

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

Marbella May 31, 2023

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).- REPORT FROM THE PRESIDENT.

2º).- TO PRESENT AND TO APPROVE, WHERE APPROPRIATE, THE ACCOUNTS FOR THE YEAR 2022.

3º).- TO APPROVE THE ACCOUNTS OF OWNERS IN ARREARS, FOR THE PURPOSES PROVIDED FOR UNDER ART. 21 OF THE CONDOMINIUM ACT (L.P.H) ACTIONS TO BE TAKEN AGAINST DEBTORS. COMMUNITY DEBTS COLLECTION OUTSIDE SPAIN.

3.1 Law enforcement 10/2022 of 14th of June, that in its article 2.3, modify the article 21.1 of the condominium act (LPH). Deprivation of use of the communal services & facilities to owners in arrears. Motions to be adopted.

4º).- ELECTION OF THE COMMUNITY'S MANAGEMENT POSITIONS.

5º).- OTHER RELEVANT ISSUES:

- 5.1. Private construction & refurbishment. Standard setting.
- 5.2. Update on the Construction in the community.
- 5.3. Update on Nao club. Motions to be adopted.
- 5.4. Update on the Historical debt of the community.

6º).- TO APPROVE, WHERE APPROPRIATE, THE BUDGET FOR THE YEAR 2023.

7º).- DIGITAL CERTIFICATE. POWER OF ATTORNEY. DECISION MAKING.

8º).- BY REQUEST OF THE OWNER DOÑANA 4, 2 IZQ : "Study the possibility of converting the general room into a Gym or a meeting room"

9º).- ANY OTHER BUSINES.

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>
<u>ALHAMBRA BUILDING</u>		
ALGABAMAR II SA	0.326	JOSÉ M. MARTÍN ECHEVARRIA
ALH- GA.53		
ALH- GA.54		
ALH- GA 55		
ALH- GA.56		
ALH- TR.07		
DOÑ. GA. M1		

DOÑ- GA. M2		
DOÑ- GA.M3		
MEZ- GA.14		
MEZ- GA.41		
MEZ.GA-42		
MEZ- GA.43		
MEZ- GA.44		
MEZ- GA.45		
MEZ- GA.53		
MEZ- GA.54		
MEZ- GA.67		
MEZ- GA.68		
MEZ- TR.15		
EMIL ALEXANDER WOLFBRANDT	0.443	JOHN RILEY
ALH 1- 2º.D		
ALH 1-TR.04		
GIR-GA.48		
SEVEN ANDERS Y HELEN E. DAHLBERG	0.437	JOHN RILEY
ALH 1- 3ºD		
ALH-GA 61		
ALH 1-TR.13		
MARINA ENGSTROM	0.466	JOHN RILEY
ALH 1- 5ºD		
ALH-GA.62		
MR.KARLSSON & ANDERSSON	0.703	JOHN RILEY
ALH 2- 1º D		
ALH-GA. 89		
ALH- GA 57		
ALH2-TR.6		
ALH2-TR.7		
ALH2-TR.9		
ALH2-TR.10		
JOHAN INGEMAR EKERMANN	0.518	JOHN RILEY
ALH 2- 1ºI		
ALH- GA.91		
ALH 2 -TR.05		
PAUL PHILIPPE DESNERCK	0.399	JOHN RILEY
ALH 2-2ºD		
ALH-GA 67		
ALH 1-TR.01		
MAAN NIMA ALYAN	1.037	
ALH 2- 3ºD		
MEZ 2- 1ºD		
ALH- GA.68		
ALH 2 -TR.13		
MEZ- GA.62		
MEZ 2- TR.06		
MEZ 2- TR.07		
MEZ 2- TR.09		
MEZ 2- TR.10		
ATTILA LASZLO	0.369	ROCIO MARTÍN
ALH 2-4ºI		
ALH-GA.66		
ALH 3 -TR.14		
MR /MRS. HAMBERG	0.438	
ALH 2-5ºD		
ALH-GA.72		
ALH2-TR.02		

