From Outlaw to Self-regulation: Managing Airbnb's Change in New York

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Executive Summary

This report assessed Airbnb's organisational change in New York, where the legislative and political environment have threatened its operations. Airbnb is an online platform enabling peer-to-peer short term rentals, and the shortages of affordable housing in New York and the growing popularity of Airbnb hosting create a conflict between the company and the city. To remain effective and minimize the negative effects of law enforcement Airbnb has had to recognize a need for change and build a change coalition to address the needs of different stakeholders. Airbnb's management chose to co-operate with the lawmakers and chose a vision that supports the wider values of the company. The values are based on the sense of belonging and community and thus the change addresses least the stakeholders that have ambitious financial goals.

The report utilizes Kotter's (1995) eight step model of managing change and secondary sources of data to find the strengths and weaknesses of the company's change management. The company has been largely proactive in the change in New York which allows promising suggestions for similar confrontations in other cities. The recommendations are included in the conclusions of the report.

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1. Introduction

Airbnb Inc. is an online platform for tours, hospitality services and short-time rentals founded in 2008 (Marketline, 2018). The providers of Airbnb accommodation are mostly individuals renting for individuals and connecting through the digital service, which distinguishes the company form traditional lodging operators (Oskam and Boswijk, 2016; Ravenelle, 2017; Stabrowski, 2017). Accommodation hosts pay generally 3% and the guests 5-15% of transactions to Airbnb as commission constituting the company's revenue (*What are Airbnb Service Fees?*, 2018).

The novel business model has created tensions particularly in New York, where the rental market supply is scarce and the company has a large base of hosts and guests competing for the same apartments as locals (Stabrowski, 2017). The regulation, taxes and laws for other accommodation providers in the city are targeted at businesses, not private citizen, and do not help to protect either public or Airbnb's interest (Cohen and Sundararajan, 2015; Guttentag, 2015). However, laws have been gradually catching up with Airbnb and the maturing company finds itself in a situation where it must comply with them. Notable examples of this include new policies in cities such as Barcelona, Amsterdam and San Francisco making the battle in New York a part of a larger transformational change (Edelman and Geradin, 2015; Lane and Woodworth, 2016; Woolf, 2017). New laws are a major threat to the company potentially forcing it out from some markets (Marketline, 2018).

To operate effectively, the company needs to identify how to be proactive in the changing political and legal environment and how to control resistance (Hayes, 2014). This report assesses the question by studying the organisational change Airbnb has experienced from being an informal or illegal operator to a lawful organisation in New York. It utilizes second hand sources of data including articles and online publications. The rest of the report is arranged to follow Kotter's (1995) 'eight steps of change' that gives a logical order for managers to address change issues and assess their performance (Hayes, 2014; Cameron and Green, 2015). The model has characteristics of the organisational development view of change including the planned, proactive approach and the involvement of large number of

participants, but it acknowledges the effectiveness of top-down leadership (see Hayes, 2014).

