

---

# SARAH WADDINGTONS

---

## SPECIALIST TIMESHARE & HOLIDAY OWNERSHIP SOLICITORS

As seen on The Victoria Derbyshire show and Rip off Britain

Contract Disputes  
Relinquishment  
Reclaims





## THANK YOU FOR CHOOSING SARAH WADDINGTON SOLICITORS

Based in Hertfordshire, 30 minutes from London & Cambridge, we work on behalf of Timeshare owners across the world. Our electronic systems means that there is no need for you to travel to our offices.

Timeshare Law is an extremely complex and specialised area, dealing with not just multiple governing laws but also different law areas such as property, contract, consumer and finance.

Many historic timeshare contracts are weighted quite heavily in the favour of the timeshare company with no get out for the consumer. I established my practice to make the law fair and accessible to all and to represent the ordinary person on the street, so this is an area of the law that I feel particularly passionate about.

My knowledge of the timeshare industry and 20 years of legal experience ensures the best possible results and I have successfully relinquished hundreds of clients from the burden of their unfair timeshare agreements.

Working with my team I will be personally overseeing your case and look forward to assisting you.

**Sarah Waddington**  
**Principle Solicitor**

### Client Care Pack: Important Information

Once instructed, you will be sent a client care letter. Please take the time to read through these documents carefully and contact us if you have any questions.

We are unable to act on your behalf until we have received signed instruction back from you.

### Other Services Available:

- Holiday Complaints
- Flight Delay Compensation
- Personal Injury Claims (at home and abroad)
- Spanish Mortgage 'Floor Clause' Refunds\*<sup>1</sup>
- Spanish Property & Conveyancing\*<sup>1</sup>
- Spanish Wills & Probate\*<sup>1</sup>

See website for more information.





# BREAK FREE FROM THE TIMESHARE TRAP!

## Timeshare Relinquishment Service via our sister company Sarah Waddington Legal España

### As part of our service we will:

- Review your timeshare contract
- Provide you with detailed advice regarding your legal case against the timeshare resort
- File a claim with the timeshare resort to get you out of your agreement
- Keep you updated as your case progresses, providing you with copies of all correspondence and answer any questions that you may have.
- We only operate on an agreed fee basis. This ensures that the costs to our clients are kept to a minimum.

## Timeshare Compensation Reclaim Service via Sarah Waddington Solicitors

As part of the Timeshare Relinquishment Service we will also assess whether you are eligible to claim damages in the form of compensation.

If we believe you have a strong case, we can act on your behalf to secure compensation.

We may be able to undertake this additional legal work on a **no win no fee** basis, which will be discussed with you in advance and agreed before any reclaim work commences. No additional services will be carried out without your prior agreement.



### **Peter R**

*“I would really like to thank Sarah Waddington in assisting my wife and I in successfully recovering a ‘mis-sold’ timeshare product from one of the world’s largest timeshare companies. Without engaging the professional services of Sarah Waddington, who fully understand Timeshare Law, my wife and I would not have recovered these monies.”*

### **Carol W**

*“When the maintenance fees for our timeshare soared in price we decided to try and get out of our contract, after much discussions we were told that it would be very difficult if not impossible eventually we were put in touch with Sarah and she said she could help. After many months of contact with the timeshare company Sarah was successful and our contract was cancelled.”*

## The Legal Process

Timeshare law is incredibly complex and no two cases are identical.

The products being sold under the various timeshare arrangements have often been developed and refined over decades and can involve highly complicated exchange schemes.

We have to undertake multiple investigations, using different laws and regulations, to determine the legal grounds applicable to build a case for termination of individual contracts.

**We have put together this guide to illustrate the typical process we undertake for a Timeshare case:**

### COMPLIANCE CHECK

- ✓ Initial compliance check over the telephone<sup>\*2</sup>
- ✓ Answer any questions you may have and explain what will happen during your claim.
- ✓ Make sure all of our paperwork has been completed and correctly signed

### COLLATION OF CASE FILE

- ✓ Collate your timeshare contracts, correspondence, finance agreements and any additional evidence/paperwork
- ✓ Send out a personal statement questionnaire
- ✓ Arrange a convenient time with you to take an additional witness statement<sup>\*2</sup>

### WITNESS STATEMENT

- ✓ Review personal statement questionnaire or take a witness statement
- ✓ Add statement evidence to case file and pass to Solicitor

### Summary of process:

- Initial compliance check<sup>\*2</sup>
- Collation of file
- Witness statement<sup>\*2</sup>
- Case review
- Finance & EU Review<sup>\*2</sup>
- Barrister advice<sup>\*2</sup>
- Preparation of letter of claim or relinquishment
- Liaison with client for approval to proceed
- Send letter of claim or relinquishment
- Part 36 Letter Before Action<sup>\*2</sup>
- Issue court proceedings<sup>\*2</sup>







