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United States Senate WASHINGTON, DC 20510

July 13, 2016

Chairwoman Edith Ramirez
Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, DC 20580

Dear Chairwoman Ramirez,

We write today to urge the Federal Trade Commission to study and quantify the degree to which the rapidly expanding short-term lodging rental market consists of persons or firms acting in a commercial manner by renting out entire residences or multiple residences simultaneously.

This distinction is critical to Congress and state and local lawmakers as we seek to assess the wide-ranging impact of the short-term rental industry on the communities in which they operate. In recent years, we have seen the emergence and rapid growth of companies like Airbnb, HomeAway, VRBO, and Flipkey. On one hand, these firms have sparked innovation, increased competition, and have provided new means by which our constituents can earn extra income. On the other hand, we are concerned that short-term rentals may be exacerbating housing shortages and driving up the cost of housing in our communities. We have also read troubling reports of racial discrimination on some short-term rental platforms. Furthermore, we are concerned that communities and consumers may be put at risk through violations of sensible health, safety, and zoning regulations under state and local law.

For example, in a report based on data gathered from Airbnb pursuant to a subpoena, the New York Attorney General found that commercial users (those with 3 or more unique units) accounted for a disproportionate share of the revenue generated from short-term rentals. The commercial users accounted for only 6% of the hosts in New York City, yet generated 37% of the revenue. Furthermore, the report indicated that 72% of unique units rented in New York City appeared to violate state and local law.

At the FTC's June 9, 2015, workshop entitled "The 'Sharing' Economy: Issues Facing Platforms, Participants and Regulators" there was widespread agreement that more information and data was needed to properly assess the impacts of the short-term rental industry on communities. Unfortunately, the platform companies, which are the best positioned to provide this type of information, seem reluctant to do so. And even if platform companies do share their data, concerns have been raised about the reliability of this data.

We are also troubled by efforts of platform companies to negotiate agreements with state and local governments to collect and provide aggregate tax payments on rentals processed through their systems without providing more detailed information that would help officials to determine the legality of those rentals. In other cases, online platforms appear to be complying with state and local tax laws inconsistently, collecting taxes in some jurisdictions and not others.