2. Establishing a Sense of Urgency

2.1. Diagnosing the Change

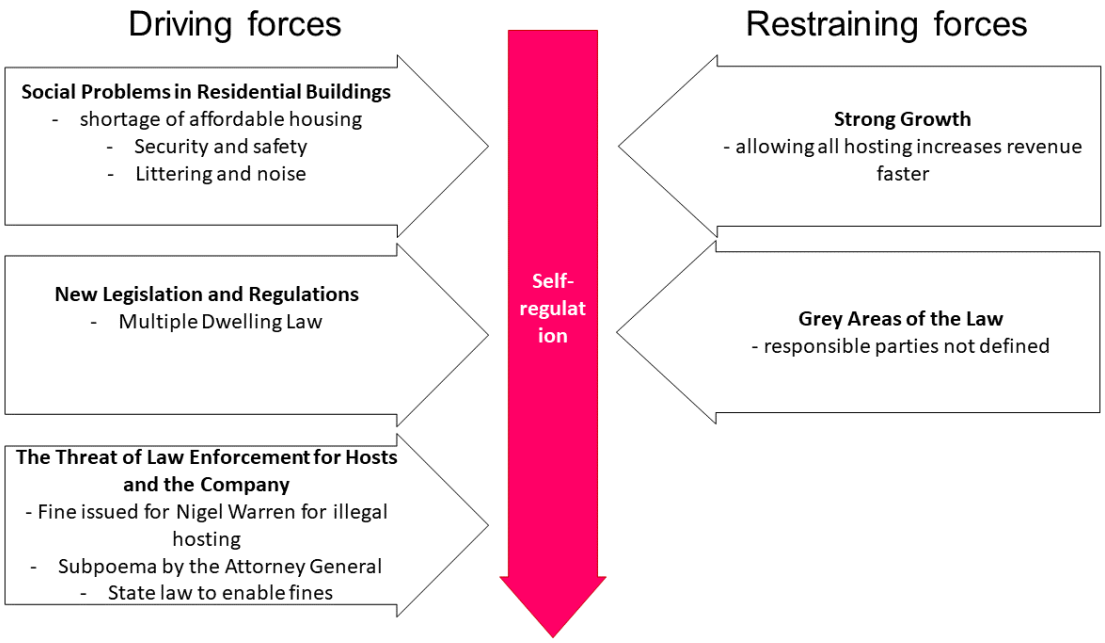

Figure 1 Restraining and Driving forces for Airbnb's self-regulation in New York.

Lewin's (1951) Force Field theory helps to understand how Airbnb's urgency for change developed in New York. According to the theory, the organisational change happens when the driving forces exceed the power of forces restraining the change unfreezing the quasi-stationary equilibrium (Burnes, 2004). For Airbnb the status quo is exponential growth. The company has expanded rapidly in the past ten years serving 40 million guests and operating in 191 countries in 2016 (Johnson *et al.*, 2017; *About Us - Airbnb Newsroom*, 2018). Between 2008 and 2014 the number of Airbnb's rental units in New York grew from zero to 187 000 making it the company's most important market area (Kessler, 2014; Lane and Woodworth, 2016).

The number of Airbnb units increased in New York even after a Multiple Dwelling Law took effect in 2011 forbidding renting for less than 30 days in houses that have

multiple flats (Jefferson-Jones, 2015). The new law made many Airbnb listings illegal and was a driving force for a change, but it was not alone strong enough to unfreeze the equilibrium (figure 1). Airbnb largely ignored the ‘grey law’ that still allowed short term rentals of apartments if the common areas were shared (Kessler, 2014). The legislation had been planned to target unregistered hotels in residential areas since 2003 and was thus not originally aimed against Airbnb (Stabrowski 2017).

Still, the same issues that had led to the Multiple Dwelling Law made Airbnb’s rental units problematic (Stabrowski, 2017). Various stakeholders affected by Airbnb complained about noise and littering by the tourists and the safety and security issues they brought to residential areas (Jefferson-Jones, 2015; Gurran and Phibbs, 2017). In addition, residential apartments converted to more profitable short term accommodation were seen as a cause for shortages of affordable housing (Miller and Jefferson-Jones, 2017). However, the accusations by the New York residents and competitors did not have notable effect on Airbnb, whose terms of service pointed the responsibility towards hosts and local authorities (figure 1, McNamara, 2014).

