

NAM *Members' Committee*

20 June 2003

“We stand alone and our voice is small. — We stand together and we will be heard.” Barbara Mozingo, NAM

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SOLVING THE MEMBERSHIP CAMPGROUND PROBLEM...

THIS IS IMPORTANT...

NOW IS THE TIME TO “MAKE A DIFFERENCE”

You can help NOW. Send a copy of this article to every “State and Federal lawmaker” you can. Do it NOW. This is the time for you to become active in protecting yourself, your fellow campers, and your children!

1. Although many states have adopted Campground Membership Acts, the law is not tight enough. It gives the Operator the option of posting bond OR putting a non-disturbance clause in the deed. Most choose the non-disturbance clause because once they milk the members; they don't care about foreclosure or what happens to the land. Practically speaking, the non-disturbance clause does not ensure continued services and facilities to the members. As we saw in Iowa, a simple foreclosure and quiet title action excised the non-disturbance clause and the land was sold to developers.
2. There is power in numbers. People must organize and speak up (and loudly). Laws are motivated by votes. If we can show that there are a lot of consumers who are vocal and active, lawmakers will respond. Operators are small and usually lack influence. (Except maybe in Nebraska once upon a time.) But lawmakers need hard and provable facts. Anecdotal information is compelling, but they need to know that it is a widespread problem.

(See Page 2 - Solutions).

NOTICES

Questionable Marketing Practices: We have a complaint in Mississippi against *Martin Lakes Resorts*. It has been reported to the Attorney General in that state. We will follow up to find out the status of that complaint. Let us know if you have any information that you think the MS Attorney General should be aware of and we will include it in our letter.

TAI CLASS ACTION Update

Douglas H. Napier

DEAR MEMBERS OF THE TAI CLASS ACTION:



A lot has been happening in the class action litigation since the last newsletter. We continue to make progress in this difficult and complex case. While the forward movement may seem painfully slow, it is indeed progressing positively and I remain confident and dedicated to the task of recovery as much money for you as I can. I appreciate your patience and trust in us as we press on. At this point it is difficult to predict when the entire case will be completed as you can imagine the resistance we are getting from all of the defendants. There are presently three separate, but closely related lawsuits pending - two in Iowa state courts, and one in federal bankruptcy court (in Iowa).

To bring you up to date I can report the following:

1. We have completed the settlement process with Heller Financial which resulted in the cancellation of millions of dollars of members' contracts debts and a cash settlement that has been placed in a trust fund for future distribution to members.
2. We have completed the sale of the Red River Ranch, a former property owned by Thousand

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SOLUTIONS

3. The law needs to include clear provisions for cancellation of memberships. No more “you signed up for life, therefore you MUST pay.” In addition, there needs to be very stiff penalties for abusive collection efforts. Perhaps there should be a presumption that if a member fails to make x number of payments or pay dues over x number of months (and has not used any of the campgrounds or other services) that it is presumed that the member has canceled his or her membership and the Operator can make no further efforts to collect dues.
4. There is a real problem with the sales tactics used and especially the concept of “Lifetime Memberships”. However, if the industry wants this privilege, there should be aggressive protections instituted. The best analogy is the Pre-Paid Funeral business (“PPF”). PPF encourages people to make their arrangements now, pay now, and not have to worry (your family) about it in the future. They are fully transportable between funeral homes. (That may be a problem with the campground industry). The biggest thing is that the money has to be accounted for and audited. In other words, you can accept the money, spend it thinking you will come up with it later when the time arises. In the campground business, if they accept “up front” payment, then they should be required to escrow all or part of those funds and only be permitted to make periodic withdrawal over a specific amortization period based on a weighted actuarial life-expectancy table of the members. This will ensure the availability of those funds over the period of time that they are supposed to cover.
5. Specific disclosure language is needed if “Guaranteed Buyback” is used. This is very misleading and gives false security to buyers. Again, either the operators must escrow funds for the buyback based on some formula, or otherwise purchase a fidelity bond.

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THINGS MY MOTHER TAUGHT ME

TO APPRECIATE A JOB WELL DONE . “If you’re going to kill each other, do it outside.

I just finished cleaning.”

RELIGION. “You better pray that will come out of the carpet.”

LOGIC. “Because I said so, that’s why.”

MORE LOGIC. “If you fall out of that swing and break your neck, you’re not going to the store with me.”

FORESIGHT. “Make sure you wear clean underwear, in case you’re in an accident.”

