

**SEÑORIO DE ALOHA**  
**2<sup>Nd</sup> & 3<sup>rd</sup> QUARTER 2022 PRESIDENTS NEWSLETTER**

Seasons Greetings Fellow Owners,

***STRONG ADVICE TO YOU FROM MAINTENANCE –***

***Earlier this year we saw heavy rain with exceptional deposits of sand. Ahead of the upcoming winter/spring rains you should ensure your terrace drains are cleaned in order to avoid flooding to your own apartment & potentially your neighbours (as has happened in previous years).***

The main event of Qt 2 was the 2022 AGM. We were not able to hold an AGM for almost 2 years so there will have been many new owners experiencing a Señorío AGM for the first time. No doubt for those Owners from other countries, a Spanish AGM might have been quite a different experience. Despite the backlog of issues, & the difference of opinions, a lot of topics were covered & hotly debated, resulting in a lot of positive decisions enabling many repairs & changes in the community.

The AGM was a first opportunity for Owners to meet the new Administrator Adenjo SL, as well as Victor Porras & Andreas Norman who are responsible for the on-site management of the repair works & day to day operations inside the community. We have significantly up skilled the administration resources in order to bring up the quality of the community in line with the expectations of owners.

Perhaps the most significant decisions of the AGM were the Owners approval to raise community fees for the first time in almost a decade by 15%, & to approve a cash-call of €500k to cover essential repairs to major infrastructure. These essential repairs simply could not be funded out of the regular budget within a reasonable space of time. This newsletter commences with an update on how these key initiatives are now being put into practice.

In tough economic times, burdening Owners with more expenses is never an easy decision. And whilst not entirely popular, the fact that we've had a high participation rate for the 1<sup>st</sup> part of the cash-call, suggests owners really want to support; major repair works; health & safety compliance; & regular preventative maintenance, all of which help save the community money over the medium to long term. Once again, over 85% of owners paid their 3rd Qt Community fees on-time, & those that didn't, were in the majority of cases, the long-term debtors known to you via the Debtors Reports.

A question often posed by many owners is, "if I'm paying what about those that don't pay?" In many communities a non-payment rate of 10-15% might be considered acceptable. In Señorío it's not acceptable for the simple reason that most of the debt has been allowed to accumulate over many years, & at one point exceeded 1/2 million euros. This year we have instructed lawyers to open new court proceedings against 19 owners who have fallen into short to medium term debt.

This is in addition to the cases already on-going against long term debtors. In these latter cases, Adenjo waited more than 6 months for the updated case information from Meridional's lawyer, only to then find there were no updates for the last 2 years! We have now appointed additional legal expertise in order to determine the current status in the courts.

At long last, the Spanish government has finally moved to help communities deal with those that don't pay their community fees. A law has been passed that allows communities to deny services to debtors. We await legal clarification on how we might best apply the laws & we fully intend to do so.

November was the 2<sup>nd</sup> round of the cash-call drawdown & we achieved the 80% participation of the 1<sup>st</sup> round. Your property coefficient is the basis for calculating your share of the target €500k. There will be no attempt to recover the shortfall via the goodwill of those who pay their obligation.

As approved at the AGM, those who don't pay will be subject to a legally binding late payment penalty (the late payment penalty now applies to regular community fees as well as the cash call).

Having raised a significant amount of money from the cash call, it is now being put to work via the program outlined & approved in the AGM. Unfortunately, certain projects will cause disruption. For example, repairs to: terraces damaged by the planter irrigation system, entranceways into the garages, & not least the swimming pools. Adenjo will aim to give owners as much notice as possible as to when, where & the duration of the work.

Attached is a top line snapshot of the overall expanded financial funding of the community as of the end of Quarter 3 (September). This has been prepared by our 'Certified Public Accountant' (CPA), & Vice President Gerry Burke, based on core data provided by Adenjo. We go into the final quarter of the year sufficiently funded for the essential repairs & standard maintenance program.

## **2023 AGM**

The intention is to hold the next AGM during the 1st quarter of 2023, preferably the 2<sup>nd</sup> half of March. By this time, we will have completed the preparation of the 2022 accounts & the finalisation of the 2023 budget proposal.

