

**MINUTES OF THE ORDINARY GENERAL MEETING OF THE
COMMUNITY OF OWNERS OF THE RESIDENTIAL COMPLEX SEÑORIO
DE ALOHA**

Marbella May 26, 2022

At 10.30 a.m. and on the second call, due to there not being the majority of those present as required by law on first call, the owners of the Community of the Residential Complex Señorío de Aloha, duly called and summoned by the President, met at the NH Express Hotel in San Pedro Alcántara for an Ordinary General Meeting, with the following agenda:

AGENDA:

1º). - PRESIDENT'S REPORT.

- Presentation of the Administrator and the project team.
- Vision statement.
- Key successes to date.
- Control system - Presentation of the platform: Monday.com
- The need for community standards.

2º). - PRESENTATION AND APPROVAL OF THE ACCOUNTS FOR THE FINANCIAL YEARS 2020 AND 2021.

3º). - PROPOSAL FOR THE SETTLEMENT OF THE DEBTS OF DEFAULTING OWNERS, FOR THE PURPOSES SET OUT IN ART.21 OF THE L.P.H. ACTIONS AGAINST DEFAULTING OWNERS. COLLECTION OF COMMUNITY DEBTS OUTSIDE SPAIN.

- 3.1 Special consideration Payment Agreements with Owners.
- 3.2. Penalty Bills. Agreements to be taken.
- 3.3 Updating of debtors.

4º). - ELECTION OF COMMUNITY MANAGEMENT POSITIONS.

Presented for office:

- Administrator - Adenjo.
- President - John Riley.
- Vice-President - Gerry Burke

4.1. Proposal from a group of owners to make a gesture of giving compensation to the President of Señorío de Aloha (this group circulated their proposal to all owners prior to the meeting for them to consider how they wish to vote).

5º). - PRESENTATION AND APPROVAL OF THE BUDGET FOR THE FINANCIAL YEAR 2022.

- 5.1. Consideration of Community Creditors. Actions to be taken.

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- 5.2. Situation with employees and subcontractors of the Community. Actions to be taken.
- 5.3. Essential Infrastructure Projects and Community Improvements. Agreements to be taken.
- 5.4 The need to increase community fees and/or approve an overrun. Decision to be taken.

6°). - OTHER MATTERS OF INTEREST:

- 6.1. Private works and reforms. Establishment of Standards.
- 6.2. The need to cancel the irrigation system for apartment planters.
- 6.4. Update of the situation with NAO pool club.

7°). - DIGITAL CERTIFICATE. POWER OF ATTORNEY. AGREEMENTS TO BE TAKEN.

8°). - REQUESTS AND QUESTIONS.

- 8.1. Procedure for emergency action in the event of water, electrical or fire incidents.

This General Meeting is attended by the owners listed below, indicating their participation quota:

<u>OWNER</u>	<u>P. SHARE</u>	<u>REPRESENTED BY</u>
EDIFICIO ALHAMBRA		
OLA MARTIN DANIEL KARLSSON ALH 2- 1° D ALH-GA. 89 ALH- GA 57 ALH2-TR.6 ALH2-TR.7 ALH2-TR.9 ALH2-TR.10	0.703	JOHN RILEY
SRES. DAHLBERG ALH 1- 3° D ALH-GA 61 ALH 1-TR.13	0.437	JOHN RILEY
MARINA ENGSTROM ALH 1- 5° D ALH- GA.62	0.466	JOHN RILEY
TESSA Y ELIN NADJAFIAN KLAUS ALH 2-4° D ALH-GA.65 ALH2-TR.03	0.375	JOHN RILEY
SRES. DESNERCK ALH 2-2° D ALH-GA.67 ALH-GA.70 ALH 2-TR.01	0.428	
HAMIDREZA ABSHENASAN ALH 3-4° I ALH-GA.71 ALH 2-T.14	0.371	
SRES. CATLEY ALH 3-2° D ALH-GA.74 ALH3-TR.07	0.400	JOHN RILEY

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<u>OWNER</u>	<u>P. SHARE</u>	<u>REPRESENTED BY</u>
SRES. JOHANSSON ALH 4- 1° D ALH-GA.75 ALH 4-TR.13	0.569	JOHN RILEY
HENDRIKUS VAN HUUSTEE ALH 4- 3° I ALH-GA.76 ALH 4-TR.12	0.440	
SUHAIL AL-JUZI ALH 4- 4° D ALH 4- 4° I ALH-GA.78 ALH 4-TR.08 ALH 4-TR.09	0.772	HAMIDREZA ABSHENASAN
SRES. STEINER ALH 3- 5° I ALH-GA.84 ALH 3-TR.11	0.442	JOHN RILEY
VASILY LEKSUSHCHENKOV ALH 4- 5° D ALH-GA. 85 ALH 4-TR.03	0.441	JOHN RILEY
ANNIKA CHARLOTTA OFVERHOLM ALH 3- 3° D ALH-GA.86 ALH 3-TR.03	0.393	JOHN RILEY
JOHAN INGEMAR EKERMANN ALH 2- 1° I ALH-GA.91 ALH 2-TR.05	0.518	JOHN RILEY
EMIL ALEXANDER WOLFBRANDT ALH 1- 2° D GIR-GA.48 ALH	0.443	JOHN RILEY
KARIM MESSAOUDI ALH 4-2° D GIR-GA.52 ALH 1-TR.06	0.388	Mª DEL PILAR ARIAS
KIERON HAYES ALH 3-2° I ALH 3-TR.08 GIR-GA.55	0.385	JOHN RILEY
NILS STURE LAMME DOÑ.1- 1° I DOÑG-M.06 DOÑ.1-TR.04	0.548	JOHN RILEY
PANAGIOTIS & BARBAROUTSIS DOÑ.1-3° D DOÑ-GA.02 DOÑ.1-TR.09	0.453	MATSTORNER