IRONY. “Keep crying, and I’ll give you something to cry about.”

about the science of OSMOSIS. “Shut your mouth and eat your supper.”

about CONTORTIONISM . “Will you look at that dirt on the back of your neck!”

about PATIENCE. “You’ll sit there until all that spinach is gone.”

about WEATHER. “This room of yours looks as if a tornado went through it.”

about HYPOCRISY. “If I told you once, I’ve told you a million times. Don’t exaggerate!”

about BEHAVIOR MODIFICATION . “Stop acting like your father!”

about ANTICIPATION. “ Just wait until we get home.”

about RECEIVING. “You are going to get it when you get home!”

ESP . “Put your sweater on; don’t you think I know when you are cold?”

GENETICS. “You’re just like your father.”

about my ROOTS. “ Shut that door behind you. Do you think you were born in a barn?”

JUSTICE. “One day you’ll have kids, and I hope they turn out just like you!”

AND FROM MY FATHER: “*Always get important promises in writing.*”

HOW YOU CAN HELP!

Dan Hopper, Chairman, NAM

We have worked hard and with some success in helping campers who have been ripped off by the bad guys in the membership camping business. Some are in jail, some are being required to reimburse money they acquired fraudulently, some are out of the business, and we are not finished yet. We need to remember, however, that **NOT ALL MEMBERSHIP CAMPING BUSINESSES ARE BAD!**

How can we tell the difference between the crooks and the honest people who run membership camping businesses? We have to be fair. We need to set guidelines that campground owners can use to run their business or that campers can use to be sure that they are getting an honest deal for their money. We need to communicate those guidelines to the membership camping industry, to government agencies that regulate them, and to prospective membership campers. Your help is needed now...

We intend to publish and distribute such a set of guidelines...

Your suggestions will be included in that information.

1. What information or guarantees should a camping business be required to provide (a) at the time of sale and (b) after the sale of a membership?
2. What do you think (a) state or (b) federal agencies should do to make sure that campers are

protected from the crooks? Some very good ideas are incorporated in the article on page one of this newsletter. Your ideas will be added to that list before we finalize it.

SEND US YOUR IDEAS.

Don't be shy. We want to hear anything you think is important. We will ask trusted advisors (attorneys, government officials, NAM official, campground operators, etc.) to help us organize the responses and put them into a format that can be used to help.

This is one of our efforts to lift the honest campground operators above the sea of problems that the bad guys have created. Right now, it is a very important and timely project that needs your input.

Your quick participation in this project is more important than any donation, etc., that you could send us at this time.

Your name, address, etc., will NOT be provided to anyone. Your ideas are vital to our efforts to help clean up the problems many of us have encountered. (We won't criticize your spelling, grammar, etc. We really do need your ideas though.)

Dan Hopper, NAM Chairman
4740 Silver Oak Street
Dayton, Ohio 45424-4650
or email us at: NAM@natlassoc.com

DON'T BE A VICTIM — HERE'S A WAY TO FIGHT BACK !!

Barb Mozingo, VP, Project Coordinator

If you think you have been cheated by a membership camping scheme, you should file a complaint with the State Attorney General's Office of Consumer Protection in the state(s) where it took place.

NAM has developed a form (Page 5) to make filing complaints a little easier and more relevant to the membership campground resort industry. We are presently coordinating it with several AG offices.

Attorney General (AG) offices encourage consumers to send them information about suspected illegal business practices even though they do not represent individuals seeking the return of their money. By filing a complaint you notify the appropriate agency of the activities of the company so that it can be determined if law enforcement or legal action is warranted.

The more reports they receive the clearer the practice is revealed. Numerous complaints often reveal a pattern of misconduct allowing the AG's office to take action. Hopefully a person will be assigned to the complaints and get a better idea of what is going on with the industry.

This is a case where each small voice adds up to one big one.

When you address the letter to the AG office include RE: Membership Campgrounds.

BEFORE YOU FILE YOUR COMPLAINT

Many states require that you try to resolve the issue with the company by letter before filing a complaint with their office. In the letter you should briefly

(See Page 4: Fight Back)

JOIN THE TEAM !

ALL members and potential members of campgrounds or camping systems are members of NAM unless they choose otherwise. You are a member of NAM. Our motto is “Members Helping Members”.

The officers of our organization are busy trying to educate government officials, court officials, attorneys, and other campground members. We are also preparing a package you can use to help others file a complaint with the Attorney General in any state where campground members are having problems with high-pressure, divisive, misleading, or crooked people in a campground-related business.

