

# Article 9 Appendix 5:

## Attachment 5: Criteria of Penalties for Home Stay Facilities in Violation of the Act and Regulations for the Management of Home Stay Facilities

Item	Cause of Sanction	Sanctioning Agency	Legal Basis of Sanction	Range of Penalty	Penalty Criteria	
1.	Operating a home stay facility without obtaining a home stay registration certificate	Special municipality or county (city) government	Paragraph 2 of Article 25 and Paragraph 6 and 8 of Article 55 of the Act	A fine no less than (including) NT\$60,000 but no more than NT\$300,000 plus shutdown by order plus Continuing to operate after being penalized with an order to stop operation, and penalties may be imposed in turn.	A fine according to the number of guest rooms plus shutdown by order. Continuing to operate after being penalized with an order to stop operation and penalties may be imposed in turn.	
					5 guest rooms or less	A fine of NT\$60,000
					6 guest rooms	A fine of NT\$84,000
					7 guest rooms	A fine of NT\$108,000
					8 guest rooms	A fine of NT\$132,000
					9 guest rooms	A fine of NT\$156,000
					10 guest rooms	A fine of NT\$180,000
					11 guest rooms	A fine of NT\$204,000
					12 guest rooms	A fine of NT\$228,000
					13 guest rooms	A fine of NT\$252,000
14 guest rooms	A fine of NT\$276,000					
15 guest rooms	A fine of NT\$300,000					
2.	The operator of a home stay facility who fails to purchase liability insurance in accordance with applicable regulations.	Special municipality or county (city) government	Paragraph 1 of Article 31 and Paragraph 3 of Article 57 of the Act Article 24 of the Regulations for the Management of Home Stay Facilities	The competent authority may impose a fine of NT\$30,000 to NT\$500,000, order the operator to complete insurance purchase within a designated time, and if the operator fails to complete the purchase by the deadline, revoke its registration certificate.	5 guest rooms or less	A fine of NT\$30,000 and an order for the operator to complete insurance purchase within a designated time.
					6-10 guest rooms	A fine of NT\$60,000 and an order for the operator to complete insurance purchase within a designated time.
					11-15 guest rooms	A fine of NT\$90,000 and an order for the operator to complete insurance purchase within a designated time.
					The operator, who fails to complete the undertaking of the insurance after being imposed a fine and ordered to purchase liability insurance within the given period, is imposed a fine of NT\$ 90,000 and is ordered to complete insurance purchase within a designated time.	
					The operator who fails to complete the undertaking of the insurance after being imposed a fine twice and ordered to purchase liability insurance within a given period may be revoked the home stay registration certificate.	
3.	The operator of a home stay facility failing to comply with relevant regulations during regular or irregular inspections by the competent authority of tourism	Special municipality or county (city) government	Paragraphs 1 and 2 of Article 54 of the Act	A fine no less than (including) NT\$30,000 but no more than NT\$150,000; suspension of	Failing to meet certain regulations, and failing to make improvements within the given period	A fine of NT\$30,000 and suspension of all or part of its operations optional

				all or part of its operations in the event of a serious violation; revocation of registration certificate in the event operations continue after suspension sanction; suspension of use of all or part of facilities or equipment failing to meet certain regulations and such defects are likely to endanger guests' safety before they are completely improved	Failing to meet certain regulations and such defects are likely to endanger guests' safety before they are completely improved	A fine of NT\$90,000 and suspension of use of all or part of its facilities or equipment optional
					Failing to meet certain regulations, failing to make improvements within the given period and the condition deemed serious	A fine of NT\$120,000 and suspension of all or part of its operations for a given period optional
					Continues to operate after suspension sanction	A fine of NT\$150,000 and revocation of home stay registration certificate
4.	The operator of a home stay facility dodging, obstructing or refusing regular or irregular inspections conducted by the competent authority	Special municipality or county (city) government	Paragraph 2 of Article 37 and Paragraph 3 of Article 54 of the Act	A fine no less than (including) NT\$30,000 but no more than NT\$150,000 and may be imposed consecutively	Dodging inspections by the competent authority Obstructing inspections by the competent authority Refusing inspections by the competent authority	A fine of NT\$30,000 and may be imposed consecutively A fine of NT\$40,000 and may be imposed consecutively A fine of NT\$50,000 and may be imposed consecutively
5.	The operator of a home stay facility failing to return the exclusive trade symbol after being suspended or their home stay registration certificate was revoked, or use of exclusive trade symbol for home stay facilities without approval from the competent authority.	Special municipality or county (city) government	Paragraph 3 of Article 41 and Article 61 of the Act	A fine no less than (including) NT\$30,000 but no more than NT\$150,000, order the home stay facility to cease use, and remove the exclusive trade symbol.	Not returning exclusive trade symbol for home stay facilities Using exclusive trade symbol for home stay facilities without approval from the competent authority	A fine of NT\$30,000, order the home stay facility to cease use, and remove the exclusive trade symbol A fine of NT\$150,000, order the home stay facility to cease use, and remove the exclusive trade symbol
6.	The operator of a home stay facility suspending operations for more than one month without notifying the local competent authority; or failing to file to the local competent authority for business resumption within	Special municipality or county (city) government	Article 42 and Subparagraph 2 of Paragraph 2 of Article 55 of the Act Article 38 of the	A fine no less than (including) NT\$10,000 but no more than NT\$50,000	Suspending operations for more than one month without notifying the competent authority	A fine of NT\$10,000