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<u>OWNER</u>	<u>P. SHARE</u>	<u>REPRESENTED BY</u>
INMACULADA PLAZA SANCHEZ DOÑ.2- 4º D DOÑ-GA.07 DOÑ.2-TR.03	0.385	MANUEL CABALLERO
KEITH MANNING DOÑ.5- 2º D DOÑ-GA.10 DOÑ.5-TR.10	0.415	
ALKHUDHAIRY DOÑ.5- 1º I DOÑ-GA.12 DOÑ.5-TR.09	0.622	JOHN RILEY
PENILLA NICOLE WALLIN DOÑ.5- 1º D DOÑ-GA.14 DOÑ.5-TR.02	0.581	JOHN RILEY
JOHAN DOUGLAS OTTOSON CEST DOÑ.5- 2º I DOÑ-GA.15 DOÑ.5-TR.3	0.463	
JAN & ANNICA FRITHOF DOÑ.3- 5º D DOÑ-GA.18	0.411	JOHN RILEY
BARTHOLOMEUS GERRIS DOÑ.5- 5º D DOÑ-GA.22	0.412	
STEFAN & ANNE STERNER DOÑ 1- 5º I DOÑ-GA.23	0.412	MATS STERNER
SVEN & PETRA CARLSSON DOÑ.2- 5º D DOÑ-GA.24	0.414	JOHN RILEY
DAVID ROSS CURRIE DANAK PROP DOÑ.2- 1º D DOÑ.2-TR.02	0.609	
OSCAR & PENILLA WALLIN DOÑ.3- 4º D DOÑ-GA.30 DOÑ.3-TR.05	0.354	JOHN RILEY
EVGENY & TATIANA YANISHEVSKAYA DOÑ.4- 2º D DOÑ-GA.34 DOÑ.4-TR.05	0.382	JOHN RILEY
PATRICIA MARY O'BRIEN DOÑ.3- 3º D DOÑ-GA.35 DOÑ.3-TR.07	0.368	ALAN LEVEY
PER RUBEN HAGGLUND DOÑ.1- 2º I DOÑ-GA.44 DOÑ.3-TR.03	0.381	

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<u>OWNER</u>	<u>P. SHARE</u>	<u>REPRESENTED BY</u>
LARS ALLAN GRUNDEMAR GIR.5- 1º I GIR-GA.01 GIR.5-TR.07	0.611	JOHN RILEY
CHRISTIAN ULF ERIKSSON GIR.2- 3º I GIR-GA.07 GIR.2-TR.10	0.378	JOHN RILEY
MIGUEL ANGEL CANO MARTINEZ GIR.4- 2º I GIR-GA.09 GIR.4-TR.12	0.393	MANUEL CABALLERO
PER JOHAN GUSTAVSSON GIR.1-2º I GIR-GA.10 GIR-TR.06	0.390	JOHN RILEY
CARL ERIC MCLANDER GIR.3- 1º I GIR-GA.13 GIR.3-TR. 08	0.615	JOHN RILEY
SARA A. BOURGHARDT GIR.1- 5º I GIR-GA.16 GIR.1-TR.13	0.421	JOHN RILEY
MIKAEL HUMMEL GIR.1- 3º D GIR-GA.21 GIR.1-TR.1	0.427	JOHN RILEY
SRES. ANDERSSON GIR.1- 4º D GIR-GA.24 GIR.1-TR.12	0.416	JOHN RILEY
ROLAND LINDSTROM GIR.2- 2º I GIR-GA.26 GIR.2-TR.02	0.388	JOHN RILEY
ASELVAN, S.A GIR.2- 5º I GIR-GA.28 GIR. 2-TR.14	0.423	JM MARTIN ECHEVARRIA
ELISABET LAGER SOLVEIG GIR.4- 3º D GIR-GA.29 GIR.4- TR.02	0.372	
ANDERS & ANNA NILSSON GIR.1- 1º I GIR-GA.32 GIR.1-TR.14	0.557	JOHN RILEY
CRISTINA AGUIRREBEITIA G GIR.4- 4º I GIR-GA.44 GIR.4-TR.10	0.362	JM MARTIN ECHEVARRIA