While the legal and social environment suggested a need to change Airbnb’s operation in New York, the company did not limit its growth or comply with laws before the change became synonymous with surviving due to the threat of law enforcement. In Airbnb’s case the change initiative came from the unsatisfied citizens, competitors and policymakers, but it was the first fine against an Airbnb host and the following subpoena by Attorney General Eric Schneiderman to provide personal data on 15 000 hosts in NYC in October 2013 that established a sense of urgency in the organisation to start the change process through concrete actions (Kessler, 2014, figure 1). The fines were cancelled and General Attorney’s subpoena quashed, but the appeal court also ruled that there was enough reason to suspect Airbnb hosts for illegal renting and tax avoidance, hosts’ rights for privacy were not violated by the subpoena, nor would it be too burdensome for Airbnb to provide the data (*Airbnb, inc. v. Schneiderman*, 2014). Unsurprisingly, by August 2014, Airbnb agreed to supply the Attorney General with anonymized information on approximately 16 000 hosts and give the Attorney General specific, non-anonymized information on 124 hosts (Geron, 2013; Miller and Jefferson-Jones, 2017; Walters, 2017).

2.2. Launching the Change

According to Kotter (1995) a successful organizational transformation starts when a leader, preferably the CEO, sees the need for a major change and is able to communicate it. The threat of enforcement of Multiple Dwellings Law and the publicity followed by it finally prompted Airbnb's CEO Bryan Chesky to write a blog post defending the hosts in the city (Chesky, 2013). He stated that the company wanted to work towards 'sensible' laws in New York to make it clear that hosting by average hosts was legal, to establish an easy tax collection system from hosts and to remove bad actors from the community. The message was clear and addressed the hosts' worries while the visibility of the legal cases in media helped to justify the need for a change.

Kotter (1995) writes that in a successful change the changing group discusses frankly about the difficult issues. Airbnb's transparent discussion culture may have helped in recognizing that listening and co-operating with the critical local community is the right way to react to the public pressure (Bajer, 2016). Notably, other online peer-to-peer platforms have set warning examples of not doing so. Uber, a ride sharing company, has largely ignored complains of passenger security and employee's rights issues. Consequently, its bad reputation has made it easier for competing taxi companies to block it in many cities (Sundararajan, 2014; Grant, 2017). If Airbnb would have continued to ignore the public opinion in the city, the US government theoretically could force Airbnb, much like US state attorneys general pressured Craigslist into eliminating its 'adult services' section (Associated Press, 2010).

