

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

Marbella April 26, 2024

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:

1°).- PRESIDENT'S REPORT.

2°).- TO PRESENT AND TO APPROVE, WHERE APPROPRIATE, THE ACCOUNTS FOR THE YEAR 2023.

3°).- 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.

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

5°).- OTHER RELEVANT ISSUES:

5.1. Report on the situation with **FCCC**.

5.2. Update on the situation with **Nao Club**.

5.3. Information on the **Historical Debt** Situation of the Community.

5.4. Update on **water Restrictions due to Drought**. Garden and Pool Maintenance Situation.

5.5. Status with works in apartment **MEZQUITA, 4-5 IZQ**. Alteration of the original building configuration & inadequate Town Hall licences. agreement to initiate legal actions.

6°) BY REQUEST OF THE OWNER OF THE PROPERTY **GIRALDA 1- 4 D:**

- **request authorization to open a hole in the exterior wall and install a duct for the kitchen extractor hood.-**

7°).- TO APPROVE, WHERE APPROPRIATE, THE BUDGET FOR THE YEAR 2024.

8°).- DIGITAL CERTIFICATE. POWER OF ATTORNEY. DECISION MAKING.

9°).- 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>EDIFICIO ALHAMBRA</u>		
EMIL ALEXANDER WOLFBRANDT ALH 1- 2°D ALH 1-TR.04 GIR-GA.48	0.443	STEFAN STERNER
CRISTINA MORENO MONTES ALH.1-2°I ALH.4-TR.01 GIR. GA 54	0.388	
MR. KARLSSON & ANDERSSON ALH 2- 1°D ALH-GA. 89 ALH- GA 57 ALH2-TR.6 ALH2-TR.7 ALH2-TR.9 ALH2-TR.10	0.703	
JOHAN INGEMAR EKERMANN ALH 2- 1°I ALH- GA.91 ALH 2 -TR.05	0.518	JOHN RILEY
PAUL PHILIPPE DESNERCK ALH 2-2°D ALH-GA 67 ALH 1-TR.01	0.399	JOHN RILEY
ATTILA LASZLO ALH 2-4°I ALH-GA.66 ALH 3 -TR.14	0.369	ORSOLYA NAGY
IAN ARTHUR CATLEY ALH 3-2°D ALH-GA.74 ALH 3 -TR.07	0.400	JOHN RILEY
KIERON HAYES ALH 3-2°I ALH 3- TR.08 GIR-GA.55	0.385	JOHN RILEY
ANNIKA CHARLOTTA ÖFVERHOLM ALH 3-3°D ALH-GA.86 ALH 3 -TR 03	0.393	JOHN RILEY
MR./MRS. JOHANSSON ALH 4-1°D ALH-GA.75 ALH 4 -TR.13	0.569	JOHN RILEY
HENDRIKUS VAN HUIJSTEE ALH 4-3°I ALH-GA.76 ALH 4 -TR.12	0.440	JOHN RILEY
SUHAIL AL-JUZI ALH 4-4°D ALH 4-4°I ALH-GA.78	0.801	

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ALH-GA.80
ALH 4 -TR.08
ALH 4 -TR.09