YOU are important to these efforts. You can help too. How? Read on.

- Reproduce and distribute copies of this newsletter.
- Request copies of the “Members Helping Members” package that we are working on. Pass the information on. There will not be a fee for the package. [It will help if you chip in on the postage – but it is not required.]
- Volunteer to be on a NAM team.

* Every campground member and potential campground member is a member of NAM. There are no fees or dues. We want to help others in time of need; give advice when it is asked for.

Life is too short to do anything else.

“FIVE STAR ASSOCIATES” COMPLAINTS

In response to numerous complaints about the company, the Supreme Court of Mississippi has ruled that Five Star Associates, Inc. is a time-share and thereby governed by the rules and regulations of the Mississippi Real Estate Commission. The NAM Consumer Complaint Form is acceptable to the state of Mississippi. Send your Mississippi complaints to:

Mississippi Real Estate Commission
RE: Membership Campgrounds
2506 Lakeland Drive, Suite 300
Jackson, MS 39236

FIGHT BACK

describe the nature of your complaint. If it is about a purchase include the date and place of the transaction along with the amount of money you paid. If it is a case of harassment, state that you no longer want to be called or bothered by this company.

Ask for specific and reasonable action from the company. Allow at least ten working days for the business to respond. Your letter should be polite. Do not be angry, sarcastic or threatening to the business. Type the letter, if possible, *and keep a copy of it.*

It should be sent by certified mail with a return receipt requested. This will cost more, but will provide evidence of when your letter was received.

If the business does not respond within ten working days, or if it indicates an unwillingness to work with you, file a complaint with the State Office of Consumer Affairs. That is what our form is intended to help you do. Enclose *copies* of all letters to and from the business that relate to your complaint, including the certified mail return receipt, contracts and other important data. (Copies only – keep the originals.)

Allow three to four weeks for them to review your complaint.

SMART CAJUN

Cajun with two chests of fish was stopped by a game warden in Southern Louisiana recently as he was leaving a bayou well known for its fishing.

The game warden asked, “Do you have a license to catch those fish?”

“Naw, I ain’t got none of dem, no. Dese are pet fish.”

“Pet fish?!”

“Ya. Avery night I take dese here fish to de bayou and let em swim ’round. Den I wistle and dey jump rat back into dere ice chests and I take dem home.”

“That’s a bunch of hooey! Fish can’t do that!”

The Cajun said, “It’s de truth ma’ fren, I show you.

“Okay, I’ve GOT to see this!”

The Cajun poured the fish into the bayou and waited. After several minutes, the game warden turned to him and said, “Well?”

“Well, what?” asked the Cajun.

“When are you going to call them back?”

“Call who back?”

“The FISH.”

“What fish?”

TAI UPDATE

- Adventures, and the court has approved the distribution of the settlement proceeds. We should be receiving over \$200,000 for the class members by the end of June. This money will also be placed in trust until further order of the court.
3. We have submitted a Motion for Class Certification against Travel America in the United State Bankruptcy Court where Travel America is also being sued by the Trustee for unlawfully collecting maintenance dues. We are expecting a ruling from the Court any day. Should the court grant us class status, then we will go to trial against Travel America in October, 2003. We believe we can prove several million dollars worth of damages against Travel America. If you have made dues payments to TAI or Travel America since July 1997, send me copies your canceled checks (both sides) or other proof of payment (if you haven't already).
 4. We are still waiting on the Iowa Supreme Court to rule on our appeal of the dismissal of First Savings Bank of Arlington. This bank was sued for contract payments that it collected from members. The district dismissed them and we have appealed, That court's ruling may provide additional direction against other defendants.
 5. We have several hearings scheduled and pending in court related to a variety of issues, some preliminary but important. Because the defendants have wasted no energy and have expended huge sums of money on large teams of lawyers, there are a lot of obstacles to overcome. However, we remain undaunted and earnest in our attempt to obtain justice for you all. The defendants know that we are right on the law and the merits of our case. Their only hope is to stall and hope for a loophole, that we will tire out, or for some other miracle.
 6. We have traveled throughout the United States obtaining evidence, talking with valuable witness and reviewing documents. We have obtained the cooperation of some very surprising sources who will aid us greatly in proving our case.
 7. We have recently sought permission to amend our two state lawsuits to add grounds to our lawsuit against a few of the defendants. We have solid proof now that several of the defendants had conspired to create Travel America to defraud the TAI members and to induce them into continuing to make contract and maintenance dues payments. If any of you converted your TAI contract to a Travel America contract and continued making contract payments, please send me copies of any documents you have.
 8. Apart from Travel America, we think most of the collection efforts have been stopped. We know there is some collection efforts being made on contracts payments. If you have been contacted by anyone telling you that you must continue to make contract payments, please let me know.
 9. We have had some preliminary settlement discussions with a couple other defendants and are hopeful they will progress. Those defendants who have shown a quick and early willingness to settle know that I have been more willing to negotiate more favorable terms. Those who hold out will most certainly pay a great price - not only in damages, but in interest, attorney fees, court costs, etc.