## **COFER Vigilante Nighttime Security / HELP Concierge Service TERMINATION**

A review of these services was long overdue because of cost & efficiency issues as discussed in the pre-AGM reports. There was much debate at the AGM & owners approved the recommendation to terminate the night-time vigilante service which consisted of a man in the main gate reception, who undertook periodic walks around the community. Many owners derived comfort from this service but the plain truth is: burglaries happened; real-time CCTV was not effective; there was sub-optimal patrolling of the community; an unwillingness for the vigilante to intervene in many aspects of anti-social behaviour; an unwillingness on numerous occasions to contact the police when requested by owners.....& a very unfortunate incident of attempted theft of owners property. In summary a lot of expense for very little security.

It is also apparent that the bulk of anti-social behaviour, be it noise from apartments; activities around the swimming pools; damage to community property such as portal entrances, elevators, gates etc comes from short stay rental clients. It is highly likely that the 2023 AGM will include a proposal for a summertime night vigilante to help control these incidents. In the meantime, & in line with the AGM approval, the Cofer service was terminated in September. This now means that, as is pretty much standard elsewhere in the world, if there is a security issue of concern, owners should be prepared to call the police directly. Despite any language barriers, the Spanish police in our area have a good record of responding & helping foreigners & locals alike to deal with incidents.

Also at the next AGM, a proposal will be made for the introduction of an 'Access Security Control System'. This will link access to the exterior gates/garage doors, portal entrances, & swimming pools to a single electronic fob system. Owners will have the option to control access from inside their apartments & or via their mobile phones. This will reduce unauthorised access to the community & make entrance points more secure.

It's worth pointing out that the CCTV is in continuous operation & can be viewed retrospectively by the police in the event of a recorded incident. Utecma, the CCTV maintenance company, reviews the recording system and cameras periodically. In the event that the Police request it, Utecma sends the recordings to the Police.

The concierge has served 3 main purposes; granting front gate access (unfortunately to more or less anyone); receiving mail; & occasional community walkthroughs. A majority of owners approved an AGM proposal to re-purpose the service to improve the value for money & impact on the community. From 10th December 2022, HELP will provide personnel whose work tasks include: receiving mail/parcels during a limited daily time period; undertaking backlogged maintenance work; first responder on-site support to owners

(but not acting in the capacity of a vigilante). The maintenance component is the significant part of the revised workload. Despite the best efforts of Luis & the progress being made on major repair work, a quick walk through the community reveals we still must undertake many basic maintenance tasks, particularly painting works. The revised work schedule for HELP is: Monday-Friday 08:00-14:00 & 16:00-22:00. Weekends/Holidays 16:00 -22:00. Just to be fully clear, this additional maintenance resource is for communal property maintenance & not owners' personal property.

We're aware that security is always of high concern, perhaps even more so for non-resident owners. The landscape for home security systems has been evolving quickly & we would encourage you look at options for your property that suit your needs. In addition, please ensure you have relevant property insurance which is widely available. Do not rely on the community insurance for incidents inside your property - it will not cover you.

## **PLANTER IRRIGATION**

AGM approval was given to repair a limited number of apartment terraces most affected by prolonged water leakage from the planter irrigation system. Approval was also given to turn off the auto-irrigation system in order to prevent further damage occurring.

Repairing the initial selected terraces is providing valuable insight into the scale of work that might need to be undertaken on a community-wide basis. One thing that is already apparent is that planters containing small trees & bushes have significantly damaged the planter bases thus causing water (not only from the irrigation system but also heavy rainwater) to leak into the metal frameworks of the terraces.

This causes the corrosion that is visibly evident in the brown staining on the main facades of each building. We hope that now owners understand the problem of trees & bushes, they will remove them in favour of more suitable plants.

With the first selected terraces we did have requests to completely remove planters. This is not within the remit of the project but more importantly it would be a breach of building regulations as the planters are an architectural feature of the community. The findings from the completed repairs will be reported at the next AGM with a proposal on how this work should be extended to other damaged terraces.



## **SWIMMING POOLS**

As previously reported, Señorío's swimming pools have been outside of legal compliance to the extent that an 'inspector' could close the pools for 3 years. In addition, many years of sub-optimal maintenance created leaks & equipment malfunctions. The AGM approved a one-time budget to fix all three pools & bring them up to minimum legal compliance.

