

Rental Legalities

The requirements for a letting property include the following

- The tenant will have the right to the use of the whole property for a period of time of no more than two months
- The rental of individual rooms is not allowed. A house may not be rented to various clients, each with an individual rental contract, at any one time.

The renter (owner or agent) must guarantee the following

Section 1

1. A regular cleaning service
2. The provision of bed linen and equipment, and regular changes
3. Correct maintenance of all equipment and installations
4. Provision of professional office contact during the working day
5. Provision of 24 hour emergency contact

Section 2

1. Properties must be detached houses or semi-detached houses only
2. The property must only have a maximum of 6 bedrooms, and room for a maximum of 12 people
3. The property must have one bathroom for every three beds in the house

The quality and standards required for renting are published in the ‘Declaración Responsable’ which is a good practice guide that all owners or agents must adhere to. The creation of this good practice manual is the way to obtaining the ‘green light’ from the island’s tourist department, ‘Fundació Destí Menorca’, which states, sets and accepts the standards and the required quality for registration of a house as a holiday rental property.

Documents needed for presentation

“Declaración responsable de inicio de la actividad” (known as DRIAT) to include all the information on the rental property as required by articles 49 of the Law 8/2012. Full information and all forms can be down loaded from the CIME website under the ‘Turism’ section at: www.cime.es

Identification of the owner and/or the person or business making the application for registration. Documents must be presented to the Consell Insular de Menorca CIME, Plaza Biosfera 5, Mahón.

The requirements to register as a letting property are very easy for any foreign owner to comply with. The guidelines put together by CIME are very basic, seemingly drawn up to suit someone who buys a house as an investment to rent only and not a second home. All

requirements fall into the most basic of any letting property used by its owner as a second home. There are only two or three items on the list which require noting, such as a coffee percolator is essential whereas a kettle and tea pot are not – but would be a sad omission for any British holidaymaker..! A First Aid kit is essential whereas maybe not all owners have thought about the necessity for this, but a great asset to any letting property and could perhaps include instructions on what to do if someone is unlucky enough to be stung by a jelly fish or eaten alive by mosquitoes. The other interesting requirement is that a supply of loo paper must be available in the house, not just a roll in each bathroom for arrival, but the provision of bath mats is not mentioned. The other valuable plus when seeking a license is a TV with parabolic dish to receive foreign TV. Since we are on the eve of losing our British TV in Spain, I doubt British owners will be able to provide the variety of programmes they have up till now. (See the list of essential requirements below)

Registration costs 300€ plus an administrative tax of 83,60€. The process takes 4 months during which time an inspection of the property will be made.

Menorca's estate agents must be anxious for change as at present the investment in an apartment or flat with a view to letting it as a holiday rental property is not a viable proposition. It appears there is still confusion about what type of investment may be registered and let, however the requisites for a house or a semi are now much easier to comply with.

One interesting 'knock on' effect that the Declaración Responsable should have, will be to uncover moonlighting 'managers' who are neither authorised, levy IVA (VAT) or pay tax. There will now be a requirement to name and appoint professional villa managers or agents, who will be on duty during office hours and available 24/7 for emergencies, and therefore probably named in the Declaración Responsable.

In summary, it would appear that the Tourist Department is choosing to neglect the potentially buoyant self-catering holiday market. There is a proven market for all-inclusive hotel holidays and the tour operators and hoteliers have covered this market. There is also a proven successful market for activity holidays in hotels, and holidays in hotels specialising in families with clubs and entertainment for all ages provided, and there is also a growing market for hotels that only accept adults. However, there is also a greater market waiting to discover Menorca – a market that could easily be tempted into visiting out of season, clients who choose not to spend a week with other people in a hotel, but look for privacy and quality time to spend with family and friends in a private holiday home. There is plenty of work to be done, and plenty of scope for innovative thinking. Let's hope common sense can prevail and a fair and profitable path can be found to take everyone forward, creating a harmonious solution for property owners, independent holidaymakers, the authorities...and Menorca...!

Below are the essential requirements and all properties must provide all the items

1. The general quality of maintenance including carpentry, tiling and garden must be good.
2. The cleanliness and general hygiene must be good, including cupboards and drawers, and cleaning equipment must be provided.

3. Bed linen must be of excellent quality and include sheets, towels, kitchen clothes and table linen. Bath mats do not appear on the list of requirements but British holidaymakers would not know how to manage without.
4. Fire extinguishers – with up to date service certificates.
5. Exterior: swimming pool with outside shower and sufficient outside lighting
6. Identification must be clear and address displayed with house name, number, plot number (as relevant) and street name.

The property must be attractive to the client and must have

1. Comfortable furniture in good condition.
2. Enough dining table and chairs, sofas and arm chairs, patio chairs and loungers for at least the amount of people the house is registered to hold.
3. Correctly Equipped Kitchen: cooker with hob and oven, extractor, fridge / freezer, washing machine and rubbish bucket.
4. Kitchen Equipment: coffee percolator (would be kind to provide a kettle, tea pot and toaster for British clients), sugar bowl, juice extractor, minimum 3 different sized frying pans, saucepans of differing sizes, knives, kitchen scissors, fish slice and ladle, tin and bottle openers, chopping boards and trays.
5. Dinner service, cutlery and glass – 1.5 per person (ie 6 place setting for every 4 people). Glass to include wine and water glasses.
6. First aid kit.
7. Bedrooms: minimum of one bedside table with lamp per room, minimum 3 coat hangers per person, bed, mattresses and pillows in good condition, curtains or blinds and shutters or other system to keep out light.
8. Bathrooms: wash basin, shower and/or bath, shower curtain or shower cabin, loo paper holder and loo paper, loo brush, bin with lid, bathroom cabinet or shelves, towel rail and at least one plug (could have difficulty here adhering to the requests of the CIME and complying to the safety regulations imposed on electricians where the sockets are less than 1m from the water).

Other items which will give points in favour for registration

1. Visible certificate to show pest control: fumigation, insect control and rat control.
2. Swimming pool.
3. Microwave.
4. Washing up machine.
5. Iron and ironing board.
6. Music centre and radio.
7. Extra set of towels per person.
8. Extra set of bed linen per person.
9. Barbecue.
10. Mirrors in all bedrooms.
11. Minimum of one means of heating.
12. Parabolic TV dish to receive foreign TV.
13. Air Con in all or part of the property.
14. Laundry room with sink.
15. User manual in Spanish, Catalan, English, French Italian and German.

16. Book, magazine or website link (if Wifi access) giving information on local contacts: e.g. medical services, petrol stations, chemists, shops and nearby restaurants as well as things to do or see (eg Roqueta or link to the Menorca-Live website).

Good Practice

1. Provide an inventory
2. Provide a satisfaction questionnaire
3. Provide correct recipients for recycling: at least paper, plastic and glass

Apart from the items emphasised, that may need the attention of even the most experienced of letting agents, the list seems uncomplicated and basic. Most second home owners usually strive to provide superior quality properties to let, houses with style and in some cases that provide better accommodation than some holidaymakers have at home – and that should be the goal. Let's hope that eventually the local governors will see that self-catering is the essence of island economy, and that many owners would like to be included on the register in order to operate 'above board', pay income tax on profit, and support the island they have chosen for their second homes.

Based on an article written by British Honorary Consul for Menorca Deborah Hellyer