



For many years, timeshare fraud generally consisted of consumers being offered fabulous prizes or vacations at unimaginable prices in exchange for agreeing to listen to a simple timeshare sales presentation. It sounded too good to be true, and in many instances it was. Either the vacation accommodations or the prizes were not what they were purported to be, or there were hidden costs tied to the vacation. In a devious twist to these scams, individuals who may have taken one of these reduced price vacations five or six years ago in exchange for listening to a sales presentation are now being contacted and told that they didn't fulfill all of their contractual obligations. The caller claims that because a second sales presentation was not attended within four years, the individual now owes \$469.99. The consumer is then threatened with collection actions unless full payment is sent.

Currently, it is resale scams that are the most common type of fraud in the timeshare industry. With many owners desperate to get out from under their financial obligation, con-artists will prey on them by using unsolicited telemarketing, direct mail or e-mail to offer resale brokerage or resale advertising services. Sometimes the fraudster will claim to already have a buyer willing to purchase the unit, even stooping so low as to put someone on the phone who pretends to be the said buyer. They then claim all that is needed is a \$600 or \$1,200 deposit for "title fees" or to put in escrow while the sale is finalized. Of course the buyer never materializes and the scammer then claims that the money you gave was simply an advertising fee. In other instances, consumers are led to believe that for \$1,500 their timeshare will be marketed and/or advertised in an attempt to resell it, when in reality the property is simply placed on a website that has little or no traffic directed to it.

Consumers should know that despite their claims, no resale company can guarantee an owner a sale. As if being scammed once isn't bad enough, consumers must also be aware of a practice called "reloading." This is when a person who has already been victimized gets an unsolicited phone call from an individual or company that claims to be able to recover the money which was lost in the scam for an upfront fee. The call may be from the same company that conducted the initial scam just reorganized under a new name, or it may be from a disgruntled former employee of that company who has absconded with all of the victims' contact information in order to run his own scam. In either case, the chances are minimal that you will recover any of your money. The latest version of this particular fraud has someone calling the original victim claiming to be

from the company that scammed them. They now are offering to refund the victim's money but need a credit card number to facilitate the transaction. Doing so will most likely mean that you will be victimized a second time.

If you are contacted by someone offering to resell your timeshare, immediately become skeptical. Request all information in writing. If the contact is by telephone, ask the caller if he is licensed as a telemarketer with the Florida Department of Agriculture and Consumer Services. If they answer yes, ask for their "TC#" (telemarketing company number) and/or "TP#" (telemarketing salesperson number) and call 1-800-HELP-FLA (435-7352) to verify the number(s). If they claim to be a real estate agent or broker ask for their license number and verify its legitimacy with the Florida Department of Business and Professional Regulation. Simply call (850) 487-1395, or visit [www.myfloridalicense.com](http://www.myfloridalicense.com).

One thing that will surely increase your chances of being scammed is giving a company any form of payment during an initial phone call or meeting. In 2009, the Florida Legislature passed a bill which helps keep the consumer from doing just that. The bill requires timeshare "resale service providers" to make additional disclosures (in writing) at the time of entering into a contract to list a timeshare for sale.

***Before entering into a contract the following disclosures must be made in writing:***

1. A description of any fees or costs that must be paid to the resale service provider or any third party.
2. When such fees or costs are due.
3. The ratio or percentage of the number of listings of timeshare interests for sale by a resale service provider as compared to the number they have sold for each of the previous two calendar years.

If any of these three disclosures are missing, or not made in writing, the contract is void and the potential purchaser is entitled to a full refund of any money paid. Remember, if you feel you have been victimized or contacted by someone perpetrating one of these scams you should file a complaint online with the Florida Department of Agriculture and Consumer Services at [www.800helpfla.com](http://www.800helpfla.com), or you may request that a member of our Consumer Assistance Center staff mail you a complaint form by calling 1-800-HELP-FLA (435-7352).

**Happy vacationing!!**