



The licence is not a piece of paper. It is a list anyone can check.

Ibiza is barely issuing new tourist places, yet a villa that holds them can lose them over a requirement nobody re-checked. This guide sets out what the law asks for, which document answers each point, and what changed in 2025 and 2026.

OCTOBER 2026 · WRITTEN BY JENS GREG, WINGMAN IBIZA · PRIMARY SOURCES: LEY 8/2012 DE TURISMO DE LAS ILLES BALEARS (CONSOLIDATED TEXT, BOE), DECRETO LEY 4/2025, PTI DE EIVISSA (BOIB 106/2025) AND THE TRIBUNAL SUPREMO RULING OF 19 MAY 2026

SHORT ON TIME? THE 60 SECOND SUMMARY

What happened. Several pieces moved at once in 2025 and 2026. Decreto ley 4/2025 banned new registrations in apartment buildings, capped stays at 30 nights and ordered a review of homes not let for three years. Modification 2 of Ibiza's island plan, the PTI (August 2025), restricted new registrations on rural land. And on 19 May 2026 the Tribunal Supremo annulled the state Registro Único de Arrendamientos procedure, so the number that counts is again the regional one.

What the rule actually does. To let a home to tourists you must have filed a declaración responsable de inicio de actividad turística (DRIAT) with the Consell d'Eivissa, backed by acquired plazas turísticas, and meet article 50 of Ley 8/2012: a cédula de habitabilidad stating the number of places, a minimum energy rating, individual meters, five years of prior residential use, one bathroom per four places, liability insurance, a services register, a 24-hour phone line, stays of no more than 30 nights and the registration number on all advertising.

What it means for an Ibiza villa. A villa without places can barely get them: buying places is still suspended, and new ones only appear when another home gives its places up, one for one. A villa that already holds a DRIAT holds a scarce asset which, on a detached house, does not lapse after five years. What puts it at risk is a requirement that stops being met, or not letting it at all: the owner answers alongside the marketer, and very serious infringements carry fines of 50.001 to 500.000 euros.

What to do about it. Gather the document that answers each requirement and check them once a year: the DRIAT and registration number, the cédula, the energy certificate, the policy, the libro registro and annex 6 of Decreto 20/2015. Check that the number appears identically on every listing and that every booking contract bans parties. If someone else markets your villa, get in writing who is filed as the comercializador with the Consell.

The registration number at the bottom of your listing is the first thing a Consell inspector checks, and often the last thing its owner looks at. It was filed once, years ago, and has been taken for granted ever since.

That is Ibiza's paradox in 2026. The island is barely issuing new tourist places, so a villa that already holds them owns something scarce. Yet every season villas are sanctioned that met every requirement on the day their papers went in, and stopped meeting one of them later. The licence is not a document you have. It is a list you keep meeting.

"LICENCE" IS NOT QUITE THE RIGHT WORD

In the Balearics a home is not granted a tourist licence. Whoever wants to market it files a declaración responsable de inicio de actividad turística (DRIAT) with the island tourism administration, which in Ibiza is the Consell d'Eivissa. Advertising or letting without one, or with one but without meeting the requirements, is oferta ilegal (articles 28 and 52.3 of Ley 8/2012). The DRIAT goes in with the certificate of acquired tourist places, a municipal certificate that the zone is apta, and annex 6 of Decreto 20/2015 completed (article 50.22.e). Since 2025 owner and comercializador must deal with the administration electronically.

The comercializador, the party marketing the stays, can be the owner or a third party (articles 49 and 50.1). That matters more than it sounds, because it is the name filed with the Consell and the name on the guest contract.



THE HOUSE: WHAT IT HAS TO BE

The home must be residential, with a cédula de habitabilidad or licencia de ocupación stating the number of places, and cannot market more places than that (articles 50.2 and 52.1). It needs at least five years of private residential use (50.17), an energy rating of F if built before 2008 or D if after (50.5), an individual water meter registered with the supplier if on mains, and its own electricity and gas meters (50.6). It needs one bathroom per four places (52.2), and can never be protected or price-capped housing (50.8).

Two rules on type. Since Decreto ley 4/2025 (second additional provision), no new DRIAT is accepted for homes under propiedad horizontal on any island, except terraced and semi-detached houses; a detached villa is unaffected. On rural land in Ibiza, norma 11.8 of the PTI, as worded by its modification 2 (BOIB 106, 9 August 2025), only admits new activity in houses that appear in the 1956 aerial photograph. The same norm requires a rural home to have a wastewater treatment system before it can be let.

PLACES: WHY A VILLA WITHOUT THEM CAN BARELY GET THEM

In Mallorca, Ibiza and Formentera, buying tourist places and swapping them between private parties is still suspended (first additional provision of Ley 3/2022). Decreto ley 4/2025 removed the four-year cap: the suspension lasts until the Consell sets a ceiling based on a carrying-capacity study. There are exceptions, such as moving places from one of your own homes to another.