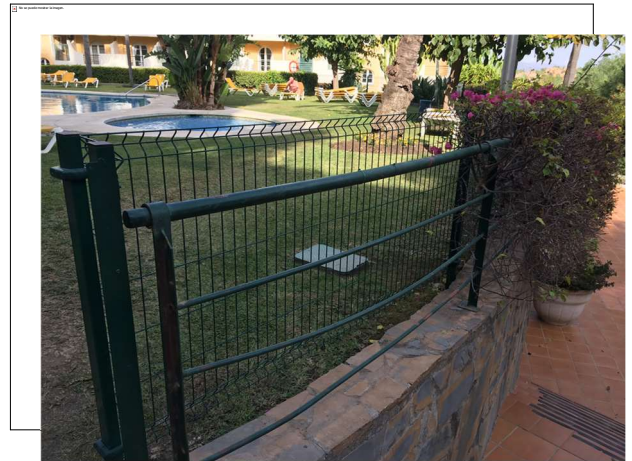
Those owners who used the pools this summer may have had the opportunity to experience the 'salt-water' effect. Not only is salt-water a healthier alternative for eyes & skin compared to chlorine-based pools, it also reduces the cost of other chemicals by approximately €10k per annum, as well as reducing wear & tear to the pools & equipment.

Work started at the end of summer on repairing the Triana/Giralda pool. Unfortunately, once emptied & inspected, previously undetected problems were discovered requiring major earthworks to replace pipes & other pool infrastructure. Unfortunately, this led to delays & additional disturbance to residents, but we have been able to cover the additional costs from contingency planning.

From the safety perspective, owners will notice that child-safety fencing & lockable gates has been installed around the perimeters of the pools. This was an important legal milestone. For owners who wish to use the pool areas outside of the 'pool season' access will be via the main gates which will have coded locks in order to restrict children entering the pools unaccompanied. Use of the pools without lifeguards is entirely at owner's risk.

With the Triana pool reopening at the start of December, work on the central pool will then begin. Working in this order means we will transfer the water from the central pool to the Triana pool & save approximately €4,000 in water cost.





## GARAGE REPAIRS

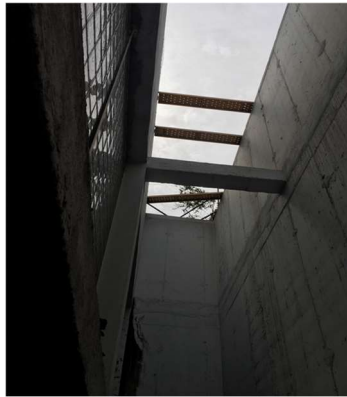
Long term owners will be aware of a court case going on for approximately a decade against the General Contractor of Señorío, FCC. This relates to sub-standard work affecting ground level insulation that protects the basement garage levels in Giralda, Alhambra & Mezquita.

Many of you will have witnessed how rainwater seeps down into the garages & has affected the integrity of some parts of the ceilings & walls. Over the years we have had many false dawns regarding compensation from a successful court outcome. Whilst progress has been made this year in the courts, the end date is still not clear. As you know, the AGM cash call included funding to repair the garages but on advice from our lawyers we are awaiting clarification that commencing the repairs will not negatively impact our court case. Owners will be further updated as information becomes available.

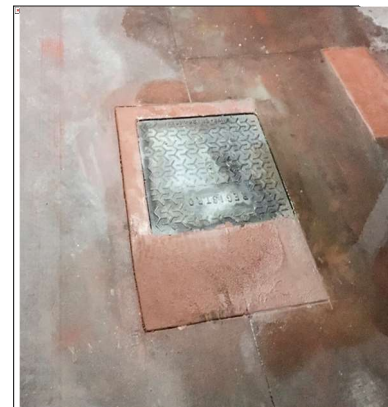
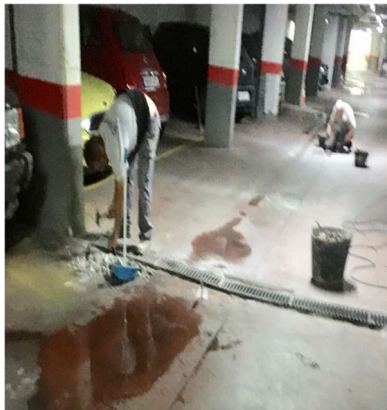
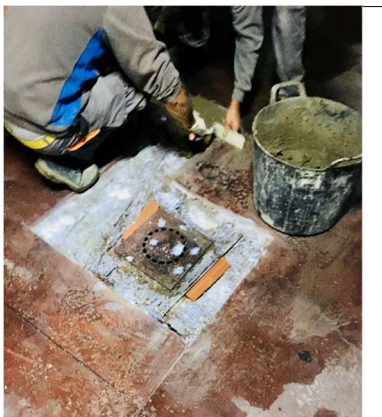
When constructed, the Mezquita garaged provided for a ventilation outlet at the end of the garage that exits on the far side of the paddle court. The system was never completed & the area was sealed in to keep out rain. This restricted the flow of air through the garage & voided the insurance. Over the summer the correct panels have been installed to allow air to better circulate but still keep out rainfall.



