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Guests with Disabilities

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Guests with Disabilities

Abstract

Peer-to-peer accommodation networks have been accused of not offering accommodation suitable for people with disabilities, both by commercial competitors who are obliged to comply with regulations regarding this, and by groups protecting the interests of people with disabilities. This chapter investigates the regulations commercial providers are required to comply with, and the efforts made by peer-to-peer networks to accommodate these groups. It also explores needs of travelers with disabilities and ask which tourism accommodation model might be best placed to cater to this market in the long term.

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Guests with Disabilities

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Peer-to-peer accommodation networks have been accused of not offering accommodation suitable for people with disabilities, both by commercial competitors who are obliged to comply with regulations regarding this, and by groups protecting the interests of people with disabilities. This chapter investigates the regulations commercial providers are required to comply with, and the efforts made by peer-to-peer networks to accommodate these groups. It also explores needs of travelers with disabilities and ask which tourism accommodation model might be best placed to cater to this market in the long term.

I am both a host and a guest. I find it incredibly difficult to find truly accessible accommodation. When listing, owners tend to tick the box 'Wheelchair access' if they think a wheelchair can get through the back door. I'm not sure what we are supposed to do once we are there, if we can't get into the bathroom, toilet, or even the bedroom! (Airbnb Community Center, 2017)

It is very frustrating to arrive at the host property, thousands of miles away from your home and after long hours of flight, and you find out you cannot even get into the building (stairs, etc.) or the bathroom (door not wide enough, etc.). (Airbnb Community Center, 2017)

Most Westernized countries have non-discrimination legislation that includes regulations around inclusion of vulnerable populations in public transport, public accommodation and employment. For example, in the US, commercial

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short-term accommodation providers must comply with the 1990 Americans with Disability Act. But space available for rent which is 'located within a facility that contains not more than five rooms for rent or hire and that actually is occupied by the proprietor of the establishment as the residence of the proprietor' are exempt (US Department of Justice, 2010: 32). This means that many spaces available for rent via peer-to-peer accommodation networks platforms are not technically required to comply with the Americans with Disability Act. However, some question this and acknowledge it is unclear whether they should be required to comply. For example, using results of data analysis commissioned by *The Chronicle*, Said (2014) reports that two-thirds of hosts rent out entire premises rather than just a room, and more than 10% of hosts list multiple spaces, indicating that some premises are not the host's primary place of residence. McCarthy (2016) concludes that 10–40% of listings on Airbnb are commercial in nature, and Edwards (2016) calculates that only 381 Vancouver Airbnb hosts had listed more than 3500 different spaces, lending further support to the fact that the proportion of commercial listings is quite substantial on peer-to-peer networks. In countries where Airbnb is not the market leader, such as China, the proportion of commercial listings on peer-to-peer networks is even higher because network facilitators themselves buy or construct spaces.

This raises a number of questions: should all listings on peer-to-peer accommodation networks comply with national disability protection legislation? Should each peer-to-peer network in its entirety – or by location – be forced to have a minimum percentage of compliant listings? Or should it be left to market forces to produce peer-to-peer listings that better cater to people with disabilities than commercial spaces that meet the bare minimum legal requirements? The present chapter explores these questions.

The Americans with Disability Act

Many countries have legislation similar to that of the Americans with Disability Act in the US. The purpose of this chapter is not to compare national legislations, but rather, the aim is to gain insight into the intention of such legislation. We use the Americans with Disability Act as a case study for such insight.

According to the Americans with Disability Act, public accommodation must comply with Standards for Accessible Design. These standards are extensive and impose infrastructure requirements on providers of commercial short-term accommodation to ensure suitability and safety for people with disabilities. For example: signs must also be written in braille, and safety hazards have to be cane-detectable (for vision impaired or blind people); fire alarms must use visual signals rather than only sound (for people who are deaf or

hard of hearing); door hardware, air conditioning and heating control units and taps must not require tight pinching, twisting, or grasping (for people with limited use of arms and hands); paths must be free of steps and sudden changes in floor level; and doors must be at least 32 inches wide (for people with walkers or mobility aids).