3. Forming a Powerful Guiding Coalition

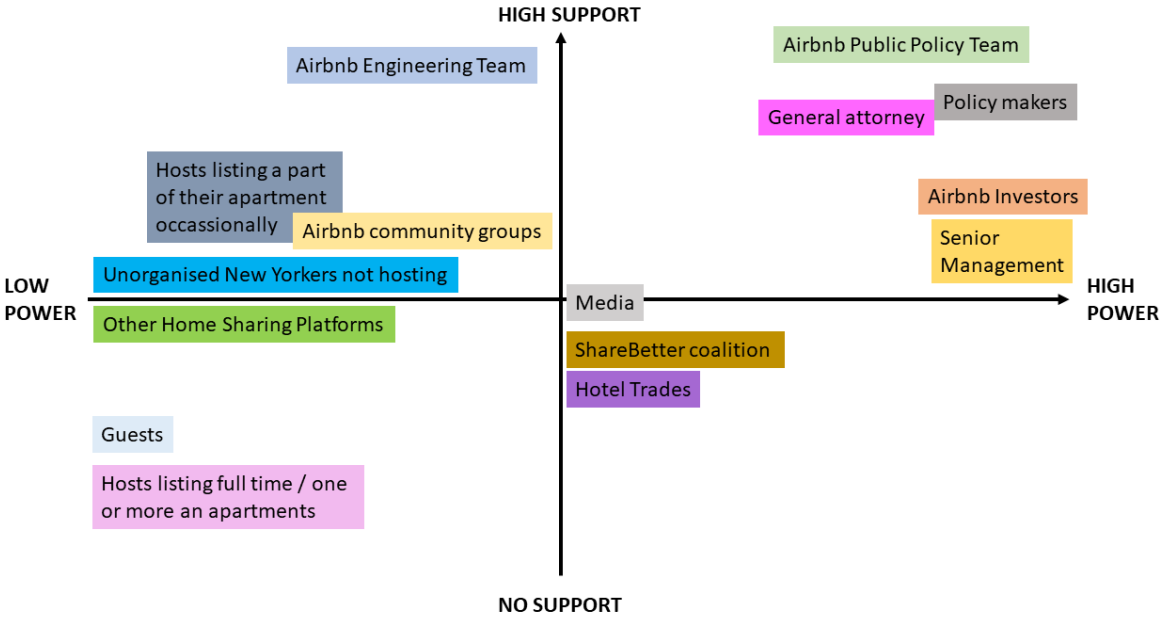

Figure 2 Stakeholder grid. Adapted from Hayes (2014).

Kotter (1995) suggests that members of an organisation form a group to drive the change. The central question is who to involve in the coalition. A stakeholder grid offers a way to examine the people affected and affecting the change on the power axel and the decree of their support on the other axel (figure 2). The potential coalition members can be found from the high power and high support group. In Kotter's (1995) experience, the members of the coalition must be powerful for example in terms of relationships, reputations and expertise. Hosts and average New York citizens lack such power, whereas the support of senior executives is crucial for the change (Kotter 1995).

In the center of Airbnb's change coalition was a public policy team lead by David Hantman and later Chris Lehane (*Welcome, Chris Lehane*, 2015). The team was dedicated communicating the change through a monthly Airbnb Citizen blog (Hantman, 2012). The change also was of interest to Airbnb's investors who hope that the company becomes stabile enough for IPO so that they can trade their investments (Gallagher, 2018). Media's role in the coalition is less obvious, because their interest lay on the side of the actor who has the most interesting facts to give for their audience.

Since the Airbnb CEO decided to support the city's legislation efforts, Attorney General and policymakers are also in the high-power, high support quarter acting as sponsors rather than against the change (figure 2). Co-operation became even more evident in 2016 when a law change made it easier for the city to fine for breaking the Multiple Dwellings Law. Airbnb's lawyers settled with the Attorney General an agreement that the sanctions would not be targeted against the company, but that the company would enforce 'One host, one home' policy (Miller and Jefferson-Jones, 2017). The same policy also drew the company Engineering team to the coalition, since it involved making it technically impossible to have more than one listing per host (Airbnb Citizen, 2018).

Another consequence from the settlement was that the hosts who the CEO had previously addressed as important stakeholders in the change were left outside of the coalition in an unclear legal situation, whereas the company secured itself against punishment. Illegal hosts were left totally outside of the community while many other hosts felt insecure of their position and income (Walters, 2017). This is unfortunate, because there is evidence that of participation on all levels of hierarchy improves the change outcomes and creates more likely lasting change (Hayes, 2014). Although less powerful than the guiding coalition, hosts can still silently undermine Airbnb's chances to thrive in the new legal environment by simply not hosting anymore. They can also go around Airbnb's rules by creating fake profiles, which decreases the coalition's credibility in the eyes of the public.

Stakeholders that lack power or are against the change could be moved to high power - high support quarter to include them in the coalition (Hayes 2014). Airbnb hasn't done that though, probably because coalitions in the high power – low support group consist of competitors in traditional hotel industry and neighborhood activists that have made their minds about Airbnb. 100 elected officials, housing groups and community activists have come together to form the ShareBetter coalition 'to combat the rampant threat of Airbnb and other illegal hotel operations in New York City' (ShareBetter, 2014). Hotel Trades Union including 30,000-plus unionized hotel workers would probably also want to protect their employment opportunities against Airbnb.

