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ENVIRONMENT**

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HOST SATISFACTION TOWARDS SHORT TERM RENTAL ACCOMMODATION (STRA) REGULATION IN STRATIFIED PROPERTY: A CASE STUDY OF AIRBNB IN I-CITY, SHAH ALAM

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ABSTRACT

Short Term Rental Accommodation (STRA) activity is where homeowners rent their residential properties for a short term of stay on digital platforms such as Airbnb. However, there is absence of regulation on federal level to govern STRA activity. Hence, this research aimed to explore host satisfaction towards Airbnb regulatory aspect in and embarks on the objectives which are to identify scopes of rules imposed on Airbnb activities in stratified property, to identify existing rules imposed on Airbnb activities I-City, and to investigate host satisfaction on existing rules imposed. A mixed method research design was applied where both qualitative and quantitative approach were involved. Data was collected through literature review, a semi-structured interview with Facility Manager of i-City JMB, and questionnaire survey to Airbnb host in i-City. The data from both interview and questionnaire survey was analysed descriptively with application of SPSS software and presented in table form. Finding from interview indicate that Airbnb operation in i-City is not subjected to exclusive by-laws pertaining to Airbnb operation but rather regulated by different set of general house rules that relates with Airbnb operation. Survey finding showed that facility usage rules have the highest satisfaction from Airbnb hosts in i-City, which followed by permission rules in the 2nd rank, nuisance control rules at the 3rd, and host eligibility rules at the 4th rank. Meanwhile, building safety rules show the most dissatisfaction due to one specific rule regarding prohibition of mailbox as self-check in method.

Keywords: *Airbnb, Host, Short Term Rental Accommodation, Stratified Property, Regulation*

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INTRODUCTION

Short-term rental accommodation (STRA) is a residential unit property of which used and advertised on STRA platform by host, for the purpose of rental for transient occupancy by guests. In Malaysia, there many platforms offering STRA services where host can list their unit for potential guest to book and stay such as Airbnb, iBilik, and AgodaHomes. Airbnb is a peer-to-peer online platform for people to list, search, and book short term rental accommodation in residential properties around the world. Today, the platform hosts more than six million listings worldwide and it covers over 81,000 cities in more than 191 countries (Airbnb, 2021). In Malaysia, there are many types of properties involved, varying from a room in a house, a whole unit of apartment with or without facilities, or landed properties such as terrace houses and bungalows but stratified properties such as apartment and condominium with facilities are mainly used for Airbnb (Nor Asiah, 2020).

Problem Statement

While it is legally permissible for Airbnb to operate in Malaysia, there is no clear and specific regulation to govern STRA activity. Nor Asiah, (2020). If the STRA activity is operated on stratified property, there are body incorporated to handle matters pertaining property management called Management Corporation (MC) who are given the right to supervise Airbnb activities thereon. Absence of standardized regulation on federal level has created a disadvantage situation on host sides whenever MC implemented rules that can minimize STRA activities. In some cases, the MC has enforced a blanket ban of any STRA activities including Airbnb (Innab Salil & Ors v Verve Suites Mont Kiara Management Corporation, 2020)

While some hosts are calling for a regulation to be made in a hope that ban issues can be resolved, some hosts might also be against it, as current unregulated situation is arguably beneficial towards them. Hence, in the midst of ongoing “regulate or not to regulate” debate, this research investigates the host’s level of satisfaction towards current regulation imposed on STRA activities in stratified property.

LITERATURE REVIEW

Sharing Economy Concept of Airbnb

If sharing economy is referred as a socioeconomic system that allows peers to grant temporary access to underutilized physical and human assets via an online platform Gerwe and Silva, (2020), Airbnb definitely meet this definition as it offers a peer-to-peer online platform for people to list, search and book short term rental accommodation in residential properties around the world. In fact, Airbnb is the most

successful sharing economy business in hospitality sector worldwide, as it offers a more distinctive service quality and a more local experience (Mody et al, 2017 & Varma et al, 2016).