BEFORE



AFTER

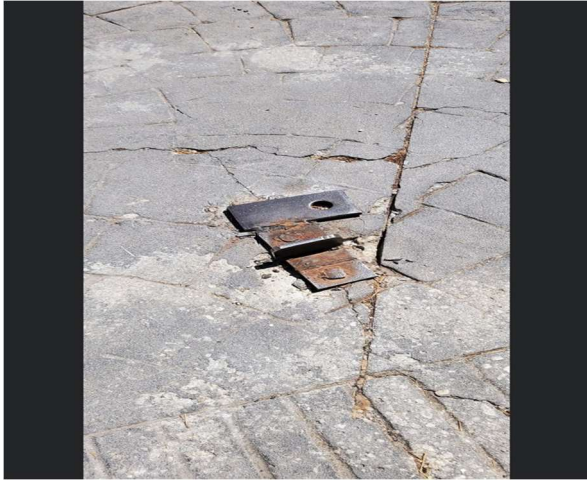


## GARAGE GATES & DRIVEWAYS

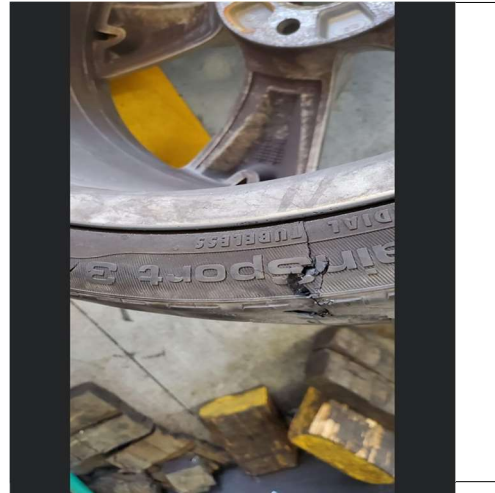
Following constant breakdowns, the rusty gates at Mezquita & the doors on Alhambra/Giralda have been replaced. The motors & some of the gate-arms have been overhauled. In the event a gate doesn't open, the worst thing you can do is to try & force it, please don't - it will malfunction. To report a problem, contact HELP via the on-site security number, or telephone Adenjo. FAIN, whose telephone details (900806180) are posted at the gates, are the contractor for servicing & repairs, & can be contacted directly during out of hours emergencies.

The driveways into the garages are designed to be hardwearing & safe but do need to be maintained,

otherwise replacements are very expensive undertakings. Victor's assessment was that our driveways were in poor condition even if not obvious to the everyday user. The recently completed works make good the driveways for years to come with minimal maintenance. Caution needs to be exercised in the first weeks of usage, especially in wet conditions whilst the surfaces gain traction as they are used



OLD



DAMAGE



REPLACEMENT



RELOCATED



REPAIRED & RESURFACED

*Outside of the key events surrounding the AGM, other newsworthy events are as follows:*

## **BURST PIPES**

This summer we've experienced burst water pipes carrying fresh water from the meters to apartments. As well as inconveniencing affected owners, there's collateral damage particularly to storage rooms because of flooding. With literally hundreds of pipes in the community, there is no way to predict a random burst. In the case of fresh-water pipes, we suspect that a combination of low-specification pipes & excessive water pressures might be a significant contributor. Water pressures from the meters have been adjusted.....if you feel your fresh-water pressure is excessive, inform Adenjo.

At the first sign of water in the common areas or particularly the storerooms please immediately inform Adenjo - you may save a great deal of heartache & cost to a fellow owner. On occasions we also experience broken rainwater or sewage pipes. These are unpredictable but can occur due to owner's incorrect bathroom & kitchen modifications. If you plan to initiate any such pipe change works you need to request Adenjo to invite our engineer Victor to approve work that ultimately connects to the community's common pipe network.