4. Creating a Vision

According to Kotter (1995) a successful change coalition develops a vision of the future they want to achieve. Airbnb's CEO has a vision of the company as a community beneficiary, which is illustrated in his open letter about the change in New York (Chesky, 2013, 2018). In the vision, Airbnb empowers microentrepreneurs and supports the hosts' incomes in the expensive city, benefits the local businesses and brings like-minded people together as a community (Chesky, 2013; Kessler, 2014; Ong, 2018). The vision is thus is strongly centered around values rather than rational profitability efforts, although the two can be simultaneous (Hayes, 2014). The vision can also be interpreted as an attempt to disarm political opposition rather than an actual goal (Stabrowski, 2017). Still, the discussion of the effect that deleting around 10% of hosts in New York has to the revenue of Airbnb is strikingly missing from the coalitions' communication (see Chesky, 2013; Hantman, 2013; Kessler, 2014; Airbnb Citizen, 2016).

The value centered vision may not have inspired the hosts as much as the members of the guiding coalition. According to Ravenelle's (2017) study, the hosts are accommodating guests mainly for economic reasons and not because they want to benefit the community. The hosts aspire growing their businesses and become more than microentrepreneurs (Ravenelle, 2017). Being able to pay rent was also the original goal of Airbnb's founders before the company grew (Chesky, 2013). The vision thus tries to more the company from its original roots towards a more ethical culture. The company can enforce the change within the organisation by making the culture more organic through careful recruiting system that ensures that the new employees tolerate change and share same values (Burnes, 2004; Bajer, 2016; Passiak, 2017; Ong, 2018). However, making sure that other stakeholder like hosts accept the same vision is more difficult to control.

5. Communicating the Vision

According to Kotter (1995) the leadership must repeat the vision constantly, using all channels and show integrity while doing so. Airbnb communicates its vision for laws through various media. The Public Policy team publishes a blog about the legal and political developments, the management gives interviews to news media and the company encourages grass root organizing to involve hosts and guests to become part of the political process (Kessler, 2014; Passiak, 2017; *New York City*, 2018).

In a constantly changing organisational environment where single events are difficult to control, communicating a vision effectively could be the most important task of a leader (Cameron and Green, 2015). Bryan Chesky and other company founders have shown value leadership by incorporating the vision of the common good not only to the community of New York but also to the company wide brand. In 2013 the company launched a new brand with the current logo and a slogan “belong anywhere” and belonging has become a part of the staff culture for example in the forms of open flow of information and shared interests (Passiak, 2017). The fact that many Airbnb employees including the executives are themselves hosts increases management’s integrity too (Kessler, 2014).

6. Empowering Others to Act on the Vision

Empowering everyone to act on the vision requires that the management moves obstacles from its way (Kotter, 1995). This might have been the reason why Airbnb shunned the hosts with multiple listings from early on: these hosts endangered hosting for everyone else. Making it impossible to host illegally was the major obstacle that the company removed by creating technical barriers on the online platform to block unwanted listings (Airbnb Citizen, 2018). By communicating the company agenda trough blocking, it is more difficult for new hosts to act illegally at least without them knowing. Hosts can also feel more secure about their activities if their listing is accepted.

Airbnb's organizational culture is democratic which decreases the risk for incompetent or change resistant managers in the mid-hierarchy to block the change efforts (Bajer, 2016). In addition to that the organic culture has an empowering effect on the change, the case may benefit the company culture further. Making the whole organisation more aware of laws and more open for restricting the hosting is a good direction when the organisation continues to grow in new markets. It also created room for self-criticism.

7. Planning for and Creating Short Term Wins

According to Kotter (1995) short term wins are necessary, because changes take time and the momentum might otherwise die down. Airbnb has had many wins so far on its way towards a socially responsible, legal company. Although it has been mostly through compromises with the lawmakers, the company has declared the outcomes as wins (Hantman, 2013a).

Airbnb's negotiations in courts and with the Attorney General were mainly successful, because they made it possible for the company to continue operating in New York. The number of units in New York continues to grow despite of the restrictions on short term rentals (*New York City*, 2018). It might be because the laws have somewhat clarified the status of hosts.