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<u>OWNER</u>	<u>P. SHARE</u>	<u>REPRESENTED BY</u>
THOMAS JEMT GIR 5- 2º I GIR-GA.45 GIR.5-TR.01	0.461	JOHN RILEY
BIRGITTA & JAN ANDERSSON GIR 2- 4º I GIR-GA.46 GIR 2-TR. 09	0.360	PER HAGGLUND
ANDERSSON & OLOFSDOTTER GIR 2- 4º D GIR-GA.56 GIR1-TR.11	0.363	
SIMON GALKOFF GIR 2- 1º D	0.584	JOHN RILEY
PINAHE S.A GIR 2- 5º D	0.396	JM MARTIN ECHEVARRIA
MATS BYLUND GIR 3- 4º D GIR 3-TR.09	0.340	JOHN RILEY
SRES. LEVEY GIR 3- 5º I	0.396	
SAYER INVESTMENTS S.L MEZ 1- 5º I MEZ- GA.02 MEZ 1-TR.12	0.420	JOHN RILEY
KJELL MIKAEL LUNDBACK MEZ 2- 5º D MEZ- GA.09	0.408	PER HAGGLUND
BEVERLEY THERESA BRIDGES MEZ 3- 1º I MEZ- GA.13 MEZ 3-TR.02	0.494	JOHN RILEY
PETER SEJER RASK MEZ 3- 5º I MEZ- GA. 15 MEZ 3-TR.12	0.418	JOHN RILEY
SRES. CHRISTENSEN MEZ 3- 1º D MEZ-GA.16 MEZ 3-TR.14	0.608	JOHN RILEY
SRES. BRATHEN MEZ 5- 5º I MEZ- GA.25 MEZ 5-TR.13	0.422	
MEHDI ATASHFARAZ MEZ 5- 1º D MEZ-GA.26 MEZ 5-TR.11	0.492	HAMI REZA ARSHENASAN
SUSANNA ELISABETH CLEVE MEZ 4- 4º D MEZ-GA.28 MEZ 4-TR.12	0.352	JOHN RILEY

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<u>OWNER</u>	<u>P. SHARE</u>	<u>REPRESENTED BY</u>
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PATRICK ANTHONY CARROLL
MEZ 6- 3° I
MEZ-GA.29

0.410

JOHN RILEY

TOM QUINN
MEZ 6- 5° I
MEZ-GA.30

0.449

JOHN RILEY

JOHN PHILIP RILEY
MEZ 6- 5° D
MEZ-GA.31
MEZ 6-TR. 04

0.417

OWNER

P. SHARE

REPRESENTED BY

SRES. ERICKSSON
MEZ 3- 4° D
MEZ-GA.34
MEZ 3-TR.03

0.358

JOHN RILEY

SRES. LUNDGREN SOLVE
MEZ 3- 3° I
MEZ- GA.39
MEZ 3-TR.15

0.362

JOHN RILEY

JOHN PATRICK THUNQVIST
MEZ 3- 2° I
MEZ-GA.40
MEZ 3-TR.11

0.380

JOHN RILEY

MARIA PILAR ARIAS JIMENO
MEZ 4- 3° D
MEZ-GA.47
MEZ 4-TR.01

0.367

ANNELIE ERICSSON
MEZ 5- 3° D
MEZ -GA.49
MEZ 5-TR.01

0.367

JOHN RILEY

RAFAT MIKHAIL
MEZ 5- 3° I
MEZ-GA.50
MEZ 5-TR.02

0.370

JOHN RILEY

GABRIL SAADO
MEZ 6- 4° D
MEZ-GA.56

0.343

JOHN RILEY

BO STEFAN MORK
MEZ 5-5° D
MEZ-GA.58
MEZ 5-TR.14

0.421

JOHN RILEY

SRES. BERGFORS
MEZ 5- 4° I
MEZ-GA.63
MEZ 5-TR.15

0.352

JOHN RILEY

SRES. JACKSON
MEZ 2, 4° I
MEZ-GA.66
MEZ 2-TR.12
JAVIR GOMEZ LASECA
MEZ 4- 2° D

0.355

JOHN RILEY

0.356

MANUEL CABALLERO

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<u>OWNER</u>	<u>P. SHARE</u>	<u>REPRESENTED BY</u>
PATRICK TIMOTHY LILLIS MEZ 5- 2º I	0.358	JOHN RILEY
HAKAN FAST TRI 3- 3º I TRI-GA.08 TRI 3-TR.02	0.395	JOHN RILEY
FCO. JAVIER LARA RODRIGUEZ TRI 4- 2º I TRI -GA.11 TRI 4-TR.08	0.410	
VILLA GLORIA S.L TRI 5- 1º I TRI-GA.14	0.610	PATRICK FAY
RENE ANGE COLLET TRI 1- 3º D TRI -GA.23 TRI1-TR.10	0.426	MARIA ARIAS
VALENTIN PONCOS TRI 1- 5º D TRI-GA.25 TRI 1-TR.05	0.467	JOHN RILEY
EWA GRANAT TRI 1- 5º I TRI -GA.26 TRI 1-TR.06	0.423	JOHN RILEY
DAVID MICHAEL ADDLEY TRI 2- 5º D TRI-GA.27 TRI 2-TR.07	0.422	JOHN BRENNAN
FIONA HELEN LOSNGSTAFF TRI 2- 4º D TRI -GA.29 TRI 2-TR.02	0.355	
SRES. LUNDSTEDT TRI 2- 3º D TRI-GA.30 TRI 2-TR.04	0.371	JOHN RILEY
LATIFA RMIKI JAKOBSEN TRI 3- 4º I TRI-GA.42 TRI 2-TR.06	0.356	
ESPERANZA JIMENEZ TRI 2- 4º I TRI-GA.54 TRI 2-TR.03	0.353	MARIA ARIAS
SIMON RAYMOND TRI 1- 1º I TRI-GA.56 TRI 5-TR.07	0.559	JOHN RILEY
MICHAEL SJOO TRI 1- 4º D TRI -GA.60 TRI 1-TR.02	0.416	ANN BEFFORS

In total, **37,851%** of the participation coefficients are present or represented.