BEFORE

AFTER

## **APARTMENT REFORMS/MODIFICATIONS**

It's quite likely that this subject will become one of the most contentious in the community. Owners want to modernise their property but need to work within the law & the community rules, which exist for health & safety, & also to protect the architectural integrity of the community. For years previous Administrations has failed to enforce the law & community rules & this evidenced by a quick walk around the community. Owners got used to doing what they wanted, & in some cases believing that precedents set by other owners enabled them to repeat the modifications. This is simply not correct, & the decline in uniformity along with the failure to observe good housekeeping rules increasingly gives the impression that Señorío resembles a gypsy camp.

Adenjo/Victor are now starting to take action on a number of issues & here's some examples.

- Awnings that are not installed properly & could fall down & injure people are requested to be reinstalled. Failure to do so, means an escalation to the Town Hall & the courts. In the event of an accident, the community should not be held liable for the negligence of owners.
- Planters & plant pots. Outward leaning plant pots are another safety hazard & need to be removed or turned inwards.
- Planters that have overgrown to the effect the debris (leaves, berries, etc) go into the apartment below, not only inconveniencing the neighbour but blocking terrace drains. Owners need to take responsibility.
- Ground floor owners who self-irrigate planters & free-standing plant-pots to the extent that water overflows & floods into the common area walkways are creating a safety hazard & de-stabilising the tiling.



SAFETY RISK



CAMPSITE



DRAINS RISK TO  
TERRACE BELOW

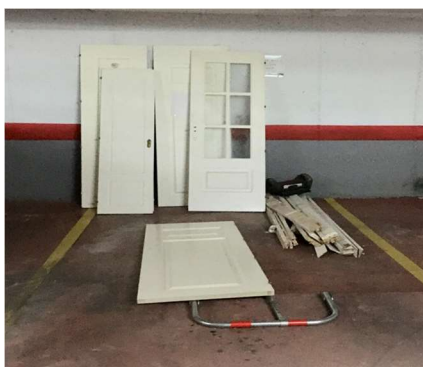
These examples are lightweight compared to what lies ahead. Substantive modifications have been made to a number of apartments with the aim in many cases to expand the liveable area. Such changes can impact on tax (IBI) as well as the 'living area coefficient' used to calculate community fees. In nearly all cases a permit to make such changes is required from the Town Hall, & subsequent inspections both pre & post work should be carried out by a qualified surveyor (Perito).

This is especially important where pipework is being moved around as this can directly impact on common area systems e.g. waste disposal networks. Owners need to recognise that sharing plans & permits with Adenjo before starting work can save time & cost. Recently an owner wanted to make changes to one of their bathrooms. They first contacted Adenjo to understand what to do (obtain a Town Hall permit) & shared their building plan with Victor. Subsequently, Victor visited the apartment & approved the modifications. This simple cooperation between Owner/Administration removes the potential for conflict & legal action, & is the guarantor of maintaining the integrity of the community architecture.

The current Community Rules regarding modifications (copy sent to you before the last AGM) are to the point but vague, except to say that there is limited scope for changes to your property exterior. At the next AGM, we will be proposing modifications to the rules to make them easier to understand.

### **STORAGE ROOMS CORRIDORS & PARKING SPACES**

There is a continuous problem with furniture & personal property left in the corridors of the storage rooms & under the stairwells. It's no secret that often this belongs to owners renting out apartments who like to be able to change things in & out of apartments according to their tenants needs. Not only is this practice an inconvenience to other owners (& we receive many complaints), it's also not allowed under the terms of the Community insurance. This is also true of the garage parking spaces where many owners think it's ok to store items but its not, & in the event of an incident can nullify the community insurance. Adenjo will send a circular to owners formally requesting them to remove their personal items within a grace period before organising for items to be removed & owners charged accordingly. I'm sure we all wish to see our community tidy & above everything safe from unnecessary risk.





### STORAGE ROOM VENTILATION

The combination of poor ventilation, water damage, & blocked sewers has led to bad air & mould problems in various basement storage areas. Under the terms of the community insurance, it is not allowed to mix the air from the garages with the storage rooms. In the event of a fire the insurance would not pay. To solve the problem an overpressure system has to be created to introduce outside air into the storage area. Various options are now under evaluation.