## The Legal Process continued...

### CASE REVIEW

- ✓ Read statements and consider case file to assess what legal routes are available
- ✓ First draft case plan sent to client for review<sup>\*2</sup>
- ✓ Request further evidence from client<sup>\*2</sup>

### FURTHER EVIDENCE GATHERING

- ✓ Liaise with client to gather further evidence<sup>\*2</sup>
- ✓ Amend statement, update case plan and pass back to Solicitor

### RELINQUISHMENT ONLY CASES

via Sarah Waddington Legal España

#### PREPARATION OF LETTER OF RELINQUISHMENT

- ✓ Consider any breaches under timeshare regulations
- ✓ Initial case review with Barrister<sup>\*2</sup>
- ✓ Compose letter of relinquishment to timeshare company and send to client for approval to proceed

#### ISSUE LETTER OF RELINQUISHMENT

- ✓ Send letter of relinquishment to timeshare company
- ✓ Review responses with Barrister<sup>\*2</sup> and Solicitor, Sarah Waddington
- ✓ Consider issuing court proceedings
- ✓ Send Letter Before Action

### COMPENSATION CASES

via Sarah Waddington Solicitors

#### PREPARATION OF LETTERS OF CLAIM AND RELINQUISHMENT

- ✓ Consider any breaches under timeshare regulations, European Law and FCA regulations
- ✓ Initial case review with Barrister<sup>\*2</sup>
- ✓ Compose letters to timeshare and/or finance company and send to client for approval to proceed

#### ISSUE LETTERS OF CLAIM AND RELINQUISHMENT

- ✓ Send letters to timeshare and/or finance company
- ✓ Review responses with Barrister<sup>\*2</sup> and Principle Solicitor, Sarah Waddington
- ✓ If financial claim, raise complaint with Financial Ombudsman
- ✓ If timeshare claim, consider issuing court proceedings

**If you have any questions on the legal process, please do not hesitate to contact us**

<sup>\*1</sup> Service provided by Sarah Waddington Legal España S.L.

<sup>\*2</sup> If required



## Frequently Asked Questions

### Can you really get me out of my timeshare?

We have successfully negotiated exits for many of our clients. We are proud to say that the pressure we are exerting on the timeshare companies is starting to pay dividends and they are realising their exposure. We will continue to take our fight to the timeshare clubs to ensure our clients get out. We will always act in our clients' best interest and will not take on any cases where we feel we are unable to successfully assist.

### How much will it cost?

We offer our timeshare relinquishment service on an agreed fee basis. This fee covers all work during your case up to and including issuing proceedings at court to force the timeshare company to release you (subject to a risk assessment confirming that the prospects of success at court are reasonable). There are no hidden costs and once an agreed fee has been set, it will not change.

### Will you get me my money back?

As part of our timeshare relinquishment service we will also assess whether you are eligible to claim damages from the timeshare company or associated parties in the form of compensation and advise you of this. Any work to be undertaken to secure compensation will fall outside the scope of the timeshare relinquishment service and we will discuss with you the options for funding the additional legal work. We will, in most cases, be willing to fund this aspect of our work through a no win no fee service, known as a "damages based agreement". This means that you will only have to pay our fees in the event that we are successful and win compensation for you. Our fee will be based on an agreed percentage of the damages we recover on your behalf.

### How long will it take?

Each individual case is different, depending on its complexity. We will start to work on your case as soon as full payment is made, contracts are signed and we have all your original documents. From the moment the case is launched it can take up to two years before an outcome is reached. Once we have assessed your paperwork we will have a better idea of the timescales for your circumstances, as they can vary.

More often than not the timeshare companies will employ as many delay tactics as possible but we will always keep you notified on the status of your case.

### Why do we work on an agreed fee basis only?

The agreed fee ensures that our client's costs are kept to a minimum. The alternative would be to pay by the hour but with the majority of cases taking upwards of 30 hours, the agreed fee allows you to avoid spiralling cost and any hidden or unnecessary costs.





## Frequently Asked Questions continued....

### **Can I still use my timeshare if I start a claim?**

We would only advise you to start legal proceedings to exit your timeshare if you are no longer able or wanting to make use of the product. It could work against you in court if you are trying to exit your contract whilst still making use of the product itself.