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If you have a question or comment about an issue, please submit it to the appropriate Bureau by one of the methods below. To learn how we may use the information you provide, please read our Privacy Policy. To help us serve you better, please include a day-time telephone number in your communication. In addition to our offices in DC, the FTC has eight regional offices — in Atlanta, Chicago, Cleveland, Dallas, Los Angeles, New York, San Francisco, and Seattle — that help to amplify our national impact and local presence, and allow us to respond better to the diversity of the U.S. marketplace. Note: Email is not secure. Mark confidential information "Confidential" and send it via postal mail. Federal Trade Commission Headquarters Federal Trade Commission 600 Pennsylvania Avenue, NW Washington, DC 20580 Telephone: (202) 326-2222 Constitution Center Federal Trade Commission 400 7th St., SW Washington, DC 20024 Telephone: (202) 326-2222NOTE: Send mail only to the 600 Pennsylvania Ave., NW (Headquarters) address above. For Consumers Report fraud, scams, and bad business practices at ReportFraud.ftc.gov. Report identity theft at IdentityTheft.gov. Report unwanted calls at donotcall.gov. For Journalists Office of Public Affairs Telephone: (202) 326-2180 Email: opa@ftc.gov HSR Filings For questions about how to file Premerger notification or for information about the HSR program, please see the Premerger Notification Office contact information. Administrative Litigations For general information, or to submit a filing in an administrative litigation before an Administrative Law Judge or before the Commission, please contact electronicfilings@ftc.gov. For Organizations Complaints about mergers, antitrust issues, acquisitions and business conduct that harm competition, limit products or services, destroy innovation, or raise prices may be submitted to antitrust@ftc.gov Bureau of Competition Office of Policy and Coordination Room CC-5422 Bureau of Competition Federal Trade Commission 600 Pennsylvania Ave., NW Washington, DC 20580 Telephone: (202) 326-3500 Email: antitrust@ftc.gov Premerger Notification Office Telephone: (202) 326-3100 Staff Email Addresses: Premerger Notification Office contact information Bureau of Consumer Protection Bureau of Consumer Protection Federal Trade Commission 600 Pennsylvania Ave., NW Washington, DC 20580 Bureau of Economics Bureau of Economics Federal Trade Commission 600 Pennsylvania Ave., NW Washington, DC 20580 Educational Materials Bulk Order (50 or more copies) Consumer Education Materials Registered Numbers (RN) & Textile, Wool, & Fur RN DatabaseClothing & Textiles Guidance Other Contact Information Find an Office Online. 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The https:// ensures that you are connecting to the official website and that any information you provide is encrypted and transmitted securely. The company, along with CEO Mark Zuckerberg, is trying to "buy its way to the top" instead of competing fairly, an agency official said. View the Release The .gov means it's official. Federal government websites often end in .gov or .mil. Before sharing sensitive information, make sure you're on a federal government site. The site is secure. The https:// ensures that you are connecting to the official website and that any information you provide is encrypted and transmitted securely. The .gov means it's official. Federal government websites often end in .gov or .mil. Before sharing sensitive information, make sure you're on a federal government site. The site is secure. The https:// ensures that you are connecting to the official website and that any information you provide is encrypted and transmitted securely. Complaints help the FTC and other law enforcement agencies bring scam artists to justice and put an end to unfair and misleading business practices. If you have a complaint, report it at ReportFraud.ftc.gov. This is you. You've been ripped off, or you've spotted a scam. Don't keep it to yourself. Take it to the Federal Trade Commission by filing a complaint. What kind of complaint? The Federal Trade Commission is the nation's Consumer Protection Agency. So if a business doesn't deliver on its promises, or if someone cheats you out of your money, the Federal Trade Commission wants to hear about it. I bought a phone card with 350 minutes of calling time, but it cut me off after 20. I'm getting bills for things I didn't buy. I think someone stole my identity. The letter said I had won a sweepstakes, but I had to wire money to cover the taxes. I did and never heard from them again. I responded to an add on line for a free trial offer. But then I started seeing charges for it every month. I thought the email was from someone who saw my resume and wanted to hire me. But they asked for my bank account number. I reported it to the Federal Trade Commission. Telling the Federal Trade Commission helps us stop ripoffs, scams, and fraudsters. Your complaints matter here. To file a complaint, just go to ftc.gov/complaint, and answer the questions. Or call That's all there is to it. If you've been ripped off or scammed, complain to the Federal Trade Commission. It can help put the bad guys out of business. Official websites use .gov A .gov website belongs to an official government organization in the United States. Secure .gov websites use HTTPS A lock (A locked padlock) or https:// means you're safely connected to the .gov website. Share sensitive information only on official, secure websites. Español Main Navigation expanded current page previous next All Topics and Services About the U.S. American Flag Branches of the U.S. Government Budget of the U.S. Government Data and Statistics About the U.S. Government Agencies and Elected Officials History and Historical Documents Laws and Legal Issues Learn About Life in the U.S. Presidents, Vice Presidents, and First Ladies Benefits, Grants, Loans Consumer Issues COVID-19 Disability Services Disasters and Emergencies Education Government Agencies and Elected Officials A-Z Index of U.S. Government Agencies About the U.S. Branches of the U.S. Government Budget of the U.S. Government Buying from the U.S. Government Auctions and Sales Surplus Sales by State Contact Elected Officials Forms, by Agency State, Local, and Tribal Governments Health Housing Jobs and Unemployment Laws and Legal Issues Military and Veterans Money and Taxes Small Business Travel and Immigration Voting and Elections All Topics and Services The Federal Trade Commission has launched a new website, ReportFraud.ftc.gov, where consumers can easily report fraud and all other consumer issues directly to the FTC. At ReportFraud.ftc.gov, consumers will find a streamlined and user-friendly way to submit reports to the FTC about scams, frauds, and bad business practices. The FTC has long encouraged consumers to report these issues to the FTC when they encounter them—whether or not they lost money to the fraud. "Every time you report scams or bad business practices to the FTC, you're helping to protect your community," said Andrew Smith, Director of the FTC's Bureau of Consumer Protection. "With ReportFraud.ftc.gov, it's quicker and easier than ever to share your story, and each report helps the FTC, and other federal, state, and local law enforcement agencies, fight fraud." One new feature of the site is that consumers who file a report will receive next steps from the FTC with advice on what to do based on their particular report. The FTC has more information available for consumers, including a new video explaining how the site works. The site takes the place of the FTC Complaint Assistant, and consumers visiting that site will be redirected to ReportFraud.ftc.gov to share their information. The site is also in Spanish at ReporteFraude.ftc.gov. The Federal Trade Commission works to promote competition, and protect and educate consumers. You can learn more about consumer topics and file a fraud report online or by calling 1-877-FTC-HELP (382-4357). Like the FTC on Facebook(link is external), follow us on Twitter(link is external), read our blogs, and subscribe to press releases for the latest FTC news and resources. More than 37 million Americans have chronic kidney disease (CKD), including nearly 750,000 with irreversible kidney failure. Another 80 million Americans are at risk for developing kidney disease from hypertension, diabetes, and other risk factors. Unfortunately, 90 percent of those with CKD have not been diagnosed. If we do not address kidney disease early and work to slow or stop the progression to kidney failure, the expense of treating kidney failure could bankrupt the Medicare Trust Fund. The Medicare program spends more than \$130 billion - more than 24 percent of total spending - on patients with kidney disease. Further, end stage kidney disease, which affects only 1 percent of Medicare beneficiaries, accounts for 7 percent of Medicare spending. To address this serious challenge, Congress must dramatically increase funding for public awareness, prevention [TZ1], early detection, and treatment of kidney diseases and significantly increase funding for kidney related research at the National Institutes of Health and CDC's Chronic Kidney Disease Initiative. CDC Chronic Kidney Disease Initiative The CDC Chronic Kidney Disease (CKD) Initiative focuses on a comprehensive public health strategy, involving other public health agencies and national organizations, to address CKD. Activities funded under this program support disease surveillance, help raise awareness of CKD and its complications, promote early diagnosis and treatment, and improve the quality of life for people living with CKD. Unfortunately, at its current funding level of \$2.6 million, the reach and impact of this