RAMI KISKOLA 0.472
ALH.4-5° I
ALH-GA 82

EDIFICIO DOÑANA

PANAGIOTIS Y SUSAN BABAROUTSIS 0.453 JOHN RILEY
DOÑ.1- 3°D
DOÑ-GA.02
DOÑ.1-TR.09

DAVID BENISTY 0.372 JOHN RILEY
DOÑ.1- 3° I
DOÑ-GA.43
DOÑ.1-TR.02

STEFAN & ANNE STERNER 0.412
DOÑ 1- 5° I
DOÑ-GA.23

EUNICE ANN MCKENNA 0.370
DOÑ. 2-3° I
DOÑ. GA-46
DOÑ. 2- TR. 01

THOMAS RICHARD RYAN 0.495
DOÑ.3- 1° D
DOÑ.GA-33
DOÑ.2- TR.09

GHIATH DIB TATROS 0.356 JOSEPH KOURY
DOÑ.4- 4° I
DOÑ GA-42
DOÑ.4- TR.06

MR. ALKHUDHAIRY 0.622 JOHN RILEY
DOÑ.5- 1° I
DOÑ-GA.12
DOÑ.5-TR.09

JAN HAKAN JACOBSSON 0.421
DOÑ.5- 4° I
DOÑ. GA-39
DOÑ.5- TR 06

EDIFICIO GIRALDA

ANDERS JOHAN 0.557 JOHN RILEY
GIR.1- 1° I
GIR. GA-32
GIR.1-TR. 14

PER JOHAN GUSTAFSSON 0.390 JOHN RILEY
GIR.1- 2° I
GIR. GA-10
GIR.1-TR. 06

MIKAEL HUMMEL 0.427 JOHN RILEY
GIR.1- 3° D
GIR-GA.21
GIR.1-TR.1

CHRISTINE ANDERSSON GIR.1- 4° D GIR-GA.24 GIR.1-TR.12	0.416	JOHN RILEY
SIMON GALKOOF GIR.2- 1° D	0.584	JOHN RILEY
ROLAND LINDSTROM GIR.2- 2° I GIR. GA-26 GIR.2- TR-02	0.388	JOHN RILEY
JAN THIMMY GIR.2- 3° D GIR. GA-27 GIR.2-TR 04	0.374	JOHN RILEY
MR./MRS. ANDERSSON GIR.2- 4° D GIR-GA.56 GIR.1-TR.11	0.363	
BIRGITTA WRENNO GIR.2- 4° I GIR-GA.46 GIR.2-TR.09	0.360	LARS ANDERSSON
YAHROB ZEIDAN HAKIM GIR.3- 3° D GIR. GA-23 GIR. GA-33 GIR.3- TR-01	0.389	JOHN RILEY
MATS BYLUND GIR.3- 4°D GIR.3-TR.09	0.340	JOHN RILEY
DARREN & TRACY ASQUITH GIR.4- 1° I GIR. GA-06 GIR.4-TR- 01	0.619	JOHN RILEY
BO JOHAN STEPHAN GIR. 4- 3° I GIR. GA-30 GIR.4 TR-04	0.372	JOHN RILEY
ANGELIQUE FLAG GIR.4- 5° I GIR. GA-42	0.413	
LARS ALLAN GRUNDEMAR GIR.5- 1° I GIR-GA.01 GIR.5-TR.07	0.611	JOHN RILEY
THOMAS JEMT GIR.5- 2° I GIR. GA-45 GIR. 5-TR-01	0.451	JOHN RILEY
JOSEPH Y SUZANNE KHOURY GIR.5- 3° D GIR. GA-04 GIR.5-TR.11	0.373	

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EDIFICIO MEZQUITA

FAHAD IBRAHIM ALJARBOA MEZ.1- 5° D MEZ. GA-04 MEZ.4-TR-13	0.464	MARIO NOEL
SAYER INVESTMENTS S.L MEZ 1- 5° I MEZ- GA.02 MEZ 1-TR.12	0.420	JOHN RILEY
KJELL MIKAEL LUNDBACK MEZ 2- 5° D MEZ- GA.09	0.408	JOHN RILEY
MOGENS N CHRISTENSEN MEZ 3- 1° D MEZ- GA.16 MEZ 3-TR.14	0.608	JOHN RILEY
JOHAN PATRICK THUNQVIST MEZ 3- 2° I MEZ-GA.40 MEZ 3-TR.11	0.380	JOHN RILEY
ALISSON ELISABET CROSS MEZ.3- 4° I MEZ. GA-65 MEZ.3- TR-13	0.357	
PETER SEJER RASK MEZ 3- 5° I MEZ- GA. 15 MEZ 3-TR.12	0.418	
PATRICK TIMOTHY LILLIS MEZ 5- 2° I	0.358	JOHN RILEY
ANNELIE ERICSSON MEZ 5- 3° D MEZ -GA.49 MEZ 5-TR.01	0.367	JOHN RILEY
PER Y ANN NYBERG. BERGFORS MEZ 5- 4° I MEZ-GA.63 MEZ 5-TR.15	0.352	STEFAN STERNER
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	
GABRIEL SAADO MEZ. 6- 4° D MEZ.-GA.56	0.343	
QUINN, TOM MEZ 6, 5° I MEZ-GA.30	0.449	JOHN RILEY