### **How much money could I get back?**

This will depend on your individual case and on what grounds you are eligible to claim for compensation. There are usually four possible compensation routes:

- a. If you purchased by a loan or credit card you may have a claim against your finance provider.
- b. If you purchased your product in Spain after the 5th January 1999 you may have a claim against your Timeshare provider.
- c. You may have a route to take your case to the Financial Ombudsman.
- d. You may have a route to recover money under Spanish Legislation which may apply in some cases.

Our legal team will advise you further on this if we believe you have a valid claim for compensation. This is considered on a case by case basis.

### **I'm still paying for my Timeshare on finance, can I still claim?**

Yes. However, please note that you will remain liable to fulfill your contractual obligation to repay your finance agreement unless you receive official notification from the finance company that they will suspend your payments whilst there is an on-going dispute.

### **Can I stop paying my management fees?**

This is a course of action that we would not suggest. You have signed an agreement (regardless of how one sided) and will continue to be liable for your management fees until you have been relinquished. In some circumstances the stopping of Management fees will bring the timeshare company to the negotiation table, if you stop paying your fees you should be aware that you may have to pay all or part of the overdue fees which are due before the timeshare company will consider relinquishing you from your timeshare ownership. You should also be aware that the timeshare companies will often add on interest and late payment fees. If we feel that you should stop paying the management fees because there is a good reason for doing so, we will advise you of this and the reason for this advice individually.

### **How to Avoid Scam Companies**

It is often the case that scam companies cold call clients. This can be stressful and worrying. Promises are often made (which are untrue) which cause confusion and uncertainty. It is important that you do not get swayed by these companies. Their sole purpose is to syphon as much money from you as possible. They are not there to act in your best interest. Steps can be taken if you are concerned / unsure as follows:

1. TPS is an option that people can take. They are a free service and it is the official opt out register on which you can record your preference not to receive unsolicited sales or marketing calls.
2. Contact your network to block numbers and screen your calls.
3. If you are receiving persistent calls you can report the activity to Trading Standards.
4. You can complain to organisations such as 'Which?'
5. If you are unsure about the company providing the legal service, you can look them up on the law society website.
6. Ask whether they are SRA registered. All Law firms will be SRA accredited and they will have an SRA number. If the firm / company cannot provide this information, do not entertain / engage in their services.
7. If you are unsure about the company that you are engaged with, you can check with 'Companies House'. It is a simple online process which will provide you with information about that company.

**If unsure, please contact us for a free no obligation 30 minute consultation**

# The Parliamentary Review

## Sarah Waddington Solicitors

### A Message from Lord Pickles and Lord Blunkett, followed by Sarah Waddington Solicitors's best

The ability to listen and learn from one another has always been vital in parliament, in business and in most aspects of daily life. But at this particular moment in time, as national and global events continue to reiterate, its uncommonly crucial that we forge new channels of communication and reinforce existing ones. The following article from Sarah Waddington Solicitors is an attempt to do just that. We would welcome your thoughts on this or any other Parliamentary Review article.



The Rt Hon Lord David Blunkett, MP



The Rt Hon Lord Eric Pickles, MP

THE PARLIAMENTARY REVIEW  
Highlighting best practice

## Sarah Waddington Solicitors



Principal solicitor  
Sarah Waddington

Sarah Waddington Solicitors are a team of legal experts in, among other things, timeshare and consumer law in what is a wholly unregulated and often complex niche area of law requiring a particular legal expertise. They are also a company with genuine political involvement. Indeed, their principal solicitor, Sarah Waddington, has met with the Scottish MP, Tommy Sheppard, to help tackle injustices in the area of timeshare. Their bespoke service is characterised by their unrelenting desire to provide professional, efficient and friendly services to all clients. Also distinctive is the fact that the firm operates seamlessly in both the United Kingdom and Spain through a talented multi-lingual team. Sarah tells The Parliamentary Review what is entailed by all these considerable efforts.

### Care and professionalism at our core

In the area of timeshare work, too many people have been either scammed or had their time wasted by other companies. Knowing this, we have decided to distinguish ourselves in the sector by providing a service that genuinely cares for our clients needs and, where circumstances permit, we go the extra mile. This caring aspect of our service is especially important in light of the fact that the problems our clients face can cause considerable emotional turbulence. These are clients, who can often be in vulnerable circumstances, both emotionally and financially. Our clients need a service which they know they can rely upon and trust.

### Wide applicability of our services

Our principal passion is the law and using our experience to help vulnerable, often old or ageing consumers and feeling that the committed work which we do actually makes a genuine difference to people's lives in timeshare work. In this respect, we do our utmost to extract our clients from an undesirable timeshare contract – we do so often with zero



# “ We price ourselves on making justice accessible for all ”

In terms of our provision for Spain-based clients, we have a number of helpful features at hand. For instance, with regard to those clients who need quick help when living in Spain, we do not require an international discussion with them – as we have offices in Spain and a multi-lingual team to assist those in need of help, wherever or whenever necessity demands it.

