mayor Hill Lewis, criticized the occupation of the no-longer-operational City-Owned Woodstock Hospital and labeled it "hijacking"
        - He claimed the occupations "stalled social housing developments" [156]
        - Failed to mention the urgency that each individual has to find shelter
    - Those who found shelter in the erstwhile hospital felt their problem of unhousedness was not urgent to the city and that they had to squat

*"a designated area within a city where tax incentives are offered to encourage private sector investment in property development and urban renewal" (City of Cape Town)

Woodstock Hospital now, Cissie Gool House
Source: Reclaim the City

Stakeholder	Predicted Response To Airbnb Regulations
1.The City of Cape Town	Opposed to regulation that creates obstacles for people like hosts, digital nomads, homeowners, but wants to “even the playing field in the accommodations sector ” (memorialized in the Property Rate changes, 2025-26 City Budget)
2. Airbnb	Against highly constraining regulation but in favor of some regulation (registration, data sharing, licensing) (See Slide 64)
3. National Property Investment and Management Firms and Corporate Speculators	Against Regulating Airbnb (See Slide 68)
4. International Property Investors and Corporate Speculators	Against Regulating Airbnb

Mildly in favor of regulation **Not strictly for or strictly against regulation** **Against regulation**

Stakeholder	Predicted Response To Airbnb Regulations
5. Single Property Owners–Positively Affected by Airbnb	Indifferent to Airbnb regulations, as long as they are protected
6. Single Property Owners–Negatively Affected by Airbnb	In favor of restrictions
7. Renters and would be Renters who like in Cape Town (Non-tourists)	In favor of restrictions
8. Would be renters/Rights Groups representing economically and socially excluded people living unhoused in Cape Town or renting in undesirable locations	In favor of restrictions

Mildly in favor of regulation

Strongly in favor of regulation

Recommendations

Our findings support **two recommendations** related to Airbnb regulation in Cape Town:

1. The City of Cape Town, civil-society, academics, and rights groups should **closely follow** and **enforce** the **changed tax classifications** for Airbnb from residential to commercial in 2025-26 Budget has any impact on the STR market.

2. The City of Cape Town, or an academic research unit, or civil society with research capacity, should independently review the **claimed impact** of Airbnb especially by **independently** analyzing the **methodology** Airbnb cites for its expected and actual impacts and develop sounder measuring methods.

Recommendation #1: Strictly Follow and Enforce The Changed Tax Classifications

- **Strict enforcement** of the tax classification change will be necessary for the regulation to impact the STR market, even though the City offers purposes different than this one for the changes[157a] (p. 114) namely:
  - "The continuation and enhancement of providing **Rates-funded services** and initiatives such as the provision of **rebates to the most vulnerable**"
  - "Improving **safety and security measures** including the hiring of 528 additional law enforcement cadets"
  - "Continued investment in **infrastructure** and its maintenance to sustain and **improve service delivery**"
  - "Enhancing **firefighting** initiative and fire breaks"

- **Impacting the STR market** through the tax reclassification in Cape Town will entail having access to **accurate and transparent data** through the City of Cape Town's 2022 data sharing partnership with Airbnb and the 2020 global release of the "City Portal." Researchers note robust data sharing is "crucial to guarantee the enforcement of any regulation" [157b]

- **Key questions** to ask following the new classifications are:
  - What are the positive impacts and for whom?
  - How does the number of STRs change?
  - Does it raise city revenue as expected?
  - What are the negative impacts and for whom? Were they as predicted?
  - Does policy change suggest there should be further STR regulation?

Anticipated Counterclaim to Recommendation #1

The change of Tax Classifications may push Airbnb hosts to raise their prices which would discourage tourists from going to Cape Town. Cape Town relies on the income from tourists and as such would have a larger and negative effect on the economy.

Rebuttal:

Most tourists will most likely adapt to alternative forms of housing in Cape Town such as hotels and guesthouses. Cheap options for housing is not the main attraction to Cape Town, it is the natural beauty and cultural sites. Cape Town would also likely remain far more affordable compared to other global tourist sights like Spain.

Recommendation #2: Independently Analyze Impact

- Airbnb releases reports and impact analysis with statistics and estimated impacts
  - For example, the 2024 Cape Town Impact Report claims that [158]
    - Guests contribute an estimated **R14.4 billion to GDP** annually (p. 5)
    - Airbnb supported **42,000 jobs** and R7 billion in labour income (p. 5)
    - Dedicated rentals hosted on Airbnb represent 0.9% of all formal housing units (p. 7)
    - If dedicated rentals hosted on Airbnb were suddenly added to long-term rental supply, it would only **reduce R69 in rent per month*** on average (p. 8)
    - In the four years from 2020 to 2024, the total number of active listings did not increase significantly, meaning Airbnb is responsible for rising rent (p. 2)

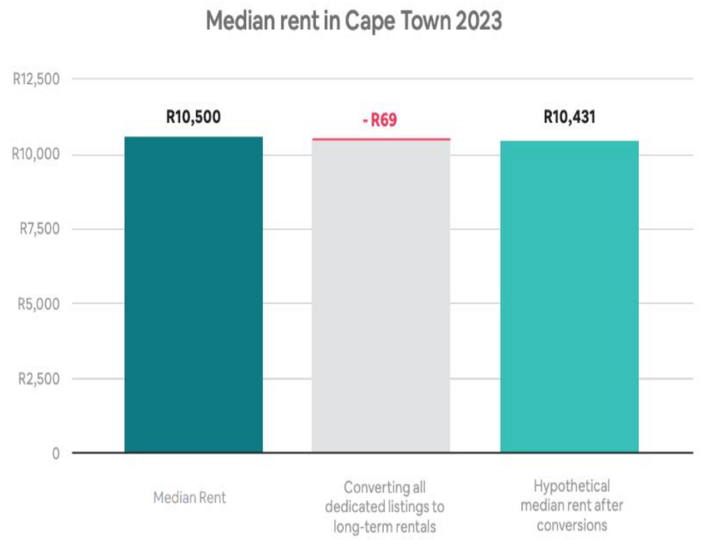
- As laid out in the following slides, there is cause for concern regarding the accuracy of Airbnb's statistics

