



# ATALAYA TOWERS TALK

A NEWSLETTER FOR THE OWNERS OF ATALAYA TOWERS IOA  
GARDEN CITY, SOUTH CAROLINA

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**INSERTS:**

- 1) 2021 Reservation Request Form and Proxy/Ballot to extend the Association
- 2) Return Envelope for Proxy/Ballot & Reservation Forms

## PRESIDENT'S MESSAGE

Dear Owners:

Included in this mailing are two very important documents for which you need to take action: (1) your 2021 reservation requests form(s) and (2) a Proxy/Ballot to vote on whether to extend the life of your unit week past 2025 or not to extend. What does this mean? We have discussed this in previous newsletters.

In 2025, if your vote is **yes** to extend, you are voting to continue our timeshare association until 2035 and all owners in good standing (paid up on all maintenance fees) will continue to have their vacation time at Atalaya Towers like you have in the past. You will be able to use it or trade it as you have done before. If your vote is **no**, then you are voting to stop your vacation time at Atalaya Towers at the end of 2025. See Page 2 for additional information on voting.

We have a few owners each year that fail to mail back their reservation request form(s). After all requests we receive are filled, assignments will be made by the office for those that did not request a week in 2021. Remember, you are to complete a reservation request form and proxy/ballot for each week you own.

**It is imperative that you submit your reservation request form(s) for 2021 and proxy/ballots in the enclosed self-addressed envelope as soon as possible.**

The Covid-19 Virus caused some major difficulties for many of our owners being able to make it down to use their weeks. Much of this came because of how states handled the "Stay-at-Home/ Shelter-in-Place" orders in their state and in SC. To protect the owners that are able to visit SC, we had to make some changes that affected interaction between owners, guests and our staff. This is our new normal.

Once you are reminded by email that your week at Atalaya is approaching, you must reply. This way we are certain you are aware of what, if any, restrictions we are under and then, and only then, will your welcome packet be placed in the box.

Your reminder will give you the sites you can go to and recheck restrictions before you leave home. For the foreseeable future, it will be a different way of vacationing than in the past until the CDC and State Governments lift their restrictions. We are not going into the restrictions in this letter as they have been changing daily. You may visit the SC state website at: [www.governor.sc.gov/executive-branch/executive-orders](http://www.governor.sc.gov/executive-branch/executive-orders) or the CDC website at: [www.CDC.gov](http://www.CDC.gov). PLEASE DO NOT CALL THE OFFICE TO FIND OUT WHAT THE RESTRICTIONS ARE AT ATALAYA TOWERS. CHECK THE ONLINE SITES. OUR OFFICE WILL REFER YOU BACK TO THE SITES AS THEY ARE BEING OVERRUN WITH CALLS. We are getting calls already for July and August asking questions we cannot answer. Our staff is not being rude when they refer you to the sites listed above; this is what we, the Board of Directors, have asked them to do.

When you arrive, your packet will be in the lockbox with your keys and will include all you need to check-in including forms to sign and/or initial; just leave filled out paperwork in the lockbox. We have placed a Plexiglass shield at the Front Desk that separates owners/guests and the staff. Because of social distancing rules, we are allowing only 1 person at a time to come in the office. We are doing additional sanitizing of the units each Saturday before check-in and have hired additional help to assist with this process. That being said, your packet will not be ready before 4:00 p.m. and guaranteed to be before 6:00 p.m. So please don't tie up the luggage carts before 4:00 p.m. Our building is only 19 units that are timeshare and the owners of the rest of the building (61 units) also use those carts. So again, if you choose (continued on Page 2)

**PRESIDENT'S ARTICLE (continued)**

to arrive early please do not expect to get into your unit early!

Many of our owners decided to deposit their weeks in to exchange companies, some decided to cancel on their own and others decided to come to Atalaya. As we have told you in the past, if you do not belong to an exchange company and want to try trading, there are two that exchange companies that do not charge a membership fee – [DAELive.com](http://DAELive.com) and [TradingPlaces.com](http://TradingPlaces.com). We do not recommend one company over the other. We suggest you go online and do your own research. If trading, you must give them the unit week you have been assigned, so they can confirm your deposit. If you are already an II or RCI member, you already know how they work.

You are already aware of our NO PET POLICY in the timeshare units. Be sure to read General Manager's Corner as it will address additional things you need to know.

As always, we want your 'home away from home' to be the best and safest place we can make for you. "When will things return to the way they were before the Virus?" is a question no one can answer. As you can see, we are having to change many things in the way we operate, and we need your help to comply with the new normal. Take time to check out [atalayatowersioa.com](http://atalayatowersioa.com); our office will be updating this as often as they have news. We will also be keeping owners updated via electronic communication by sending email blasts to all owners for whom we have an email address on file.