Airbnb was not successful in creating a tax collection system for the hosts in New York, because it requires a complex policymaking process (Kessler, 2014). It might also be that the coalitions presenting Airbnb's competitors in the traditional hotel sector lobby against such legislature, because it would make Airbnb stronger. However, Airbnb has a system ready to incorporate the tax collection to the platform from other regions if it becomes possible to do so (Kessler, 2014). That would give the company an advantage also against online copycats that would not have the technology ready.

8. Consolidating improvements and producing still more change

Cameron and Green (2015) criticize Kotter's model for being linear and lacking energy towards the end, but the essence of the last two steps is to warn against becoming overly comfortable with achievements and to keep on monitoring the change (Kotter, 1995). The change in New York is not yet complete. For example, it is still possible for the hosts to create multiple accounts using aliases.

According to Kotter (1995) it is necessary to revisit the change and evaluate the outcomes so far. Monitoring the change is important to assess whether the vision has succeeded to make the organisation more effective (Hayes, 2014). Monthly reports by the Airbnb's public policy team provide statistics on for example how many hosts and guests there are in the city, where their listings are located and how many profiles the team has removed as inappropriate (*New York City*, 2018). According to the reports in the blog, the percentage of hosts that have more than one listings has remained quite constant 5% and since 2016 the company has barred approximately 5 000 listings (Airbnb, 2018). After reviewing the strictly illegal listings, the company still allows multiple listings per host in special cases such as if the listing is in a corporate building or managed by a third party on behalf of the host. These listings remain in the grey area of the law and might encourage more law suits and change in the future.

Collecting and releasing the data publicly might reduce the power of Airbnb's opposing coalition, if it supports the argument that Airbnb is socially responsible. On the other hand, the public might point out new issues from the data that the company needs to address. That would create another cycle of change.

9. Institutionalizing New Approaches

Through the change in New York Airbnb has established means to operate more responsibly. As the company continues to grow, it must establish more structure to hold the organisation together. The company has chosen to lean towards community and belonging, but negative social side effects of hosting contradicts the message. On the other hand, enforcing restrictions goes against the culture grass root entrepreneurism. Institutionalising the new approach is thus demanding. It's debatable whether changing a company culture like this is possible, but most agree that it at least takes a long time (Hayes, 2014).

Institutionalisation requires also that the new managers and executives support the change (Kotter, 1995). Airbnb is in a process of recruiting more executives and senior management to lead the growing organisation (Hook, 2018). Those managers should enbrace the vision of communally responsible company for the change to last. However, the fact that the change towards abiding laws is embedded in the company values and thus in the company culture makes it more sustainable.

10. Conclusion and Recommendations

Airbnb has had to give up the unlimited growth in New York after facing legal restrictions. However, the company has secured a presence on the market by being proactive after initially ignoring the messages to pursue a change from the legal and social environments. It has done so by applying the values from the company culture into a vision of the legislation that would be beneficial for the company and most of its stakeholders and communicating the vision to a powerful guiding coalition. In the process Airbnb has taken the initiative to remove illegal hosts from its platform, opened a door for further discussion and protected itself against legal punishment.

As Airbnb matures from a startup into a corporation, strong values and more structure in the sense of following rules becomes a necessity to keep the company together. This requires hiring more legal advisors and lobbyists also in other markets where legislature is an issue. For Airbnb to win similar legal battles elsewhere, it is suggested that Airbnb clarifies its approach to troublesome listings on all organisational levels. To do so, it should define in more absolute terms which listings are not allowed. That would satisfy more stakeholders and create a more stable environment for the organisation to operate in.

Airbnb has used various media to communicate the change vision to stakeholders. However, in 2016 the vision to include hosts in the change coalition was undermined because the company failed to reconsolidate the hosts that fell on the wrong side of the law and simply deleted their profiles from the platform. As a result, the fear of losing income may have spread among other hosts too. In addition to more personal communication, hosts need more legal protection and a more formal position.

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