According to the US Department of Justice (2001), accommodation providers must offer a certain number of accessible car parking spaces. The required number depends on the size of the accommodation, with the absolute minimum for accommodation with more than 1001 car spaces overall being 1%. The percentage of spaces required increases with decreasing total number of car spaces. Properties with between 1 and 25 spaces must have at least one accessible space suitable for a van. Furthermore, all sidewalks and walkways have to be free of steps and wide enough to accommodate wheelchairs or other mobility aids. Entrance areas have to be flat, wide enough and either fitted with automatic doors or with appropriate door handles, and swipe card readers must be installed at a height suitable to be used by a person sitting in a wheelchair or of short stature. Inside spaces and corridors also have to be flat, wide enough, and without steps. Public bathrooms must be accessible, and interior signs must be reachable and readable by vision-impaired people. The number of rooms suitable for hearing-impaired guests depends on the total number of rooms offered by an accommodation provider. Properties with more than 1001 rooms have to provide an absolute minimum of 1%. If the accommodation has less than 25 rooms, one room must be suitable for hearing-impaired guests. The same ratio holds for accessible rooms. Rooms with roll-in showers do not have to be provided by accommodations with 50 or fewer rooms. Staff must be knowledgeable about the availability of accessible rooms so that they can provide guests with accurate information, and these rooms are not allowed to cost more than regular rooms.

The suitability of peer-to-peer accommodation for travelers with a disability

Although holiday homes have been available for rent for many decades, the issue of noncompliance with disability regulation has only now become a major topic of public debate, probably because the size of Airbnb has pushed short-term accommodation offered by 'ordinary people' to a level never before seen or anticipated. The argument against peer-to-peer networks is that – because they are largely exempt from the laws and regulations that protect people with disabilities – they discriminate against such people.

Some empirical evidence exists that supports this argument. In a randomized field experiment, researchers sent 3847 booking requests to Airbnb

hosts between June and November 2016 (Ameri et al., 2017). Bookings from travelers with a disability were rejected more frequently. For travelers who did not report having a disability, permission to book (Karlsson et al., 2017) was granted by hosts in 75% of cases. When reporting a disability, the percentage of people who were given permission to book dropped to 61% for dwarfism; 50% for blindness; 43% for cerebral palsy; and 25% for spinal cord injuries. For listings classified as wheelchair accessible, the difference in permissions was less. The introduction of Airbnb's non-discrimination policy in 2016, to which every host had to commit, made no difference to the gap in the rates of hosts giving permissions to book for people with a disability (Ameri et al, 2017).

While these results seem to indicate that discrimination is occurring, the experiment itself does not allow firm conclusions about the reasons for the difference in pre-approval rates. Discrimination is one of a number of possible explanations. Another one – put forward by the authors of the study – is that hosts would be willing to accommodate people with disabilities, but know that their property does not have the necessary features and is therefore not suitable for the person making the enquiry. The lack of suitability is often not obvious from the online listing. An alternative explanation is that hosts may be concerned about increased risks of injury putting them at a higher risk of liability.

Others are not as generous in their evaluation, arguing that the 'sharing economy is set up for people who are healthy and able-bodied' (Redmond, 2014) and, consequently, is in breach of the Americans with Disability Act. Quoting disability rights activist Bob Planthold, Redmond argues in relation to peer-to-peer accommodation networks specifically that: (1) many properties listed on such networks are public accommodation according to the Americans with Disability Act and should be fully accessible; (2) the Airbnb website is not accessible, which causes difficulties not only for people with disabilities looking for space, but also for those wanting to list space; and (3) there is insufficient information about features of the listing relevant to people with disabilities. As a consequence, people with disability feel uncomfortable using home-sharing services. In addition, (4) the lack of background checks on guests puts already vulnerable populations, such as people with disability, at greater risk of falling victim to potentially dangerous guests (Redmond, 2014).

Similarly, Heidman (2014) notes that the Airbnb website enables guests to search for wheelchair-accessible properties, but since the website redesign in 2014, the wheelchair-accessibility information is hard to find: 'It took me three separate attempts on Airbnb's site to locate the accessibility filter, by clicking the "More Filters" tab, then scrolling through the amenities list until we reached the very end'. An additional complication is that hosts rate wheelchair accessibility, but most lack experience and knowledge about the needs of wheelchair

users. A listing being classified as wheelchair accessible may, therefore, turn out not to be. Heidman also notes that the Airbnb website is incompatible with software used by vision-impaired people and concludes that it is 'clear these peer-to-peer services are here to stay. But it's also clear that, for these new sharing economy companies, you're no peer of theirs if you have a disability'.

Reactions by peer-to-peer networks

Most peer-to-peer accommodation networks have taken no action in improving accessibility for people with a disability because they have not been directly or publicly criticized. Airbnb, which has in recent times found itself in the firing line of public debate given its position as the internationally leading commercial peer-to-peer accommodation network, has commissioned a report on how to fight discrimination and build inclusion (Murphy, 2016) in response to the numerous claims it systematically discriminates against vulnerable populations including non-white ethnicities (Chapter 19), people from the LGBTIQI community and people with disabilities. The report was relatively broad and spoke of generic company policies to promote acceptance and inclusion and not tolerate hosts who did not display these values.

