



## TIMESHARE OWNER PRIVACY LAWS

### *Issue*

Communication is vital to timeshare owners. Whether it's obtaining proxies for a Board of Directors' election or raising awareness about issues pertaining to a specific resort, timeshare owners need to be able to communicate frequently with fellow owners. Unfortunately, the presence of strict state and federal privacy laws, coupled with an increased number of timeshare scams, can make communication challenging.

In some states, owners' names and contact information are readily available in the public records. In other states, lists of timeshare owners must be kept private unless an owner makes a request for the list to be used for "legitimate association business". And there are a few states in which individual owners must give express permission to their homeowners' association (HOA) in order to be contacted at all.

While these different laws and policies are intended to protect the privacy of individual owners from unsolicited messages and deceptive practitioners, they can also create frustration when owners are unable to communicate with fellow owners on matters relating to their resort or HOA.

### *Impact*

Undoubtedly, marketing products and services to the more than 8 million timeshare owners can be very profitable. However, this has allowed illegitimate marketers access to owners who have not expressed interest in their product or service. Many of the unwanted solicitations come from unknown parties who have a great deal of information about an owner and details of their timeshare ownership. The complexity of their known information often deceives the owner into thinking the call is legitimate. These marketers often gain access to owner lists and information by purchasing it from individuals who have stolen them, or by acquiring a timeshare that allows them to request the information under false pretenses.

As a result, many owners have lost significant sums of money to marketers who use their private information to take advantage of them, particularly in the resale market. Countless others have been convinced to purchase products or services that they do not need, or simply become annoyed with repeated unwanted solicitations. The fraudulent or deceptive marketers will sometimes attempt to convince an owner to make a purchase by claiming to be affiliated with the owner's resort or ARDA. This tarnishes the HOA's reputation, causing legitimate communications from an association to become more difficult and diminishing owners' overall enjoyment of their timeshare.

### *Position*

**ARDA-ROC supports responsible privacy protection for the personal information of owners that also preserves the ability of owners to participate in legitimate association (HOA) business.**