**COMUNIDAD DE PROPIETARIOS DEL
CONJUNTO RESIDENCIAL SEÑORIO DE ALOHA**

HANNU TAPANI KORPIVAARA ALH 2- 5 ^º I ALH-GA.87	0.429	JOHN RILEY
IAN ARTHUR CATLEY ALH 3-2 ^º D ALH-GA.74 ALH 3 -TR.07	0.400	JOHN RILEY
KIERON HAYES ALH 3-2 ^º I ALH 3- TR.08 GIR-GA.55	0.385	JOHN RILEY
ANNIKA CHARLOTTA ÖFVERHOLM ALH 3-3 ^º D ALH-GA.86 ALH 3 -TR 03	0.393	JOHN RILEY
HAMIDREZA ABSHENASAN ALH 3-4 ^º I ALH-GA.71 ALH 2-T.14	0.371	MAAN ALYAN
MR. STEINER ALH 3-5 ^º I ALH-GA.84 ALH 3 -TR.11	0.442	ANN BERGFORS
MR./MRS. JOHANSSON ALH 4-1 ^º D ALH-GA.75 ALH 4 -TR.13	0.569	JOHN RILEY
HENDRIKUS VAN HUIJSTEE ALH 4-3 ^º I ALH-GA.76 ALH 4 -TR.12	0.440	JOHN RILEY
SUHAIL AL-JUZI ALH 4-4 ^º D ALH 4-4 ^º I ALH-GA.78 ALH-GA.80 ALH 4 -TR.08 ALH 4 -TR.09	0.801	
<u>DOÑANA BUILDING</u>		
BRAULIO GONZÁLEZ DEL CASTILLO DOÑ 1- 4 ^º D DOÑ.1-GA.01 DOÑ.1-TR.08	0.435	
NILS STURE LAMME DOÑ.1- 1 ^º I DOÑ-GA.M-6 DOÑ.1-TR.04	0.548	JOHN RILEY
PER RUBEN HAGGLUND DOÑ.1- 2 ^º I DOÑ-GA.44 DOÑ.3-TR.03	0.381	JOHN RILEY

PANAGIOTIS Y SUSAN BABAROUTSIS DOÑ.1- 3°D DOÑ-GA.02 DOÑ.1-TR.09	0.453	
DAVID BENISTY DOÑ.1- 3° I DOÑ-GA.43 DOÑ.1-TR.02	0.372	JOHN RILEY
STEFAN & ANNE STERNER DOÑ 1- 5° I DOÑ-GA.23	0.412	JOHN RILEY
GRAZYNA SZYKE DOÑ.2- 1° D DOÑ-GA.26 DOÑ.2-TR.02	0.609	
INMACULADA PLAZA SANCHEZ DOÑ.2- 4° D DOÑ-GA.07 DOÑ.2-TR.03	0.385	MANUEL CABALLERO
PATRICIA MARY O'BRIEN DOÑ.3- 3° D DOÑ-GA.35 DOÑ.3-TR.07	0.368	
SRES. WALLIN DOÑ.3- 4° D DOÑ-GA.30 DOÑ.3-TR.05	0.354	JOHN RILEY
JAN RUNE & ANNICA FRITHOF DOÑ.3- 5° D DOÑ-GA.18	0.411	
PENILLA NICOLE WALLIN DOÑ.5- 1° D DOÑ-GA.14 DOÑ.5-TR.02	0.581	JOHN RILEY
MR.ALKHUDHAIRY DOÑ.5- 1° I DOÑ-GA.12 DOÑ.5-TR.09	0.622	JOHN RILEY
KEITH MANNING DOÑ.5- 2° D DOÑ-GA.10 DOÑ.5-TR.10	0.415	JOHN RILEY
JOHAN DOUGLAS OTTOSON CEST DOÑ.5- 2° I DOÑ-GA.15 DOÑ.5-TR.3	0.463	
<u>GIRALDA BUILDING</u>		
ROLAND LINDSTROM GIR.2- 2° I GIR-GA.26 GIR.2-TR.02	0.388	JOHN RILEY