At the moment of the beginning of the Meeting, owners who are not up to date with their payments are advised that they will not have the right to vote.

Next, and within the agenda, the first point of the day is set out:

1st). PRESIDENTS REPORT

- Presentation of the Administrator and the project team.
- Vision statement.
- Key successes to date.
- Control system - Presentation of the platform: Monday.com
- The need for community standards

The President of the community, Mr. Riley, welcomes and thanks all those present in the room for their attendance, introducing the new team to which he referred in his previous communications sent to the owners.

He introduced the new team, Mr. Andreas Norman from 360 Management, Mr. Victor Porras, engineer from Inproyect, the Administrators Adenjo Gestión (Jose-Manuel and David) and the Vice President Mr. Gerry Burke. He exposes a brief curriculum of each one of them and their experience in the field of the Communities of Proprietors.

He stated that the division of responsibilities, which he referred to in his year-end strategy document as "front office & the back office", is working very well. After a transition period, processes are being put in place and expertise is being applied in all key areas of the community. Another measure of the initial success of this new team is the various non-dues revenue and cost savings, which more than offset the additional cost of this new approach to community management.

Andreas from 360 Management gave a presentation of Monday.com with some practical management examples. The President stated that he cannot stress enough the importance of this management software tool whereby; daily decisions and events throughout the community are captured and worked on in Monday.com by all members of the administration / management team. It enables an unprecedented level of transparency and accountability in the running of Señorío. All suppliers & service providers invoices are triple-checked and approved & are only then paid on the President's authorisation. The president underlined the importance that all records from Monday.com are indefinitely stored in 'cloud storage' ensuring continuity of records irrespective of changes of President & Administration.

In relation to the Community Rules, the President states the importance of updating the rules to reflect the current operating environment & the maintenance of the high standards of behaviour that 'owners' expect.

The President stated that, in his opinion, some key dynamics have emerged in Señorío that should be reflected in the rules. For example, Señorío has a large number of properties available for short- and long-term rental. This dynamic is not fully reflected in the rules and has led to conflicts between owners and owners/tenants and, at times, has left the Administration unable to enforce the

rules. General behaviour in the community, such as activities around the swimming pools; hanging out clothes and towels on terrace walls; car parking discipline; control over pets; various anti-social behaviours; etc., are not adequately defined in the rules.

The intention is to draft updated rules for review & approval at the next General Meeting. The President invites the collaboration of the owners in this respect and any ideas or suggestions will be welcome.

There is an exchange of opinions, and some owners express their concern about some of the behaviour that is taking place, such as parking vehicles in spaces that do not belong to them, noise and anti-social behaviour, in particular from short term tenants, etc.

Regarding the garages, the Administrator stated that the parking spaces are private. The only way to remove wrongly parked vehicles is by means of a complaint directly from the owner to the police accompanied by a copy of the property title deed. The Administrator nor the community Security have the power to remove a vehicle.

Some of the owners expressed their intention to collaborate in the drafting of the Rules. They should register their intention with the Administrator.

2nd) PRESENTATION AND APPROVAL OF THE ACCOUNTS FOR THE FINANCIAL YEARS 2020 AND 2021

Mr Burke, Vice President and a Chartered Financial Accountant by profession, took to the floor to present the accounts for the financial years 2020 and 2021:

Mr Burke stated that the 2020 accounts had not previously been sent to the owners because an AGM had not been possible in 2021 due to the Covid Pandemic restrictions.

Mr. Burke explained the financial situation of the Community. He commented that the presentation of the accounts in recent years, in his opinion did not fully explain the difficult financial situation of the community. Thus, among other things, provisions had not been made against former debtors who in some cases are no longer owners.

However, during 2020 & 2021, the expenses have been stabilised below the level of income, and various amounts of the historical debt to creditors have been paid off.

Mr. Burke answered various questions asked by the attendees in relation to the accounts for the financial years 2020 and 2021.

Once the accounts had been examined, those for 2020 and 2021 **were approved** by the majority of those present and represented, with the flats in Triana 5, 1^ºI, Doñana 2, 4^ºD, Giralda 4, 4^ºI and 2^ºI, Giralda 2, 5^ºD and 5^ºI, and Mezquita 4, 2^ºD abstaining from voting; closing with a positive accounting balance of three hundred and thirty seven thousand six hundred and thirty one euros and fifty three cents (337. 631,53€), or approximately €65,000 after making provisions against 'Owner Balances' not likely to be recovered.