Thank you for your patience, your encouraging letters and emails. We are on the right side of justice and expect to have that justice very soon.

Most sincerely,

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**WHAT IS THE
NATIONAL ASSOCIATION FOR MEMBERS
(NAM)?**

NAM was organized to advocate for ALL people who use campground resorts, condominiums, and timeshares. We want to stabilize and improve the rights members should have in their contracts. Many of us, speaking with one voice can make things change for the better. NAM is that voice. We will work with government agencies, campground resort owners/developers, and others to stabilize, improve, and enforce the rights you get in your contract.

There is no fee for our newsletters nor any service we provide. We do, however, depend on donations from people who believe in what we are doing to help with our expenses. We are registered with the government as a nonprofit organization and your donations are tax deductible.

You can help. Join the NAM — Make a Difference. Send us the following information, it will not be provided to any non-government organization and will not be used for commercial purposes by anyone.

Note: NAM may "not" obligate you in any way to pay money for any purpose without your explicit consent.

Name: _____

Street Address: _____

City: _____

State: _____ Zip: _____

email address: _____

Phone: (_____) _____ - _____

I am interested in supporting the NAM. I want to:

- Receive the NAM newsletter.
- Reproduce/distribute my copy of the newsletter.
- Make a donation to support NAM activities.

I am enclosing a check for \$ _____

Report on issues related to RV campers

We also want your comments and suggestions.

Please send them to us at:

NAM
4740 Silver Oak Street
Dayton, OH 45424-4650

Thank you,
Dan Hopper, Chmn

Get in touch with us:

INTERNET SITE: <http://www.natlassoc.com>

eMail Address: chmn@natlassoc.com

Voice Nr: (937) 236-2882

Get the newsletter: (There is no cost to you.)

Send us 5 or 6 Self-addressed, Stamped, size #10

(Business Size) Envelopes to:

Treasurer, Members' Committee (NAM)
4740 Silver Oak Street
Dayton, Ohio 45424-4650

That Old Camp Cookin'

(From the internet)

I've been traveling and eating out too much. As a result my fridge is full of stuff about to turn. I found myself hungry after a long walk (why do I even bother?); so I had a look in there. I'm not sure what to call what I came up with. It's obviously some kind of stir-fry, but the Chinese don't usually fool with oregano and olive oil. In honor of my retirement, I thought about calling it Freedom Fry, but it sounded goofy and Congress has already claimed it. So I guess it's just Salvage Fry, unless you can think of something better. It turned out pretty darned good.

Here's my recipe, gratis. First, carefully open the door to the fridge and sniff. If nothing knocks you down, proceed. If you fall on the floor, get yourself back up and seal the unit with duct tape for later disposal. What do you mean you don't have duct tape? You can't cook without duct tape!

Assuming all goes well, collect everything that is about to go bad. Discard whatever has already turned the corner. If necessary, make a trip to the dumpster. It will improve your appetite. Have a care with your selection. The author will not be responsible for unfortunate errors involving trips to town.

In my case there were 4 ears of corn, a quarter pound of deli ham (sliced thin), half a red onion, a half-pound of once fresh asparagus, and a potato. The potato wasn't so bad, so I put it back. If your selection differs, just insert whatever in the following instructions.

Now, dribble some olive oil in a cast iron skillet. Cut the corn from the cobs into the skillet. Discard the cobs, unless you are ambitious. Next, slice up the ham, red onion, and asparagus, and add them to the growing pile. Add oregano and black pepper to taste. Put the skillet over medium heat and stir this mess around until the asparagus starts to get soft. I mean from cooking, not the bacterial decay. You are now done. Pour it all on a paper plate. Really. If you were particular about china, you would not have read this far.

For dessert I recommend a second glass of Cabernet, a small campfire in the twilight, and a view across Lake Whitney. That's what I'm having. But then I'd recommend this even if you weren't cooking.

Bon Appetite.

Bob