In sharing economy, it is vital to recognise the stakeholders having interest therein. A definition of stakeholder is any individual or a group of individuals that has a legitimate interest on the activities no matter from what aspects and has their very own motivation to engage in sharing economy (Hati et al., 2021). This theory is important for sharing economy-based businesses like Airbnb in managing synergies among its stakeholders to capture value and maintain business sustainability (Laczko et al., 2019).

In Airbnb activity, there are various of individuals or group of individuals that can be considered as stakeholder. It is depending on the nature of involvement and motivation to participate in the business. Hence, the identified stakeholders along with their motivation and involvement in sharing economy of Airbnb are as host, guest, community, and regulator or in this context is the MC.

Rules Imposed on Airbnb Activities in Malaysia

In Malaysia, STRA activities remain unregulated in a large scale. It is legal to operate but there is absence of federal law to provide specific guidelines or restrictions. However, there are multiple relevant laws and regulations that need to be complied before hosting, including the National Land Code 1965, Tourism Industry Act 1992, the Registration of Businesses Act 1956, Contract Act 1950, the Local Government Act 1976, the Strata Management Act 2013, and other regulations issued by local authorities (Airbnb, 2021). In this literature review, the current rules imposed on Airbnb activities were identified by 5 different scopes which are as follows.

Permission

On account of absence of federal law specifying upon permission to operate STRA, the local government take charge to permit or not permit STRA operation within its locality (Mahyuddin & Norlaili, 2021). Hence, the permissions given may differed from city to city. However only Pulau Pinang has issued a guideline relating to STRA permission it its state. In the 2022 guideline, Pulau Pinang State Government (PPSG) requires operations of STRA to gain permission from the MC of respective building whereby a 75% majority of the unit owners or building occupants must first agreed with the activity. Meanwhile, in stratified property, the management of high-rise properties has more freedom to permit or not to permit Airbnb (Nor Asiah, 2020). Zafirah et. Al., (2020) also studied the public perception towards regulating Airbnb with permission as one of the scopes of rules.

Host eligibility

Eligibility for an individual in Malaysia to become an Airbnb host is not elaborated in any specific law or regulation. In a situation where a tenant intended to sub-let his tenanted properties as STRA on Airbnb, he must first check with the terms in the tenancy agreement. In Malaysia, Contract Act 1950 (Act 136) sets out the legislative framework governing contracts in Malaysia including tenancy agreements. However, MPC (2019) suggested citizenship as one of the eligibilities to operate Airbnb which supported by Mahyuddin and Norlaili, (2021). Meanwhile, research by Zafirah et. Al., (2020) and Nor Asiah, (2020) also considered host eligibility as one of the scopes in regulating Airbnb with attention to restriction to tenant or sub-tenants.

Nuisance control

In this scope, nuisance can be defined as harmful or offensive act to the public or a member of it and for which there is a legal remedy (MPC, 2019). However, there is no such legal remedy in except the 2022 guideline PPSG which set the nightcaps for STRA operation in Penang, and the rest of nuisance control is decided by MC or JMB. It is aligned with recommendation by MPC, (2019) and Mahyuddin and Norlaili, (2021) to include nightcaps as nuisance control rules in Airbnb regulation. While some strata management may not have nuisance control rules, perception from public especially residents favour the inclusion of nuisance control rules in regulating Airbnb in stratified property (Nor Asiah, 2020; Zafirah et. Al., 2020)

Building safety

While building safety can be considered as the most crucial things during guest stay, Airbnb operation in Malaysia is not subjected to any law or regulation focusing on building safety other than Pulau Pinang. In its 2020 guideline, PPSG requires all Airbnb unit to prepare fire extinguisher and emergency evacuation plan. It is also supported by MPC, (2019) and Mahyuddin and Norlaili, (2021) in their earlier recommendation. On top of that, building safety also was identified as one of the scopes of rules in 2020 research of public perception in regulating Airbnb by Zafirah et al., (2020). According to Nor Asiah, (2020), permission on Airbnb operation should consider on the building safety and health requirements. It shows that building safety is indeed an important scope of rules in Airbnb regulation.

