

Big win for For Timeshare Owners Against RCI

RCI points owners' joy as compensation precedent set compensation breakthrough as Spanish firm of timeshare lawyers sets historic legal precedent 3 year battle

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[M1 Legal](#) lawyer Adrian Peña Botello has been fighting a tough case against timeshare giant RCI over a Pure Points owner's compensation claim.



Andrew Cooper, CEO of ECC

"I filed in Malaga Court Nine 3 years ago," says Adrian. "There were many delays and obstacles, but finally the judge ruled against RCI, and in favour of the clients."

Significant victory

"The factors that made this victory so significant," explains Andrew Cooper, CEO of [European Consumer Claims](#) (ECC), "are that the clients contract was with a company in the Isle Of Man called Crown Resorts. RCI were using that as a defence in court to say that it shouldn't come under Spanish jurisdiction.

Andrew Cooper, CEO of ECC

"In 1999 Spain enacted legislation to protect consumers from [high pressure timeshare sales](#).

Many resorts ignored the rules and got away with it until claims companies arrived to help the consumers seek redress.

Obstruction

"The big timeshare companies didn't give up easily," says Cooper. "Their lawyers were very inventive when it came to finding reasons to avoid their paymasters' legal obligations. We fought every challenge and now these resorts are having to pay the compensation awards against them.

"In this case, giant exchange company RCI, sold the clients membership of a system called 'Pure Points'. RCI were hoping that the fact the company issuing the contract being based in the Isle of Man would mean that Spanish law did not apply and that in turn they would avoid paying the compensation claim.

Judge disagrees

"Fortunately for the clients, common sense prevailed," continues Andrew Cooper. "The judge said that if the contract was signed in Spain, and the documents referred to accommodation in Spain, then it will be governed by Spanish law.

"The case was then won on the grounds of 'lack of information'. The great thing for consumers is that it makes it difficult for a company to try the same excuses in the future. Jurisdiction will count as Spain, provided the contract was signed in Spain, or the inventory nominated in the contract is in Spain.

"The great thing for us as a timeshare claims firm, is that winning against giant international company like RCI demonstrates that justice works fairly here, regardless of a protagonist's resources."

Research before retaining a claims firm

Cooper warns that not all claims firms are the same: "If you want to investigate the possibility of a compensation claim, please don't just google and choose a firm at random. There are a shocking number of fraudsters in this space who will take your money but then disappear.

"If you know other owners who have already successfully claimed, then seek their guidance. There are also consumer associations who will be happy to advise you.

"You are also welcome to get in touch with our team, for a free, confidential chat."

ECC provides timeshare claims services, expert advice and help

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