

April 21, 2022

Real Estate, Infrastructure and Hospitality Practice Group Newsletter



Mexican Official Standard NOM-029-SE-2021 "Commercial Practices - Information Requirements for the rendering of timeshare services"

This Mexican Official Standard (the NOM) published by the Mexican Ministry of the Economy on March 28, 2022, has the purpose of establishing the commercial information requirements and regulatory elements by which the suppliers and/or intermediary providers of the timeshare service must abide, in order to achieve customer satisfaction for the agreed service.

The NOM provides informational standards for Suppliers in the following areas:

i. Adhesion Agreements;

It establishes that such must be executed in a format with a font size of at least 10 points to facilitate the customer's reading.

For the sale of the timeshare service, providers are required to be registered at the Federal Consumer Protection Agency (Procuraduría Federal del Consumidor, or Profeco); as well as to have an insurance policy against damages and accidents. Finally, it requires a clear and detailed description of the charges and fees to the customer.

Regarding the pre-sale, it requires, in addition to the foregoing, that real property have with construction permits and to have a company duly incorporated

pursuant to Mexican law.

Finally, it establishes the obligation to have an Internal Regulation, and its minimum content.

ii. Reservation Systems;

It requests the creation of a reservation system and to inform customers of the way to operate said system.

iii. Fees

The determination of the fee quotas must be established in the applicable agreement and be in accordance with the interim regulations.

iv. The administration of the timeshare;

It will be the supplier's obligation to carry out all acts related to the operation, maintenance of facilities and equipment, reservations, and replacement and repair of goods or assets.

v. Termination of timeshare; and

It establishes that the reversion of timeshare real estate can only be carried out when there are no longer customers with rights to enjoy the timeshare service in such real estate.

vi. Marketing of timeshare services provided abroad.

The NOM obliges suppliers to ensure that the applicable foreign real estate meets the same conditions and characteristics applicable to Mexican real estate.

Learn more about this NOM [here](#).

This newsletter was prepared by Diego Gómez-Haro (dgomezharo@sanchezdevanny.com), Rafael Villamar (rvr@sanchezdevanny.com), Alfredo Villarreal-Hansmann (avillarreal@sanchezdevanny.com), Alonso Sandoval (asandoval@sanchezdevanny.com), José Miguel Ortiz-Otero (miguel.ortiz@sanchezdevanny.com) and Elsa Leticia Neve-Ramírez Wiella (elsa.neve@sanchezdevanny.com).

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Contact

Alfredo Villarreal-Hansmann
avillarreal@sanchezdevanny.com

Diego Gómez-Haro Katznelson
dgomezharo@sanchezdevanny.com

José Miguel Ortiz-Otero
miguel.ortiz@sanchezdevanny.com

Rafael Villamar-Ramos
rvr@sanchezdevanny.com

Mexico City:

Av. Paseo de las Palmas #525 Piso 6
Col. Lomas de Chapultepec, 11000
Ciudad de México
T. +52 (55) 5029 8500

Monterrey:

José Clemente Orozco #335 Piso 4
Despacho 401 Col. Valle Oriente, 66269
San Pedro Garza García N.L.
T. +52 (81) 8153 3900

Querétaro:

Av. Antea #1090, Piso 2 Int 206
Col. Jurica, 76100
Querétaro, Qro.
T. +52 (442) 296 6400



www.sanchezdevanny.com

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