



CLA

Canarian Legal Alliance



Europe's leader in Timeshare litigation

Responsible for the first
Timeshare Supreme Court
sentences, Canarian
Legal Alliance is Europe's
premier Timeshare law
practice

canarianlegalalliance.com

A Market Leader



Europe's premier Timeshare legal practice

CLA boasts the highest success rate of any Timeshare Litigator...

Headquartered on the Spanish island of Gran Canaria, Canarian Legal Alliance is Europe's premier Timeshare law practice. Our firm works on behalf of missold Timeshare owners looking to recuperate funds and seek damages through the Spanish legal system.

We have helped hundreds of people get out of their Timeshares and have recovered many millions on behalf of those who were missold at the point of purchase.

Since our founding, the firm has grown to over 50 staff with 4 offices spread over key cities across the United Kingdom and Spain. Our lawyers have over 60 years in combined legal experience and speak 8 languages.



By The Numbers



More than words, tangible results

Our achievements are a reflection of our clients success...

Over 800 live claims in court	15 new clients join us every month	The first Timeshare Supreme Court sentences	20 legal professionals
4 offices	68 million euros in claims under management	Hundreds of successful claims	4.8 million euros recuperated



The Supreme Court



CASACIÓN INFRACCIÓN PROCESAL Num.: 961/2013
Ponente Excmo. Sr. D.: José Ramón Ferrándiz Gabriel
Fotocopia y Fallo: 16/12/2014
Secretaría de Sala: Ilma. Sra. Dña. M^a Teresa Rodríguez Yallo

TRIBUNAL SUPREMO
Sala de lo Civil
PLENO

SENTENCIA N^o 774/2014

Excmos. Sres.:

D. Francisco Marín Castán
D. José Ramón Ferrándiz Gabriel
D. José Antonio Seijas Quintana
D. Antonio Salas Carceller
D. Francisco Javier Arroyo Fiestas
D. Ignacio Sancho Gargallo
D. Francisco Javier Ordoña Moreno
D. Rafael Sarazá Jimena
D. Sebastián Sastre Payol
D. Eduardo Jarama Ruiz
D. Xavier O'Callaghan Nuñez
D. José Luis Calvo Cabello



En la Villa de Madrid, a quince de Enero de dos mil quince.

La Sala Primera del Tribunal Supremo, integrada por los Excmos. Sres. Magistrados indicados al margen, ha visto los recursos extraordinarios por infracción procesal y de casación interpuestos por Anfi Sales, SL, representada por el procurador de los tribunales don Antonio Vega González, contra la sentencia dictada, el veintuno de febrero de dos mil trece, por la Sección Cuarta de la Audiencia Provincial de Las Palmas de Gran Canaria, que resolvió el recurso de apelación interpuesto, en su día, contra la que había pronunciado el Juzgado de Primera Instancia número Siete de San Bartolomé

1

Spanish Supreme Court Sets Legal Precedent

Floating weeks & perpetuity contracts declared illegal...

In a series of widely publicised cases, which were represented by Canarian Legal Alliance, the Supreme Court of Madrid found in favour of our clients against the resort Anfi del Mar, and in doing so established a legal precedent that is set to have a profound effect on the speed and success of Timeshare litigation.

As a direct result of these rulings, three elements widely found in most Spanish Timeshare sales contracts were confirmed to be illegal having now been made into jurisprudence by the courts.

The first of these illegal elements consists of Timeshare contracts composed of "floating weeks", with the second referring to Timeshare contracts purchased in "perpetuity" that is to say contracts lasting in excess of 50 year time spans. The third and most recent specifically concerns the illegality of any deposits, even when taken through a third party or trustee.



Infractions



Miss selling can take many forms

Common ways Timeshare resorts commit infractions...

- Referring to Timeshare as property in a contract
- Abusive clauses in the contract (taking back your membership if you are not up to date with your maintenance fee payments)
- Not providing relevant and important information on the actual property and or on the seller
- Serious misrepresentation during the sales
- Not fulfilling the contract (not able to make reservations)
- False or misleading information in the documents (quality of the resort)
- Abusive increase of the maintenance fees
- Promise of the increase in value of a Timeshare just to find out there is NO resale market at all
- Taking deposits within the first 3 months of signing the contract
- Not informing you about your right of cancellation





What does it mean for miss sold owners

Speed, efficiency, a guarantee of success...

By its very nature, the Spanish legal system can regularly be slow and bureaucratic, contributing to lengthy outcomes for most claimants looking to recuperate money through the courts.