EDIFICIO TRIANA

MICHAEL SJOO TRI 1- 4° D TRI -GA.60 TRI 1-TR.02	0.416	JOHN RILEY
VALENTIN PONCOS TRI.1- 5° D TRI. GA-25 TRI.1- TR-05	0.467	
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 & FIONA LOSNGSTAFF TRI 2- 4° D TRI -GA.29 TRI 2-TR.02	0.355	
DAVID MICHAEL ADDLEY TRI 2- 5° D TRI-GA.27 TRI 2-TR.07	0.422	JOHN BRENNAN
LATIFA RMIKI JAKOBSEN TRI.3- 4° I TRI. GA-42 TRI.2- TR-06	0.356	JOHN RILEY
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	JOHN RILEY
CORRADO & TREGLIA TRI 4- 5° I TRI -GA.18 TRI 4-TR.05	0.421	
VILLA GLORIA S.L TRI.5- 1° I TRI. GA-14	0.610	MARIO NOEL
PAULA PEACE TRI.5- 5° D TRI. GA-41 TRI.5- TR-02	0.424	JOHN RILEY

In total, 28,633% of the participation coefficients are present or represented.

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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:

1º). - PRESIDENT'S REPORT

By the president of the community, Mr. Riley, welcomes and thanks all present in the room for attending, introducing the members of the board, Mr. Jose Antonio Sarria, Lawyer, Mr. Víctor Porras, Inproyect engineer, the Administrators Adenjo Gestión (Mr. Jose-Manuel Ortiz and Mr. David Vázquez), Vice President Mr. Gerry Burke, and the Board's translator Ms. Laura Wheatley.

He states that he will not dwell on the introduction, as there are many points to discuss in the meeting, and that the President's report with the most relevant information has already been sent with the Call.

However, he does want to comment on the notable improvements achieved right across the community by the Sub-contractors responsible for: Cleaning; Gardening; Equipment maintenance; and the Ad-hoc repairs team.

On a deeper level, he mentions the successful completion of the first phase of infrastructure projects financed by the 2022 cash call. There is more work to do, but it is important to note that key learnings, for example contract management, will be applied to the future phases of infrastructure repairs.

The real estate market in Marbella has experienced a boom in recent years, which has also benefited Señorío. In 2023, there were several high-value sales, and the visible and substantial improvements throughout the community are undoubtedly contributing to higher value appraisals.

In this regard, he mentions various repairs, including those related to the pools and water drainage issues in the gardens above the Donaña and Triana garages. In addition, some owners have had repairs to their terraces damaged by rainwater & irrigation systems, and others have had ventilation installed in their storage rooms to combat moisture problems caused by floods.

As most will know, debts due from owners over the last 15 years have spiralled out of control, putting the community at significant financial risk. A key initiative in 2023 was to renew efforts in court against debtors. The President cannot say he is pleased with the results so far because the truth is the legal system in this country does not work as efficiently as it should, & it can take years instead of months to get favourable judgements. Nevertheless, the efforts continue.

Regarding security the President provides a quick recap. In September 2022, the Community terminated the 'single-vigilante' security service with Cofer due to the lack of effectiveness. At that time, the Concierge service was also re-purposed so instead of having a man at the main entrance & generally letting anyone into the community, the new system now has HELP Services personnel in and around the community performing various maintenance tasks and monitoring potential security & anti-social behaviour issues.

This system with HELP is working very well, and as suggested by several owners, the number of staff is now being increased to provide 24-hour x 7 days a week coverage.

Whether it's painting fire doors in the garages, repairing tiled corridors, re-plastering damaged walls inside the portals, or significantly improving storage room ventilation, the community is getting much better value for money comparing to the previous concierge and one-man security. Imminent roll-out of Access Control will further enhance security.

Another problem now faced of concern to owners, is the impact of water scarcity, particularly regarding the pools. The situation changes almost weekly. Currently, the pools are open with conditions, but we are optimistic they can open throughout the summer.