**COMUNIDAD DE PROPIETARIOS DEL
CONJUNTO RESIDENCIAL SEÑORIO DE ALOHA**

PER JOHAN GUSTAVSSON GIR.1 – 2º I GIR-GA.10 GIR.1-TR.06	0.390	JOHN RILEY
MIKAEL HUMMEL GIR.1- 3º D GIR-GA.21 GIR.1-TR.1	0.427	
CHRISTINE ANDERSSON GIR.1- 4º D GIR-GA.24 GIR.1-TR.12	0.416	JOHN RILEY
SRA BOURGHARDT GIR.1- 5º I GIR-GA.16 GIR.1-TR.13	0.421	JOHN RILEY
SIMON GALKOOF GIR.2- 1º D	0.584	JOHN RILEY
MR./MRS. ANDERSSON GIR.2- 4º D GIR-GA.56 GIR.1-TR.11	0.363	JOHN RILEY
BIRGITTA WRENNO GIR.2- 4º I GIR-GA.46 GIR.2-TR.09	0.360	JOHN RILEY
PINAHE SA GIR.2- 5º D	0.396	JOSÉ M. MARTÍN ECHEVARRIA
ASELVAN SA GIR.2- 5º I GIR-GA.28 GIR. 2-TR.14	0.423	JOSE M. MARTIN ECHEVARRIA
ORLA BERNADETTE CANDON GIR.3- 1º D GIR-GA.31	0.486	JOHN RILEY
CARL ERIC MCLANDER GIR.3- 1º I GIR-GA.13 GIR.3-TR. 08	0.615	JOHN RILEY
SUNDUS WALID AHMED GIR.3- 2º D GIR-GA.36 GIR.3-TR.03	0.390	JOSÉ M. MARTÍN ECHEVARRIA
MATS BYLUND GIR.3- 4º D GIR.3-TR.09	0.340	JOHN RILEY
LARS ALLAN GRUNDEMAR GIR.5- 1º I GIR-GA.01 GIR.5-TR.07	0.611	JOHN RILEY

MEZQUITA BUILDING

KHALED ALROUMI MEZ 1- 1º I MEZ- GA.01 MEZ 1-TR.03	0.565	JOSE M. MARTIN ECHEVARRIA
SAYER INVESTMENTS S.L MEZ 1- 5º I MEZ- GA.02 MEZ 1-TR.12	0.420	JOHN RILEY
SAMANEH BEYRAMI BAHER MEZ 2- 1º I MEZ- GA.20 MEZ 2-TR.04 MEZ 2-TR.05 MEZ 2-TR.08	0.517	MAAN ALYAN
KJELL MIKAEL LUNDBACK MEZ 2- 5º D MEZ- GA.09	0.408	JOHN RILEY
MOGENS N CHRISTENSEN MEZ 3- 1º D MEZ- GA.16 MEZ 3-TR.14	0.608	JOHN RILEY
BEVERLEY THERESA BRIDGES MEZ 3- 1º I MEZ- GA.13 MEZ 3-TR.02	0.494	JOHN RILEY
JOHAN PATRICK THUNQVIST MEZ 3- 2º I MEZ-GA.40 MEZ 3-TR.11	0.380	JOHN RILEY
PETER SEJER RASK MEZ 3- 5º I MEZ- GA. 15 MEZ 3-TR.12	0.418	JOHN RILEY
JACK BUTLER MEZ 4- 2º I MEZ-GA.46 MEZ 4-TR.03	0.383	MAAN ALYAN
MARIA PILAR ARIAS JIMENO MEZ 4- 3º D MEZ-GA.47 MEZ 4-TR.01	0.367	
DEAN PAUL CANNON MEZ 5- 2º D MEZ-GA.23 MEZ 5-TR.12	0.380	JOHN RILEY
PATRICK TIMOTHY LILLIS MEZ 5- 2º I	0.358	JOHN RILEY
ANNELIE ERICSSON MEZ 5- 3º D MEZ -GA.49 MEZ 5-TR.01	0.367	