Furthermore, we can review a mortgage deed in this part of the world free of charge, and subsequently offer them advice on whether or not there is an eligible claim to be made, as well as on the amount that could be won. This latter part of our offering falls under our “Spanish Mortgage Floor Clause Claims”.

Indeed, no matter which country our clients live in, we can handle the entire process on their behalf – to the extent that there might not even be a need for them to visit the country in which the property is located. We also have a dedicated and experienced team who specialise in the processing and assisting of holiday claims.

With this service, clients can expect to receive tailored advice for their injury claims – all performed on a ‘no win no fee’ basis, containing no upfront costs or any hidden costs.

## **A commercial and ethical commitment to justice**

Our commitment goes beyond these merely commercial concerns. We

per cent interest free payment plans at their disposal to ensure that all timeshare owners have access to our services, not just the ones who can afford it. This is just one of many facets of our expertise, though. We also provide flight delay compensation, making sure that our clients receive the entirety of the compensation they deserve. In terms of holidaymaking, we also help out clients who have contracted an illness on an all-inclusive package holiday due to unhygienic conditions or a lack of care. In many such cases, our clients will possess the right to compensation.

We pride ourselves on making justice accessible to all.

have a sincere and heartfelt conviction for the clients who use our services, and, in this respect, we have decided to team up with the MP for Edinburgh East, Tommy Sheppard, to seek justice in matters of timeshare. We really have taken our fight to Westminster.

The immediate aim is to gain support for an Early Day Motion that will be presented before parliament. Tommy will be helping to draft this motion in order to lend his full backing to the cause. Our broader aim in doing all this, however, is to persuade the government to bring about urgent and much needed changes in the law to better protect timeshare owners, as well as to provide more stringent regulations to the timeshare industry and those who are financing it. This effort is gathering momentum and support by the day.

At present, the entire area is vastly under-regulated, and too many people are falling victim to this poorly managed state of affairs.

## **As we approach the future**

Ensuring the future of any company requires constant vigilance, and we are no exception to this. It is especially important for us that we remain vigilant not just in terms of market conditions, but also with regard to changes in laws and regulations, i.e. our prime competency. In addition to this, we are always striving to improve on our processes service and expertise,

with the intention of increasing the range of our already impressive services. We also plan to perform our part in bringing standards and justice to the timeshare industry, which will always be an area in which we have particular interest. Whatever the future brings, though, we remain positive and we will continue to take our fight to the timeshare and finance industry to secure relief for our clients. Always in the knowledge that we are providing to our clients a safe and capable pair of hands.

One emerging area in recent months has been those who require assistance having inherited a timeshare. We have seen an increase in enquiries from probate solicitors asking what to do with the timeshare which forms part of their client’s estate. We are always happy to assist fellow solicitors who can often be scratching their heads as to what to do?

We are looking to develop this area in the coming year.

We are proud to have helped a growing number of now timeshare free and satisfied clients and we look forward to helping many other clients in the future offering them a no nonsense, common sense approach while fighting their corner.

BEST PRACTICE REPRESENTATIVE

---

# SARAH WADDINGTONS

---

 01920 481 499

 [info@sarahwaddingtons.com](mailto:info@sarahwaddingtons.com)

 [www.sarahwaddingtonsolicitors.co.uk](http://www.sarahwaddingtonsolicitors.co.uk)

 [www.sarahwaddingtonlegal.com](http://www.sarahwaddingtonlegal.com)



Depththerapy our chosen charity. Depththerapy provides specially adapted scuba diving programmes for wounded, injured and sick serving UK armed service personnel and veterans who have suffered life changing mental or physical challenges. or more information please visit [www.depththerapy.co.uk](http://www.depththerapy.co.uk)

Specialist Timeshare & Holiday Ownership Solicitors  
Information Booklet

Copyright © 2019

Sarah Waddington Legal España  
[www.sarahwaddingtonlegal.com](http://www.sarahwaddingtonlegal.com)

First published 2017 by Sarah Waddington Legal España

All rights reserved. No part of this publication may be reproduced or distributed in any form or by any means, or stored in a data base or retrieval system, without the prior written permission of the author.

## Sarah Waddington Solicitors Limited

1st Floor Extension  
Widbury Barns, Widbury Hill  
Ware  
Hertfordshire  
SG12 7QE

## Sarah Waddington Legal España S.L

Calle Ferrocarril 23  
(Oficina Arriba Semaël)  
Polígono Industrial Nuestra  
Señora de Lourdes  
29100, Coín, Málaga