Facility usage

In a stratified property such as apartments and condominium, common properties include the facilities such as gymnasium, swimming pool, multi-purpose hall, lobby, and car parks. It is a common knowledge that residents have certain rights for enjoyment of such common facilities which they paid the maintenance fees for. As Airbnb may create unhealthy environment where rightful residents had to share the facilities with short-term guest. Nor Asiah, (2020) raised the need for rules that can

balance the rights of residents and Airbnb guests towards common facilities usage. Hence, it is an important scope of rules in Airbnb operation within stratified property.

As the foundation of this research, a conceptual framework is established to study the relationship between dependent and independent variables.

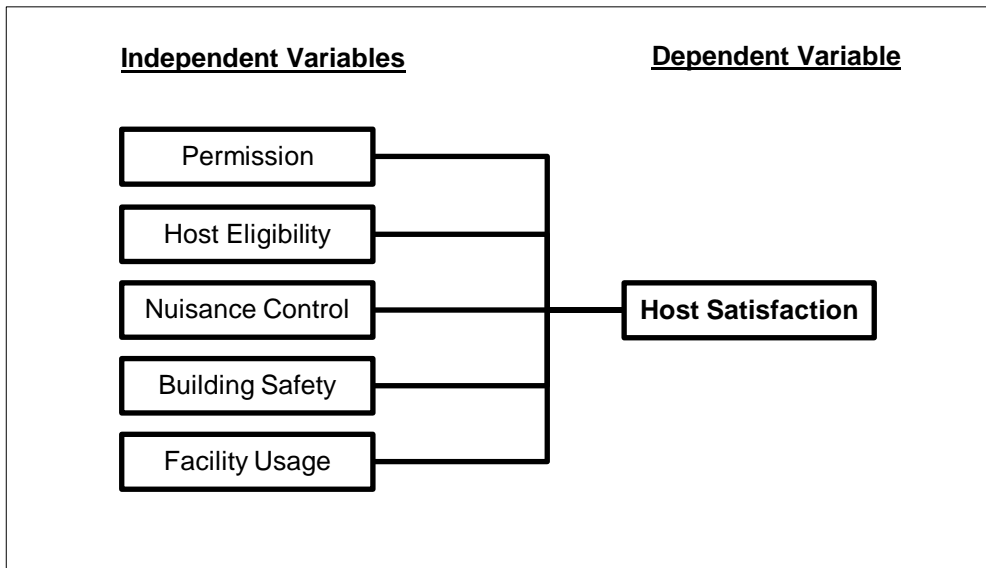


Figure 1: Conceptual Framework

(Source: Researcher 2023)

RESEARCH METHODOLOGY

This research has applied case study research design whereby i-City which located at Shah Alam is chosen as the case study. It has 500 units being used as Airbnb which operated by 300 Airbnb hosts. A mixed method was used where both qualitative and quantitative has been adopted. As part of qualitative approach, a semi-structured interview with Facility Manager of i-City JMB was conducted to identify existing rules imposed on Airbnb operation there. As for the collection of data for quantitative data, a questionnaire survey form was distributed to sample size based on Krejcie and Morgan, (1970) formula, which are 169 respondents. It was designed to determine their satisfaction towards current rules imposed on Airbnb operation in stratified property. It consists of two (2) parts with Section A being the demographic information and Section B being the satisfaction towards rules imposed on Airbnb operation in i-City. A five-point scale was used as indicator of degree of

satisfaction where 1 is for “Strongly Dissatisfied”, 2 for “Dissatisfied”, 3 for “Neutral”, 4 for “Strongly Satisfied”, and 5 for “Strongly Satisfied”,

RESULTS AND DISCUSSION

In total, number of answered questionnaire forms are 65 which is equivalent to 38.4% of response rate. According to Medway and Fulton, (2012), the acceptable online respond rate is 20%. Therefore, the percentage of response rate of 38,4% obtained in data collection is considered as acceptable.

Existing Rules Imposed on Airbnb Operation in i-City.