**COMUNIDAD DE PROPIETARIOS DEL
CONJUNTO RESIDENCIAL SEÑORIO DE ALOHA**

PER Y ANN NYBERG. BERGFORS MEZ 5- 4° I MEZ-GA.63 MEZ 5-TR.15	0.352	
BO STEFAN MORK MEZ 5-5° D MEZ-GA.58 MEZ 5-TR.14	0.421	JOHN RILEY
ANNELISE BRATHEN MEZ 5- 5° I MEZ- GA.25 MEZ 5-TR.13	0.422	JOHN RILEY
GABRIEL SAADO MEZ. 6- 4° D MEZ.-GA.56	0.343	JOHN RILEY
ELISABETH SWAHM BENJAMIN MEZ 6, 4° I MEZ-GA.60 MEZ 6-TR.02	0.414	JOHN RILEY
JOHN PHILIP RILEY MEZ.6- 5° D MEZ-GA-31 MEZ.6-TR.4	0.417	
QUINN, TOM MEZ 6, 5° I MEZ-GA.30	0.449	JOHN RILEY
<u>TRIANA BUILDING</u>		
VALENTIN PONCOS TRI 1- 5° D TRI-GA.25 TRI 1-TR.05	0.467	JOHN RILEY
SIMON RAYMOND ALEXANDER TRI 1- 1° I TRI-GA.56 TRI 5-TR.07	0.559	JOHN RILEY
RENE ANGE COLLET TRI 1- 3° D TRI -GA.23 TRI1-TR.10	0.426	ESPERANZA JIMENEZ
MICHAEL SJOO TRI 1- 4° D TRI -GA.60 TRI 1-TR.02	0.416	ANN BEGFORS
EWA GRANAT TRI 1- 5° I TRI -GA.26 TRI 1-TR.06	0.423	JOHN RILEY
SOFIE MONICA RYTTMARKER TRI. 2, 1° D TRI-GA.55 TRI 2-TR.10	0.613	ROY O' FLYNN

BENGT GORAN LUNDSTED TRI 2- 3° D TRI-GA.30 TRI 2-TR.04	0.371	JOHN RILEY
ROGER LOSNGSTAFF TRI 2- 4° D TRI -GA.29 TRI 2-TR.02	0.355	FIONA LONGSTAFF
ESPERANZA JIMENEZ TRI 2- 4° I TRI-GA.54 TRI 2-TR.03	0.353	
DAVID MICHAEL ADDLEY TRI 2- 5° D TRI-GA.27 TRI 2-TR.07	0.422	GERRY BURKE
OMAR EL FIGUIGUI SEHNOUNI TRI 3- 1° D TRI -GA.58 TRI 2-TR.05	0.421	
NEIL MANNING TRI 3- 2° D TRI-GA.19	0.373	JOSÉ M. MARTÍN ECHEVARRIA
HOLLI CHAMBERLAIN TRI 4- 1° D TRI-GA.36 TRI 4-TR.04	0.497	JOHN RILEY
J. MANUEL RODRIGUEZ GARCÍA SILVIA ARILLA TRI 4- 1° I TRI -GA.13 TRI 4-TR.02	0.410	
GERRY BURKE TRI 4- 2° D TRI -GA.17 TRI 4-TR.07	0.381	
FCO JAVIER LARA RODRIGUEZ TRI 4- 2° I TRI -GA.11 TRI 4-TR.08	0.410	
CORRADO & TREGLIA TRI 4- 5° I TRI -GA.18 TRI 4-TR.05	0.421	
MARIA VICTORIA MORIANA PRICET TRI. 5, 5° I TRI-GA.16 TRI.5-TR.06	0.465	SILVIA ARILLA

In total, **39,676%** 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.

**COMUNIDAD DE PROPIETARIOS DEL
CONJUNTO RESIDENCIAL SEÑORIO DE ALOHA**

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

1º). - REPORT FROM THE PRESIDENT

The owner of TRIANA 4- 1º I express disagreement with holding the meeting in English instead of Spanish. It is reminded that simultaneous translation services are available, but the owner is still not satisfied with this.

It is explained that since the President and the majority of attendees are English speakers and do not speak Spanish, it is more practical to provide simultaneous translation from English to Spanish rather than the other way around. Any Spanish-speaking owner can receive translation services when they wish to speak.

Since some owners disagree with this, the board is requested to vote on the matter, and the majority agrees to continue the meeting in English with simultaneous translation to Spanish.

The President of the community, Mr. Riley, welcomes and thanks all attendees in the room and introduces the new team referred to in previous communications sent to the owners.

He presents the members of the board, Mr. Jose Antonio Sarria Abogado, Mr. Andreas Norman from 360 Management, Mr. Víctor Porrás from Inproyect Engineering, the Administrators Adenjo Gestión (Mr. Jose-Manuel Ortiz and Mr. David Vazquez), Vice President Mr. Gerry Burke, and the board's translator, Mr. Anthony Weathley.

He explains that he will not dwell on the introductions as there are many topics to be discussed in the meeting, and a report with the most relevant information has already been sent out with the invitation.