In May 2017, Airbnb released a three-point plan to increase inclusion of people with disabilities (Airbnb, 2017). In this plan Airbnb claims it is 'committed to making sure everyone – including people of all abilities – can find and book travel experiences they love' (Airbnb, 2017). The initiatives in this plan include: (1) redesigning the Airbnb website to include assistive technology – such as keyboard navigation support and improvements to legibility and text color contrast – to make Airbnb more accessible to people with visual impairments. (2) Improving the search function in order to enable users to identify accommodation options that match their specific needs. This includes the ability of hosts to be more specific about the nature of accessibility features in their property (beyond just wheelchair accessibility as is currently the case) and enhanced filters that enable users to find accommodation options with the specific features they require. (3) Educating hosts about Airbnb's non-discrimination policy and their responsibility to accommodate guests with special needs, including assistance animals.

Accommodation needs of travelers with a disability

Discussing with people who have a disability their needs related to travel suggests that neither peer-to-peer networks, nor commercial accommodation providers forced to comply with rules and regulations relating to the protec-

tion of people with a disability, genuinely cater to the needs of travelers with a disability. The comments of travelers below illustrate this:

There are so many disabilities, thus a large variety of needs for different people. If all the facts are presented then a person can decide if they can or can't manage. It doesn't have to be perfect but there are important issues. Are the doorways wide enough to take a wheelchair? Can the wheelchair access the toilet area? Is there a handle for support to transfer to the toilet? Is the shower accessible (wet floor, support handles, non slip flooring)? Can a wheelchair move to the side of the bed so a guest can transfer from the chair to the bed? If this information was presented to me, (and other disabled travelers) we could make an informed decision rather than having to ask the same questions over and over again. (Airbnb Community Center, 2017)

Went to a listing with a handicapped family member that was ground floor. But there was step up and then down in the entrance, nothing to grab near the toilet, etc. We ended up leaving half the group there and went to a hotel. (Airbnb Community Center, 2017)

We, as travelers with disabilities, have to ask numerous detailed questions, and we have to be prepared with plan B if a lodging turns out to be just too hard to manage. (New Mobility, 2017)

But it is not just about wheelchair access, although mobility issues affect around 60% of people with disability (Centers for Disease Control and Prevention, 2017). With an aging population, other forms of disability are increasing, such as hearing and visual impairments. Specific modifications are required to make accommodation safe and suitable for people with these disabilities. For example, modifications for hearing loss might include making auditory sounds louder (e.g., telephones); installing telecommunication devices for the deaf which allow hearing impaired people to communicate over the telephone; installing signallers which alert guests when someone is at the door or if there is a fire, which usually includes some form of visual (e.g., flashing lights) or physical (e.g., shaking the bed) signal; installing wide peepholes in doors to enable people to view visitors as they cannot hear people on the other side of the door; the use of thin flooring for people who rely on feeling vibrations in the home; or sound absorbent flooring if background noise is an issue.

The challenges associated with finding travel accommodation that has the specific features and facilities that perfectly match an individual's unique disability needs are illustrated by talking to the stepmother of a 12 year old girl, Kate. Kate has a progressive undiagnosed syndrome, is profoundly deaf and is living with a moderate intellectual disability. This means she functions at

the level of a 3–4 year old. She also has physical disabilities, which means that she needs assistance or aides to move around the house. She relies on a walker and wheelchair in school. The family, who also has two older children who do not have a disability, have tried to be proactive about taking vacations. They have traveled both nationally and internationally in the past, but this is becoming increasingly difficult as the children have become older and both Kate's needs and the needs of other family members have changed. Based on their experience, finding suitable accommodation can be difficult, despite the legal obligations imposed on commercial providers. Over the years they have learnt that larger hotels or resort-style accommodation works best because they often offer ground-level accommodation or lifts and can easily be navigated with a wheelchair because they are spacious and often have ramps leading to different facilities within the hotel or resort. In the past, it has not been a problem if accommodation had a few stairs as they could carry Kate if necessary. But Kate is getting older and heavier and it is more difficult to lift her in and out of the wheelchair.

Kate's family has never booked on Airbnb, but they have booked a holiday house on Stayz.com, another online platform that facilitates trading of unused or underutilized spaces between peers (Chapter 6). The key concerns when booking other people's houses is safety. Because Kate has an intellectual disability, the normal setup of a house can be dangerous. For example, accessibility of appliances and utensils in the kitchen or non-secure parts of the house which would allow Kate to get outside or on to balconies which may not have adequate railings. Resorts and large hotels typically eliminate these types of hazards because they cater for families with small children.

Resorts and large hotels also offer other helpful services, such as room service, as an alternative to having to go out to eat. They also typically have better access to other facilities like pools, gyms, or other recreational activities which are important to meet the needs of Kate and other family members while on holidays.