3rd). PROPOSAL FOR SETTLEMENT OF THE DEBTS OF DEFAULTING OWNERS, FOR THE PURPOSES SET OUT IN ART.21 OF THE L.P.H. ACTIONS AGAINST DEFAULTING OWNERS. COLLECTION OF COMMUNITY DEBTS OUTSIDE SPAIN

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The Administrator reviewed the current status of delinquent owners and the judicial situation of those where legal proceedings are ongoing.

The General Meeting of Owners **unanimously agreed** to approve the settlement of debtors annexed to these Minutes as at the date of the meeting, as well as the fees that will be accrued subsequently with charge to the approved budgets.

It is unanimously agreed by all those present to authorise the President and/or the Administrator to initiate, if necessary, appropriate legal action.

To this end, it is unanimously agreed by all those present that the debtor owners will have to pay the costs and expenses arising from the legal proceedings, even if the Community uses a lawyer and solicitor without their intervention being mandatory, empowering the President to grant powers of attorney to lawyers and solicitors; and to issue the corresponding certificates in accordance with the provisions of Art.21 of the L.P.H.

It is agreed to authorise the President & Administrator, if they deem it appropriate, to take the necessary steps with collection companies in the countries of origin of the defaulters, without cancelling the legal proceedings initiated in Spain.

3.1 Special consideration Payment agreements with Owners.

It is stated that there are a series of payment agreements with some debtor owners.

Among others, there is an agreement with the company Algabamar that needs to be ratified by the General Meeting. Said agreement, amongst others, consisted of the payment by said company of the sum of thirty-nine thousand two hundred and ninety-two euros and seventeen cents (39,292.17€) in two payments, one which was made on the date of the agreement in the amount of nineteen thousand six hundred and forty-six euros and nine cents (19,646.09€) and another of the same amount conditional on the ratification of the agreement by the Meeting.

It was **unanimously agreed** by those present and represented to ratify this agreement.

3.2. Penalty Bills. Resolutions to be adopted.

It is stated that there have been problems of interpretation with the system of interest that is being applied to the bills of the owners in debt.

After a wide-ranging debate, it was **unanimously agreed** by those present and represented to replace the interest system and to penalise the unpaid amount by **20%** for late payment, to be applied at the end of the quarter in which the payment is due.

It is agreed that this penalty will be effective from the first bill of July of this financial year.

3.3 Updating of debtors.

It is stated that during these past several months, a study has been made of the Community's arrears. Thus, among others, contact is being made with the various law firms, of which there are four acting on behalf of the community, to try to clarify the status of the legal proceedings. There are some

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delinquent owners under legal proceedings who are no longer delinquent, as well as items carried over in the balance sheet of the community of former owners...etc these & others are in the process of being updated so the accounts can be corrected.

Continuous pursuit of all the delinquent owners and the different judicial and extrajudicial situations of each, especially those with the highest amounts outstanding, is of the highest priority to the administration.

4th). ELECTION OF COMMUNITY LEADERSHIP POSITIONS

Presented for office:

- Administrator - Adenjo.
- President - John Riley.
- Vice-President - Gerry Burke.

Call for candidates for President.

JOHN PHILIP RILEY (Apt. Mosque 6, 5ºD) was nominated and unanimously elected for the office of President.

Mr. GERRY BURKE (Apt. Triana 4, 2ºD) was also appointed as Vice President.

Likewise, and after placing his position at the disposal of the Board of Owners, Adenjo Gestión, SL, in the person of José Manuel Ortiz Sánchez is unanimously ratified as Administrators of the Community.

Likewise, it is agreed by the board to empower the president to sign the current account of the community, and the vice-president in substitution of the president or in his absence, always together with the joint signature of the administration.

4.1. Proposal from a group of owners to make a gesture of giving compensation to the President of Señorío de Aloha (this group has distributed their proposal to all the owners before the meeting so that they can consider how they wish to vote).

The President states that the proposal that has been sent to all the owners has not originated from him. He states that if they desire, he will leave the room so that they can discuss the matter freely but was not requested to do so.

Some of the owners reinforce the rationale of the proposal is to recognise the dedication and the many hours that the President freely commits to all matters of the Community in order to ensure high standards of operating & financial efficiency.

There is an exchange of opinions among the attendees and finally **it is agreed** by the majority of those present and represented, to set an amount of ten thousand euros (10,000.00 Euros) plus VAT as consideration to the President, with the vote against from the 'owners' in Mezquita 4, 3ºD, Triana 1, 3ºD, Triana 2, 4ºI, 4ºD and 5ºD, and Alhambra 4, 2ºD and abstentions from the 'owners' in Doñana 2, 4ºD, Giralda 4, 2ºI, and Mezquita 4, 2ºD.

This amount is integrated as an item in the ordinary budget of the Community.

5th). PRESENTATION AND APPROVAL OF THE BUDGET FOR THE FINANCIAL YEAR 2022

Before going on to study the budget presented, the following points are dealt with:

5.1. Consideration of Community Creditors. Actions to be taken.

As he did in his letter sent in the Call, the President explains the situation with the different Creditors that the Community has. In most cases they are historical creditors. There are some with whom there are still contractual relations, such as auxiliary companies, security and lawyers, for example, and others who no longer provide services to the Community.

