

7.

RE: Homelink

To: HomeLink UK; [REDACTED]

Tue 12/12/2023 08:28

Hi [REDACTED] - thanks for this. Please do share the questionnaire with other company owners within the home exchange industry.

Happy to have a short chat however diaries are chocka this week - would Friday or Monday/Tuesday next week suit?

Thanks

[REDACTED]

From: HomeLink UK <[mail@homelink.org.uk](mailto:mail@homelink.org.uk)>

Sent: Monday, December 11, 2023 9:26 PM

To: [REDACTED] <[\[REDACTED\]@gov.scot](mailto:[REDACTED]@gov.scot)>; [REDACTED] <[\[REDACTED\]@gov.scot](mailto:[REDACTED]@gov.scot)>

Subject: RE: Homelink

Hi [REDACTED].

Please find attached the completed questionnaire and an updated copy of my spreadsheet of council fees and temporary exemptions.

1. Is it OK with you if I share the questionnaire with other company owners within the home exchange industry?

If you are available for a short meeting mid-day on Wednesday or anytime Thursday, I would be very grateful.

Many thanks



[REDACTED]  
HomeLink International Ltd.  
[REDACTED]

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**From:** HomeLink UK  
**Sent:** Sunday, December 10, 2023 6:56 PM  
**To:** [REDACTED]@gov.scot  
**Cc:** [REDACTED]@gov.scot  
**Subject:** RE: Homelink

[REDACTED]

Thanks for your email.

This is very disappointing news – would you and [REDACTED] be available for a quick call on Monday, Wednesday or Thursday this week?

Thanks for the questionnaire, I will of course complete it – is there a deadline for return?

Many thanks  
[REDACTED]



[REDACTED]  
HomeLink International Ltd.  
[REDACTED]

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**From:** [REDACTED]@gov.scot [REDACTED]@gov.scot  
**Sent:** Friday, December 8, 2023 11:53 AM  
**To:** HomeLink UK <[mail@homelink.org.uk](mailto:mail@homelink.org.uk)>  
**Subject:** RE: Homelink

Hi [REDACTED] I hope you're well and apologies for my delayed response. I have attached a letter sent to Parliament at the end of October which outlines the scope of the Implementation Update. I have also attached a draft questionnaire for your input/ feedback.

Thanks

[REDACTED]

[REDACTED]

**From:** HomeLink UK <[mail@homelink.org.uk](mailto:mail@homelink.org.uk)>  
**Sent:** Tuesday, October 10, 2023 9:14 PM  
**To:** [REDACTED] <[\[REDACTED\]@gov.scot](mailto:[REDACTED]@gov.scot)>  
**Cc:** [REDACTED] <[\[REDACTED\]@gov.scot](mailto:[REDACTED]@gov.scot)>  
**Subject:** RE: Homelink

Thank [REDACTED]

I would be very grateful for the opportunity to complete your questionnaire and I'd be happy to send it to some, or all, of my current and former Scottish members so you can hear from them first hand.

I'll wait to hear from you

Many thanks



[REDACTED]

HomeLink International Ltd.

[REDACTED]

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**From:** [REDACTED] <[\[REDACTED\]@gov.scot](mailto:[REDACTED]@gov.scot)> [REDACTED] <[\[REDACTED\]@gov.scot](mailto:[REDACTED]@gov.scot)>  
**Sent:** Tuesday, October 10, 2023 8:05 AM  
**To:** HomeLink UK <[mail@homelink.org.uk](mailto:mail@homelink.org.uk)>  
**Cc:** [REDACTED] <[\[REDACTED\]@gov.scot](mailto:[REDACTED]@gov.scot)>  
**Subject:** RE: Homelink

Thanks [REDACTED] and it was good to meet you too. I will have a read through your presentation and, as I am working on the Implementation Update, it will be useful to get your views. Part of this process will involve completion of a questionnaire which is still in very draft form at the moment but I will share with you when it's ready and this will provide an opportunity for you and your members to feed into the update/assessment process.

Thanks again and I'll be in touch.

[REDACTED]

[REDACTED]

[REDACTED]

From: HomeLink UK <[mail@homelink.org.uk](mailto:mail@homelink.org.uk)>  
Sent: Monday, October 9, 2023 9:34 PM  
To: [REDACTED] <[\[REDACTED\]@gov.scot](mailto:[REDACTED]@gov.scot)>  
Cc: [REDACTED] <[\[REDACTED\]@gov.scot](mailto:[REDACTED]@gov.scot)>  
Subject: RE: Homelink

Hi [REDACTED].