program is limited. With a significant increase in funding, CDC could accelerate and amplify the program's activities to educate the public about their risk for kidney disease, educate clinical professionals and spur innovation by entities serving the kidney disease community. By increasing our investment in awareness, early detection and treatment, we can effectively slow the progression of kidney disease, reduce its costlier complications, and dramatically improve the quality of life of patients. NIH & NIDDK The National Institute of Diabetes, Digestive, and Kidney Diseases (NIDDK) supports research that has led to significant discoveries and improvements in the treatment and understanding of kidney disease. Unfortunately, COVID-19 has disproportionately affected kidney patients, who have experienced some of the highest rates of COVID-19 hospitalization and mortality. Additionally, COVID-19 has been linked to acute kidney injury and kidney disease in recovering COVID-19 patients with no prior history of kidney disease. The impact of COVID-19 plus the tremendous impact of kidney diseases on the 37 million Americans with CKD (750,000 of whom have end stage kidney failure), combined with unfunded, potentially high-impact research opportunities warrants an increase in funding going forward. In Fiscal Year 2021, NIDDK received a smaller percentage funding increase than all but one other Institute under NIH. Specifically, NKF requests that an increase in funding for NIDDK be greater than or commensurate with the increase to NIH as a whole. Improvements in prevention and care of kidney patients also can help address the disproportionate impact of CKD and ESRD on Medicare. NKF has convened a group of leading nephrologists to assess and identify key areas of research that, through additional funding, can accelerate the development of new prevention and early detection measures and new therapies to reduce the impact of CKD. This panel will be publishing its recommendations in Fall, 2021, which will serve as a roadmap for additional federal funding. NKF Appropriations Request for FY 23 NKF Appropriations Testimony for FY2023

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