

WARNING : Unsolicited communication and claims companies

We remain concerned about the number of unsolicited telephone calls, texts and emails being received by our members from “claims companies” who suggest that they are in a position to facilitate the member’s release from their timeshare ownership. Often, these assertions are coupled with promises that they will also secure a refund/partial refund of the purchase price paid by the member for their timeshare.

Inevitably, a (sizeable) upfront fee is required - often to an (untraceable) overseas bank account or payable by cheque/bank transfer only (thereby circumventing the consumer protection that would otherwise be available to the member were payment to be effected by credit card).

Our experience is that these claims companies generally do very little of any substance in return for the fees that they have been paid. That said, they are very convincing and use various scare tactics including for example:

- i) casting doubt on the validity of timeshare contracts,
- ii) erroneously asserting that the Apollo acquisition will have an adverse impact on our members,
- iii) erroneously asserting that Diamond will prevent the sale (in 2027-2029) of accommodations that were placed in trust for the Diamond Resorts Fractional Owners Club,
- iv) erroneously asserting that it is Diamond’s intention to withdraw the surrender/relinquishment options,
- v) advertising false testimonials from alleged members who they purport to have assisted.

OUR RECOMMENDATIONS

We have been working for some time with the Timeshare Task Force, the police, Trading Standards and the Information Commissioners’ Office to prevent this unsolicited contact.

If you would like to relinquish your membership, we recommend that under no circumstances should you make payment to a claims company prior to contacting us so that we can discuss your options with you. The options we may be able to offer you are likely to be significantly cheaper, quicker and simpler than anything the claims companies purport to be able to offer. In this regard, we are aware of a recurring provision in the contracts of a number of claims companies requiring the member to refrain from contacting Diamond direct and purportedly placing the member in breach of contract if they were to do so. This clause is wholly inappropriate and is incorporated for one of two reasons: either to prevent a simple and cheap resolution from being achieved with Diamond OR in order to minimize the risk of adverse information about their operations being disclosed to them.

We also strongly recommend that you refrain from providing any unsolicited caller (including any unsolicited caller purporting to be calling on behalf of a Governmental agency) with personal information or from making any payments without first verifying their identity/authenticity and company status.

We would also encourage any member who has received unsolicited communication regarding their timeshare ownership to report this to our European Customer Service Team on 0345 359 0010 or by email to AssistanceEurope@DiamondResorts.com. Should you wish to speak to an advisor in a language other than English, alternative telephone numbers can be found in the Annual Member Benefits Directory. In the case of a cold call, we would always recommend that you ask them how they obtained your data, and in the event that the response provided is unlikely, you can (if you wish) escalate your enquiry to a formal Subject Access Request (on payment of a fee of £10).

INDEPENDENT VERIFICATION

We also draw to your attention a free of charge verification service which is available from KwikChex Ltd which leads an initiative called the Timeshare Task Force. For the sake of transparency, this initiative is funded by the Resort Development Organisation - the European trade association for the vacation ownership industry.

KwikChex is responsible for providing assistance and protection to timeshare owners who may have concerns or questions about their timeshare ownership. They work closely with law enforcement bodies, including the police and Trading Standards and are a Corporate Affiliate Member of the Chartered Trading Standards Institute. KwikChex also provides advice and information to Government departments and other official authorities, such as the Competition & Markets Authority, the Ministry of Justice, the Information Commissioner's Office and the Insolvency Service.

If you wish to report incidents of unsolicited cold calling, a form can be found on the following link: <http://www.timesharetaskforce.org/cold-calling-data-theft/>

Further information on 'cold callers' and suspect organisations can be found on the following websites:

- Kwikchex – www.timesharetaskforce.org (or call the Helpline on 01202 832012)
- RDO – Resort Development Organisation - www.rdo.org