It was nice to meet you the other day – thanks for your time.

I just wanted to touch base with you as you were not part of our original conversation and I wanted to ensure that you understood the nuance of a reciprocal home exchange. If you have time, would you mind reading through the attached (slightly updated with information on points exchanges) presentation?

Could I also ask your view on Andy Wightman's interpretation that a home exchange cannot fall under the legislation as it is not undertaken 'in the course of business'? He ends the following article: <https://andywightman.scot/2023/09/short-term-lets-the-confusing-case-of-house-swaps/> with this conclusion:

My advice to anyone who wishes to engage in a house swap is as follows.

House swapping is not "the provision of residential accommodation provided by a host to a guest in the course of business". You do not need a license or a temporary exemption. You will not be committing a criminal offence. Crack on.\*

\*For the avoidance of doubt, this statement does not constitute legal advice

Many thanks

[REDACTED]



[REDACTED]  
HomeLink International Ltd.  
[REDACTED]

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From: [REDACTED]@gov.scot [REDACTED]@gov.scot>  
Sent: Monday, October 9, 2023 2:06 PM  
To: HomeLink UK <mail@homelink.org.uk>  
Cc: [REDACTED]@gov.scot  
Subject: RE: Homelink

Hi [REDACTED] –

[REDACTED] email is [REDACTED]@gov.scot

[REDACTED]  
[REDACTED]  
[REDACTED]  
Regards  
[REDACTED] –

From: HomeLink UK <mail@homelink.org.uk>  
Sent: Monday, October 9, 2023 11:55 AM  
To: [REDACTED]@gov.scot>  
Subject: Homelink

Hi [REDACTED] –

Thanks for your time the other day. I didn't note down [REDACTED] – would you mind sending it to me?

Many thanks  
[REDACTED]



[REDACTED]  
HomeLink International Ltd.  
[REDACTED]  
[REDACTED]

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\*\*\*\*

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8.

	A	B	C	D
1	<b>Council</b>	<b>Temp exemption cost</b>		
2	Aberdeen City	420-2980 (full)	Applications for temporary licences will not be granted by Aberdeen City Council under any circumstance.	
3	Aberdeenshire	340-850 (full)	Temporary exemptions will not be granted by Aberdeenshire Council under any circumstance.	
4	Angus	174.5	There is no restriction on the ability to apply for a temporary licence in Angus.	
5	Clackmannanshire	275-350 (full)		
6	Western Isles	130-300 (full)		
7	Dumfries & Galloway	275.28 - 350.84 (full)	Not granted under any circumstances	
8	Dundee	155	Dundee City Council will consider Temporary Exemptions to accommodate large scale and National events placing demands on City accommodation. Where Temporary Exemptions are granted, the fee will be £155.	
9	East Ayrshire	125-250 (full)	The Council does not intend to have a policy on temporary exemptions and would not be supportive of such applications. This will be reviewed after a period of 3 years.	
10	East Dunbartonshire	450 (full)	The Council does not intend to have a policy on temporary exemptions and would not be supportive of such applications.	
11	East Lothian	390 (full)	East Lothian Council does not intend to have a policy on temporary exemptions and would not be supportive of such applications.	
12	East Renfrewshire	230-330 (full)	East Renfrewshire Council does not intend to have a policy on temporary exemptions (subject to Scottish Minister orders), whilst we gain a better understanding of the prevalence of business activity and any associated issues, with this new licensing scheme. This would mean that where a person is using their premises as a STL, at any time throughout the year, a STL licence would be required.	
13	Edinburgh	250-600	The Council may grant temporary exemptions to the requirement to obtain a STL licence in certain circumstances as set out below: a. During Edinburgh Festival Fringe and Edinburgh International Festival b. During Edinburgh's Christmas & Hogmanay Festive Period c. For Major Sporting Events d. For Major International Events	
14	Falkirk	?	?	
15	Fife	190-195	The Council may grant temporary exempt licences for significant National events to meet the requirements for an influx of visitors. The Head of Housing Services would make the decision when temporary exemptions may be granted for National events.	
16	Glasgow	125-275 (full)	This means that where a person is using their premises as a STL, at any time throughout the year, a STL licence would be required. The Licensing Authority may however, grant temporary exemptions for national events within Glasgow.	
17	Highland	320-530	no mention of exemptions	
18	Midlothian	210-330 (full)	Midlothian Council does not intend to have a policy on temporary exemptions or temporary licences and would not be supportive of either such application.	
19	Moray	495 (full)	No temp?	
20	North Ayrshire	125-200 (full)	NAC have elected not to grant exemptions in any case	
21	North Lanarkshire	300-450 full	No temp?	
22	Orkney Islands	180-225 full	the Council has decided to adopt a policy of not using its powers to grant temporary exemptions for premises.	
23	Perth & Kinross	45-200	the Council will only consider granting a temporary exemption in exceptional circumstances for example: - to accommodate a large influx of visitors over a short period to support exceptional events such as sports championship competitions and arts festivals, for example the Ryder Cup.	
24	Renfrewshire	100	The Board has agreed that a 20 temporary exemption may be suitable for granting in exceptional circumstances where an influx of large numbers of visitors is likely to require increasing accommodation capacity within Renfrewshire due to sporting, cultural or other events or festivals of national or international significance, or due to an emergency situation of similar significance.	
25	Scottish Borders	275-350 (full)	The Council is not intending to grant temporary exemptions under any circumstances. This position will be kept under review.	
26	Shetland	33	The circumstances under which a temporary exemption may be granted are for certain occasions in connection with special events of local or national significance, including where there is a large number of visitors over a short period.	
27	South Ayrshire	125-250 (full)	At this time, the authority will not embark on issuing temporary exemptions for short term lets. This will be reviewed after a period of 3 years.	
28	South Lanarkshire	250-625	In terms of the Order the licensing authority may grant temporary exemptions. The licensing authority does not intend to do so.	
29	Stirling	80-150	the Council will only consider granting a temporary exemption in exceptional circumstances for example: - I To accommodate a large influx of visitors to the area for over a short period of time to support exceptional events such as major sports championship competitions and art festivals.	
30	West Dunbartonshire	766 (full)	no temporary exemptions will be granted	
31	West Lothian	300	The Council will only consider granting a temporary exemption from the requirement to obtain a STL licence for specific circumstances for all four types of letting mentioned in paragraph 7 above. These circumstances are - Major sporting events in West Lothian, or in surrounding areas - Major events in West Lothian or in surrounding areas - To allow first time operators a short-term let trial period before applying for a full licence If the application for a temporary exemption does not relate to one of the above circumstances applicants can expect that their applications will be refused.	
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## Our members' response to STL

