

TO:- All Residents & Lessees at Dance Square
London EC1

Dear Sirs

Re: Airbnb

We have received several complaints from lessees of the Estate regarding flats being advertised and used for short term rentals and holiday lets via websites such as Airbnb which is having a detrimental effect on the Estate and the quiet enjoyment of each lessee due to noise and disturbance caused by temporary renters and holiday makers.

You may be aware that there has been a recent case *Nemcova -v- Fairfield Rents Limited (2016)* which is known as the “Airbnb Ruling” given at the upper tribunal which confirmed that the short term letting of flats via Airbnb, is in breach of the restriction in the Lease requiring the premises to be used for residential use only. For clarity we regard a short term let to be letting of less than 90 days.

In addition, to the restriction on user in your lease, there are also provisions requiring compliance with planning, which is for use of the premises as a residential flat and not as a holiday let, restrictions on underletting that require a formal underlease to be in place, a prohibition on nuisance and annoyance and compliance with management regulations which can be varied or made from time to time as necessary for the good order and regulation of the Estate.

We would therefore ask that all advertisements for holiday lettings or short term lets through Airbnb and similar websites be removed and that no further bookings be taken going forward.

In the first instance, once we are aware of a breach, we shall contact lessees individually. Failure to comply or repeat offenders will leave the landlord with no alternative but to take enforcement action which may ultimately result in a claim for monetary compensation and/or forfeiture proceedings.

We remind you that lessees are also responsible for the actions of all under-tenants who may be using their property in breach of the lease covenants and lack of knowledge is no defence.

Yours faithfully

A handwritten signature in blue ink, appearing to be "Edward Curtis", written in a cursive style.

Edward Curtis