

## ACT

of ...

### on short-term rentals<sup>1), 2)</sup>

**Article 1.** The Act sets out the rules governing short-term rentals.

**Article 2.** Short-term rental is a service, provided for a fee, involving the rental of a furnished detached house, a flat or part thereof, hereinafter referred to as ‘the premises’, provided under a single contract for a period not exceeding 30 days, performed on a permanent or temporary basis, via an online trading platform within the meaning of Article 2(8) of the Act of 30 May 2014 on Consumer Rights (Journal of Laws [Dziennik Ustaw] of 2024, item 1796; and of 2025, item 1172) or in any other manner. The rental may also include other services, such as cleaning or the provision of bed linen.

**Article 3.** The provisions of this Act do not apply to establishments providing hotel services under the Act of 29 August 1997 on hotel services and the services of tour leaders and tourist guides (Journal of Laws of 2023, item 1944).

**Article 4. 1.** The operator of a short-term rental may be a natural person, a legal person or an organisational unit without legal personality, regardless of the legal basis for their use of the property.

2. Premises which constitute the lessor’s permanent residence within the meaning of Article 25(1) of the Act of 24 September 2010 on population registration (Journal of Laws of 2025, items 274, 1006, 1176, 1191, 1216 and 1301) may be let on a short-term basis provided that the total duration of the short-term tenancy does not exceed 3 months per calendar year.

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<sup>1</sup> ) This Act was notified to the European Commission on ... under number ..., pursuant to § 4 of the Cabinet Regulation of 23 December 2002 concerning the manner in which the national notification system of standards and legal acts functions (Journal of Laws, item 2039; and of 2004, item 597), which implements Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical standards and regulations and of rules on Information Society services (OJ L 241, 17.9.2015, p. 1).

<sup>2</sup> ) This Act amends the following Acts: the Act of 24 June 1994 on the Ownership of Premises and the Act of 15 December 2000 on Housing Cooperatives.

**Article 5.** 1. The operation of a business involving the short-term rental of premises, with the exception of the short-term rental referred to in Article 4(2):

- 1) being part of a building for which a condominium association has been established requires the consent of that association;
- 2) managed by a housing cooperative, requires the approval of the board of that housing cooperative.

2. A condominium association or the management board of a housing cooperative may refuse consent if the short-term rental would contravene health, fire safety regulations and other requirements laid down in separate regulations or in the resolution referred to in Article 7(2), or if the short-term rental of the premises to date has disrupted public order or compromised safety. Any refusal to grant consent shall state the reasons on which it is based.

3. Approval or refusal shall be given in the form of a resolution served to the applicant within no more than 6 months from the date of submission of the application. Failure to meet the deadline specified in the first sentence shall be deemed to constitute consent. Where it is not possible to serve a resolution to the applicant in the manner adopted by the housing cooperative or condominium association for the service of documents, Article 44 of the Act of 14 June 1960 – Code of Administrative Procedure (Journal of Laws of 2024, item 572; and of 2025, item 769) shall apply *mutatis mutandis*.

4. An applicant may challenge a resolution of the condominium association or the management board of a housing cooperative before the district court within six weeks of receiving the resolution, on the grounds that it is contrary to the law.

5. Before commencing a short-term rental, the lessor is required to provide the condominium association or housing cooperative with a telephone number at which the person responsible for managing the short-term rental can be contacted.

**Article 6.** At the entrance to the premises being rented out on a short-term basis, the lessor must display a notice stating that the premises is being let on a short-term basis.

**Article 7.** 1. The municipal council shall, by way of a resolution, lay down detailed rules governing short-term rentals within the municipality.

2. In the resolution referred to in paragraph 1, the municipal council may, in particular, introduce:

- 1) a ban on making premises available for short-term rentals in parts of the municipality;

- 2) the limit of the number of short-term lease days per year for premises other than those referred to in Article 4(2);
- 3) minimum requirements for the usable area of the rented premises depending on the number of persons to whom it can be rented;
- 4) additional fire protection conditions, in particular for equipping properties with a gas installation or a wood-fired fireplace.

**Article 8.** 1. Operating a short-term rental business requires registration in the short-term rental register, hereinafter referred to as ‘the register’, maintained by the head of the local authority (head of the municipality, mayor) of the municipality in which the premises subject to the short-term rental are located.

2. The decision to enter a premises in the register is issued upon receipt of an application containing:

- 1) the name or business name of the applicant;
- 2) the applicant’s address or registered office;
- 3) data related to the premises that will be rented out:
  - a) address,
  - b) whether the rental will include the entire premises or only a part thereof,
  - c) useful floor area,
  - d) the rental term in the case of a natural person, in the circumstances referred to in Article 4(2);
- 4) first name, surname and the telephone number at which the person responsible for managing the short-term rental can be reached.

3. The following shall be attached to the application:

- 1) a document confirming the legal title to the premises;
- 2) a resolution granting consent from the management board of the housing cooperative or condominium association, where required, or a statement that the resolution granting consent was not served within the time limit referred to in the first sentence of Article 5(3);
- 3) a declaration that the premises are the applicant's permanent residence, as referred to in Article 4(2).

4. The statement referred to in paragraph 3(2) and (3) shall be made subject to criminal liability for making false statements. The person submitting the declaration shall include the following clause therein: ‘I am aware of the criminal liability for making false statements’. This clause replaces the authority’s notice on penal liability for making false statements.

**Article 9.** The registration shall be valid for a specified period, not exceeding 10 years. An application for the renewal of the entry must be submitted by the lessor in accordance with the procedure set out in Article 8, no later than one month before the entry in the register expires. Subsequent entries are made in accordance with the rules set out in the first and second sentences.

