



May 17, 2017

Acting Chairwoman Maureen Ohlhausen
Commissioner Terrell McSweeney
Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, DC 20580

Dear Acting Chairwoman Ohlhausen and Commissioner McSweeney:

On behalf of our members, as well as short-term rental owners, operators, and hosts around the country, the Travel Technology Association (Travel Tech) writes to request that the Federal Trade Commission investigate the recent activity of a group operating under the name Share Better D.C. for violating the spirit of the Commission's Guides Concerning the Use of Endorsements and Testimonials in Advertising. The front group, financed by the hotel lobby and the Hotel Trades Council, recently began running a television advertisement designed to highlight what it calls "Airbnb's impact on D.C. residents."

Posted to the Share Better D.C. [website](#) just a few weeks ago and running on Washington, DC, television stations, the video titled "Airbnb Outsider?" purports to be the testimonial of an Anacostia resident explaining the negative impact of short-term rentals on her neighborhood. As a summary that appears next to the video on the Share Better D.C. website explains: *Just as the D.C. council is set to have its first [hearing](#) on Councilmember Kenyan McDuffie's legislation - establishing strong enforcement procedures against illegal commercial operators - we released a video shining a light on the impact they have on local tenants, particularly in communities of color where gentrification is a growing concern.* The ad then begins by featuring a woman explaining that she moved to the neighborhood of Anacostia when she was just five years old, but that it no longer feels like the place where she grew up and then raised her children, ending with the statement, "**I'm tired of feeling like an outsider in my own neighborhood.**"

It is unsurprising that the woman feels like an outsider, given that she is an actress from the New York area, hired to portray herself as a D.C. resident for the purposes of this misleading advertisement.

According to the Federal Trade Commission's Guides Concerning the Use of Endorsements and Testimonials in Advertising, **§ 255.2 Consumer Endorsements Section (c) states: Advertisements presenting endorsements by what are represented, directly or by implication, to be "actual consumers" should utilize actual consumers in both the audio and video, or clearly and**

conspicuously disclose that the persons in such advertisements are not actual consumers of the advertised product. Given that the Commission's intent is to treat endorsements and testimonials identically in the context of enforcement, we believe this fraudulent testimonial is a clear violation of the spirit of the Commission's guidelines.

Furthermore, we must underscore that once again the hotel lobby has engaged in an effort to impact policymaking related to what it views as competition, through outright deception. The District of Columbia is not the first city in which the hotel lobby has financed front groups aimed at stifling short-term rentals and homesharing, but in this instance the tactics employed are patently fraudulent.

With the growth in popularity of short-term rentals, city policymakers already face enough challenges in creating regulations that balance the needs of the community with those of residents seeking to open their homes to travelers. With that in mind, we believe it is essential that those policy discussions and decisions are able to occur in good faith and with full transparency.

We urge the FTC to examine the claims made in the "Airbnb Outsider?" advertisement and to take any appropriate action to ensure D.C. policymakers and the city's residents are afforded the opportunity to have an honest and constructive conversation about short-term rental policy.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Shur". The signature is fluid and cursive, with a large initial "S".

Steve Shur
President
The Travel Technology Association

cc: Tom Pahl, Consumer Protection Bureau
Mary Engle, Advertising Practices
Tara Koslov, Policy Planning

Enclosed:

NBC News 4: [Woman in Anti-Airbnb Ad Showing Anacostia Is an Actress](#)

Video: [Airbnb Outsider?](#)