- [REDACTED] "This legislation is taking away the whole ethos of home swapping, it no longer feels like an exchange between two like-minded and trusting parties, but a business exchange. Also, it would cost us far more to get all the certificates and inspections done than to stay in an AirBnB, which is what this legislation is really aimed at. We would have no choice but to cancel our Homelink membership immediately. So sad."
- [REDACTED] "if we follow this route, our outlays will be greater than staying in a hotel, along with a huge amount of hassle, so our only option is to remove ourselves from the Homelink website."
- [REDACTED] "The bureaucracy involved and potential cost of the licensing process makes our continued untenable. It is with deep regret, we will not be renewing our membership unless things change. Please keep in touch if anything changes as I'm sure you will be fighting our cause. Thanks for your support and assistance over the last 15 years."
- [REDACTED] "It is absolutely infuriating. The whole legislation is because Edinburgh was having a problem with Airbnb type rentals and that council could have passed their own legislation. I fear if there are not exceptions to swapping there will be no houses for HomeLink in Scotland after October. If we are required to get a license in Fife the process is onerous and we will not be renewing after our exchange this summer."
- [REDACTED] "if I need the very costly license then I will reluctantly resign my membership of Homelink. The £1000 fee for a license could be added to a holiday fund."
- [REDACTED] "we can no longer carry on home exchanging as the demands are too great to make it worthwhile from [REDACTED] we have been doing home swaps for 13 years and it is very sad that we can no longer carry on. Best wishes"

10.



## Consultation?

Some of the home exchange companies operating in Scotland with approx. number of active users:

- HomeLink International [www.homelink.org](http://www.homelink.org) [REDACTED]
  - Home Exchange [www.homeexchange.com](http://www.homeexchange.com) [REDACTED]
  - Love Home Swap [www.lovehomeswap.com](http://www.lovehomeswap.com) [REDACTED]
  - Guardian Home Exchange [www.guardianhomeexchange.co.uk](http://www.guardianhomeexchange.co.uk) [REDACTED]
  - HomeBase Holidays [www.homebase-hols.com](http://www.homebase-hols.com) [REDACTED]
  - Intervac [www.gb.intervac-homeexchange.com](http://www.gb.intervac-homeexchange.com) [REDACTED]
  - People Like Us [www.peoplelikeus.world/en](http://www.peoplelikeus.world/en) [REDACTED]
  - Many smaller companies [REDACTED] -
-



11.