2º). - TO PRESENT AND TO APPROVE, WHERE APPROPRIATE, THE ACCOUNTS FOR THE YEAR 2022.

Mr. Gerry Burke, vice-president and professional accountant, takes the floor to present the accounts for the year 2022 and explains the financial situation of the Community.

He notes that during the year, the cash flow has stabilized largely due to an increase in fees and income from the extraordinary levy.

Mr. Burke responds to various questions raised by the attendees regarding the accounts for the year 2022.

After examining the accounts, they are approved unanimously by those present and represented, closing with a positive accounting balance of five hundred forty-nine thousand three hundred eighty-seven euros (549,387.00€), which includes the amounts from the extraordinary levy for ongoing work, creditors, and outstanding receipts at the end of the year.

3º). - TO APPROVE THE ACCOUNTS OF OWNERS IN ARREARS, FOR THE PURPOSES PROVIDED FOR UNDER ART. 21 OF THE CONDOMINIUM ACT (L.P.H) ACTIONS TO BE TAKEN AGAINST DEBTORS. COMMUNITY DEBTS COLLECTION OUTSIDE SPAIN.

3.1 Law enforcement 10/2022 of 14th of June, that in its article 2.3, modify the article 21.1 of the condominium act (LPH). Deprivation of use of the communal services & facilities to owners in arrears. Motions to be adopted.

Regarding delinquency, one hundred and ten thousand one hundred and fifty-one euros and thirty-nine cents (110,151.39€) from previous years have been recovered, and the remaining 84.35% of debt from previous years is owed by only 10 owners. The delinquency rate for the current year is 12.75%.

The Community Lawyer, Mr. Jose Antonio Sarria, is present, and he reviews the current situation of delinquent owners and the legal situation of those with ongoing legal proceedings.

Mr. Sarria states that seventeen new legal proceedings have been filed. He insists that there are very old debtors whose debt collection will be complicated due to their legal or registration status.

Finally, the General Assembly of owners unanimously approves the annexed debt settlement as of the date of the meeting, as well as any subsequent fees charged to the approved budgets.

Unanimously, all presents agree to empower the president and/or the Administrator to initiate any necessary legal actions.

To do so, all present unanimously agree that delinquent owners will have to bear the expenses and costs of the legal proceedings, even if the Community uses a lawyer and procurator without requiring their intervention. The president is authorized to grant powers to Lawyers and Procurators and issue the corresponding certificates in accordance with Article 21 of the L.P.H.

It is agreed to authorize the president and committee, if they deem it appropriate, to carry out the necessary procedures with debt collection companies in the countries of origin of the defaulters, all without cancelling the legal process initiated in Spain.

3.1 Application of Law 10/2022 of June 14th, which in its article 2.3, modifies article 21.1 of the LPH. Deprivation of the use of community services and facilities for Debtors. Agreements to be made.

After an exchange of opinions on the dissuasive measures that could be taken against owners who fail to pay their fees, the following is unanimously agreed upon by those present and represented:

- Owners with unpaid fees will not be able to access the swimming pool or paddle courts, will not have access to internet through the community service nor to any other service or facility that is considered and could be included within what is permitted by law.
- To this end, the President is authorized to implement the measures he deems necessary to restrict access to these services.

**All of the above in accordance with the provisions of Law 10/2022 of June 14th, which in its article 2.3, modifies article 21.1 of the LPH.*

4º). - ELECTION OF THE COMMUNITY'S MANAGEMENT POSITIONS.

Candidates for President are requested.

Mr. JOHN PHILIP RILEY (Apto. Mezquita 6, 5ºD) is presented and unanimously elected as President.

**COMUNIDAD DE PROPIETARIOS DEL
CONJUNTO RESIDENCIAL SEÑORIO DE ALOHA**

Likewise, Mr. GERRY BURKE (Apto. Triana 4, 2ºD) is appointed as Vice President.

Similarly, and after offering to resign from his position, Adenjo Gestión, SL, represented by José Manuel Ortiz Sánchez, is unanimously ratified as Community Administrators.

Furthermore, the board authorizes the president to have signing power in the community's bank account, and the vice president to sign in the president's absence, always with the joint and several signature of the administration.

5º). - OTHER RELEVANT ISSUES:

5.1. Private construction & refurbishment. Standard setting.

As already stated by the President in his letter accompanying the Agenda, and as discussed in the previous meeting, the current rules in the Community were established a long time ago and in many aspects are outdated and/or unclear. Therefore, they are not suitable for their purpose, especially those related to private works and renovations.

