

4. What does the tourism law say about licences for private houses?

- a) Section 7(1) (c) of the Tourism Act 2011 (page 752) states that the Tourism Regulatory Authority has the responsibility to “register, licence and grade all sustainable tourism and tourist-related activities and services including cottages and private residences engaged in guest house services”.
- b) The Fourth Schedule of the Tourism Regulatory Authority Regulations 2014 (pages 1089 & 1090) indicates that a villa/apartment should pay shs 1,000 application fee and shs 26,000 annual licence fee.

5. Who is then required to pay a private house licence?

- a) Anybody who uses his private house/villa/apartment for commercial purposes (to rent, lease or accommodate clients for money or monetary worth); and
- b) Anybody using his private house/villa for guest house services, i.e. as a holiday home for accommodating guests and friends, especially those on holiday (whether paying or not), people who would otherwise have stayed in a hotel and paid taxes to the Government.

6. What is the licence fee for a private house/villa/apartment?

Shs 27,000 per calendar year for a newly-registered one and shs 26,000 every other year (renewal). Licence fee for a villa is charged *per unit* (if there are two villas in one compound, then each villa pays separately).

7. What is the licence fee for condominiums?

A condominium may be defined as a building or complex of buildings containing a number of individually-owned apartments or houses. The current tourism law does not licence condominiums as an entity but it requires each apartment in the condominium to be licensed. The licence fee for each apartment is shs 27,000 annually (new) and shs 26,000 (renewal fee).

8. What are the requirements I need to submit to get a private house/villa/apartment licence?

- a) Filled in application form 1 (can be downloaded from our website www.tourismauthority.go.ke)
- b) Copy of passport or work permit of the owner
- c) Copy of title deed/lease agreement or sale agreement of private house/villa/apartment
- d) Certificate of incorporation of company (if the private house/villa/apartment is operating as a company)
- e) Appropriate licence fee deposited into the following account, and the original deposit/bank slip be brought to the office.

ACCOUNT NUMBER: 178921034
 BANK: KENYA COMMERCIAL BANK
 BRANCH: UNIVERSITY WAY
 ACCOUNT NAME: TOURISM REGULATORY AUTHORITY

The licence issued is valid for one calendar year irrespective of the month you apply.

9. What is the penalty for operating without a licence for my private house/villa/apartment?

- a) Anybody contravening this law is guilty of an offence and liable to imprisonment for one and a half year or to a fine of shs 100,000, or to both (*section 112(2) of the Tourism Act 2011*).