Lynn Harmon, President  
Atalaya Towers Interval Owners Association, Inc.

**Amendment to Declaration Explanation**  
**This vote will be valid for three years.**

Your Deed for the Unit / Week that you own at Atalaya Towers Interval, is a Deed in perpetuity which means you own it forever, just like your house. However, Article XIV of the Declaration of Time Sharing Covenants, the "Timeshare Plan", states the Declaration will expire on December 31, 2025.

*What does that mean to you, the Owners?*

Once the termination occurs all Owners become "tenants in common" with all other Owners, which actually makes the Association totally dysfunctional and would no longer be a timeshare as you understand and use it today.

There were two options to deal with this termination clause laid out in the Declaration that have been considered by the Board of Directors. The option which seems to be the best option for all owners involved is to amend Article XIV of the Declaration which includes the termination clause. This would allow the Timeshare to stand alongside your deed through December 31, 2035.

Your Board of Directors and Capital Vacations have reviewed the options and also sought an attorney's opinion in regards to the timeshare termination clause versus the amendment of the Declaration. After that review, the Board strongly recommends amending the Declaration to extend the Association.

Should that not happen, the Association as you know it, will no longer be able to function properly after December 31, 2025. According to South Carolina law, the owners at Atalaya will become Tenants in Common. This opens Atalaya up for all types of potential litigation. The requirement of title searches, trying to find "lost" owners and the expense of foreclosures. This would be a long, arduous process and expensive, which estimates \$200,000+ just to get the property to a position where it could eventually be sold.

Amending the Declaration is a much less complicated process, requiring the approval of 60% of the eligible voters. Thus, the Board has approved moving forward with the amendment vote with an extension of the call for voting to cover a three year period, which will allow for the required number of votes to be achieved.

**Your Board recommends that you vote "YES" on this amendment as it is critically important to the future of Atalaya Towers.**



**2020 ANNUAL MEETING** The Atalaya Towers Interval Ownership Association Annual Meeting will be held on Saturday, November 14th. Please make every effort to attend this very informative meeting. Additional information will be provided closer to the meeting date. We look forward to seeing you there!

## GENERAL MANAGER'S CORNER

*By Joe Trincheria*

Dear Homeowners:

We have been very busy at Atalaya Towers since our last newsletter. We have a small window of opportunity to take care of your units after a hard year of use and prepare for the upcoming year, but we feel that was accomplished.

Several improvements that have been made with the 2019-2020 Refurbishment Projects include:

- ⇒ We widened the doors of the two master bathrooms in Units 1203 and 1405 to allow for wheelchair access. We also installed new wheelchair vanities with shelving and finished off with new waterproof plank board on floors in both baths of those units.
- ⇒ Our carpet squares continue to live well with regular carpet cleans that don't take long to dry, and, if square has a stubborn stain, we can just replace.
- ⇒ Our vinyl living room flooring comes in real handy with hurricanes and bad wind driven rain getting through sliders. We can just remove from the floor, put a fan on the concrete, place the planks in the sun for a couple of hours and then re-install.
- ⇒ Our Front Office has a new face and her name is Meredith. She is no stranger to the hospitality business and really compliments the office operation along with Debbie. Together they are splitting hours in order to always have someone in the office while the General Manager can be overseeing projects both in units and on the property.
- ⇒ The Board has moved forward and replaced the old dining room chairs with brand new ones for a lower profile of the area lending to a larger feel of the entire room.
- ⇒ We finished our kitchen appliances to fingerprint resistant stainless steel. We are moving forward with the concept of when the washers and dryers breakdown, we replace not repair.
- ⇒ Jason has begun to remove the large mirrors in units and followed up with re-painting each living room and dining area with a fresh coat of neutral paint. It really looks great. This is a process that we started in the winter. At the time of this letter, he has about 25% of the units completed. It really adds a fresh look.
- ⇒ Finally, we hope everyone remains safe during this Covid-19 pandemic, and not knowing if, and when, it will return. We at Atalaya are working a new norm set of protocols by sanitizing each unit more thoroughly when being prepared for your arrival. This may make it a bit longer than usual to check-in, but we would rather be safe than sorry.
- ⇒ We have also installed a plexiglass shield at the front desk to protect both owners and staff. This will also be a sign of the new norm. Also, maintenance issues, like problems with the TV, will be worked through by phone, cutting down on frequent trips to units.