When asked what kind of peer-to-peer accommodation would be suitable for a family holiday, Kate's stepmother expressed skepticism about finding something that is suitable. A house that would suit their needs would not only have to be genuinely wheelchair-friendly, but would also have to be very child and family-friendly. For example, this would include providing options for other activities on site (e.g., pool or other recreation) and for in-house dining or food services. In this sense, the family is looking for a 'destination stay', not just for accommodation. This is because getting out and about in the local neighborhood and environment whilst on holidays also requires the navigation of other obstacles (beyond the accommodation itself). For families or groups

traveling together, considering only the accommodation needs of the person with the disability is not helpful because it ignores the potential impact this has on the experience of other family or group members. Ultimately, holiday accommodation choices need to be considered within the broader context of the destination and everything it offers, such that they meet the needs of the person with the disability, but also the other people traveling, who may have specific needs of their own.

It is clear from reviewing comments travelers with disabilities make online, as well as our interviews with a number of travelers with disabilities, that their accommodation requirements are very specific. Even the commercial, regulated sector does not cater well to these needs. Peer-to-peer accommodation is perceived as even riskier, because the offerings are less standardized. Many users of peer-to-peer networks accommodation enjoy the aspect of being surprised when they come to a new property for the first time, as opposed to knowing exactly what the space will look like when booking in a hotel chain. For people with disabilities, surprises in short-term accommodations are not always a good thing, potentially making it impossible for them to spend a holiday in the space they booked.

Conclusions

It is challenging for travelers with a disability to find suitable accommodation. While the success of peer-to-peer networks has reignited discussion about discrimination against travelers with a disability, it becomes clear from accounts by travelers with a disability that the commercial accommodation sector – despite regulations – also frequently fails to cater to their specific needs. What, then, is the solution?

The most effective measure that both commercial providers and peer-to-peer network hosts can take is to provide much more detail on those features of the listing relevant to people with a disability. This could be achieved by developing a separate, very detailed list that needs to be completed by accommodation providers. This list does not have to be displayed to all guests, but it could appear when a 'More information for travelers with a disability' icon is clicked, thus providing critically important details to travelers with a disability while not distracting other travelers. Peer-to-peer accommodation networks committed to catering to travelers with disabilities could make it compulsory for people to complete this form as part of setting up the listing. The responses to the form would then determine whether the listing is suitable for travelers with certain disabilities. It would also have an educational benefit of raising awareness among hosts for the very specific needs of travelers with disabilities.

People with a disability have very specific and intricate requirements in terms of their short-term accommodation. Presumably, the only other people who understand these specific requirements are those who have them also. This opens up another solution, one that peer-to-peer accommodation networks are particularly suited to cater for individual needs because they thrive on variation, not standardization. If hosting were easier for people with a disability, supply of spaces set up for people with a disability to stay in may increase. Such spaces are likely to be much better equipped, given that they have been set up for a host with a disability. If the specific needs of one person are matched by a listing with similar specific features, these needs may be met over and above how they might otherwise be met by mainstream accommodation providers. This opens up an entrepreneurship opportunity to establish a new peer-to-peer accommodation network for trading of spaces suitable for people with disabilities. One such network already exists (<https://www.accomable.com/>) and has 1100 listings of both commercial and private nature in 60 countries. It also opens up the opportunity for established peer-to-peer accommodation providers to show their genuine commitment to inclusiveness. Airbnb positions itself as being able to connect people to unique travel experiences. Given the number of hosts and consumers now engaging with Airbnb, there is potential to take this to the next level. Numerous tourists with disability have been vocal about what they want and need from travel accommodation, which gives guidance as to how this could be achieved. Airbnb is in a unique position to do this, as it essentially provides unique accommodation options which can potentially vary on every aspect imaginable, as opposed to hotel chains, where standardization stands at the center. The sheer quantity of listings on Airbnb (over 3 million spaces *today*, more tomorrow) means it is in a unique position globally to cater to people who have specific and different (but not totally unique) needs and matching them with accommodations that meet these. A few current hosts are already proudly communicating their unique offers:

I'm proud to say that our place... is fully accessible (Airbnb Community Center, 2017)

We are proud to say the same: our place... is fully accessible. (Airbnb Community Center, 2017)

Questions for future research

Has the emergence of peer-to-peer accommodation networks been a great development because it has put requirements for travelers with disabilities back on the agenda, and has made it a topic of public conversation? Why is Airbnb held to higher account than other similar companies, such as Booking.com or HomeAway or even commercial accommodation providers offering the

bare minimum required by law? Will Airbnb's three-point plan make a difference? Will niche networks emerge, or will the major networks make a bigger effort to genuinely include travelers with disabilities? To what extent are the needs of people with disabilities currently met by different types of short-term accommodation providers? What can all types of providers do to better cater to this segment?

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