The President draws attention to the water savings since the repairs and upgrades to the pools in 2023. In 2022, the water bill was €70,000 and remained at that approximate figure for some time. In 2023, the water bill was approximately €22,000, a saving of almost €48,000 (68% cost reduction). Although rates are increasing due to shortages, we anticipate the pool repair costs will have paid for themselves within 4 years.

Electricity savings. The initiative to use an external electricity consultant reduced the year on year cost in 2023 from €53,000 to €40,000, representing a saving of 24%. The electricity market has been competitive again, and the President reminds that if you haven't already, you should look around for the best deals.

Speaking on cost inflation. Although we are seeing cost increases from subcontractors, we have been able to offset some of these from the significant savings on utilities. However, a 7% increase in fees is proposed in the belief that it is absolutely necessary to maintain the aggressive maintenance program that is now underway. At the same time some sub-contractors are changing either to save more money or, as with the elevator company, to ensure a more reliable service.

Regarding reform works, illegal modifications can make the community look more like a gypsy camp and can also lead to a reduction in the prestige and value of the Community. With this in mind, Adenjo have approached reform owners and requested copies of their building permits and access to their properties to ensure a mutually beneficial outcome.

Unfortunately, many owners have had to endure neighbouring illegal reforms that last for months. Many reforms owners/real estate agents are simply negligent and not interested in cooperating to minimise impact on the community. Therefore, in January, an EGM was held to approve legal actions against an illegal renovation where there were at least 7 breaches of community rules and Spanish legal standards.

The intention is to take legal action against reforms where owners do not cooperate with the Administration or do not comply with the rules & laws.

In addition, in 2023, there were significant issues with both short-term and some long-term rental tenants. Many of the same problems occur in other popular rental communities, and there is a growing trend to ban short-term rentals, especially those associated with Airbnb. In Spain, regional and local councils are also starting to take action, partly to protect the housing market for local populations and workers but also to constrain criminal and antisocial activities. The President believes it is now necessary for the community to be more proactive on this issue.

He would also like to draw attention to 'owner participation' in the life of the Community, pointing out that in almost all well-managed communities, there are volunteers with assigned responsibilities. After assessing Señorío's issues, he has requested volunteers at the last two annual meetings. New issues, such as unsupervised reforms, various forms of antisocial behaviour, and broader problems such as the NAÔ Pool Club, are best addressed with help from volunteers who can see these matters from an owner's perspective and work

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together with the community's professional staff to find suitable solutions. Being a volunteer does not necessarily imply living in the community or having specialized knowledge.

For the record, the owner of Alhambra 1, 2nd Floor (Mrs. Montes), expresses her willingness to volunteer in drafting regulations or any other matter requested by the President.

2º). TO PRESENT AND TO APPROVE, WHERE APPROPRIATE, THE ACCOUNTS FOR THE YEAR 2023.

Taking the floor to present the accounts for the fiscal year 2023 is Mr. Gerry Burke, vice president and professionally qualified chartered accountant, who outlines the Community's financial situation.

He notes that the Balance Sheet at the end of the year indicates that the Community has a net worth of 267,000 euros, but this, in real terms, is close to zero given that the owners' balances of 453,000 euros include a significant amount of unrecoverable old debts. However, there has been an improvement compared to previous years, where prudent management of cash balances has allowed the recovery of approximately 150,000 euros of old creditor balances. The community can now pay suppliers in a timely manner, and the only old balance included in the 292,000 euros 'amounts owed to suppliers' (Creditors) is the debt to Pinturas JJ of 138,000 euros, which is still subject to legal proceedings. Efforts to collect cash from owners (current and overdue) have continued, and the overall cash flow is now positive.

The Balance Sheet includes a deferred credit of 79,000 euros, being the unspent amount of the special assessment/cash call of 500,000 euros at the end of 2023. The balance of 79,000 euros represents the full collection of the cash call, but this is reduced to 48,000 euros since 31,000 euros (6%) of the cash call are still not collected.

Mr. Burke addresses various questions posed by attendees regarding the accounts for the fiscal year 2023.

After examining the accounts, they are unanimously approved by those present and represented, closing with a positive accounting balance of three hundred fifty-nine thousand one hundred ninety-four euros and eighty cents (€359,194.80); included in this balance are the amounts of the cash call with ongoing work, creditors, and outstanding invoices at the close of the fiscal 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.