RE: Navigating SG

~~[Redacted]~~

To: [Redacted]  
Cc: [Redacted]@gov.scot> [Redacted]@homeexchange.com>; [Redacted]  
[Redacted]@homeexchange.com>; Short Term Lets Delivery Group <shorttermlets@gov.scot>

Hello ~~[Redacted]~~

Many thanks for your email.

The main component of Scottish Government's scheme is a set of mandatory safety standards, such as electrical and gas safety, which would apply whether a home is being 'swapped' in exchange for use of another home for a period, or whether it was being advertised for a nightly rate. Local authorities have powers available to them to grant temporary exemptions for a defined period, or temporary licences, but this shouldn't be used to circumnavigate the core requirements of the scheme which prioritises guest safety, and assurance that all properties are operating on the same level playing field. There are also exemptions defined in legislation for informal arrangements such as where immediate family stay in a home for a period.

In legislative terms it would require secondary legislation to exempt home swapping, but the will of Parliament was to pass the legislation in its current form in January 2022. Hosts who were operating before October 2022 have until 1 October this year to apply for a licence (they may continue to operate while their application is being considered), new hosts may not operate until a licence is granted. We have however committed to publish an implementation update in 2024 which will reflect the Government's position following the first year's operation of the scheme.

I hope this is helpful.

Many thanks,

~~[Redacted]~~

~~[Redacted]~~

From: [Redacted]@homeexchange.com>  
Sent: Tuesday, August 22, 2023 9:49 AM  
To: [Redacted]@gov.scot>  
Cc: [Redacted]@gov.scot>; [Redacted]@homeexchange.com>; [Redacted]  
[Redacted]@homeexchange.com>  
Subject: Re: Navigating SG

Dear [Redacted]

Many thanks for your email.

exchanging as it does not cause the same social issues and housing pressures. In the case of Amsterdam, we are working with the local authorities to help them monitor home exchanging in the city.

It would be helpful if you could clarify the following points for me;

On what grounds did the Scottish Government decide to include home exchanging in the legislation?

and

Legislatively, what would be required if the short-term lets legislation was to be amended to exclude home exchanging?

Kind Regards

[Redacted]

[Redacted]

[Redacted]

h·me  
exchange

and [Redacted] [homeexchange.com](https://www.homeexchange.com)

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[www.homeexchange.com](https://www.homeexchange.com)

**Certified B Corp**



Le mar. 15 août 2023 à 16:35, [Redacted] [@gov.scot](mailto:[Redacted]@gov.scot)> a écrit :

Hi [Redacted]

I [Redacted] responsibility for the policy.

The full guidance for STL Licensing is available here: [Short-term let licences - mygov.scot](https://www.gov.scot/Topics/consultations/short-term-let-licences)

Please let me know if you have any further questions once you've had time to review.

Kind regards,

[REDACTED]

From: [REDACTED]@homeexchange.com>  
Sent: Thursday, August 10, 2023 10:26 AM  
Cc: [REDACTED]@gov.scot>  
Subject: Re: Navigating SG

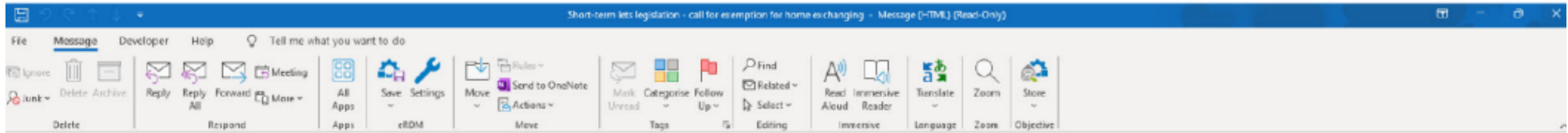
Many thanks for the intro [REDACTED]! Elevating you to Bcc :)

Hi [REDACTED].

I'd love an opportunity for an informal chat to help me understand the local context around short-term lets in Scotland. Indeed, we're a small company (120 employees, including 0 in Public Affairs), and it's hard for us to understand the local context when we see that the [Times devotes an article](#) to the topic.

Cheers,  
[REDACTED]

12.