In fact, in the last week the Community has become aware of a claim dating back some ten years from a security company claiming around fifty thousand euros (€50,000.00). This means that as of the date of the meeting we have a debt with various creditors of around three hundred and twenty thousand euros (€320,000.00).

Over the last two years, staggered payment plans have been negotiated and financed from cash flow, especially when payments could be obtained from debtors.

There was a wide-ranging discussion on the situation and how to deal with these payments. Finally, it was **unanimously agreed** by those present and represented to authorise the President to negotiate payment plans and to finance them as far as possible with the cash flow available. In the event of not being able to meet these payments as agreed, an Extraordinary Meeting would be called to deal with the matter.

5.2. Situation with employees and subcontractors of the Community. Actions to be taken.

The President stated that the price/quality ratio has improved in relation to previous years and now the cleaning, gardening and maintenance services are under the direct control of our works engineer Víctor Porras, and it can be stated that productivity and attitude have improved notably and more can be achieved.

The other subcontractors are also under Victor's control, and step by step they are working in the way we require. However, our largest sub-contractors, HELP & Cofer, who provide our concierge/vigilante service and to whom we pay some one hundred and forty-three thousand six hundred euros (€143,600.00) per year, is a cause for concern. There is no doubt that many owners feel very comfortable knowing that these two services are present, but the President & administration team believes this is perception over substance. The long-term debt inherited by the current administration to both Cofer, sixty-six thousand euros (€66,000.00), and HELP twelve thousand euros (€12,000.00) limit the options to generate better value & security effectiveness.

Cognisant of the significant amount of money needed to be invested in repairs and improvements in the community, intensive negotiations with both companies have opened up options that pave the way for debt reduction & a change from the traditional approach to security/concierge services.

In the case of Help (Concierge), one option is to suspend/cancel the service at any time and pay the outstanding debt within 12 months. This one-year cancellation of the service would not only pay off the outstanding debt but would also result in considerable savings that could be deployed

elsewhere.

In relation to Cofer (Vigilante), one option is to suspend/cancel the service at any time and pay the outstanding debt within 6 to 12 months. In this case, it would be to suspend the service from September onwards, as summer is a difficult time to suspend this service.

Neither of the two companies is willing to reduce the outstanding debt, but both say that if we suspend the service, we can resume it at any time.

In the event of suspending the concierge service, a part-maintenance part-mail acceptance/delivery person could be hired. Not only would this help with the backlog of minor repairs, it would also ensure the continuity of the in-bound mail/parcel service that many owners cite as being a key component of the concierge service.

In terms of the security, with the savings (post debt repayment) that could be made by dispensing with the vigilante guard service, the phased installation of an owner-operated 'access control system' could be undertaken. This would be operated via a mobile phone App and/or an in-apartment control pad that would control entry to the perimeter gates; garages, portals and apartments (and potentially swimming pools). This puts control of who enters Señorío in the hands of the owners.

There was a wide-ranging discussion among the owners about the various alternatives proposed and the possible consequences of dispensing with these services.

Finally, it is **unanimously agreed** by those present and represented to empower the President to take the decision he considers appropriate depending on the progress to lower debt & improve the solvency of the Community over the 3rd & 4th quarters 2022, but not to dispense with the services until after this year summer season.

5.3. Essential Infrastructure Projects and Community Improvements. Resolutions to be adopted.

A report of the essential infrastructure projects and improvements needed by the Community has been sent with the call for proposals. In this point the main points of the report are presented and explained by Andreas (360 Managment) and Victor (Inproject) including:

Mention is made of some of the main problems of habitability in the Community such as the perilous state of the garages which need to be repaired inside and outside and which constitutes major work both from a technical and cost point of view.

Another long-term problem is with the degraded irrigation system to the planters and terraces. This causes humidity problems inside the concrete walls & terraces leading to corrosion of the metal framework essential to the structural integrity of the buildings. This impacts on both the common and private elements of the buildings. If there is no immediate intervention the situation will deteriorate further & the eventual repair cost will be astronomical.

Regulatory alignment of the swimming pools is of the highest priority in order to avoid the risk of an inspection that results in closure of the pools. Currently they do not comply with many aspects of health & safety regulations, & numerous alterations are necessary.

Additional works to be carried out around the community include repairing the effects of subsidence to the communities tiled walkways, installation of bollards on Calle de las Adelfas to

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combat the parking problems causing by NAO pool club, general paintworks, ...etc.

It is understood that to do most or all of this work comes at considerable cost over & above community fee revenue and thus can only be financed by means of an extraordinary contribution from owners. Three options of varying costs & 'scope of work' were presented & discussed to enable those present to make an informed decision that balances the need for legal compliance, & essential repairs that arrest the decline of Senorio's infrastructure.

5.4 The need to increase the community fees and/or approve a cash call. Decision to be taken.

Based on point 5.3, there was a wide-ranging debate among the attendees on the three financial alternatives summarised in the 'projects plan'. The debate extended to include 'community fees' which have not been increased in-line with inflation for at least 8 years. Owners were informed that materials & services are currently experiencing double digit cost increases not seen in recent memory, which necessitate increases in community fees simply for the community to meet the minimum maintenance & services requirements.

Finally, it was **unanimously agreed** by all those present and represented:

- a) To fix an extraordinary surcharge of FIVE HUNDRED THOUSAND EUROS (500.000,00€).