Regarding overdue payments, one hundred seventy-nine thousand one hundred eighty-seven euros and fifty cents (€179,187.50) from previous years have been recovered, and the remaining 76.21% of the total debt from previous years is owed by only 7 owners. The delinquency rate for the 2023 fiscal year has been 7.36%.

The Community's Legal Counsel, Mr. Jose Antonio Sarria, is present. He provides an overview of the current situation regarding some of the delinquent owners and the legal status of those involved in ongoing legal proceedings. He emphasizes that there are very old debtors for whom it will be challenging to collect the total debt due to their judicial or registry situation.

Finally, the General Meeting of owners unanimously agrees to approve the settlement of debtors attached to this Minutes as of the Meeting date, as well as any future assessments based on the approved budgets.

It is unanimously agreed by all present to authorize the President and/or the Administrator, if necessary, to initiate any relevant legal actions.

It is further agreed unanimously by all present that delinquent owners shall bear the expenses and costs incurred in legal proceedings, even if the Community engages a Lawyer and Procurator without their mandatory intervention, authorising the President to grant powers of attorney to Lawyers and Procurators, and to issue the corresponding certificates in accordance with Article 21 of the Horizontal Property Law.

The President and the Committee are authorised, if deemed appropriate, to undertake necessary actions with debt collection companies in the countries of origin of the delinquent owners, without cancelling the legal proceedings initiated in Spain.

Owners who are not paying their dues are reminded of the following resolution from the Meeting:

- Owners with outstanding payments will not be allowed access to the swimming pools or padel courts & will not have internet access through the community service, or any other service or facility considered, which could be included within what is allowed by law.
- The President is authorized to implement any measures deemed necessary to restrict access to these services.

(All of the above in accordance with the provisions of Law 10/2022 of June 14, which, in its Article 2.3, amends Article 21.1 of the Horizontal Property Law.*

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

Candidates for President are requested.

Mr. **JOHN PHILIP RILEY** (Apartment Mezquita 6, 5thD) presents himself and is **unanimously elected as President.**

Likewise, **Mr. GERRY BURKE** (Apartment Triana 4, 2ndD) is appointed as **Vice President.**

Similarly, after offering their position to the Owners' Board, **ADENJO GESTION SL**, represented by José Manuel Ortiz Sánchez, is **unanimously ratified as the Community Administrators**

5º). - OTHER RELEVANT ISSUES:

5.1. **Report on the situation with FCCC.**

The President expressed that the intention was for the community's lawyer, Mr. Urquía from Dua Abogados, to be present in this proceeding, but ultimately, due to personal reasons, he could not attend. In his absence the President summarised his own relatively limited understanding of this very complex & seemingly very restricted legal aberration.

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As mentioned in the President's report sent with the invitation (& paraphrased here), in 2004/5, the Community sued FCC CONSTRUCCIONES S.A, the General Contractor (constructor) of Señorío de Aloha. The case has been very convoluted due to numerous court hearings as well as different Community representatives (Lawyers & Administrators). Over the years, the information provided to the owners solely through the Owners' General Meetings was extremely limited & this despite the presence of the assigned lawyer, Mr. F. Urquía. The last occasion was the Owners' General Meeting of 2019 when Mr. Urquía reminded those present that "justice in Spain is unfortunately very slow, but we are awaiting the verdict, which is expected to be positive for the community's interests."

So slow, in fact, that the next court hearing after 2018 didn't occur until November 2023, and the judge's decision was only communicated by Mr. Urquía towards the end of February 2024..... and was not positive at all. Adenjo and the President met with Mr. Urquía in March to try to understand the ramifications and available options. What transpired were new revelations by Mr Urquia that were never communicated in the change of Presidents and Administration in 2020, nor at any time thereafter to Meridional or Adenjo.

The complex and confusing explanations necessitated a request to Mr. Urquía to provide a detailed written report on what happened between a ruling issued in 2010 until the final hearing in November 2023. This brevity of the report received & the revelation that FCC, has an old legal case found in their favour against the Community for an amount of 56,934.49 euros is quite staggering. Furthermore, with the original case against FCC now closed, FCC are demanding settlement of amount awarded by the court.

