

# The Supreme Court of South Carolina

Paul Chenard and Rebecca Chenard, Plaintiffs,

v.

Hilton Head Island Development Company, LLC d/b/a  
Coral Resorts and Sunrise Vacation Properties, Ltd. d/b/a  
Coral Resorts, Defendants.

James Nichols and Irene Nichols, Plaintiffs,

v.

Hilton Head Island Development Company, LLC,  
Sunrise Vacation Properties, Ltd., Sherri J. Smith, Patrick  
Budnik, and Robert Lauderman d/b/a Coral Resorts,  
Defendants,

Linda Renchkovsky, Plaintiff,

v.

Coral Resorts, LLC, and Sunrise Vacation Properties,  
Ltd. d/b/a Coral Resorts, Defendants.

Robert Curry, Jr. and Monica R. Curry, Plaintiffs,

v.

Hilton Head Island Development Company, LLC d/b/a  
Coral Resorts and Sunrise Vacation Properties, Ltd. d/b/a  
Coral Resorts, Defendants.

Charles Olenick and Karen Maniscalco, Plaintiffs,

v.

Coral Resorts, LLC and Sunrise Vacation Properties, Ltd.  
d/b/a Coral Resorts, Defendants.

Phillip Ross and Kimberly Ross, Plaintiffs,

v.

Hilton Head Island Development Company, LLC,  
Sunrise Vacation Properties, Ltd., Sherri J. Smith, David  
Watson, and Sheldon Stanhope, Defendants.

Appellate Case No. 2016-001766

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ORDER

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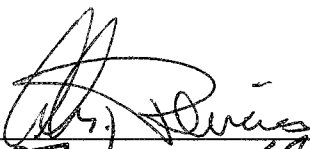


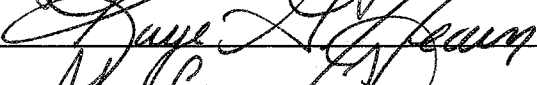
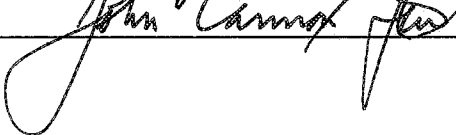
Pursuant to Rule 244, SCACR, the Court will answer the following questions certified to this Court by order of the Honorable Patrick Michael Duffy, United States District Court for the District of South Carolina:

1. Does the South Carolina Real Estate Commission (the Commission) have exclusive jurisdiction to determine whether a violation of the South Carolina Vacation Time Sharing Plans Act<sup>1</sup> (the Act) has occurred?
2. Is the Commission's determination of a violation of the Act a condition precedent to a purchaser bringing a private cause of action to enforce the provisions of the Act?
3. Are the Commission's determinations as to whether the Act was violated binding on courts of the Judicial Branch?

The parties shall serve and file briefs as provided by Rule 244(e), SCACR. Because Rule 244 does not provide for the filing of initial briefs, only final briefs should be filed in this matter.

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<sup>1</sup> S.C. Code Ann. §§ 27-32-10 to -410 (2007 and Supp. 2015).

  
\_\_\_\_\_ C. J.  
  
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Columbia, South Carolina

September 21, 2016

- cc:  
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