To review and update the community rules, it would be useful to have owners who collaborate in their drafting. There is an exchange of opinions and volunteers are requested to establish a committee composed of owners who will help prepare and draft a draft of the rules to be approved at an upcoming Meeting of Owners.

Finally, this Committee is composed of the following owners:

FRANCISCO JAVIER LARA – TRIANA 4- 2º I
JOHAN DOUGLAS OTTOSON – DOÑANA 5- 2º I
ANNELIE ERICSSON- MEZQUITA 5- 3º D
MELANIA TREGLIA – TRIANA 4- 5º I
ANN NYBERG BERGFORS-MEZQUITA 5- 4º I
OMAR EL FIGUIGUI – TRIANA 3- 1º D

5.2. Update on the Construction in the community.

Victor takes the floor and states that many works have been carried out this year, including ventilation in some garages, terraces that cause damage to apartments, garage doors, ramp painting, garden irrigation improvements, installation of bollards, etc. and the most important one, the pool renovation which took longer than expected due to worse condition than anticipated.

The contract with Help has been modified so that they can perform maintenance tasks in addition to the concierge service. This will improve the community in terms of routine maintenance work. Their new schedule is from 8:00 am to 2:00 pm and from 4:00 pm to 10:00 pm from Monday to Friday, and from 4:00 pm to 10:00 pm on weekends and holidays. It has been proven to be working quite well. In addition to maintenance work, the Help staff regularly undertake 'walk-throughs' of the community buildings checking for any security breaches.

Victor reminded the meeting that over the course of the last year, not only were large scale infrastructure repairs undertaken but hundreds of smaller jobs essential to the smooth running of the community were also completed. Completed repairs to date amount to approximately 226,000 Euros, and once the current round of large scale works including garage waterproofing in Triana & Donana, repairs to terraces, storage room ventilation systems & final pool works are completed, the amount expended will be approximately €320,000.

The approved cash call of €500,000 has so far raised €420,000. At the time of the AGM approximately 100,000 euros is still to be expended but has been allocated to further terrace repairs, ventilation in storage rooms, and a security access control system. Andreas Norman informed the meeting that the access control system is planned to be implemented in stages, starting with the perimeter security & pools. Several companies have provided quotations which are currently being evaluated. In recognition of owners concerns over security, & until the full access control system is up & running, a summer season vigilante service has been budgeted for.

The repairs to the interiors of the Giralda, Alhambra & Mezquita garages are delayed pending the outcome of the community's civil prosecution against the construction company FCC (Ferrovial). After many years of delay, a final judgement is expected this November. However, at the time of going to press, stike action in the Spanish court system may result in further delays.

Victor explained that the community intercom system was severely vandalised a number of years ago. As a consequence damaged parts are now starting to fail & unfortunately are no longer manufactured. The replacement cost would be approximately €20,000 per building & this is now being evaluated in the context of the security architecture involving the access control system.

Luis in maintenance is a long standing & much valued member of the team. Following a review of his terms & conditions, & in recognition of the absence of a means to respond to on-site emergencies, Luis will now provide support. Owners will be provide with Luis's emergency number that can be used 24/7 in cases such as a water pipe burst, electricity or garage systems failure. This service is for emergencies only, & not for maintenance & repairs inside owners apartments.

5.3. Update on the situation with Nao Club. Actions to take.

Many owners in communities within the vicinity of the Nao Club have complained about the noise pollution & anti-social behaviour of its clients. As the club increases its popularity, it is a widely held view by the residential real estate industry as well as the management Boards of the various communities, that the demand & value of residential property in the vicinity of the club will decline.

Local politicians & concerned activists have brought the problems created by these 'residential area music clubs' to public attention & called for the town hall to act to ensure that they comply with the laws & operating permits already in place .

The meeting unanimously agreed by those present and represented, to work alone or together with similarly affected communities to initiate legal actions & other initiatives, including the right to seek financial damages, against the Naô Pool Club or any successor organisation, and to grant the President & Administrator of the Community the authority to appoint a lawyer and a procurator and any other necessary resources that would lead to the curtailment or restriction of the clubs activities as required by law.