Let's focus on just one of these claims:

- *If dedicated rentals hosted on Airbnb were suddenly added to long-term rental supply, it would only* ***reduce R69 in rent per month*** *on average*[159] *(p. 8)*

- The statistic is cited in various places: in Airbnb Newsroom, national newspapers and sites (BusinessTech, EWN news, Bizcommunity, Business Live, The Newspaper), and property groups and related news sites (Coastal Property Groups)

In Cape Town, where the median rent is R10 500, a price elasticity analysis shows that if all Airbnb dedicated listings were suddenly added to long-term rental supply (an unrealistic assumption), it would lead to an average reduction in rent of only **R69 per month.**[12] The chart below shows how this change compares to the current median rent in the Cape Town area.



- Airbnb describes how it came to this estimate:
    - *"The model we use to estimate the impacts of* ***converting*** *Airbnb listings (****entire listings booked for 90 days or more****) to long-term rental units is simple and transparent: We count the number of units to be converted, and translate that to price changes based on elasticities as reported in* ***Saiz (2010)****. We use a supply elasticity of* ***0.595*** *for Cape Town"* [160] (p. 8)

- Albert Saiz, "The Geographic Determinants of Housing Supply" (2010) follows housing elasticity in the **United States**
- Housing supply elasticity measures how responsive housing construction is to changes in housing price
    - Geographic constraints like **coast lines** and **mountains** result in **low elasticity**–even if prices rise, there is little new housing [161]
    - **Regulatory constraints** such as zoning and land-use restrictions **further limit elasticity** [162]

Price Change Formula:

$$\%\text{ change in price} = \frac{\%\text{ change in quantity}}{\varepsilon}$$

How did Airbnb get R69/month rent reduction?

- Median rent: R10,500 (as stipulated by Airbnb)
  - Problem: **median rent across *all of* Cape Town**, doesn't reflect **differences in area** (especially in areas with high numbers of STRs)
- Housing Supply: > 1 million
  - This figure is closer to **entire housing stock** (1.45 million) than to **long-term rental supply** to dilute impact of STRs
  - An estimate for the long-term rental stock of Cape Town is **350,000** properties: ~24% of 1.45 million households rent their housing from private sources [163]
- Dedicated Airbnb STRs **added to long-term rental supply**: ~ 4,000 (as stipulated by Airbnb)
  - Based only on what Airbnb stipulates as dedicated, meaning booked for more than 90 days a year
- Elasticity: 0.595 (as stipulated by Airbnb)
  - This elasticity value was taken from literature from the United States and is not based on Cape Town
  - Cape Town has regulatory (zoning) constraints and extreme geographic constraints, meaning it would have a low supply elasticity

Alternative models that raise concerns about Airbnb’s stipulated information:

- In order to achieve the **R69** estimate using the rent estimate of R10,500 stipulated by Airbnb, a return of 4,000 dedicated STRs to the rental market and an elasticity 0.595, Airbnb would have needed to use a housing stock of ~1,027,000. This housing supply estimate is closer to the entire Cape Town housing stock (1.45 million) than it is the estimated rental stock. An estimate for the rental stock of Cape Town is 350,000 properties: ~24% of 1.45 million households rent their housing.

- A model that uses Airbnb's stipulated rent estimate of R10,500, a return of 4,000 STRs to the rental market, and an elasticity of .595, but uses the estimated rental stock of 350,000 as housing supply would return an estimated rental reduction of **R202.**

- A model that uses Airbnb’s stipulated rent estimate of R10,500, an elasticity of .595, an estimated LTR stock of 350,000 but a return of 5,320 STRs (all STRs booked for 61 or more days a year according to Inside Airbnb)[164] to the rental stock would result in an estimated rent reduction of **R268.**

These models don’t even account for the possibility of a lower elasticity or rental estimates by area. If those were to change, the outcome would show an even greater rental reduction.

Anticipated Counterclaim to Recommendation #2

Securing academic-level analysis will delay urgent interventions needed to address rising rents, evictions, and the hollowing out of neighborhoods.

Rebuttal:
Without local data to inform regulations, regulations could cause more harm than good to locals.

Some possible effects of uninformed regulations are

- Targeting casual hosts instead of large-scale operators
- Hurting small tourism entrepreneurs disproportionately
- Creating enforcement costs that outweigh gains
- Failing to understand the drivers for rising rents (STRs, real estate purchases by international investors and HNWI, other possible drivers)

Conclusion

To make better **informed** regulatory decisions, more needs to be learned about the **impact of STRs** and **Airbnb** on Cape Town. We recommend the City of Cape Town closely follow and enforce the changing tax classification for STRs. We also recommend **statistical analysis** be conducted **independent** of Airbnb to discern impacts. This information would assist the City and policy advocates then to delve into **possible regulations** like licensing, limits on the amount of days a property can be rented per year, fines for empty property, and limiting hosts to 1 or 2 properties.

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Left to right: Tyler Rogers, Lizeth Rocha Rocha, Prof. Catherine Admay, Kate Westlake

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Thank you!

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