Short-term lets legislation - call for exemption for home exchanging

To: [Redacted] <[Redacted]@homeexchange.com>  
Cc: Minister for Housing, Short Term Lets Delivery Group, Cabinet Secretary for Social Justice, [Redacted]

Reply Reply All Forward ...  
Wed 09/08/2023 16:15

Click here to download pictures. To help protect your privacy, Outlook prevented automatic download of some pictures in this message.



Dear Mr McLennan,

Please find attached a letter in which I kindly ask you to consider exempting home exchanging from the short-term let legislation. I am at your entire disposal to discuss this proposal in person.

Best regards, [Redacted]

[Redacted]  
[Redacted]  
[Redacted]@homeexchange.com



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[Social media icons]



Minister for Housing  
Scottish Government  
St Andrew's House  
Regent Road  
Edinburgh  
EH1 3DG

Dear Mr McLennan,

**Short-term lets legislation - call for exemption for home exchanging**

I am writing to raise concerns regarding the Scottish Government's legislation on short-term lets and the inclusion of home exchanges. I would be grateful to have an understanding of what consideration was given to excluding home exchanges from the legislation, and why it was ultimately included, at a cost to Scottish tourism, local economies and Scottish holidaymakers wishing to participate in an exchange.

I am aware of the strength of feeling in Scotland regarding the provision of housing and the proliferation of holiday rentals and I sympathise with the motivations behind this new legislation on short-term lets. As [REDACTED] of HomeExchange, I have been vocal in my support for responsible and sustainable tourism. HomeExchange is a world leader with over 130,000 homes in 133 countries, allowing holiday makers to discover an affordable, authentic and safe way to travel the world. Our members can create a listing of their own home, choose their favourite destinations and send personalised messages to request exchanges. Home exchanging does not cause the same issues for the housing market, or for residents, as holiday rental platforms - our business models are diametrically opposed and at HomeExchange, we take pride in our B Corp certification which demonstrates our company's high social and environmental performance.

It was therefore surprising to see home exchanging included in the Scottish Government's short-term lets legislation. The issue was brought to my attention by our Scottish members who are frustrated and disappointed at having to obtain and pay for a licence before accepting bookings or receiving guests.

The impact of holiday rentals on housing in tourist hotspots is not unique to Scotland. We know that legislators around the world are balancing the needs of residents with the desire to be welcoming to tourists. While similar legislation concerning short-term lets has been introduced in Germany and the Netherlands however, the home exchanging model has been excluded. I am urging the Scottish Government to follow suit.

Home exchanges bring the benefits of tourism to local economies while preserving the supply of housing for residents. There is no exchange of money between guests and no intention of profiteering. Unlike holiday rental platforms, we do not affect real estate prices. Good neighbourly relationships are also maintained because the exchanges are based on trust and respect, and there isn't a constant influx of unknown tourists to a property. On average, our members do 2.5 exchanges each year lasting an average of 5 days. I am delighted to share that 99.6% of our house exchanges so far this year have occurred without

# h·me exchange

any issues raised, and the majority of the 0.4% of incidents submitted by our hosts were for minor accidental damage.

The HomeExchange model allows individuals and families to enjoy holidays they might otherwise not be able to afford and our Scottish membership is growing quickly. Since 2021 it has doubled to 400, and in Edinburgh our membership has tripled - providing alternative accommodation for visitors in a squeezed market.

I have copied this letter to [REDACTED] on Short-term Lets, and I respectfully ask if consideration can be given to reconvening a meeting of the group to discuss the inclusion of home exchanging in the legislation's list of exemptions.

I am also copying this letter to; Cabinet Secretary for Social Justice, Shirley-Anne Somerville and [REDACTED] I have recently written to Richard Lochhead, Minister for Tourism, to convey these points.

I would be grateful for a meeting to discuss these issues with you or your officials at a time of your convenience.

Yours Sincerely,

[REDACTED]  
[REDACTED] HomeExchange



14.

**Minister for Housing**  
Ministear airson Taigheadas  
**Paul McLennan MSP/BPA**



**Scottish Government**  
Riaghaltas na h-Alba  
gov.scot

T : 0300 244 4000  
E : scottish.ministers@gov.scot

██████████ Homeexchange  
press@homeexchange.com

Our Reference: 202300377689

27 September 2023

Dear ██████████

Thank you for your letters to the Minister for Small Business, Innovation and Trade and myself regarding short term let licensing legislation. I am replying as these matters fall within my portfolio. Please accept my apology for the delay in responding to you.

