

**250 Sea Lavender Lane  
Summerville, SC 29486-5420  
22 October 2015**

VIA CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

**Festiva Development Group  
Festiva Adventure Club (FAC)  
39 Baton Ave  
Ashville, NC 28801**

**Subj: Owner ID 634190 Time Share at Ellington at Wachesaw East – Phase I for  
period October 4-11, 2015**

**To Whom It May Concern:**

**On July 16, 2015, I booked a 3 bedroom resort under Reservation No. 1127580  
through Festiva Adventure Club for 5,250 points for the period October 4-11, 2015  
at Ellington at Wachesaw East – Phase I, Murrells Inlet, SC 29576.**

**South Carolina was under a National State of Emergency during this period and  
Governor Nikki Haley issued numerous road closings throughout South Carolina  
due to dams breaking and roads flooding.**

**I live in Cane Bay Subdivision and was unable to leave my subdivision due to  
streets flooding from October 4-8<sup>th</sup>, 2015, Sunday through Thursday. A local  
Charleston, SC, Channel 5 news release was aired at  
<http://www.live5news.com/story/30180265/drone-video-shows-flooding-in-tri-county#> showing a drone flying  
over my subdivision with the flooding situation where there is only one entrance  
in and out. Other well documented flooding coverages may be located at CNN  
News and [www.youtube.com](http://www.youtube.com) . Attached are two pictures I took on Sunday,  
October 4, 2015 outside my front door.**

**I had called the Ellington Resort every day from Sunday through Thursday (Oct 4-  
8, 2015) advising them I was unable to leave my home due to flooding on my  
street.**

**Since the flooding had subsided by Thursday morning in my subdivision, I was  
going drive to the Ellington, Murrells Inlet Resort that afternoon. However,**

**Governor Haley announced Oct 2<sup>nd</sup> at noon that Highway 17 was scheduled to be closed in the next 12 hours. Highway 17 was my only route left to drive to the resort at Murrells Inlet, SC. Highway 17A had already flooded in parts.**

**It is not right to be taken advantage of in these extenuating circumstances beyond our control with an act of God preventing my family from leaving our home to arrive at your resort.**

**I called the Festiva resort each day from Saturday until Thursday informing them of my situation with the flooding in Cane Bay, Del Webb's subdivision and streets where my home is located and to ask the situation of Georgetown, the resort at Murrells Inlet, and Highway 17.**

**On three occasions, I called your Festiva Customer Service Center telephone: 866-933-9848 to advise I was unable to travel to the resort and each time was advised that I had to forfeit my points if I did make it to the resort.**

**I spoke to a lawyer concerning my timeshare with the flooding situation. He said this would fall under the Natural Disaster Provision under the contract. I did not see this provision in my contract copy. Please provide me with a copy of this provision for my records. I trust a resolution to this situation can be resolved.**

**All that I am asking is that I be able to reschedule my vacation to a later date in the spring at this same resort with my family.**

**Sincerely,**

A handwritten signature in black ink that reads "Theresa N. Miente". The script is cursive and fluid.

**Theresa N. Miente**

**Attachment I: Reservation: 1127580**

**cc: South Carolina Office of the Governor, Nikki R. Haley**



Thursday, July 16, 2015 11:17 AM

Theresa Miente  
250 Sea Lavender Ln  
Summerville, SC 29486

### Reservation Confirmation

Reservation Number: **1127580**

Resort Name: **Ellington at Wachesaw East - Phase I**  
**911 Riverwood Dr.**  
**Murrells Inlet, SC 29576**  
**1-800-656-2343**  
**memberservices@fac.travel**

Arrival Date: **Sunday, October 04, 2015**  
Departure Date: **Sunday, October 11, 2015**

Room Type: **3 Bedroom**  
Points: **5250**

Details: Check-In: 4:00 PM, Check-Out: 10:00 AM Front desk hours are: 7 AM to 11 PM, daily. After-hours check-in procedures: Guest is required to call the property ahead of time to let them know of late arrival. Keys and check-in information will be left with overnight security. Complimentary Wifi in units. No pets are allowed on property. All 2BR & 3BR units have Washer & Dryer, laundry facilities on property.

### Cancellation Policy:

- If you make a reservation and cancel within 24 hours, all of your Adventure Club Points will be returned to your account and you will not be charged the cancellation fee.
- If you do not cancel within 24 hours of booking, but are 46 days or more prior to the check-in day, all of your Adventure Club Points will be returned to your account, but you will be charged a \$39.00 cancellation fee.
- If you cancel between 30 to 45 days prior to the check-in day, you will forfeit 25% of the Adventure Club Points used to make the reservation.
- If you cancel between 15 to 29 days prior to the check-in day, you will forfeit 50% of the Adventure Club Points used to make the reservation.
- If you cancel less than 15 days prior to the check-in day, you will forfeit 100% of the Adventure Club Points used to make the reservation.



Festiva Adventure Club is pleased to offer a Reservation Protection Plan for members making reservations using Club points. Members may participate in the Reservation Protection Plan up to Forty-Six (46) days prior to the beginning of any confirmed reservation. Participants in the Reservation Protection Plan may cancel their confirmed reservation at any time prior to 24 hours in advance of the Member's scheduled check in time.

Pricing for participation in the Reservation Protection Plan varies and is dependent upon the Member's Membership Level ("Participation Fee").

