

Important Update for Airbnb & Short-Term Rental Owners in Costa Rica

Dear Clients and Friends,

We would like to inform you of several upcoming changes in Costa Rica that will affect property owners who rent through platforms such as Airbnb, Vrbo, and Booking.com.

Starting January 2026, Costa Rica's new Airbnb Regulation Law will come into effect.

Online Travel Agencies (OTAs) will be required to report your rental income, bank account details, identification information, and reservation data directly to the Costa Rican Tax Authority (Hacienda).

This means that, beginning in 2026, Hacienda will receive cross-referenced information from these platforms about your income earned since 2023.

If you or your corporation are not currently in compliance with tax and administrative obligations, we strongly encourage you to regularize your situation now to avoid future penalties.

Below is a summary of the main updates introduced by this new law:

1. Changes to the Tax Filing Process (Effective 2026)

From 2026 onward, income tax filings for short-term rentals will be based on gross income, taxed at an effective rate of 12.75%.

Currently, most properties file based on a net income regime; however, this will no longer be valid unless your corporation has a full-time employee registered with the Costa Rican Social Security database.



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2. Mandatory Business Licenses and Related Requirements

All properties operating as vacation rentals are now required to obtain the following:

a) Municipal Business License (Patente Municipal)

Authorization to carry out commercial activity at a specific location. This license is granted by the Municipalidad de Santa Cruz.

b) Health Permit (Permiso de Salud)

Authorization issued by the Ministry of Public Health allowing a business to operate at a particular location. This permit is required to obtain the municipal license.

c) INS Insurance Policy (Póliza del INS)

An insurance policy covering facilities and staff in case of accidents or property damage. This is also required for the business license.

d) ACAM Fee (Association of Composers and Musicians)

A legal fee applicable to all businesses for the public use of sound, such as televisions, radios, or music.



3. Registration with ICT

All properties operating as vacation rentals must be registered with the Costa Rican Tourism Institute (ICT) as non-traditional lodging providers.



4. Monthly VAT (13%) Filings

VAT must be charged to guests and declared monthly, even in months with no reservations.

- Filing deadline: 15th of each month via the ATV system.
- If not itemized in the booking, VAT is assumed to be included in the total price.



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5. Electronic Invoicing

- Mandatory for all bookings.
- Must be issued at the end of each guest's stay.
- If the guest does not provide personal information, issue an electronic ticket instead of an invoice.
- The invoice must reflect the full nightly rate, without deducting Airbnb's commission.
- Airbnb's commission can be credited through a purchase invoice.



Penalties for Non-Compliance

- ICT: Failure to register → fine of approx. ₡1,300,000.
 - Legal basis: Law No. 9742 (2019), reforming the General Tourism Law No. 1917.
- Hacienda: Failure to register in ATV under economic code 55101 → fine up to ₡1,386,600.
 - Legal basis: Tax Procedures Code (CNPT), Articles 22 and 78.
- Taxes: ₡231,100 fine per missed filing (2024).
- Filing VAT and income tax on time avoids cumulative penalties.



Need Assistance?

If you have any questions or concerns regarding these new regulations, please don't hesitate to contact us.

Rightway Estudio Legal is at your disposal to assist with the obtention of required municipal licenses and the registration before ICT.

If you do not currently have an accountant, we collaborate with a trusted accounting firm that can support you through the compliance process.

Warm regards,

The Rightway Estudio Legal Team

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