You asked what consideration had been given to excluding home exchanges from the legislation. I would like to reassure you that since our commitment to consider regulation of the sector in 2018, the scope of the Order was thoroughly considered through three public consultations, an independent research report, the stakeholder working group you mention, and of course finally Parliamentary scrutiny, including relevant committee sessions.

I would also reassure you that there is no cap on the levels of home swapping in relation to the link you make to housing supply, and other schemes that are in place worldwide which limit use. The main component of the Scottish Government's scheme is a set of mandatory safety standards, such as electrical and gas safety, which I would expect many of your members are adhering to already.

I do appreciate that applying for a licence may be an additional requirement for your members but we consider that safety and quality standards are appropriate whether a home is being 'swapped' in exchange for use of another home for a period, or whether it was being advertised for a nightly rate. Local authorities have powers available to them to grant temporary exemptions for a defined period. I would also reassure you that informal arrangements such as where immediate family stay in a home for a period, are not in scope.

considered, new hosts may not operate until a licence is granted. We have also committed to undertaking an implementation update in 2024 which will reflect the Government's position following the first year's operation of the scheme.

Thank you for writing to me with the issues you raise, and for sharing detail about your organisation. I hope that you find the information in this letter useful.

Yours sincerely,



**PAUL MCLENNAN**  
Minister for Housing



From: [REDACTED] <[REDACTED]@homeexchange.com>  
Sent: Friday, July 21, 2023 7:06 PM  
To: Minister for Small Business, Innovation, Tourism and Trade <MinisterSBITT@gov.scot>  
Cc: Cabinet Secretary for Wellbeing Economy, Fair Work & Energy <CabSecWEPWE@gov.scot>; Minister for Local Government Empowerment & Planning <MinisterLGEP@gov.scot>; DG Economy <DGEconomy@gov.scot>; [REDACTED] <[REDACTED]@homeexchange.com>; [REDACTED] <[REDACTED]@homeexchange.com>  
Subject: Letter for Mr Lochhead

Hello,

Please find attached a letter for Mr. Lochhead.

Best regards,

[REDACTED]

Right-click or tap and hold here to download pictures. To help protect your privacy, Outlook prevented automatic download of this picture from the Internet. HomeExchange

[REDACTED]  
[REDACTED]  
and [REDACTED]@homeexchange.com  
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[www.homeexchange.com](http://www.homeexchange.com)  
Certified B Corp  
[REDACTED]



Richard Lochhead, Minister for Small Business, Innovation, Tourism and Trade  
Scottish Government  
St Andrew's House  
Regent Road  
Edinburgh  
EH1 3DG

Dear Mr Lochhead

**Short-term lets legislation - call for exemption for home exchanging**

I am writing to raise concerns regarding the Scottish Government's legislation on short-term lets, to highlight deficiencies with the government's proposals and to urge you to include home exchanges in the government's list of exemptions from the legislation.

As you will be aware, the law in Scotland changed on 1st October 2022 and those in Scotland wishing to let their properties are now required to apply for a short-term lets licence before accepting bookings or receiving guests. I sympathise with the motivations and as HomeExchange, I have been vocal in my support for responsible and sustainable tourism, and we take pride in our B Corp certification which demonstrates our company's high social and environmental performance. Home exchanging does not cause the same social issues as holiday rental platforms - indeed, our business models are diametrically opposed.

HomeExchange is a world leader with over 130,000 homes in 133 countries, allowing holiday makers to discover an affordable, authentic and safe way to travel the world. Our members can create a listing of their own home, choose their favourite destinations and send personalised messages to request exchanges. Home exchanges bring the benefits of tourism to local economies while preserving the supply of housing for residents. There is no exchange of money between guests and no intention of profiteering. Unlike holiday rental platforms, we do not affect real estate prices. Good neighbourly relationships are also maintained because the exchanges are based on trust and respect, and there isn't a constant influx of unknown tourists to a property. On average, our members do 2.5 exchanges each year lasting an average of 5 days. I am delighted to share that 99.6% of our house exchanges this year have occurred without any issues raised, and the majority of the 0.4% of incidents submitted by our hosts were for minor accidental damage.

The HomeExchange model allows individuals and families to enjoy holidays they might otherwise not be able to afford and our Scottish membership is growing quickly. Since 2021 it has doubled to 400, and in Edinburgh our membership has tripled - providing alternative accommodation for visitors in a squeezed market. The Scottish Government's short-term lets legislation has been brought to our attention by our frustrated Scottish customers who enjoy

# h·me exchange

home exchange as an affordable means to holiday while also showing off their beautiful country to international guests.