Table 1: Descriptive Analysis on Interview Transcript

Scope	Rules	
Permission	1	Airbnb operation is permitted in i-City.
	2	Airbnb hosts can choose to inform or not to inform JMB of their operation.
	3	Airbnb host does not require permission from JMB to operate Airbnb activity.
Host Eligibility	1	Any unit owner or individuals on behalf of owner, are eligible to become Airbnb host in i-City.
Nuisance Control	1	Airbnb operation in i-City is not subjected to nightcap or maximum operating day.
	2	Airbnb operation in i-City should follow maximum occupancy per unit.
	3	Airbnb guests should comply with silent hours period which is 12.00 am until morning.
Building Safety	1	Airbnb hosts are not obligated to provide fire extinguisher.
	2	Airbnb hosts are not obligated to provide emergency evacuation plan.
	3	Airbnb hosts should not use mailbox as self-check in method.
Facility Usage	1	Airbnb guests are allowed to park at unreserved parking space.
	2	Airbnb guests are allowed to use facilities such as swimming pool and gym with proper attire.

(Source: Researcher 2023)

Host Satisfaction Towards Existing Rules Imposed on Airbnb Operation in i-City.

Permission

Table 2: Hosts Satisfaction on Permission Rules

Rules	Satisfaction					Mean
	Strongly Dissatisfied	Dissatisfied	Neutral	Satisfied	Strongly Satisfied	
Airbnb operation is permitted in i-City.	0 (0%)	0 (0%)	1 (1.5%)	10 (15.4%)	54 (83.1%)	4.81
Airbnb hosts can choose to inform or not to inform JMB of their operation.	0 (0%)	0 (0%)	0 (0%)	11 (16.9%)	54 (83.1%)	4.83
Airbnb host does not require permission from JMB to operate Airbnb activity.	0 (0%)	0 (0%)	1 (1.5%)	11 (16.9%)	53 (81.5%)	4.80
Average Mean Score:						4.81

(Source: Researcher 2023)

As for Rule 1, 54 (83.1%) of the respondents are strongly satisfied, followed by 10 (15.4%) who are satisfied and 1 (1.5%) is being neutral. In terms of average, a mean score of 4.81 shows that respondents are strongly satisfied that that Airbnb operation is permitted in i-City. Meanwhile, 54 (83.1%) respondents are strongly satisfied, and 11 (16.9%) respondents are satisfied with Rule 2. A mean score of 4.83 shows that average of respondents is strongly satisfied that Airbnb hosts can choose to inform or not to inform JMB of their operation. As for Rule 3. 53 (81.5%) of the respondents are strongly satisfied, followed by 11 (16.9%) who are satisfied and 1 (1.5%) is being neutral. Averagely, mean score of 4.80 shows that respondents are strongly satisfied that Airbnb host does not require permission from JMB to operate Airbnb activity. A contrast of this finding, which is dissatisfaction on permission rules will lead to issues arise in *Innab Salil & Ors v Verve Suites Mont' Kiara Management Corporation*, (2020) MLJU 1563, where Airbnb operation is nor permitted.

Host eligibility

Table 3: Hosts Satisfaction on Host Eligibility Rules

Rules	Satisfaction					Mean
	Strongly Dissatisfied	Dissatisfied	Neutral	Satisfied	Strongly Satisfied	
Any unit owner or individuals on behalf of owner, are eligible to become Airbnb host in i-City.	0 (0%)	0 (0%)	13 (20%)	17 (26.2%)	35 (53.8%)	4.33
Average Mean Score:						4.34

(Source: Researcher 2023)

Table 3 above shows the hosts satisfaction on the rules relating to hosts eligibility to operate Airbnb in i-City. As for Rule 1, 35 (53.8%) of the respondents are strongly satisfied, followed by 17 (26.2%) who are satisfied and 13 (20%) are being neutral. In average, mean score of 4.22 indicates that respondents are satisfied that any unit owner or individuals on behalf of owner, are eligible to become Airbnb host in i-City..