	15 days after the suspension period expires; or failing to file for business resumption for more than six months after the suspension period expires		Regulations for the Management of Home Stay Facilities		Failing to file to the competent authority for business resumption within 15 days after the suspension period expires	A fine of NT\$10,000
					Failing to file for business resumption for more than six months after the suspension period expires	A fine of NT\$50,000 and revocation of home stay registration certificate
7.	The operator of a home stay facility who tarnish national dignity, damage national interest, violate good morals, or defraud tourists	Special municipality or county (city) government	Paragraph 1 of Article 53 of the Act	A fine no less than (including) NT\$30,000 but no more than NT\$150,000	Defraud tourists	A fine of NT\$30,000
					Violate good morals	A fine of NT\$60,000
					Tarnish national dignity or damage national interest	A fine of NT\$90,000
8.	The operator of a home stay facility that tarnishes national dignity, damages national interest, violates good morals, or defrauds tourists , with seriously exacerbating circumstance.	Special municipality or county (city) government	Paragraph 1 of Article 53 of the Act	A fine no less than (including) NT\$150,000 but no more than NT\$500,000 and suspend all or part of operations for a given period or revocation of home stay registration certificate.	Defraud tourists, with seriously exacerbating circumstances	A fine of NT\$150,000 and suspend all or part of operations for a given period or revocation of home stay registration certificate
					Violate good morals, with seriously exacerbating circumstances	A fine of NT\$200,000 and suspend all or part of operations for a given period or revocation of home stay registration certificate
					Tarnish national dignity or damage national interest, with seriously exacerbating circumstances	A fine of NT\$300,000 and suspend all or part of operations for a given period or revocation of home stay registration certificate
9.	The operator of a home stay facility that tarnishes national dignity, damages national interest, violates good morals, or defrauds tourists, with seriously exacerbating circumstance. Continuing to operate after being penalized with an order to partially or completely stop operation.	Special municipality or county (city) government	Paragraph 2 of Article 53 of the Act	A fine of NT\$500,000 or more shall be imposed, and the home stay registration certificate shall be revoked, plus penalties may be imposed in turn.	A fine of NT\$150,000 and revocation of home stay registration certificate plus penalties may be imposed in turn.	
10.	Geyser equipment of home stay facilities violate Article 7 of the Regulations for Management of Home Stay Facilities	Special municipality or county (city) government	Paragraph 3 of Article 55 of the Act Article 7 of the Regulations for the Management of Home Stay Facilities	A fine no less than (including) NT\$10,000 but no more than NT\$50,000	A fine of NT\$10,000	

