



30/05/2017

Dear

Firstly, apologies for contacting you this way, however it was deemed necessary as the number of formal complaints registered with E.C.A (European Complaints Authority) concerning Holiday Ownership has increased dramatically over the past 12 months.

Our organization is noted as **Abogados Armando Gareca S.A**, founded by our Head Lawyer, **Armando Ley Gareca** and registered in Spain and the Canary Islands and Argentina.

Our CIF; Código de Identificación Fiscal, (Fiscal ID Number), is **AS201411031**.

Our Company, founded Wednesday 27th June 1990 consists of a consortium of experienced and well respected Lawyers, consultants and administrators, with our head Lawyer, Mr **Gareca** overseeing all aspects of civil and criminal law, tribunals and compensation claims. We are officially recognised by the high Court of Santa Cruz and our lawyers are legally authorised to operate in any Court of Law in Spain and Argentina. We are currently working in conjunction with the Spanish Authorities to administer various issues regarding holiday companies.

Amongst other services we provide, this division was founded to aid and assists dissatisfied timeshare and holiday club owners and specialises in assisting them with various grievances they are experiencing with their ownership. We purely contact owners to explain their rights to recover monies paid towards misrepresented or fraudulent products. This can be anything from blatant mis-selling, misrepresentation to simply exercising their right of relinquishing their ownership (legally exiting from their perpetuity contract). The majority of complaints successfully dealt with by ourselves have been settled using tried and tested legal precedents.

Every year thousands of holiday makers are duped into buying products, which do not live up to the expectations promised at the point of sale and for many; the salesman's promise of a lifetime of affordable, exotic holidays is now just a faded memory. In reality, more and more Timeshare owners/members are often paying unfairly high, ever-increasing fees for schemes which offer poor availability and inflexible exchange options.

This has caused a huge increase in the number of people trying to dispose of their Timeshares and the associated long term fee liabilities but the Timeshare Groups/Resorts are refusing to "buy-back" as was often promised and with the collapse of the resale market, many Timeshare owners can't sell or even give their Timeshares away.

Unfortunately there are many reasons as to why Timeshare as a holiday product failed as the original concept was truly innovative and it did largely deliver on its promises through the Timeshare "boom" of the 1980s into the 1990s.

However, putting to one side, the bogus & fraudulent companies, due to lack of regulation, the rather one-sided Timeshare contracts, the pure greed of most Timeshare Companies combined with the major economic downturn in recent years, leaves the Timeshare industry in major difficulty.

The real victims of course are the customers who bought into the idea of Timeshare but now find themselves locked into long-term contracts, paying hugely inflated fees that increase year-on-year, for a holiday concept which no longer delivers what it promised due to overselling and lack of availability. Worse still, due to the total collapse of the resale market in recent years, the salesman's promise that Timeshare would be an "investment" has proven completely false.

The two main problems sourced from owners who have contacted us are the ever-increasing annual fees and the fact that Timeshare contracts are designed so that owners are locked in for long term contracts or even "*in perpetuity*" where the Timeshare would then form part of your Estate and pass onto your descendants whether they welcome it or not.

It is highly likely that when you first signed up, for your ownership, the fees were very much lower than they are today. If fees were mentioned at all at the time, you'll find that the salesman no doubt brushed aside any questions with earnest promises about minimal increases. Sadly the truth has turned out to be very different, as fees have consistently risen much faster than inflation and frequently jumped up a level as timeshare resorts & schemes have naturally fallen under new management or unnaturally changed the company name they trade under.

Unfortunately, some owners have chosen to ignore maintenance fee payments as a way of disposing of their Timeshare contract. This action is not recommended and is itself in Breach of Contract. And in some cases is likely to trigger a sequence of events from the Timeshare Company, sending reminder letters, and pressurising phone calls, to fines plus interest on arrears, and eventually, debt collecting companies and Small Claims Court applications.

Our Consultants are often asked by clients, what happens when we pass away? Where passing on an asset such as a house or other properties that you owned, is normally considered a good thing, passing on a Timeshare / Holiday Ownership is a liability.

We are frequently contacted by owners for whom this is a key consideration and wish to be released from their ownership contract, precisely to prevent it passing on to their children. Similarly, we frequently hear from people who have inherited a Timeshare / holiday ownership and have only more recently come to understand the present and future associated fee obligations.

If you are unhappy, it is quite likely that you have already approached the seller about disposing of your ownership but we strongly advise you to be very cautious about any advice they offer you. We are aware that the usual answer to that would be, "sorry you can not relinquish your ownership to us directly but you are welcome to pass it on to someone else".

Needless to explain that as far as they are concerned, you are committed to paying them an annual fee, also subject to a regular increase set by them for many years to come.

Your contract may represent tens of thousands of Pounds of revenue to them over a period of time. You are therefore very unlikely to receive true, unbiased and independent advice from them, as they would clearly much rather keep you as a customer who quietly pays, endless fees, year in year out.

In recent years, the majority of registered consumer complaints filed to the European Complaints Authority have been timeshare related. However, on a positive note, consumers have never been better protected by law since the introduction of many EU Directives forbidding certain practices which were previously used by most Timeshare companies. Legal process now allows us to assist owners and is everyday practice.

So even though your purchase was made on foreign soil, you now have a statutory right to take proceedings against these companies to be recompensed for your losses. In most cases Timeshare companies, when issued with court papers, now comply with legislation, and prefer to settle the complaint amicably with no further action being taken. The authorities have recently been successful in suspending the sale of various holiday products, closed down numerous offices throughout Spanish holiday resorts, frozen their bank accounts and seized assets.

If you are experiencing any difficulty with your ownership, or if you have any queries or uncertainties relating to it, please in the first instance contact us. This will automatically authorise us to legally collate further details of your initial purchase for our lawyers to carefully assess and appraise your case and we shall then be in a position to discuss your situation and advise accordingly. There is no charge for this service and you are under no further obligation.

Should you qualify for a claim, our Lawyers operate under a no win, no fee basis and pledge to endeavor every possible avenue to obtain maximum compensation for our clients. Payments for services rendered will be only invoiced upon receipt of compensation awards or out of court settlements. Once compensation has been obtained, we will then invoice you for 20% of its total.

As a fully integrated, global partnership, we pride ourselves on our approachable way of working so please do not hesitate to contact us for any further queries you may have. Someone from our Claims Department will also contact you shortly to answer any questions or queries you may have.

Kind regards



Ramon Quajada Canil

Departamento De Reclamaciones

Freephone: 0800 802 1885
Madrid: 0034 910 604 232
gareca-britishclaims@consultant.com
www.armandogarecaabogados.com

Tenerife: 0034 822 680 067
Argentina: 0054 387 480 0324
armando-gareca@consultant.com
www.icam.es

38002, Edificio 14, Calle de Valentín Sanz, 16, Santa Cruz De Tenerife, Spain

