

# THE OCEAN CLUB

*on Smugglers Beach*



## SHORE LINES

NEWSLETTER FOR THE HOMEOWNERS OF THE OCEAN CLUB

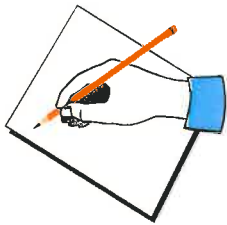
October 2004

### CHAIRMAN'S CORNER

*by Dr. David Chvatal, Chairman*

First I would like to update you on the issues raised in the previous Chairman's Corner. Good News! We have reached a mutually satisfactory Settlement Agreement with OSI. OSI has agreed to convey the Maintenance Weeks to the HOA; deed the Vacant Lot to the HOA in return for the legal fees involved in acquiring the Lot; and Joe Dappal has agreed to resign from the Board of Trustees. OSI retains the right to market and sell its intervals as any other owner. We are very happy to have reached an agreement and now can direct our time and efforts to improving The Ocean Club.

The Town of Yarmouth has changed its policy and will now allow microwave in all of our units. Installation was completed in August and we hope this convenience will enhance your vacation experience.



More and more owners are completing a comment card after their stay and we are committed to acting upon your comments and suggestions. We review all of the cards with management to make sure we are responding in a positive direction. Please continue to fill out the cards and let us know where we need to improve and also what we are doing right. Feedback from owners is important – it's your resort.

### OWNER RESERVATION POLICY UP FOR REVIEW

The Ocean Club's present Owner Reservation Policy requires that owners submit their reservation requests in writing and allows owners to reserve their week up to, but not more than, fifty-two weeks in advance. For example, on the first day of week 36 in 2004, at 9:30AM, owners began reserving week 36 in 2005.

Most owners send their reservation requests to the resort by mail or fax, but an increasing number of owners are opting to come in person to reserve their weeks. When the number of owner reservation requests for a particular week exceeds the number of rooms available for assignment, a random drawing of requests received by mail, fax, or e-mail will alternate with those present in person, on site, until all available rooms have been assigned.

The present policy has been in place for several years, is reasonably well understood by most owners, and until recent years has been relatively effective. In the past few years, however, problems have arisen in some of the more popular weeks, most notably week 25. For the past few years,

those owners coming in person to reserve week 25 have been arriving at midnight the night before or shortly after. By 6AM, there are usually 30 to 35 owners in the lobby.

It has now come to the point where our week 24 owners and guests are being disturbed during the night by the owners waiting to reserve week 25. This is not to suggest that our week 25 owners are unruly. It is just inevitably noisy when a large number of people are crowded into the lobby. As well, this past year disagreements arose among the owners as to who had actually arrived first, second, third, etc.

These problems have been discussed at weekly owner meetings and we have solicited suggestions from owners on alternative policies. To date, three proposals have been received.

The first proposal eliminates the option of owners arriving in person to reserve their week. Reservation requests would either be dropped off at the office or sent to The Ocean Club. There would then be a random drawing of all requests received until all available rooms had been assigned.

(see *Owner Reservation* page 3)

## 2005 Calendar - Friday Check-In

<i>Wk#</i>	<i>Dates</i>	<i>Season</i>
1	January 7 - January 14	<b>Ocean Club CLOSED</b>
2	January 14 - January 21	
3	January 21 - January 28	
4	January 28 - February 4	
5	February 4 - February 11	<b>GETAWAY</b>
6	February 11 - February 18	
7	February 18 - February 25	
8	February 25 - March 4	
9	March 4 - March 11	
10	March 11 - March 18	
11	March 18 - March 25	
12	March 25 - April 1	
13	April 1 - April 8	
14	April 8 - April 15	
15	April 15 - April 22	<b>HIGH</b>
16	April 22 - April 29	
17	April 29 - May 6	
18	May 6 - May 13	
19	May 13 - May 20	
20	May 20 - May 27	
21	May 27 - June 3	
22	June 3 - June 10	
23	June 10 - June 17	
24	June 17 - June 24	
25	June 24 - July 1	<b>PRIME</b>
26	July 1 - July 8	
27	July 8 - July 15	
28	July 15 - July 22	
29	July 22 - July 29	
30	July 29 - August 5	
31	August 5 - August 12	
32	August 12 - August 19	
33	August 19 - August 26	
34	August 26 - September 2	
35	September 2 - September 9	<b>HIGH</b>
36	September 9 - September 16	
37	September 16 - September 23	
38	September 23 - September 30	
39	September 30 - October 7	
40	October 7 - October 14	
41	October 14 - October 21	
42	October 21 - October 28	
43	October 28 - November 4	
44	November 4 - November 11	
45	November 11 - November 18	
46	November 18 - November 25	
47	November 25 - December 2	
48	December 2 - December 9	
49	December 9 - December 16	
50	December 16 - December 23	
51	December 23 - December 30	
52	December 31 - January 6	

### OCEAN CLUB ON SMUGGLER'S BEACH

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web site: [oceanclubonsmugglers.com](http://oceanclubonsmugglers.com)

#### **BOARD OF TRUSTEES**

*Dr. David Chvatal, Chairman*

*Mr. Mark Fishbon, Vice Chairman*

*Mr. Doug Manning, Trustee*

*Mr. Paul Bogosian, Trustee*

#### **RCI UPDATE**

RCI will be increasing the fees associated with exchanges effective October 1, 2004.

