

PHIL WEISER
Attorney General

NATALIE HANLON LEH
Chief Deputy Attorney
General

ERIC R. OLSON
Solicitor General

ERIC T. MEYER
Chief Operating Officer



**STATE OF COLORADO
DEPARTMENT OF LAW**

RALPH L. CARR
**COLORADO JUDICIAL
CENTER**
1300 Broadway, 10th Floor
Denver, Colorado 80203
Phone (720) 508-6000

**Consumer Protection
Section**

January 19, 2022

AirBnB, Inc.
Chief Legal Officer Rich Baer
888 Brannan Street, 4th Floor
San Francisco, CA 94103

**RE: Meeting Requested to Protect Coloradans from Illegal Price
Gouging on Rental Platforms after the Boulder Fires**

Dear AirBnB, Inc:

On December 30, 2021, wildfires driven by strong winds destroyed nearly 1,000 homes in Boulder County, Colorado. Governor Jared Polis declared a state of emergency that day, as nearly 35,000 Coloradans were forced to evacuate. For those Coloradans who lost their homes or were displaced, they are now in need of safe and affordable housing as they begin to rebuild their lives. However, the Department of Law ("Department") is cautioning that some predatory businesses and individuals may seek to take advantage of these consumers by radically increasing prices for rental housing units and other necessary goods.

Colorado law prohibits price gouging during declared disasters. The Colorado price gouging law, § 6-1-730, C.R.S. (2021), prohibits charging excessive prices for essential products, goods, or services during a disaster period and makes clear that such price gouging is a deceptive trade practice under the Colorado Consumer Protection Act. Under the law, this state of emergency, or disaster period, will last for 180 days from the date of the declared disaster.

The Department has received consumer complaints, and recent investigative reporting has conveyed, that some landlords have raised prices for temporary and

permanent housing to excessive levels following the Marshall Fires. This trend is alarming given the present disaster and recovery efforts and may constitute a violation of § 6-1-730, C.R.S. Given your companies' commitments to the protection of consumers who use your platforms to find rental housing, we hope and expect that you are taking necessary steps to ensure unscrupulous actors do not use your platform to take advantage of vulnerable Coloradans during the present disaster period.

The Department requests that you meet with our consumer protection attorneys to discuss compliance with state law and measures to protect Colorado consumers impacted by this disaster.

As time is of particular concern, we ask that you respond by the close of business on January 25, 2022. Thank you for your time and we look forward to your response.

Sincerely,

PHILIP J. WEISER
Attorney General

s/ Diane Hazel _____

DIANE R. HAZEL
First Assistant Attorney General
Antitrust Unit

ABIGAIL M. HINCHCLIFF
First Assistant Attorney General
Consumer Fraud Unit

Consumer Protection Section
Colorado Department of Law