

Newsletter
Real Estate, Infrastructure and Hospitality

Decree amending the Tourism, Housing, and Reconstruction Laws of Mexico City

On October 3, 2024, the Government of Mexico City issued the decree by which several provisions of the Tourism Law of Mexico City, the Housing Law for Mexico City, and the Law for the Integral Reconstruction of Mexico City, were amended and added (the "Decree").

The main purpose of this Decree is to regulate temporary lodging through platforms such as Airbnb, establishing a maximum occupancy for properties registered in these platforms of 50% per year, regulating the housing market, and balancing competition with the hotel industry.

It's important to emphasize that the decree also establishes that the properties that exceed the annual occupancy percentage will not have their registration in the Hosts Registry (in Spanish, Padrón de Anfitriones) renewed. If renewal is not possible due to surpassing this percentage, these properties may only be allowed to re-register one year after the denial date.

Likewise, the Housing Law for Mexico City and the Law for the Integral Reconstruction of Mexico City were amended to prohibit the use of social and popular properties and reconstruction housing programs for temporary tourist lodging.

In this manner, the Decree amends the Tourism Law of Mexico City, the Housing Law for Mexico City, and the Law for the Integral Reconstruction of Mexico City, to read as follows:

Tourism Law of Mexico City: Article 61 Sexies

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(ADDED, P.O. OCTOBER 3, 2024)

Registration will not be renewed for those properties that have been occupied for more than 50 percent of the nights of the year; in the event that more properties or longer periods are required to be offered, the provisions of the Law of Commercial Establishments for Mexico City will apply. The properties that cannot

be renewed for exceeding the established annual percentage of occupancy, may be re-registered one year after the refusal.

Housing Law for Mexico City:

Article 36 Bis...

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(ADDED, P.O. OCTOBER 3, 2024) With the purpose of providing legal certainty in the occupation of real estate in popular, social and rental housing programs, it will be expressly established that they may not be used for purposes other than the purpose of the program; among others, they may not be used for the eventual tourist stay schemes provided for in the Tourism Law of Mexico City.

The restriction foreseen in the previous paragraph will also be applicable in the case of social interest housing, popular and sustainable, built under the application of Ordinance Number 26.

Law for the Integral Reconstruction of Mexico City:

Article 22...

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(ADDED, P.O. OCTOBER 3, 2024)

It is forbidden to use the housing that are reconstructed based on the provisions of this Law for purposes other than the objectives set forth in the reconstruction programs; among others, they may not be used for the eventual tourist stay schemes set forth in the Tourism Law of Mexico City.

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