The current exchange rate is \$139.00 for Domestic Exchanges and \$179.00 for International Exchanges.

These rates are going to increase \$10.00 per exchange to \$149.00 for Domestic Exchanges and \$189.00 for International Exchanges.

RCI has not adjusted their rates in the last two (2) years. Should you have any questions regarding this rate increase please call RCI at 1-800-496-2237.

(*Owner Reservation* from front page)

The second proposal would continue to allow owners to come in person or to send in their reservation requests. The reservation requests of all those personally in attendance would be placed in one basket and the requests of all those received by mail, fax, or e-mail would be placed in a second basket. There would then be random drawings, alternating between the two baskets until all rooms had been assigned. (This proposal would eliminate the necessity of arriving at an extreme hour to gain an assurance of being the first reservation, i.e. the owner arriving at 9:15AM would have as equal a chance as the owner arriving at 7:00AM of being the first name drawn.)

The third proposal calls for us to adopt an exception policy, such as one of the two proposals above, for week 25 and any other week where we experience similar problems, but to maintain our existing Owner Reservation Policy for all remaining weeks.

Management will be developing a recommendation for the Board to consider at its November 2004 meeting. Comments from interested owners would be extremely helpful in developing that recommendation. You may mail or fax your comments to the attention of Fred Eberman at The Ocean Club or e-mail them to feberman@spmresorts.com

***Ocean Club on Smuggler's Beach***  
***Assessment Billing and Collection Policy***  
*Approved March 26<sup>th</sup>, 2004*

**October 15** First maintenance fee billing is sent out. Statement will include any previous balance or credits, plus the following years maintenance fees due. Payment in full is due by December 31st.

**January 15** Delinquency date. A \$50.00 late charge plus interest at a rate of 18% per annum (1.5% monthly) will be added to all accounts on which payment was not received by January 15th. On or before January 20th a past due notice will be sent to all delinquent owners. Owners will be informed of late charge, future charges and ensuing steps that will be taken in the event the delinquent status continues. This statement will reflect a due date of February 15th.

**February 15** Interest continues to accrue on all delinquent accounts and will continue to be assessed monthly on the 15th at 18% per annum (1.5% monthly).

**February 15** A "Right To Cure Notice" with an additional \$50.00 Right to Cure fee will be sent to all owners with accounts not paid by February 15th. This will begin a soft collection process to attempt to have the owner begin working with the Resort before the involvement of a collections agency. This statement will reflect a due date of March 15th.

**March 15** Interest continues to accrue on all delinquent accounts and will continue to be assessed monthly on the 15th at 18% per annum (1.5% monthly).

**April 1** All accounts not currently active will be turned over to a collection agency no earlier than April 1 and no later than April 15th, and all collection agency costs will be assessed against the delinquent owners' accounts. Once an account has been turned over to a collection agency, the resort will no longer be involved and the delinquent owner must deal with the collection agency. The account will remain in collections through October 31st.

**November 1** All "unsettled or inactive" accounts will be returned from the collection agency and sent to an attorney. Legal costs will be added to delinquent owners' accounts. Each delinquent account will be reviewed and action will be recommended based on the status of each account. Such action may include, but may not be limited to:

- Filing a Claim of Assessment Lien
- Filing of Small Claims Suit
- Attempt to secure deed in lieu of debt
- Continue Collection Agency efforts
- Begin Foreclosure Process



**Falmouth-in-the-Fall Road Race,**  
11/7/04 Woods Hole, Falmouth Heights,  
Falmouth. 7.1 miles over the renowned Falmouth  
Road Race course. Rain or shine, starts in Woods  
Hole ending in Falmouth Heights. \$10 fee to enter. For more  
info [www.FalmouthTrackClub.org](http://www.FalmouthTrackClub.org)

**Scrooge the Musical**  
11/11/04 – 12/12/04, A stage adaptation of the famous movie  
musical based on “A Christmas Carol” by Charles Dickens

**19th Biennial Holly Berry Bazaar**  
11/13/04, Nauset Middle School, 10am-5pm, Route 28,  
Orleans, Antiques and handmade crafts to help raise funds for  
the Cape Cod Hospital heart center.

Cape Cod Film Society Screening Series  
10/15/04 -11/13/04, The fourth season of the Cape Cod Film  
Society Screening Series features a full slate of independent,  
rarely seen documentaries, fiction films, and video art, as  
well as several filmmaking workshops. Full details are avail-  
able on the Web site, by e-mail: [filmsociety@comcast.net](mailto:filmsociety@comcast.net), or  
by calling toll-free 866-235-8397

NEWSLETTER

**23rd Annual Craft Fair**  
11/20/04, This is a fun annual event with 60 crafters, luncheon,  
bake sale table, refreshments, and more. For more information,  
visit <http://nausetschools.org/orleans>

**Christmas in Orleans**  
11/26/04-11/27/04, Friday evening traditional Christmas stroll  
from Post Office Square to Depot Square

**Artisans' Guild of Cape Cod Fine Art and Craft Show**  
11/26/04-11/27/04, 10am—5pm, Nauset Middle School, Route  
28, Orleans A juried group of over 100 artists and craftspersons  
maintaining a residence on Cape Cod. For more information,  
(508) 896-4372 or visit <http://www.artisansguildcapecod.org>



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