5.4. Update on the Historic Debt to the Community's Creditors.

It is stated that as everyone knows, the Community has been carrying significant debt with long term creditors. The President, in his letter sent with the call, analyses the most important ones and the current situation we are in.

It is important to highlight that the current management team inherited a historic debt to Creditors of approximately €245,000. This increased to approximately €346,000, once the recent court judgement in favour Multimalaga (mentioned below) & the claims of the former lawyers to the Community have been taken into consideration.

**COMUNIDAD DE PROPIETARIOS DEL
CONJUNTO RESIDENCIAL SEÑORIO DE ALOHA**

The meeting was informed that it has been possible to pay €97,767 of said inherited debt to creditor companies such as Cofer, Help, Syman, Fain, as well as to lawyers who were previously acting for the community. This was largely possible because of the work of the Administrator to recover unpaid community fees, and by carefully managing the cash flow of the community.

However, as mentioned in the President's Report, a demand from Pinturas JJ has been received for payment of the €138,343 which we have been carrying in our Creditors account. This covered extra painting works in 2017/18, & was additional to the payment of circa €870,000 made during 2015-2017 for repainting the community.

This comes on top of the settlement awarded to Multimalaga (for a court case that was filed more than ten years ago by a previous security company) and, when interest and legal costs are taken into consideration, may result in a final cost to the community of circa €60-70,000.

So over the past several months the previously dormant cases of Pinturas & Multimalaga have presented the community with yet another financial challenge from the past.

On these two particular issues, the Community's lawyer, Mr. Sarria, takes the floor, explaining the complexity that a defence of either of the two procedures would entail at this point, so the most logical thing would be to reach agreements regarding the payment of these amounts.

In summary, the meeting is informed, whilst staggered payment plans have been negotiated with other creditors and financed from debtor payments & cash flow, it is not currently known what agreement can be reached with these Creditors and whether it will be possible to continue servicing the creditor debt without an extraordinary payment or levy to the owners.

An extensive debate ensues about the situation and how to face these payments. Finally, it is unanimously agreed by those present and represented to empower the President to negotiate payment plans and finance them to the extent possible with the cash flows available and thus avoid an extraordinary levy to face these payments.

In case it is not possible to face these payments according to the agreed terms, an extraordinary meeting would be called to address this issue.

6º). – TO APPROVE, WHERE APPROPRIATE, THE BUDGET FOR THE YEAR 2023.

The budget for the year 2023 is presented, with a proposal to maintain the current level of Community Fees despite the inflation increase in some expenses and supplies.

Finally, after being examined and debated, it is unanimously agreed by those present and represented to approve the following budget for the year 2023.

BUDGET ORDINARY EXPENSES FISCAL YEAR 2023

STAFF

<i>CLEANING STAFF</i>	<i>67.760,00</i>
<i>MAINTENANCE STAFF</i>	<i>33.440,00</i>
<i>LABOUR RISK PREVENTION</i>	<i>750,00</i>
<i>LABOUR ADVISOR</i>	<i>3.060,00</i>
<i>LIFEGUARD (SUMMER SEASON)</i>	<i>18.000,00</i>
<i>OTHER STAFF EXPENSES</i>	<i>1.200,00</i>

TOTAL I.- *124.210,00*

**COMUNIDAD DE PROPIETARIOS DEL
CONJUNTO RESIDENCIAL SEÑORIO DE ALOHA**

7º). - DIGITAL CERTIFICATE. POWER OF ATTORNEY. DECISION MAKING

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".

8º). – BY REQUEST OF THE OWNER DOÑANA 4, 2 IZQ :

“Study the possibility of converting the general room into a Gym or a meeting room”

As the interested party is not present, it is agreed to postpone this item to a future meeting.

9º). – ANY OTHER BUSSINES.

And there being no further business to discuss, the meeting was adjourned at 3/30 p.m. on the day indicated in the heading.


C. P. SEÑORIO DE ALOHA
C. I. F.: H - 92232214
Avda. Manolete
29660 Nueva Andalucía (Marbella)

VºBº PRESIDENT
Mr. John Philip Riley


C. P. SEÑORIO DE ALOHA
C. I. F.: H - 92232214
Avda. Manolete
29660 Nueva Andalucía (Marbella)

THE ADMINISTRATION
Mr. Jose Manuel Ortiz Sánchez