Nuisance control

Table 4: Hosts Satisfaction on Nuisance Control Rules

Rules	Satisfaction					Mean
	Strongly Dissatisfied	Dissatisfied	Neutral	Satisfied	Strongly Satisfied	
Airbnb operation in i-City is not subjected to nightcap or maximum operating day.	0 (0%)	1 (1.5%)	1 (1.5%)	23 (35.4%)	40 (61.5%)	4.56
Airbnb operation in i-City should follow maximum occupancy per unit.	0 (0%)	1 (1.5%)	1 (1.5%)	29 (44.6%)	34 (52.3%)	4.47
Airbnb guests should comply with silent hours period which is 12.00 am until morning.	0 (0%)	1 (1.5%)	1 (1.5%)	28 (16.9%)	35 (81.5%)	4.49
Average Mean Score:						4.51

(Source: Researcher 2023)

Table 4 above shows the hosts satisfaction on the rules relating to nuisance control of Airbnb activity. As for Rule 1, 54 (83.1%) of the respondents are strongly satisfied, followed by 10 (15.4%) who are satisfied, 1 (1.5%) being neutral, and 1 (1.5%) is dissatisfied. In terms of average, mean score of 4.56 shows that respondents are strongly satisfied that Airbnb operation in i-City is not subjected to nightcap or maximum operating day. Meanwhile, 34 (83.1%) respondents are strongly satisfied, followed by 29 (16.9%) who are satisfied, 1 (1.5%) being neutral, and 1 (1.5%) is dissatisfied with Rule 2. Averagely, the mean score of 4.47 indicates that respondents are satisfied that Airbnb operation in i-City should follow maximum occupancy per unit. As for Rule 3, 35 (81.5%) respondents are strongly satisfied, followed by 28 (16.9%) who are satisfied, 1 (1.5%) being neutral, and 1 (1.5%) is dissatisfied. A mean score of 4.49 indicates that average of respondents is satisfied that Airbnb guests should comply with silent hours period which is 12.00 am until morning. It is within the same interest of other stakeholders where some jurisdictions also want to regulate the maximum occupancy (Nor Asiah, 2021) and research by Zafirah et. Al., (2020) shows that neighbours are affected by noise or disturbance from Airbnb guest.

Building safety

Table 5: Hosts Satisfaction on Building Safety Rules

Rules	Satisfaction					Mean
	Strongly Dissatisfied	Dissatisfied	Neutral	Satisfied	Strongly Satisfied	
Airbnb hosts are not obligated to provide fire extinguisher.	1 (1.5%)	0 (0%)	0 (0%)	37 (56.9%)	27 (41.5%)	4.36
Airbnb hosts are not obligated to provide emergency evacuation plan.	0 (0%)	0 (0%)	0 (0%)	37 (56.9%)	28 (43.1%)	4.43
Airbnb hosts should not use mailbox as self-check in method.	7 (10.8%)	20 (30.8%)	20 (30.8%)	13 (20%)	5 (7.7%)	2.83
Average Mean Score:						2.90

(Source: Researcher 2023)

Table 5 above shows the hosts satisfaction on the rules relating to building safety of Airbnb activity. As for Rule 1, 37 (56.9%) of the respondents are satisfied, followed by 27 (41.5%) who are strongly satisfied, and 1 (1.5%) is strongly dissatisfied. In terms of average, mean score of 4.36 shows that respondents are satisfied that Airbnb hosts are not obligated to provide fire extinguisher inside Airbnb unit. Meanwhile, 37 (56.9%) respondents are satisfied and 28 (43.1%) is strongly satisfied with Rule 2. Averagely, the mean score of 4.43 indicates that respondents are satisfied that Airbnb hosts are not obligated to provide emergency evacuation plan inside Airbnb unit. As for Rule 3, both neutral and dissatisfied is 20 (30.8%) respondents each. It followed by 13 (20%) who are satisfied, 7 (10.8%) who are strongly dissatisfied, and 5 (7.7%) who are strongly satisfied. According to Facility Manager in the interview, self-check in using mailbox is a lot easier for Airbnb hosts, but allowing outsider into mailbox room can compromise the safety of other resident's belongings. Hence, this particular rule is why satisfaction on building safety rules are ranked in the last place as Airbnb hosts prefer a rule that is more accommodating.