Said surcharge will be collected in TWO EXTRAORDINARY RECEIPTS, the first in the month of **August 2022** and the second in the month of **November 2022**. The president state that it is important to note that this is not a loan from owners & thus non-returnable. Further, it is not a 'optional choice' surcharge, & it is subject to a 20% penalty for non-payment by the end of the month in which the payment is to be made.

- b) To increase the Community Fees by 15% effective from the 3rd Quarter 2022 payment.

Owners are kindly requested to ensure their bank accounts linked to their Direct Debit mandate are funded to the extent that both the increase in community fees as well as the extraordinary surcharge can be debited from their account. The Administrator will issue 'Account Statements' to assist owners to meet these new obligations.

Likewise, **it is agreed** by the majority of those present and represented and the vote against of the 'owners' in Mezquita 4, 3^oD, Triana 1, 3^oD and Triana 2, 4^oI, to approve the budget of expenses for the financial year 2022 which will be as follows:

ORDINARY EXPENSES BUDGET F.Y. 2022

1 STAFF

CLEANING STAFF EXPENSES	68.847,30
MAINTENANCE EMPLOYEE	30.400,70
LABOUR RISK PREVENTION	750,00
LABOUR ADVISER	2.905,00
LIFEGUARD (SUMMER PERIOD)	18.000,00
OTHER STAFF EXPENSES	1.200,00

TOTAL ITEM 1.- 122.103,00

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2 REPAIRS & MAINTENANCE

JAYDO, GARDEN MAINTENANCE	60.000,00
GARDEN CONSUMABLES (Brush, Re-Seeded,...)	7.500,00
POOL MAINTENANCE (Analysis, Chemicals,...)	9.500,00
FAIN PUERTAS, GATES MAINTENANCE	2.700,00
FAIN ASCENSORES, LIFTS MAINTENANCE	27.449,00
UTECMA, TV & VIDEO PORTER MAINTENANCE / CCTV RENTING	7.000,00
INCOTEX, EXTINGUISHERS MAINTENANCE	2.705,00
INCOTEX - FIRE SYSTEM REPAIRS	23.000,00
GENERAL REPAIRS & MAINTENANCE	15.000,00
CONTRAPLAGAS AMBIENTAL, PEST CONTROL MAINTENANCE	1.395,00
UNPLANNED CONTINGENCIES (e.g. garage roof collapses; utilities inflation; pipe bursts)	16.088,00

TOTAL ITEM 2.- 172.337,00

3 UTILITIES

ELECTRICITY	40920
WATER	45000
AVATEL INTERNET (PASS THROUGH COST FUNDED BY OWNERS)	0

TOTAL ITEM 3.- 85.920,00

4 ADMINISTRATION, LEGAL, & SECURITY SERVICES

BUILDING INSURANCE	17.085,00
OTHERS (Legal Advice, Auditor, Translation, Technical..)	3.000,00
MONDAY.COM licences	1.161,60
PRESIDENCY EXPENSES	12.100,00
VARIOUS & RECURRENTS	6.787,40
ADMINISTRATION FEES	30.492,00
PROJECT MANAGER	26.426,40
PROJECT ENGINEER	27.297,60
HELP, CONCIERGE SERVICE	59.096,00
COFER, SECURITY SERVICE	84.532,00

TOTAL ITEM 4.- 267.978,00 €

SUBTOTAL (Funded from the Senorio's target Community Fees)	648.338,00 €
RESERVE FUND (ART. 9 L.P.H)	64.833,80 €

TOTAL ORDINARY BUDGET	713.171,80 €
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AVATEL INTERNET (PASS THROUGH COST FUNDED BY OWNERS)	32.277,00
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TOTAL	745.448,80 €
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In terms of income, it is **unanimously agreed** to pass on the quotas of said budget from the following receipt; that is, the July receipt and not to pass on the regularisation quotas of the receipts for the 2022 financial year, which have already been collected, therefore the income will be less than the approved expenditure budget.

6th). OTHER MATTERS OF INTEREST

6.1. Private works and reforms. Establishment of Standards.

As already stated by the President in his letter sent with the Call, the rules currently in force in the Community were established a long time ago and are in many respects are outdated and/or unclear, and therefore not fit for purpose.

Regarding reform works specifically, Article 1, provides no clear criteria on the period, timing and manner of carrying out such works. Furthermore, it offers limited guidance on acceptable 'modifications' to the outside of the exterior walls of an apartment, preferring to focus on the need for uniformity.

In order to revise and update the community rules, it would be useful to have owners collaborate in drafting them. An exchange of opinions took place and it was agreed to study and prepare a draft of the rules to be approved at a future meeting of owners.

6.2. The need to cancel the watering system of the flower boxes in the flats as briefly defined in point 5.3

The technical team further explained that there is a generalised water leakage problem in the apartment terrace planters. In most cases the damage manifests itself in neighbouring apartments below or to the sides of the problem apartment, with visible damage seen to the façades and floor slabs of the building. It is both advisable & essential to turn-off the automatic community irrigation system while solutions for waterproofing & carrying out repairs to damaged properties are undertaken.