Following Mr Urquia's March revelations, a complete assessment of the implications for the Community has been underway but not yet concluded. This will involve having to carry out the works that FCC CONSTRUCCIONES S.A did not execute properly at the time of construction, as well as repairing the damage caused by the absence of those original works. These focus on the Mezquita, Alhambra, and Giralda garages (minor repairs were funded from the cash call to the garage roofs of Donaña and Triana). **They will have a significant impact on the schedule of other works throughout the community and will require very careful assessment by Victor, Adenjo, and external specialists.**

Once we have different proposals and relevant reports covering all infrastructure projects to be executed, an Extraordinary General Meeting will be convened.

5.2. Update on the situation with Nao Club.

By the President's account, in 2023, NAÔ has become bigger, bolder, more popular, and more successful. The magnitude of antisocial behaviours overflowing from the club has been outrageous. The impact on the neighbourhood is becoming more severe every summer, and at some point, one can't help but feel it will have more consequences for the neighbourhood's value. Owners in Giralda and Alhambra will now have to deal with a new entrance that NAÔ is building directly in front of our garage doors.

Together with other communities, we are making legal efforts to protect the common interests of our residential rights, both from a civil and administrative standpoint. At the same time, we recognize the negligence of the Town Hall in fulfilling its duties and responsibilities, and significant efforts are being made to hold them accountable.

Owners in all affected communities, including Señorío, remain complacent. The Community filed an official complaint against NAÔ, but it doesn't have anywhere near the impact on the Town Hall as when dozens or hundreds of owners lodge individual objections (Denuncias). If owners truly care about the value of their properties, they should collaborate and go to the police station to file a complaint against NAÔ.

Therefore, apart from complaining about noise pollution and the antisocial behaviour of its patrons, owners should be more proactive in filing complaints or calling the police when necessary.

It was agreed to explore the possibility of sending a draft or model complaint to all owners.

At the meeting, it was unanimously agreed by those present and represented to continue working in this regard alone or jointly with similarly affected communities, to initiate legal actions and other initiatives, including the right to seek economic damages, against NAÓ Pool Club or any successor organization, and to empower the President and Community Administrator to appoint a lawyer and a solicitor as well as use any other necessary resource that leads to the limitation or restriction of the club's activities as required by law.

5.3. . Information on the Historical Debt Situation of the Community.

Again, it is explained that as everyone is aware, the Community has been carrying a debt with historical creditors. The president already in his letter sent along with the convocation makes an analysis of the most important ones and the current situation in which we find ourselves.

It is important to highlight that the current management team found a historical debt of approximately 245,000.00 euros, which is turning out to be finally 363,000 euros once new creditors arrived. This includes the Multimalaga judgment, the claim from former lawyers, and the execution of the FCC judgment now known (none of this was reflected in the historic accounts).

During these two fiscal years, 155,658.84 euros of said historical debt have been paid (to Creditors including Cofer, Help, Syman, Fain, Multimalaga Judgment, and through payment agreements with others such as former lawyers). All this has been possible via the recovery from Debtors & prudent management of community funds.

In summary, in the last fiscal year, staggered payment plans have been negotiated and financed with cash flow, especially when payments have been obtained from debtors. However, we are unaware of the agreement that can be reached with the remaining creditors such as Pinturas JJ, which is the main creditor now, and whether it will be possible to continue servicing the historical debt without resorting to owners for an extraordinary payment.

A broad debate ensues about the situation and how to address these payments. Finally, it is unanimously agreed by those present and represented to empower the President to negotiate payment plans and to finance them as much as possible with the available cash flows to avoid an extraordinary payment to address these creditors.

In case it is not possible to address these payments as agreed, an Extraordinary General Meeting would be convened to address this issue.

5.4. Update on water Restrictions due to Drought. Garden and Pool Maintenance Situation.

As you know, and in relation to the issue of drought, the latest Town Hall decree and the Junta regarding this matter, prohibited among other things, watering and filling and refilling of pools.