Meanwhile there are temporary pools, filled only with places from homes that leave the register, allocated one for one in order of application (second transitional provision of Decreto ley 4/2025; Consell d'Eivissa resolution, BOIB 77, 19 June 2025). The price is set by the island's 2013 ordinance; La Voz de Ibiza reports a minimum of 4,300 euros per place.

1956	1 for 1	3 years
Year of the aerial photograph that decides which rural houses can register	A new place only appears when another home leaves the register	Not let, and the Consell can remove the home from the register

In Ibiza the licence is the asset. It is kept by evidence, not by having been granted once.

RUNNING IT: WHAT THE ACTIVITY MUST INCLUDE

The comercializador must provide cleaning, bed linen and household goods, and maintenance (article 51.1), and record in a libro registro enabled by the Consell who carries out those services (51.2). There must be 24-hour phone assistance (51.3) and liability insurance (50.16). Guest details go to the police (50.11), the whole house is let and never by the room (50.15), and no stay may exceed 30 nights (50.13). The contract must expressly ban parties, and if one happens the guest has to leave within 24 hours (50.12). Serviced extinguishers and the first aid kit come from annex 6 of Decreto 20/2015.

THE NUMBER ON THE LISTING

Every advertisement for a tourist home must carry its registration number (article 28.3.a), and a platform that publishes a listing without it commits a very serious infringement (120.j). The state number has lost its weight: the Tribunal Supremo ruling of 19 May 2026 (BOE, 8 June 2026) annulled the single-registration procedure of Real Decreto 1312/2024 and the duty to register at the Registro de la Propiedad to obtain a number. The digital single window for data-sharing with platforms survives. The number that protects you is the one the Consell assigns.



WHO ANSWERS IF SOMETHING IS MISSING

The owner, the comercializador and any tenant are liable, "salvo prueba en contrario", and jointly where the shares cannot be separated (article 117.4 and 5). Very serious infringements carry fines of 50.001 to 500.000 euros and can bring loss of the DRIAT or closure (123.3). A sanctioned home cannot change owner until the fine is paid (50.4). Our note on who is fined when an agent lists a villa wrongly goes into this in more detail.

WHERE IT IS LOST: NOT ON THE CALENDAR

On a detached house the DRIAT does not expire. The five-year term with renewal applies to apartment buildings (articles 50.3 and 50.22.c). The risk is not a date but drift: an expired extinguisher tag, a policy that was not renewed, a listing someone else edited. And inactivity: the Consell may permanently remove a home that has not been marketed for three consecutive years (85.2), and Decreto ley 4/2025 gave it two years to review them all. In practice, the Govern has said it will look at signs such as missing tourist tax returns and no guest reports sent to the police.

HOW TO CHECK IT FROM YOUR OWN PAPERS

Make a list with one line per requirement and three columns: the document that proves it, who issues it, and when it expires. The DRIAT and number are issued by the Consell and do not expire; the energy certificate lasts ten years; the policy, one; the extinguisher service, one, with a pressure test every five. Next to it, keep a dated screenshot of every listing. That is how we review our own villas at the end of each season: once a year, with the document in front of us, not from memory.

KEY TAKEAWAYS

- Letting a villa to tourists in Ibiza requires a DRIAT filed with the Consell d'Eivissa, backed by acquired plazas turísticas, under article 50 of Ley 8/2012 de Turismo de las Illes Balears.
- Buying tourist places is suspended in Ibiza under the first additional provision of Ley 3/2022, as reformed by Decreto ley 4/2025, until the Consell sets a ceiling; new places only come from homes leaving the register, one for one.
- Since modification 2 of the PTI de Eivissa (BOIB 106, 9 August 2025), only homes visible in the 1956 aerial photograph can newly register as tourist lets on Ibiza's rural land.
- On a detached villa the DRIAT does not lapse after five years; under article 85.2 of Ley 8/2012 it can be lost if the home goes three consecutive years without being marketed.
- Under article 117.4 of Ley 8/2012 the owner answers together with the comercializador, and very serious infringements carry fines of 50.001 to 500.000 euros (article 123.3).
- The Tribunal Supremo ruling of 19 May 2026 annulled the state Registro Único de Arrendamientos procedure; in the Balearics the number every listing must show is the regional tourist registration number.

WHAT THIS GUIDE DOES NOT COVER

It does not cover buying a villa with or without places or transferring them, the tourist tax, safety equipment in detail, apartments or the main-residence modality in towns, Formentera, tax (IRPF, IVA, IBI), or whether a particular building is lawful as built. Norma 11.8 of the PTI regulates new activity; if its wastewater requirement may affect a villa already letting, ask the Consell. It assesses no particular property.

This guide is our own research and our reading of the subject, published for educational purposes only. It is not legal or tax advice: it describes the rules as we understand them and names the papers that answer the question, it assesses no particular property, and reading it creates no professional relationship. Take what you find to your own abogado, tax adviser or administrador de fincas.



ABOUT THIS GUIDE

Wingman Ibiza has managed and let villas on the island since 2014 and keeps its own booking and achieved-rate record going back a decade. We review the papers of our own villas every season against the list in this guide. We publish the method, not the figures: what a guide like this shows is how a question is answered, not what our own numbers say.