

## MIS-SOLD TIMESHARES: ALL YOUR QUESTIONS ANSWERED

### **I believe that I was mis-sold a timeshare, what can I do?**

If your timeshare property doesn't match the description you were given—or the contract misrepresented or concealed certain information about the property—it means you were mis-sold the timeshare and you could make a claim and receive compensation.

Similarly, if you weren't given a 14-day cooling-off period after signing the agreement where you could go back on your decision, this could also make your contract unlawful.

Find a qualified lawyer who can tell you whether or not you can make a claim.

### **I have been offered a deal to get me out of my timeshare. Is this safe?**

If you are offered a deal, out of the blue, to get out of your timeshare contract, it's almost definitely a scam. These are known as timeshare exit scams and might include claims that the company has already found a buyer for your timeshare or that they can help you get out of your contract for an upfront fee. They will usually tell you that the offer is only available for a short amount of time or promise things that seem too good to be true. Be immediately suspicious of anyone offering you an unsolicited deal about your timeshare.

### **My timeshare was sold as an investment. Could I still claim?**

Timeshares are sometimes sold as 'investments' which suggests you can make a profit on them. However, in reality, timeshares don't yield any returns—or even hold their own value, often depreciating over time. This means you were mis-sold your timeshare and could make a claim.

### **What is a timeshare exit scam?**

A timeshare exit scam is when scammers contact a timeshare owner promising to help them get out of their contract. Given the number of people desperate to get out of their timeshares, this is a great opportunity for fraudsters. They will claim that they have a buyer for your timeshare or can help you exit your contract for an advance fee. They usually cold-call victims and use aggressive sales tactics.



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**I have been contacted by a company that says that it can sell my  
timeshare. Is this a scam?**

If you are contacted unexpectedly by a company claiming that it can sell or re-sell your timeshare—or move your 'investment'—it's most likely a scam. Legitimate lawyers and solicitors won't contact you unsolicited.

Another warning sign is if the company asks for an upfront fee or deposit for any services. Be on your guard, don't commit to anything, and don't share your private or financial information over the phone.

**The company that sold me the timeshare disappeared. Can I still claim?**

Often people will be sold a timeshare and then find that the company who sold it to them has disappeared. Legal professionals can still put together a claim, even if the company has vanished, and help you try to get compensation for your losses.

**I think I am the victim of fraud. Who can I report this to?**

If you think you have been the victim of fraud regarding your timeshare, you can report it to Action Fraud on 0300 123 2040. You should also get in contact with a solicitor specializing in timeshares to see if you can make a claim.

Timeshare scams can take several forms, from mis-selling a timeshare to offering incentives such as a free car or boat. You will just be asked to pay a small fee upfront before the company then disappears.

**I have been promised 'cash back' after a number of years. Is this a  
scam?**

Sometimes timeshare owners are contacted by salespeople promising that they can help you get your money back from your timeshare. If your timeshare company has gone into bankruptcy, the scammers might even claim that they have the money you are owed waiting for you. All you have to do is pay an upfront fee. They may even ask for the money in several instalments to avoid being too suspicious. But any company that promises you 'cash back' for your timeshare is a scam.



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**How does someone get out of a timeshare sold in perpetuity?**

Sometimes timeshare agreements are 'in perpetuity'—which means they can be passed on to your dependents or spouse after your death. However, it's now considered unlawful to enforce a perpetuity clause. If you are in a timeshare sold in perpetuity, seek legal advice as you are likely entitled to compensation and your contract could also be cancelled.

**How do I know if I have a timeshare claim?**

If you feel like you have been mis-sold a timeshare, you may be eligible to claim against the company. Contact a specialist legal professional who can help you assess your claim. There are a few criteria that would mean you have a good chance of winning your case.

For example, if your contract is 'in perpetuity, includes 'floating weeks' or 'timeshare points', or if your property was misrepresented at the outset.

**Where can I get help for my timeshare issues?**

If you believe you've been mis-sold a timeshare, you should seek legal help. Consult a qualified lawyer or solicitor who specializes in timeshares. They will understand the timeshare industry and contract law, and help you with your case, saving you time and energy in the long run.

**Is there a time limit for making a claim on my timeshare?**

According to The Limitation Act of 1980, litigants have 6 years to action a case against another party. This means you have a 6 years limitation period from the date of entering into the timeshare agreement to make a claim. However, the time limits don't apply to all types of action and will depend on your particular case

**I can't afford my ownership anymore, what can I do?**

Annual fees plus maintenance costs mean many people find themselves unable to afford timeshare ownership. At this stage, you may request to leave your timeshare but the company is likely to refuse. And so the best thing to do is to contact a timeshare lawyer or solicitor who can help you exit your contract and maybe even claim compensation. A legal professional can give you the advice you need to be free of your timeshare



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**How can I protect myself legally when buying a timeshare?**

When buying a timeshare, get any contracts checked by a legal professional before agreeing to anything. They can help make sure nothing in the contract is unclear or unlawful and that it includes the legally required 14-day cooling-off period.

Make sure you aren't buying your timeshare because you've been told it's an investment as it's almost impossible to make a profit from a timeshare. Financially, it also makes sense to buy a second-hand timeshare as timeshares typically depreciate in value.

**I have not paid maintenance fees for a number of years and am no longer in correspondence with the resort. Am I still entitled to compensation?**

Even if you haven't paid maintenance fees for a long time and are no longer in contact with the timeshare company, you may still be entitled to compensation as long as you can prove that you were originally mis-sold the timeshare. This means images or documentation demonstrating that the property was misrepresented or proof that the contract was unlawful. For example, if it contains an 'in perpetuity' clause.