At HomeExchange, we achieve a balance by supporting tourism development without affecting the housing market, and that is why it is so disappointing to see the home exchanging model included in new short-term lets legislation. We know that legislators around the world are balancing the need for residents to find housing, even in popular tourist areas, and the desire to continue being welcoming to tourists. While similar legislation concerning short-term lets has been introduced in Germany and the Netherlands for example, the home exchanging model has been excluded. I do hope Scotland will follow suit.

I would be grateful if you could consider the points I have raised and this reasonable and proportionate request. I would be very happy to discuss the issue further with you or your officials.

I am copying this letter to Cabinet Secretary for Wellbeing Economy Neil Gray, Minister for Local Government Joe FitzPatrick and Director General for Economy, Gregor Irwin.

I look forward to your reply.

Your Sincerely,

[Redacted]  
[Redacted] HomeExchange  
[Redacted]

17. Attached separately

From: [REDACTED] <[peoplelikeus.world](mailto:peoplelikeus.world)>  
Sent: Wednesday, September 27, 2023 3:27 AM  
To: Minister for Housing <[MinisterHousing@gov.scot](mailto:MinisterHousing@gov.scot)>; [Jamilia.Greene.msp@parliament.scot](mailto:Jamilia.Greene.msp@parliament.scot)  
Subject: Submission re: home exchange in short-term rental legislation

Dear Mr. Greene & Mr. McLennan,

[REDACTED] **People Like Us Home Exchange**. We're based in Australia but we have homes and members all over the world including in Scotland.

I have recently been alerted to the situation in Scotland, that home exchangers may require a licence to continue exchanging.

Our community loves home exchanging. It's slow, sustainable travel. We're responsible people who want to experience living in a different part of the world. We get to know the neighbours. We get invested in local culture. We don't see ourselves as tourists.

A lot of us started exchanging because it's so affordable, but we continue to do it because it's the best way to travel.

We do not make money from our home exchanges. At People Like Us, part of our terms of service is that no money is to change hands. A small percentage of our members do offer their homes as short-term rentals as well, but they are forbidden from doing so at People Like Us.

People Like Us never advertises "free holidays". We acknowledge that home exchange is great value, but we always focus on the many other benefits as we want to attract people who share our values. Observe our bio, the way we talk about ourselves.

*"People Like Us (PLU) is a diverse group of people from all over the world with a common set of values. We believe in sharing, trust, generosity, respect, communication, equality, cooperation, honesty, hospitality, friendship, flexibility and adventure. We take pride in our homes and we care about the environment in which we live: our village, city, country and our planet. We care about the ethos of home exchange and we do it because we love the experience and the friendships that it generates."*

Despite the moment of fame afforded home exchanging by the 2006 movie *The Holiday*, our way of travel is a niche. We estimate that around 100,000 people are active home exchangers in the entire world.

People Like Us is the world's second-largest home exchange community after HomeExchange. We have just **36 homes** in Scotland.

While it could be seen that our community is so small that we don't count, I'd urge you to see that home exchange is something worth preserving. Our community is full of good people and we don't deserve to have our way of travel taken away. From my understanding of the reasons for the new laws, we are part of the solution, not part of the problem.

This last week we started a petition amongst our members to gather support for our position.

<https://www.change.org/p/stop-including-home-exchange-in-short-term-rental-legislation>

I urge you to read it and, particularly, the comments from our members.

**Please, don't make home exchange unaffordable for Scottish citizens.**

I can be contacted at any time and would welcome the opportunity to speak with you directly.

Kind regards,

[REDACTED]

[REDACTED]

[REDACTED] <[peoplelikeus.world](mailto:peoplelikeus.world)>

**Minister for Housing**  
Ministear airson Taigheadas  
**Paul McLennan MSP/BPA**



**Scottish Government**  
Riaghaltas na h-Alba  
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T : 0300 244 4000  
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██████████  
██████████@peoplelikeus.world

Our Reference: 202300378506  
Your Reference: Submission re: home exchange in short-term rental legislation

29 September 2023

Dear ██████████

Thank you for your email of 27 September 2023 regarding short-term let licensing for home exchanges.