**Article 10.** The lessor is required to report any changes to the data referred to in Article 8(2) to the register within 14 days of such changes occurring.

**Article 11.** The head of the district or municipality or mayor shall refuse entry in the register if the application for entry does not meet the requirements laid down in Article 8 or if 12 months have not elapsed since the removal from the register due to infringement of the provisions of this Act, of the resolution referred to in Article 7(1), or if, as a result of the inspection undertaken, it is found that the use of the premises for short-term rental does not meet the sanitary, fire safety or other requirements laid down by law.

**Article 12.** 1. The head of the district or municipality or mayor may remove the premises from the register, by way of a decision, in the event of repeated violations of order or security on at least three occasions or pursuant to the provisions of the resolution referred to in Article 7(1).

2. A justified request for removal from the register may be submitted by the condominium association or housing cooperative that manages the building in which the premises used for short-term rental are located.

**Article 13.** 1. The entry in the register shall include the particulars referred to in Article 8(2).

2. Entry in the register, removal from the register and modification of the register data at the request of the lessor shall be subject to a fee of up to PLN 100 laid down by resolution of the municipal council. Revenue from the above fee constitutes municipality budget revenue.

**Article 14.** 1. The head of the district or municipality or mayor or persons authorised by them, as well as the relevant units of the National Fire Brigade, the State Sanitary Inspection, construction inspection authorities and architectural and building administration bodies, shall have the right to inspect, within their local jurisdiction, compliance with the requirements relating to the premises in which short-term rentals are carried out. If the premises used for short-term rental do not meet the requirements, the inspecting authority – unless it is the head of the district or municipality or mayor – shall notify the relevant head of district or municipality or mayor.

2. The authorities referred to in paragraph 1 may carry out the following control activities:

- 1) inspect all facilities related to the use of the inspected premises;
- 2) request the production of documents confirming compliance with the requirements necessary for operating a short-term rental premises.

3. Inspections are carried out ex officio or following a report from the relevant authorities or residents of multi-family or single-family dwellings, as well as at the request of a condominium association or the governing body of a housing cooperative which manages the building comprising the premises where short-term rental takes place.

4. The head of the district or municipality or mayor or persons authorised by them are entitled to act as the public prosecutor in proceedings concerning an offence relating to the operation of short-term rentals.

5. The head of the district or municipality or mayor shall request the National Fire Brigade, the State Sanitary Inspection and the control inspection authorities or architectural and building administration bodies to take appropriate action within their remit, if, as a result of an inspection, these authorities find that the inspected operator has breached the provisions of the Act or there is reasonable suspicion that such a breach may have occurred, and shall forward the case file.

6. The head of the district or municipality or mayor may request the locally competent police commander for assistance if this is necessary to carry out inspections on the premises where the short-term rental take place.

7. At the request of the head of the district or municipality or mayor, the local police commander is obliged to provide police assistance to inspectors whilst they are carrying out inspections on the premises where short-term rental take place.

8. At the request of the head of the district or municipality or mayor, the locally competent police commander is obliged to provide information regarding the justified intervention of a police officer or officers in the course of an incident constituting a criminal offence, a minor offence, a threat or any other matter relevant to public order and safety, with a view to determining the nature, type and circumstances of the incident or of measures aimed at restoring public order and safety in a premises where short-term rental take place, and on the manner in which the police intervention or criminal proceedings were concluded.

**Article 15:** 1. An operator dealing in short-term rental services is required to include in its rental offers information regarding the registration number of the premises in the register, specifying the competent authority responsible for maintaining the register, as well as information on the local charges applicable due to the location of the premises and the rules set out in the resolution referred to in Article 7(1).

2. Entrepreneurs who act as intermediaries in the conclusion of rental services for a fixed-term through an online marketplace are required, at the request of the head of the district or municipality or mayor, to provide, within one month, a list of properties listed in the rental offers published on that platform, in accordance with the territorial jurisdiction of that authority.

**Article 16.** 1. Any person who operates a short-term rental without being entered in the register, or for a period exceeding three months in the case referred to in Article 4(2), or in breach of the provisions of the resolution referred to in Article 7, or who fails to fulfil the obligations set out in Article 6, Article 10 or Article 15(1), shall be liable to a fine of up to PLN 50,000.

2. Proceedings concerning the matters referred to in paragraph 1 shall be carried out pursuant to the provisions of the Act of 24 August 2001 – Code of Procedure in Misdemeanour Cases (Journal of Laws of 2025, items 860 and 1178).

**Article 17.** Article 12(3) of the Act of 24 June 1994 on the Ownership of Premises (Journal of Laws 2021, item 1048; and of 2023, item 1688) is replaced by the following:

‘3. A resolution of the premises owners may provide for an increase in the levy payable by owners of commercial premises and premises used for short-term rentals

under the Act of ... on short-term rentals (Journal of Laws, item ...), where this is justified by the manner in which such premises are used.’.

**Article 18.** In the Act of 15 December 2000 on Housing Cooperatives (Journal of Laws of 2024, item 558; and of 2025, item 1077), in Article 4, the following paragraph 4<sup>2</sup> is inserted after paragraph 4<sup>1</sup>:

‘4<sup>2</sup>. The amount of the fees referred to in paragraphs 1, 2 and 4 may be increased in view of the higher costs of operating and maintaining properties owned by a cooperative or common properties, resulting from the provision of short-term rental services in the premises pursuant to the Act of ... on short-term rentals (Journal of Laws, item ...).’.

**Article 19.** Entities that were engaged in short-term rentals prior to the date the Act came into force may continue to do so without being entered in the register, under the existing rules, for a period of 12 months from the date the Act came into force.

**Article 20.** The Act shall enter into force six months after the day of announcement.