

Civil Rights Groups Demand Airbnb Reform Discriminatory Policy on Arrest and Conviction Records Used to Ban People from Platform

September 23, 2020: A broad coalition of civil rights organizations, including the American Civil Liberties Union, the John Jay College Institute for Justice and Opportunity, Legal Action Center, The Bronx Defenders, Community Service Society of New York, and the Precedential Group sent [a demand letter](#) to Airbnb today **urging the company to end policies that prevent people with arrest and conviction records — often the result of interactions with the criminal legal system that took place years ago — from using the platform.** The groups allege that Airbnb’s continued reliance on arrest and conviction records to screen prospective users perpetuates the racism prevalent in the criminal legal system, and moreover, that the use of arrest and conviction records as a predictor of future safety is both inaccurate and discriminatory.

Airbnb’s current policy on arrest and conviction records is broad, vague, and allows Airbnb to ban people without an explanation or a chance to appeal. Under the policy, the company has given itself wide discretion to ban users based on vague conclusions about arrest and conviction records without having to explain its decision-making. This nebulous policy gives the company broad leeway: **to ban users indefinitely if they have convictions that Airbnb considers “serious” with no specific explanation of what “serious” means; what the decision-making process is for determining when someone is banned based on an arrest or conviction record; what verification process, if any, was done to ensure the accuracy of the record relied upon; and what process exists to contest removal from the platform.**

Over the course of two years, coalition members have had multiple meetings with Airbnb’s senior leadership team to voice their concerns over the conviction records policy, and offered substantive policy recommendations to help remedy the impact of these discriminatory policies.

"As many as [100 million adults in the United States](#) — or nearly a third of the total population — have a conviction record of some sort. I know from personal experience that while many of these convictions occurred years ago, Airbnb has decided to perpetually punish those with a conviction record long after they have paid their debt to society," said **Marlon Peterson, Atlantic Fellow for Racial Equity**. "I’ve [seen firsthand](#) how

Airbnb's policies around conviction histories exclude people — primarily people of color — from the travel options, experiences, and economic opportunities that the platform offers. Until Airbnb commits to not using convictions as criteria for the use of the platform, their commitments to racial justice and social equity will be negated by the harm that these policies inflict on communities of color.”

While Airbnb has purported to be an inclusive company that values Black lives, including recently launching [a new initiative designed to fight discrimination](#) on the platform, the company’s discriminatory policies disproportionately exclude Black people from both affordable travel options and income opportunities as hosts. [A 2016 study](#) found that the average cost of renting a home on Airbnb is cheaper than a single hotel room, and at least 53 percent of Airbnb guest users surveyed said that they use Airbnb because of the price options, and that users who are hosts could pay approximately 80 percent of their rent by listing a two-bedroom home. Barring potential users with conviction histories from accessing these options, and from adding their homes as destinations, is antithetical to the values they claim to hold.

The company’s reliance on arrest and conviction records perpetuates and legitimizes structural racism at the continued expense of Black individuals and communities. **The coalition is calling for Airbnb to immediately cease using arrest and conviction records to justify banning people from the platform.**