11.	A home stay facility operator failing to file its operation with the local competent authority annually in accordance with Paragraph 1 of Article 13 of the Regulations for the Management of Home Stay Facilities	Special municipality or county (city) government	Paragraph 3 of Article 55 of the Act Paragraph 1 of Article 13 of the Regulations for the Management of Home Stay Facilities	A fine no less than (including) NT\$10,000 but no more than NT\$50,000	A fine of NT\$10,000	
12.	A home stay facility operator failing to file its operation with the local competent authority within six months after completing business registration according to the Business Registration Act and receiving business registration approval	Special municipality or county (city) government	Paragraph 3 of Article 55 of the Act Paragraph 1 of Article 20 of the Regulations for the Management of Home Stay Facilities	A fine no less than (including) NT\$10,000 but no more than NT\$50,000	A fine of NT\$10,000	
13.	The operator failing to apply to the local competent authority for reissuance or replacement within 15 days after changes to the home stay registration certificate.	Special municipality or county (city) government	Paragraph 3 of Article 55 of the Act Paragraph 1 of Article 21 of the Regulations for the Management of Home Stay Facilities	A fine no less than (including) NT\$10,000 but no more than NT\$50,000	A fine of NT\$10,000	
14.	The operator failing to apply to the local competent authority for reissuance or replacement within 15 days after the loss, destruction of, or damage to the home stay registration certificate and trade symbol for home stay facilities	Special municipality or county (city) government	Paragraph 3 of Article 55 of the Act Article 23 of the Regulations for the Management of Home Stay Facilities	A fine no less than (including) NT\$10,000 but no more than NT\$50,000	A fine of NT\$10,000	
15.	The operator of a home stay facility who fails to present effective documentation of liability insurance to the local competent authority before the current insurance period expires	Special municipality or county (city) government	Paragraph 3 of Article 55 of the Act Article 24 of the Regulations for the Management of Home Stay Facilities	A fine no less than (including) NT\$10,000 but no more than NT\$50,000	A fine of NT\$10,000	
16.	The actual charges for guest rooms at home stay facilities are higher than the room rates reported to the local competent authority or fixed rates indicated	Special municipality or county (city) government	Paragraph 3 of Article 55 of the Act Article 25 of the Regulations for the Management of Home Stay	A fine no less than (including) NT\$10,000 but no more than NT\$50,000	Less than NT\$500	A fine of NT\$10,000
					higher than the reported room rates	A fine of NT\$30,000
					NT\$500 or higher but not more than NT\$1,000 higher than the reported room rates	

			Facilities		NT\$1,000 or higher than the reported room rates	A fine of NT\$50,000
17.	The operator of a home stay facility failing to display room rates, lodgment rules, and emergency maps in highly visible and brightly lighted places in the guest rooms.	Special municipality or county (city) government	Paragraph 3 of Article 55 of the Act Article 26 of the Regulations for the Management of Home Stay Facilitie	A fine no less than (including) NT\$10,000 but no more than NT\$50,000	Not displaying room rates	A fine of NT\$10,000
					Not displaying lodgment rules	A fine of NT\$20,000
					Not displaying emergency maps	A fine of NT\$30,000
18.	The operator of a home stay facility failing to display the home stay facility registration certificate in a highly visible place in the hallway, or failing to display the designated home stay facility logo sign in a highly visible place outside the building.	Special municipality or county (city) government	Paragraph 1 of Article 41 of the Act Paragraph 3 of Article 55 of the Act Article 27 of the Regulations for the Management of Home Stay Facilities	A fine no less than (including) NT\$10,000 but no more than NT\$50,000	Failing to display the home stay facility registration certificate in a highly visible place in the hallway, or failing to display the designated home stay facility logo in a highly visible place outside the building	A fine of NT\$10,000
19.	The operator of a home stay facility who fails to record information on lodgers on a daily basis and to keep the information for a period of six months	Special municipality or county (city) government	Paragraph 3 of Article 55 of the Act Paragraph 1 of Article 28 of the Regulations for the Management of Home Stay Facilities	A fine no less than (including) NT\$10,000 but no more than NT\$50,000	Failing to record information on lodgers on a daily basis	A fine of NT\$10,000
					Failing to keep the information for a period of six months	A fine of NT\$10,000
20.	Upon discovering an emergency involving illness of or injury to a lodger, the operator of a home stay facility failing to immediately assist in taking the lodger for medical treatment.	Special municipality or county (city) government	Paragraph 3 of Article 55 of the Act Article 29 of the Regulations for the Management of Home Stay Facilities	A fine no less than (including) NT\$10,000 but no more than NT\$50,000	Upon discovering an illness of a lodger, failing to assist in taking the lodger for medical treatment	A fine of NT\$10,000
					Upon discovering an injury to a lodger, failing to assist in taking the lodger for medical treatment.	A fine of NT\$10,000
21.	The operator of a home stay facility soliciting travelers by yelling, shouting or other illicit means	Special municipality or county (city) government	Paragraph 3 of Article 55 of the Act Subparagraph 1 of Article 30 of the Regulations for the Management of Home Stay Facilities	A fine no less than (including) NT\$10,000 but no more than NT\$50,000	Soliciting travelers by yelling	A fine of NT\$10,000
					Soliciting travelers by pestering them	A fine of NT\$20,000
					Soliciting travelers by other illicit means	A fine of NT\$20,000