As a result of the jurisprudence created by the Supreme Court's rulings on floating weeks and perpetuity contracts, the speed of Timeshare litigation has increased dramatically, with the probability of success now greater than ever.

Due to this change in circumstances, our firm is now able to provisionally demand execution of client funds from the infringing resort once a provisional ruling has been achieved. This has served to remove the previous waiting time that the inevitable appeals process added to the claim, getting clients their money back faster.





A solution to your Timeshare Problem

Reclaim or relinquishment, say bye to your Timeshare...

RECLAIM

Like its name would suggest, the reclaim process involves not only the cancellation of the Timeshare but the process of recuperating the purchase price through legal action against the infringing resort.

RELINQUISHMENTS

Unlike the Reclaim process, relinquishments do not provide the Timeshare owner with financial compensation. The process forces the resort into taking back the Timeshare, halting any liability to pay maintenance fees.



A Wide Range



Specialists in more than just Timeshare

Our legal expertise covers a comprehensive list of domains...

Timeshare Law

Family Law

Property Law

Labour Law

Commercial Law

Civil Law

Criminal Law

Property Search

Immigration

Translations



Locations



Arguineguin, Gran Canaria

A: Calle Angel Guimera
14B, 35120, Arguineguin,
Mogan, Las Palmas
T: +34 928 18 50 28
E: Info@canarianlegalalliance.com



Bradford, UK

A: 29 Manor Row, Bradford,
BD1 4PS
T: +44 (0) 7554747431



Warrington, UK

A: Cinnamon House, Cinnamon
Park, Crab Lane, Fearnhead,
Warrington, WA2 0XP
T: +44 (0) 2035883960



Weybridge, UK

A: Weybridge Brooklands
Business Park, Wellington
Way, Weybridge
Surrey, KT13 0TT
T: +44 (0) 7983737938



FAQs

How do I know if I am eligible to claim?

If you bought your Timeshare in Spain, directly from the Developer (not a resale) and it was purchased after 1999 then you will almost certainly be eligible to claim. Please contact us to confirm your claim.

Does this apply to Timeshare purchased anywhere in the world?

No, only Timeshares bought from resorts within the ECC/Spain. However we provide other Timeshare exit solutions for purchases made around the world.

How long does the reclaim process take?

As long as you are eligible and as soon as we have all your original documentation we will start to work on your case immediately. From the moment the case is launched it can take approximately 2 years before an outcome is reached.

How much money will be refunded back to me?

This will depend on your individual case but our lawyers will request a full refund of the amounts paid for your Timeshare, full repayment of all legal fees paid plus they will seek to claim other compensation such as double the value of the deposit, maintenance fee payments and indemnization for other related losses.

What are your fees?

An initial fee is established from the outset of your case and is relative to the volume of your claim. This initial fee covers lawyers' costs, generator costs, procurator costs, the cost of translating all your documents into Spanish and any other third party costs which we may need to incur on your behalf. We will add this initial fee to the amount we are claiming on your behalf with the aim that it be refunded upon the successful outcome of your case. Once your case has come to a successful conclusion we charge a success fee as a percentage of the total amount recuperated.

I qualify but I'm still paying for my Timeshare week on finance, can I still claim?

Yes, The lawyer responsible for your case will contact your finance company and inform them of your dispute with the sales company and request that your payments be suspended until the dispute is resolved. However, until you receive an official notification from the finance company allowing you to suspend the payment, you will remain liable to fulfil your contractual obligation.

Can I still use my Timeshare if I launch a claim?

As long as you continue to pay your maintenance fees then your membership rights will remain unaffected by any legal action.



Our People

Great people will always determine the success of any company. Canarian Legal Alliance is no exception, our talented solicitors come from a wealth of different industries and have over 60 years in combined legal practice experience.



Miguel Rodriguez |
Lead Attorney
[Nº 2814 ICALPA]



Cristina Batista |
Senior Attorney
[Nº 5355 ICALPA]



Ignacio Cantero |
Senior Attorney
[Nº 3.904 ICALPA]



Adrián Morales |
Senior Attorney
[Nº 5379 ICALPA]



Eva Gutiérrez |
Senior Attorney
[Nº 4350 ICALPA]



Luis Sánchez |
Senior Attorney
[Nº 4256 ICATF]



**DON'T LET YOUR
TIMESHARE
LEAVE YOU
FEELING
ISOLATED**