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The Marbella Town Hall, following an agreement by the Drought Commission of the Junta de Andalucía, approved the sealing of pool and garden irrigation water meters, resulting in the supply being cut off.

This problem in general is causing pools not to receive water to carry out the water purification cycles, so they cannot be treated with chemicals properly and it makes the pool unusable because the optimal water quality cannot be guaranteed.

However, in our case, the pools are available for use, thanks to the continuous maintenance that is carried out.

We are awaiting a possible new statement from the Town Hall or the Junta de Andalucía that may prohibit or allow the use of pools this summer, as well as garden irrigation. Information will be updated accordingly.

5.5. Status with works in apartment MEZQUITA, 4- 5 IZQ. Alteration of the original building configuration & inadequate Town Hall licences. agreement to initiate legal actions.

To address this issue, the Community's lawyer, Mr. Jose Antonio Sarria, and its technician, Mr. Víctor Porras, are present.

The owners of apartment **MEZQUITA 4-5 IZQUIERDA** carried out works without obtaining the Community's authorization. They were formally requested, unsuccessfully, to restore the works to their original state, but they decided to continue with them.

These works involved, among other things, the installation of a bathroom in a closed terrace, alterations to common elements, modification of the level and drainage on the terrace, etc.

Some owners express their discomfort due to the inconvenience and noise caused by the construction. After extensive debate, **it is agreed by a majority** of all present and represented owners, with the dissenting votes of apartments Triana 3, 5th floor D and Triana 2, 4th floor D, **to initiate the relevant legal actions against the owner of apartment MEZQUITA 4-5 IZQUIERDA** regarding the unauthorized works.

The President is authorized to grant powers to lawyers, procurators, and any other necessary professional to carry out the resolution of the Board.

6º) BY REQUEST OF THE OWNER OF THE PROPERTY GIRALDA 1- 4 D:

- **request authorization to open a hole in the exterior wall and install a duct for the kitchen extractor hood.-**

By the Community's technician, Mr. Victor Porras, it is explained that this owner, like others, has approached him to solve this problem.

The kitchen ducts for odours reach the terraces of these kitchens, and some owners want to enclose them with Lumon? or similar, but they encounter this issue as the fumes remain inside the house. To address this, a small opening could be made in the facade for these gases to exit through there, which would be better than the current pipes that exist in some of the homes.

Therefore, the Community's technician states that in his opinion, this is a positive solution, and he would approve it; however, all owners should communicate it before executing it to ensure uniformity in the execution of the work.

After extensive debate, it is **unanimously agreed** by all present and represented (with the abstention of Portal 3-4 I) to authorize the opening of a hole in the exterior wall to install a duct for the kitchen extractor. It is requested that anyone intending to carry out such installation contact technician Mr. Porras.

7º). – TO APPROVE, WHERE APPROPRIATE, THE BUDGET FOR THE YEAR 2024.

The draft budget for the fiscal year 2024 is presented as submitted. The President states that, in his opinion, it is absolutely necessary to maintain the aggressive maintenance program that is currently in place (with increased hours in the evenings, nights, and weekends) and to change some subcontractors either to save more money or to ensure a more reliable service.

Finally, it was **unanimously agreed** by all present to **approve the following budget** for the fiscal year 2024, **which represents an increase of 7.07%**.

ORDINARY BUDGET FISCAL YEAR 2024

STAFF

<i>CLEANING</i>	75.000,00
<i>MAINTENANCE STAFF</i>	46.900,00
<i>LABOUR RISK PREVENTION</i>	750,00
<i>LABOUR ADVISOR</i>	3.060,00
<i>LIFEGUARD SERVICE (SUMMER SEASON)</i>	18.000,00
<i>OTHER STAFF EXPENSES</i>	1.250,00
	<u>TOTAL 1.-</u> 144.960,00

REPAIRS & MAINTENANCE

<i>GARDENING MAINT.</i>	70.000,00
<i>GARDENING ITEMS (Debris, re-seeds...)</i>	5.000,00
<i>POOL MAINTENANCE (Analysis, Chemicals, ...)</i>	4.700,00
<i>DOORS MAINTENANCE</i>	3.162,00
<i>ELEVATORS MAINTENANCE</i>	29.956,00
<i>TV MAINTENANCE & VIDEO INTERCOM / CCTV</i>	9.000,00
<i>FIRE DETECTION EXTINGUISHER</i>	8.200,00
<i>REPAIRS & MAINTENANCE IN GENERAL</i>	43.955,40
<i>PEST CONTROL</i>	1.440,00
	<u>TOTAL 2.-</u> 175413,40