Scotland's growing tourism sector is a success story and well-managed short term lets are a valued part of that tourism economy. The significant growth and changing nature of lets over the last decade, however, have identified the need to bring short-terms into alignment with quality assurance in place for other accommodation such as hotels and caravan parks. I recognise the nature of home exchanges is often quite a personal experience for the parties involved, where you are each allowing people you don't know to have the use of your own home, and we've received queries about why it is within scope of the licensing legislation. The reason is the legislation defines this activity as a short-term let even if no payment is made because it qualifies under a commercial consideration as a benefit in kind. Safety matters – whether a guest is staying in a host's home or using self-catering accommodation. In addition, home exchanges are similar to home letting, which is also in scope of licensing, in that hosts let out their main residence while they are absent but instead of advertising it for a nightly rate, they gain the use of another home.

It may be helpful to explain the Scottish Government announced the intention to regulate short-term lets in its 2018-2019 Programme for Government. [Development of legislation](#) took place over three years, with extensive consultation and engagement with stakeholders, including three public consultations in 2019, 2020 and 2021. In January 2022, the Scottish Parliament passed short-term let licensing regulations that put in place [mandatory licensing conditions](#) (such as the need to comply with fire, gas, electrical and water safety standards) for all short-term lets in Scotland. Hosts should already be meeting many of these mandatory conditions under existing law or best practice. Licensing also allows for checks on suitability and provides councils with discretionary powers to set additional conditions to

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See [www.lobbying.scot](http://www.lobbying.scot)

The Ministearanna h-Alba, an luchd-comhairleachaidh sònraichte agus Rùnaire Maireannach fo chumhachan Achd Coiteachaidh (Alba) 2016. Faicibh [www.lobbying.scot](http://www.lobbying.scot)

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[www.gov.scot](http://www.gov.scot)



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resolve matters affecting neighbourhoods such as noise or antisocial behaviour. Hosts can find out what conditions they must comply with by viewing the relevant local policy published on [licensing authority websites](#).

Local licensing schemes started on 1 October 2022, and short-term let hosts must submit applications to the licensing authority where their accommodation is located.

There are transitional arrangements for 'existing hosts', i.e. if they used their accommodation as a short-term let before 1 October 2022. If this applies to their accommodation, existing hosts may continue operating after 1 October 2022 but must have [submitted an application](#) for a licence [on or before 30 September 2023](#) to qualify to continue taking bookings and receiving guests while their application is determined. Operating without a short-term let licence is a criminal offence and the maximum fine is currently £2,500.

I hope this information is helpful to you and your members and reassures you that licensing is a positive step to safeguard the reputation of good quality, responsible hosts. If hosts already comply with existing legal requirements, the additional cost to them will likely only be the application fee. The benefits though will provide assurance to guests visiting Scotland and local communities that short-term lets comply with a consistent set of standards and are well-managed.

We are monitoring implementation and my officials will reach out to you as we work with stakeholders to consider any matters that may require operational improvements for 2024.

Yours sincerely,



**PAUL MCLENNAN**  
Minister for Housing

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20.

RE: Confirmation on home exchanging fee liabilities - Message (HTML) (Read-Only)

File Message Developer Help Tell me what you want to do

Ignore Delete Archive Reply Reply All Forward Meeting More All Apps Save Settings Move Send to OneNote Mark Unread Categorise Follow Up Find Related Select Read Aloud Immersive Reader Translate Zoom Store

RE: Confirmation on home exchanging fee liabilities

 [Redacted] on behalf of Short Term Lets Delivery Group  
To: [Redacted]  
Cc: Short Term Lets Delivery Group

Reply Reply All Forward

Fri 13/10/2023 12:29

Dear [Redacted]

Thank you for your e-mail

You can find the information you are looking for in the Short-term lets: regulation information page on the Scottish Government website - <https://www.gov.scot/publications/short-term-lets/pages/licensing-scheme/>

Also to confirm it is the home owner (host/operator) that is liable.

Kind regards,  
[Redacted]

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From: [Redacted] <contact@linco.scot>  
Sent: Wednesday, October 11, 2023 4:32 PM  
To: Short Term Lets Delivery Group <shorttermlets@gov.scot>  
Subject: Confirmation on home exchanging fee liabilities

Hello,

Short-term lets legislation - liabilities

I am looking for information on short-term lets legislation and the penalties involved.

My client, HomeExchange, is seeking confirmation that should a HomeExchange member fail to apply for a licence before hosting guests, HomeExchange would not be liable to any fine.

It was my understanding, that it would be the home-owner who would be liable, however this is not clear online in relation to home exchanging and I would be grateful for confirmation of this as soon as possible.

Best wishes,  
[Redacted]

LINCO Consultancy