Please read the information involved with the Reservation Request process as it will assist in a stress-free reservation for 2021. Once reservations are set, it's virtually impossible to change them - especially Prime Red. The Committee reads special notes on the requests in order to assist in assigning weeks, but no special requests are guaranteed. Once your reservation is scheduled, it's complete.

If you are banking your week, please understand that you must give the correct arrival date and be paid in full, or on Auto Draft, in order for us to approve for the exchange Company. Please understand we do not bank for you. You must call the exchange company of your choice and give them the information off your confirmation letter.

When arriving on Saturdays, please refer to your confirmation letter that states check-in occurs between 4:00 p.m. and 6:00 p.m. We try very hard to have the units ready prior to 4:00 p.m., because we would rather have a smooth check-in for owners in the office instead of a mad rush.

As always, we welcome your comments and suggestions and encourage you to be sure to fill out the comment card you receive via email after staying at the resort. It is with your feedback that we can continue to improve your vacation experience.

Mark your calendars to give us a call in October to see which units will be available for monthly rentals in January, February, and possibly March. For \$1,300, you could have a unit for the entire month of January or February, which includes all utilities. March monthly rentals are limited supply at \$1,400 for the month.



On behalf of the entire staff, stay safe and we look forward to seeing you all very soon!

**NOMINATIONS** **2020 CALL FOR NOMINATIONS**

**ARE OPEN** Three (3) positions (two-year terms) on the Board of Directors are up for election at the November 14, 2020 Annual Homeowners Meeting. An individual wishing to be nominated for a seat on the Board of Directors must be an owner in good standing and must be able to attend two to three meetings per year. The Board should be comprised of individuals who can contribute sound business judgment to Board deliberations and decisions, based on their relevant academic, business, professional management or governmental service experience.

To obtain a Board Nomination Form, please contact contacting Lori Pena by email at [lpena@capitalvacations.com](mailto:lpena@capitalvacations.com) or by phone at (843) 238-5000 ext. 3331. **Board Nomination Forms must be received by August 15, 2020.**

We highly recommend you verify the receipt of your form and bio. Thank you.

**HOW TO SPOT A TIMESHARE SCAM**

If you haven't yet gotten the call, you must be a new timeshare owner. Eventually, however, your phone will ring and the caller will have an amazing deal: someone wants to buy/rent your timeshare for a great price!

They have the potential buyer/renter on the other line, or just a phone call away. All you have to do is give them some money and they can make the deal go through. Awesome!

Except for this: in almost every case, the deal is no deal. The person on the other end is trying to rip you off. Here are three clues that the caller is a con man:



**Clue #1: They called you out of the blue.** If you are advertising your timeshare for sale or rent, you will get calls. That's the whole point, in fact. If you are advertising, move on to Clue #2. If not, it would be extremely rare for a legitimate company to call you out of the blue and offer you a deal.

**Clue #2: They offer more than you are asking, or have a deal that is...let's all say it together...too good to be true.** We all know the old adage about "too good to be true", and yet people fall for it all the time. When has anyone ever offered to pay you more than you're asking for something? Many times, you will be told that they are buying a lot of timeshares for a big company.

Another scam is that they have a buyer all lined up to pay \$XXXX.XX for your week. Then you pay a listing fee to them, and suddenly the buyer disappears. They will be happy to continue the listing for you, though. Bye-bye money and good luck getting them to try very hard to sell your week. Why would they? They already have your cash. Which brings us to...

**Clue #3: They want ANY money up front.** At the point in the conversation that all you can see is dollar signs or whatever else they offered, they ask you for a fee. It could be a listing fee, a title search, or any of a hundred other things. In fact, more than one company has been known to refer you to an independent third party for the title search, give you a number to this company, and when you call, you end up talking to the person at the next desk over from the first guy!

If you have any doubt about a company, or a potential deal, please call the Atalaya Towers General Manager at (843) 651-4566. You can also google the name of the company and see if anyone else has reported the same thing, and what they thought of it. Google is the greatest research tool ever created, and you'd be surprised how fast these things hit the Internet. You can also visit <http://www.arda.org/> advisories for additional information.

**YOUR BOARD OF DIRECTORS**

<b>PRESIDENT</b> James "Lynn" Harmon	<b>VICE PRESIDENT</b> Ray Toler, Sr.	<b>SECRETARY</b> Bill Courtney, Sr.	<b>MEMBER AT-LARGE</b> John Brand	<b>DIRECTOR</b> Sheryl Kingston	<b>CONSULTANT</b> Brian Teal
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To contact the Board of Directors, please send an email to [at@capitalvacations.com](mailto:at@capitalvacations.com) or write to ATI Board of Directors c/o Atalaya Towers, 912 N. Waccamaw Blvd., Garden City, SC 29576