Facility usage

Table 6: Hosts Satisfaction on Facility Usage Rules

Rules	Satisfaction					Mean
	Strongly Dissatisfied	Dissatisfied	Neutral	Satisfied	Strongly Satisfied	
Airbnb guests are allowed to park at unreserved parking space.	0 (0%)	1 (1.5%)	0 (0%)	8 (12.3%)	56 (86.2%)	4.83
Airbnb guests are allowed to use facilities such as swimming pool and gym with proper attire.	0 (0%)	0 (0%)	1 (1.5%)	7 (10.8%)	57 (87.7%)	4.86
Average Mean Score:						4.84

(Source: Researcher 2023)

Table 6 above shows the hosts satisfaction on the rules relating to facility usage for Airbnb activity in i-City. As for Rule 1, 56 (86.2%) of the respondents are strongly satisfied, followed by 8 (12.3%) who are satisfied, and 1 (1.5%) who is dissatisfied. In terms of average, mean score of 4.83 shows that respondents are strongly satisfied that Airbnb guests are allowed to park at unreserved parking space within property compound. Meanwhile, 57 (87.7%) respondents are strongly satisfied, followed by 7 (10.8%) who are satisfied, and 1 (1.5%) being neutral, with Rule 2. Averagely, the mean score of 4.47 indicates that respondents are strongly satisfied that Airbnb guests are allowed to use facilities such as swimming pool and gym with proper attire. As Nurul and Syakir (2019) revealed that relaxation and recreation are the motivations of the domestic tourists for visiting the i-City, allowing them to use such recreational facilities will increase the chance of Airbnb bookings. Therefore, Airbnb hosts are strongly satisfied on these rules which ranked satisfactions on facility usage rules at the 1st place.

Descriptive statistic by ranking

A descriptive statistics of hosts satisfaction towards scopes of existing rules was done to rank the satisfaction level towards each scope. It was interpreted using average mean score where the mean range of 1.00 - 1.50 represent "Strongly Dissatisfied", 1.51 - 2.50 is "Dissatisfied", 2.51 - 3.50 is "Neutral", 3.51 - 4.50 is "Satisfied", and 4.51 - 5.00 is "Strongly Satisfied".

Table 7: Descriptive Statistic of Hosts Satisfaction towards Existing Rules Imposed on Airbnb Activities I-City

Scope of Rules	Mean	Rank	Interpretation
Facility Usage	4.84	1	Strongly Satisfied
Permission	4.81	2	Strongly Satisfied
Nuisance Control	4.51	3	Strongly Satisfied
Host Eligibility	4.34	4	Satisfied
Building Safety	2.90	5	Neutral

(Source: Researcher 2023)

According to Table 7 above, facility usage rules show the highest mean score which satisfies the Airbnb hosts in i-City the most. It followed by permission rules in the 2nd rank and nuisance control rules at the 3rd. Host eligibility rules are at the 4th rank while building safety rules show the lowest mean score and ranked at the 5th place.

CONCLUSION AND RECOMMENDATION

In conclusion, this research has accomplished all objectives. Absence of regulation contributes to legal issues and confusion especially when the Airbnb is operated within stratified property. In i-City, despite not having an exclusive set of by-laws focusing on Airbnb operation, it is still regulated using general house rules that found to be related in any aspect of Airbnb operation. It includes the permission rules, host eligibility rules, nuisance control rules, building safety rules, and facility usage rules. As this research found that facility usage rules have the highest satisfaction from Airbnb hosts in i-City, it shows that recreational aspects can attract more guests to stay at i-City. It followed by permission rules in the 2nd rank, nuisance control rules at the 3rd, and host eligibility rules at the 4th rank. Meanwhile, building safety rules show the most dissatisfaction due to one specific rule regarding use of mailbox as self-check in method. As a recommendation, JMB should take advantage of this situation by providing the service of centralised check in counter that is managed by JMB in exchange for charges towards Airbnb hosts. Charging lesser than what Airbnb hosts would pay for a housekeeper will surely attract more hosts to subscribe to the service. Therefore, JMB could smoothen the Airbnb operation in i-City while safeguarding the safety of the building and generate more income from the situation all at once without disregarding any interests of any stakeholders.

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