SUPPLIES

<i>ELECTRICITY SUPPLY</i>	41.500,00
<i>WATER CONSUMPTION</i>	30.000,00
	<u>TOTAL 3.-</u> 71.500,00

**COMMUNITY OF OWNERS
RESIDENTIAL COMPLEX SEÑORIO DE ALOHA**

ADMINISTRATION, LEGAL & SURVEILLANCE SERVICE

<i>INSURANCE POLICY</i>	13.790,00
<i>OTHERS (legal advisor, Audit, Interpreter, Tecnic, ...)</i>	12.100,00
<i>MONDAY.COM licence</i>	2.000,00
<i>PRESIDENCY EXPENSES</i>	12.100,00
<i>VARIOUS & RECURRENTS</i>	5.000,00
<i>ADMINISTRATION FEES</i>	34.000,00
<i>PROJECT MANAGER</i>	26.426,40
<i>ENGINEER MANAGER</i>	28935,46
<i>CONCIERGE SERVICE</i>	168000,00
	<u>TOTAL 4.-</u> 302351,86
 <i>SUBTOTAL</i>	 694225,26
<i>RESERVE FUND (ART. 9 L.P.H)</i>	69422,52
 TOTAL BUDGET	 763647,78

N.B WHERE APPROPRIATE ALL AMOUNTS INCLUDE IVA (VAT).

Based on the approved Budget, **a regularisation fee will be charged in the month of May for the first two quarters (January and April) and for the annual fees for parking spaces and storage rooms, which were already invoiced with the previous fee.**

8º). - 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".

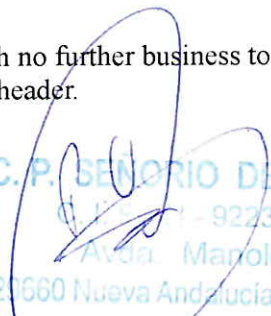
9º). ANY OTHER BUSINES

A broad debate arises regarding the issue of reforms in the apartments and how it impacts community life.

It is emphasised that reforms should always be carried out with respect for the legal norms of Spain, the Community Rules & Statues, & other property owners. Some reforms, such as removing planters, are not feasible or allowed by the Town Hall, as certain renovations can devalue the property and should not be pursued at the expense of other properties and the integrity of the community. Preferably with help from owners, updated & expanded rules on reforms will be proposed,

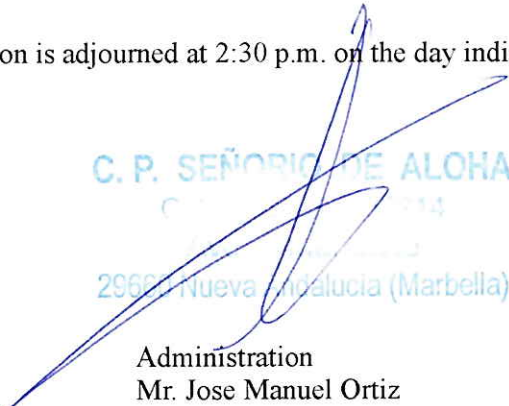
Some owners enquire about the plan for upcoming infrastructure renovations. The President states that, as mentioned in last year's General Meeting, there are additional necessary renovations to be carried out without delay, including those related to the legal case involving FCC CONSTRUCCIONES. **These renovations are an imperative, & a detailed plan including financing options is under development. It will be necessary to convene an Extraordinary General Meeting in the coming months to discuss & approve the desired approach.**

With no further business to discuss, the session is adjourned at 2:30 p.m. on the day indicated in the header.



C. P. SEÑORIO DE ALOHA
Teléfono: 92232214
Aldea. Marolete
29660 Nueva Andalucía (Marbella)

VºBº PRESIDENT
Mr. John Philip Riley



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Administration
Mr. Jose Manuel Ortiz