N.B. The administration considers the problem to have arisen due to inherent design problems of the irrigation system & misuse of the planters. Once selected 'worse case' apartments have been repaired at the cost of the community, the technical team will comment further on the approach for other affected apartments & the future liability in the event of further damage caused by repaired apartments. (In other words, if the community pays to repair damages to your apartment caused by the irrigation system, but further problems ensue as a result of you self-irrigating your planters, the balance of liability may shift)

Finally, and having debated the problems raised, it was **unanimously agreed** by those present and represented to cancel the irrigation system, leaving a period of grace, i.e. until the end of July, so that the owners who make use of the planters have sufficient time to either remove their plants or continue watering them by hand.

6.4. Update on the situation with Nao club.

The President explained the problems with the NAO pool club; he commented that we are

disturbed by excessive noise coming from this club during operating hours which can affect people's mental health, as well as their human rights to privacy & non-disturbance. Not all Señorío residents are affected. However, NAO is already doing reputational damage to the community's in the surrounding area, & at some point this will negatively impact on property values.

This week the President spent a morning at the Marbella police station to discuss the problem and issue a complaint (denuncia) on behalf of the community. Aldea Blanca community has done the same and at their recent General Assembly voted in a specific budget for noise control equipment and to engage the services of a senior lawyer. The President has suggested that, together with Golden Banús, Dorado and possibly Medina Banús, we unite our efforts to bring about the enforcement of the laws that serve to protect us. It is quite likely the problem will be resolved through a lengthy judicial process, but in the President's opinion an out-of-court settlement might be a better solution.

Affected owners are highly recommended that when the music or anti-social behaviour on Calle de las Adelfas is excessive that the police are called. Additionally, the police themselves recommend owners to go to the Marbella police station and issue a denuncia. Without doubt, the more denuncia's the more chance the police have to pressure the Town Hall who have significant influence over this situation. Similarly, the higher the complaints, the higher the profile in the court system.

7TH. DIGITAL CERTIFICATE. POWER OF ATTORNEY. AGREEMENTS TO BE TAKEN

The secretary-administrator informs that Law 39/2015, of 1st October, on the Common Administrative Procedure of the Public Administrations, and Law 40/2015, of 1st October, on the Legal Regime of the Public Sector, establish the use of electronic means as the only means for the Community of Property Owners to relate with the Public Administrations. Therefore, the attendees unanimously adopt the following resolution:

"The Board of Owners expressly appoints as its legal representative before the Administration, and confers as broad a power of attorney as is legally appropriate, the Secretary-Administrator of the community Mr. Jose Manuel Ortiz Sánchez, with NIF number 02604677-L, so that on behalf of the Community of Owners Señorío de Aloha, located at Avda. de Manolete s/n, Nueva Andalucía-Marbella, with CIF number H92232214, he may:

-Personate before the State Tax Administration Agency or before other delegated registry offices of bodies, agencies or entities that exercise public functions, as well as before the offices or registries designated by the certification service providers, in order to provide the documentation and sign any documents that may be necessary, in order to obtain the user certificate for relations with the Administration.

-Request, download, install, renew, suspend, revoke, and use any electronic signature certificate issued by the Fábrica Nacional de Moneda y Timbre de la Real Casa de la Moneda, ANF AC, or by other certification service providers, and any other electronic certificates that may arise subsequently in accordance with the state of the art.

-Use their own electronic signature certificate, or, alternatively, the digital certificate of the community itself, to carry out by telematic means all procedures and actions in the electronic office of the State Tax Administration Agency, and before: the General State Administration, Autonomous Communities, Local Entities, Public Bodies and any other entities of the Administration".

8th). REQUESTS AND QUESTIONS.

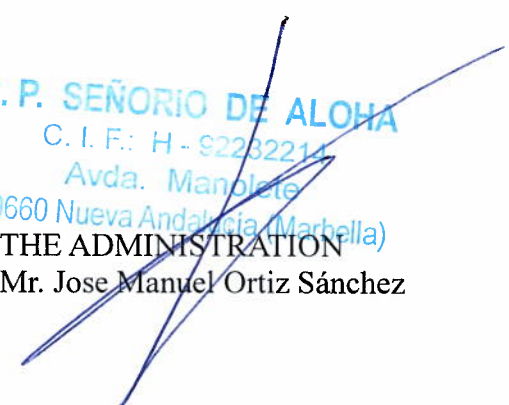
8.1. Procedure for emergency action in the event of water, electrical or fire incidents.

In relation to this subject, it is stated that different action protocols are being studied. Currently, in the event of a fire contact security or call the fire service directly. In the event of other problems, contact the Administrator in order to mobilise the maintenance team. If outside the office hours of the Administrator, the Concierge/Security can be alerted to mobilise either the maintenance team or external emergency services. In all incidences, if there is an emergency inside your own private property you have at least a shared responsibility to know how & be able to directly call in assistance, be it the emergency services, or a local plumber, electrician, etc.

And there being no further business to discuss, the meeting was adjourned at 4.00 p.m. on the day indicated in the heading.


C. P. SEÑORIO DE ALOHA
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VºBº PRESIDENT
Mr. John Philip Riley


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THE ADMINISTRATION
Mr. Jose Manuel Ortiz Sánchez