### CLEANING

Feedback indicates that in overall terms cleaning of the community has improved. However, it's clear that the summer influx of visitors is challenging. It's also clear that complacency on the part of the cleaners creeps in when they are not adequately supervised. We have been unhappy with the supervisor for sometime & will not be renewing the contract at year end. (Those owners who noticed the mobile phone glued to one of the cleaners ears....., we're also dealing with this problem :))

### ANTI-SOCIAL BEHAVIOUR

Whilst it was great to see people returning to Señorío following the pandemic, the summer period witnessed a lot of anti-social behaviour centred around:

- Late night terrace parties, & in some cases attended by numerous guests not staying in the community. Other owners observed visitors; urinating in the portals & gardens; entering the swimming pools late at night; throwing cigarettes & drinks off the terraces; & of course excessive loud music. The police were called on a number of occasions & by several owners directly, in part because our vigilante didn't wish to call the police himself.
- Grafitti inside & outside the portals, & the elevators.
- Visitors blatantly parking in 'parking spaces marked PRIVATE, causing a massive inconvenience to owners in-residence. As bad were those drivers who couldn't be bothered to park their cars without obstructing their neighbours parking space.
- There are many dog owners, but it is just a few that allow their dogs to poo inside the community. This despite all the notices, & the utter lack of respect for our gardeners & cleaners who confront this on a regular basis. Such behaviour in public areas is heavily punished under Spanish law, & we're now reviewing the options, including motion sensor camera's & repellants. *The situation is particularly bad on the lawn outside Giralda.*

### OWNERS REP GROUP

We are in a process right across the community of continuous improvement & of course every day brings new challenges. We've had many positive comments from both resident & visiting owners, so it feels like we're making real progress. As more & more owners are taking an interest in the community, might this

be the time for interested owners to become more involved to help shape future thinking & actions? Frankly, I'm not interested in making the management team accountable to a small group of owners via quarterly / half yearly reviews.....'Management' is annually accountable to all of the owners & that is deemed appropriate here in Spain. However, I am open to co-opting a number of interested owners to work with the 'management team' particularly on qualitative issues that directly impact on owners, & to try & ensure future actions/decisions empathise with the overall views of owners. Examples of this include but are not limited to; the rules on reforms; the green areas of the community including apartment planters; minimising impact of rental properties; updating & expanding the Community Rules; evolving the recreational facilities; & optimising community security etc.

To expand on the reform example. A 'working group' of owners would be tasked to review the types of reforms already existing in the community in order to develop recommendations for future modifications. They would be guided by what's legal, practical, & aesthetically acceptable. Consulting with the 'management team' the working group would develop a proposal for the AGM. This is but one example, others might include a group to determine: how we deal with anti-social behaviour; swimming pools protocols; developing the community meeting room; etc etc. If joining a team of like-minded owners in the serve of the community appeals to you, then in the first instance write to Adenjo to register your interest. An EGM would likely be required to formalise this initiative.

### **USE OF LUIS FOR PRIVATE WORK.**

A number of owners have sought clarification on this point. As willing as Luis is to help out owners with their apartment repairs, this is problematic from the Administrators perspective. Irrespective of the huge backlog of community maintenance/repairs that Luis has, he has been called on within his contracted hours to attend to owners private work. This has health, safety & legal implications. We request owners not to do this as it's not only creates a conflict of interest for Luis, it also impacts on scheduled community work.

### **STRAY CATS**

There's a number of feral cats inside the community that have to be kept to a minimum. At the same time there are owners with domestic cats that leave food in outside common areas, which encourages feral cats & vermin out of their hidings. This practice has led to complaints from owners & needs to stop.

### **NAÔ POOL CLUB**

NAÔ opened in May & closed in September. All communities in the area were subjected to noise pollution considerably in excess of the legal limits - 12hrs of mental torture is how many owners choose to describe NAÔ's party events. In addition, there were many problems with: anti-social behaviour of the clientele; car parking congestion; & illegal extended opening hours. There was a muted response from the police & the Town Hall despite denounces from owners in the various affected communities. Engaging with the club's management was futile, & given the heavy promotion undertaken, it's only likely to get worse, & poses a real threat to property values in the area. A meeting of Presidents/Administrators from the various communities has resulted in a common plan of action. An EGM will be held ahead of the March AGM for our community to approve joint collaboration with the neighbouring communities.