22.	The operator of a home stay facility forcing travelers to purchase good	Special municipality or county (city) government	Paragraph 3 of Article 55 of the Act Subparagraph 2 of Article 30 of the Regulations for the Management of Home Stay Facilities	A fine no less than (including) NT\$10,000 but no more than NT\$50,000	A fine of NT\$20,000	
23.	The operator of a home stay facility arbitrarily raising lodgment charges or seeking profits by illicit means	Special municipality or county (city) government	Paragraph 3 of Article 55 of the Act Subparagraph 3 of Article 30 of the Regulations for the Management of Home Stay Facilities	A fine no less than (including) NT\$10,000 but no more than NT\$50,000	Arbitrarily raising lodgment charges	A fine of NT\$30,000
					Seeking profits by illicit means	A fine of NT\$30,000
24.	The operator of a home stay facility installing facilities that may violate a lodger's privacy, or engaging in any behavior that may cause disturbance to the lodger	Special municipality or county (city) government	Paragraph 3 of Article 55 of the Act Subparagraph 4 of Article 30 of the Regulations for the Management of Home Stay Facilities	A fine no less than (including) NT\$10,000 but no more than NT\$50,000	Installing facilities that may violate a lodger's privacy	A fine of NT\$50,000
					Engaging in any behavior that may cause disturbance to the lodger	A fine of NT\$20,000
25.	The operator of a home stay facility expanding the parts of its guest rooms without permission	Special municipality or county (city) government	Paragraphs 7 and 8 of Article 55 of the Act Subparagraph 5 of Article 30 of the Regulations for the Management of Home Stay Facilities	A fine no less than (including) NT\$30,000 but no more than NT\$150,000. Shutdown of the expanded parts by order. Continuing to operate after being penalized with an order to stop operation and penalties may be imposed in turn.	Operators of home stay facilities that expand its business premises without approval shall be fined according to the number of guest rooms expanded, plus shutdown of the expanded parts by order. Continuing to operate after being penalized with an order to stop operation and penalties may be imposed in turn.	
					5 guest rooms or less	A fine of NT\$30,000
					6 guest rooms	A fine of NT\$40,000
					7 guest rooms	A fine of NT\$50,000
					8 guest rooms	A fine of NT\$60,000
					9 guest rooms	A fine of NT\$70,000
					10 guest rooms	A fine of NT\$90,000
					11 guest rooms	A fine of NT\$100,000
					12 guest rooms	A fine of NT\$110,000
					13 guest rooms	A fine of NT\$120,000
					14 guest rooms	A fine of NT\$130,000
15 guest rooms and more	A fine of NT\$150,000					

26.	The operator of a home stay facility violating Article 31 of the Regulations for the Management of Home Stay Facilities	Special municipality or county (city) government	Paragraph 3 of Article 55 of the Act Article 31 of the Regulations for the Management of Home Stay Facilities	A fine no less than (including) NT\$10,000 but no more than NT\$50,000	A fine of NT\$10,000
27.	The operator of a home stay facility violating Article 32 of the Regulations for the Management of Home Stay Facilities	Special municipality or county (city) government	Paragraph 3 of Article 55 of the Act Article 32 of the Regulations for the Management of Home Stay Facilities	A fine no less than (including) NT\$10,000 but no more than NT\$50,000	A fine of NT\$10,000
28.	The operator of a home stay facility failing to submit to the local competent authority statistical data, conforming with the required format, on occupancy ratios, number of lodgers, revenues, and so on for the latest six months, by the end of January and July each year.	Special municipality or county (city) government	Paragraph 3 of Article 55 of the Act Paragraph 1 of Article 33 of the Regulations for the Management of Home Stay Facilities	A fine no less than (including) NT\$10,000 but no more than NT\$50,000	A fine of NT\$10,000
29.	The operator of a home stay facility failing to take orientation and training courses organized by the competent authority or by related agencies or organizations	Special municipality or county (city) government	Paragraph 3 of Article 55 of the Act Article 34 of the Regulations for the Management of Home Stay Facilities	A fine no less than (including) NT\$10,000 but no more than NT\$50,000	A fine of NT\$10,000
30.	The operator of a home stay facility failing to offer active cooperation and necessary assistance regarding inspection by the competent authority	Special municipality or county (city) government	Paragraph 3 of Article 55 of the Act Paragraph 5 of Article 36 of the Regulations for the Management of Home Stay Facilities	A fine no less than (including) NT\$10,000 but no more than NT\$50,000	A fine of NT\$10,000
31.	The operator of a home stay facility operates without a home stay license, but has already spread, broadcasted or published the information of its business operation by means of advertising objects, publications, broadcasting, TV, electronic signals, internet or other media and so on.	Special municipality or county (city) government	Article 55-1 of the Act	A fine no less than (including) NT\$30,000 but no more than NT\$300,000	A fine of NT\$30,000 In the event a home stay continues to publishes such information after being fined, a fine double the amount may be imposed consecutively, but limited to NT\$300,000.