### **ENERGY INITIATIVES**

Energy costs are rising in Spain & we have set in place a number of initiatives to contain the increases as best as possible. Our project to instal LED lighting wherever possible means common area internal / external lighting, garages, elevators, swimming pools etc have significantly reduced electricity consumption. The electricity marketplace in Spain is very complex, & with the current electricity contract expiring in November, we are working with an 'electricity consultant' to completely reconfigure the numerous electricity contracts that cover different areas of the community. This affects the tariffs, the category of electricity consumption, & the variable time 'potencia'. (your apartment electricity bills explain the details of the different components in the cost structure). Our considered opinion is that we have been overpaying for electricity, & that by reconfiguring how & when we consume electricity, & along with the 'consultants' efforts for better tariffs from

the power wholesalers, we will be able to offset a big proportion of the huge cost increases coming into effect nationwide. If you are not yet aware, all electricity contracts up for renewal after 26th May 2022, will have a 'gas cap' applied due to the high amount of gas usage for electricity generation in Spain.

In addition to reconfiguring our electricity costs, we are now evaluating the economics & practicalities of installing solar energy systems. This comes on the back of Spanish legislation introduced this year that aims to: create financing options to incentivise communities to modernise their buildings to make them more energy efficient; & at the same time to also offer subsidies to communities that install renewable energy systems (although quite when these subsidies will be paid is unclear). Our aim is to present a solar energy proposal at the next AGM.

## **CHIMNEYS**

A few owners reported problems with smoke blowback when using their chimneys. A review of the chimney system reveals that every apartment has their own chimney pipe which then feeds into the common stack that exits the roofs of the buildings. In the event of a problem, owners are encouraged to have their own chimney pipe cleaned. It is not viable for the community to undertake cleaning of all chimneys. In case of a high number of chimney problems from a shared stack, the community would then organise an inspection to determine the problem.

## **COCKROACHES**

Love them or hate them, they can routinely be a problem. Once every two months, the community organises an exterminator to treat the common areas of the buildings, but outbreaks can still occur, especially in damp or humid areas. If you suspect you have an infestation, inform Adenjo & they will call in an exterminator.

## **CALLE DE LAS ADELAS**

This is the access street for Giralda, Alhambra & Mezquita. From time to time Adenjo are contacted about who is responsible for services on this street, so let me clarify. The street is a public highway & the Community has no responsibilities except for the following:

- The lighting located on the Senorio boundary wall. This serves as street lighting as well as community lighting. There is no street lighting on the opposite side of the street & the Town Hall appears to have no plans to instal any.
- The small garden areas between the wall & pavement outside Alhambra & Giralda. Our maintenance these areas including removing litter, bottles etc but it's a never-ending task for the below reasons.

The rubbish bins & the surrounding areas are the responsibility of the Town Hall. They cause a huge litter problem when they overflow or when owners or the general public are simply irresponsible when disposing of rubbish. This is why, especially in high winds, the entire street & the gardens can look a total mess. If you think it looks a mess, please inform the Town Hall or call contact Adenjo & they will request them to come & clean.

In light of the street parking problems caused by NAO pool club, we have installed bollards outside Mezquita. This means the entire length of the community on this street has bollards to restrict parking to the opposite side of the street.



Merry Christmas & Happy 2023

John Riley  
President

The entire team: V.P Gerry, Victor, Andreas, Jose Manuel, David & all the staff at Adenjo wish you & your families a joyous festive season & happy new year!

Statement of Affairs	Sep-22		Jun-22		Dec-21	
	Trial balance €	GB adjusted figures (estimates) €	Trial balance €	GB adjusted figures (estimates) €	Gross €	GB adjusted figures (estimates) €
Owner balances	533,532	313,329	499,585	279,382	508,000	287,797
Fees etc paid in advance	41,255	zero	38,704	zero	35,458	zero
Bank Balances	146,671	146,671	57,613	57,613	48,466	48,466
Creditors	-251,089	-251,089	-344,068	-344,068	-254,458	-254,458
	470,369	208,911	251,834	-7,073	337,466	81,805
Retained Forward	337,632	81,805				
This period	132,737	132,737				
	470,369	214,542				
<b>p and l</b>	<b>2022</b>					
	September	budget 75%				
	€	€				
fees	495,574	495,574				
cash call	250,002	250,002				
overheads	-530,712	-534,879				
cash call projects	-65,252	-125,000				
prior period	-16,874					
surplus	132,738	85,697				
open 01/01/22	337,632					
	470,369					