

# COMMUNITY OF OWNERS

## SEÑORIO DE ALOHA RESIDENTIAL COMPLEX

### 2024 PRESIDENTS END-OF-YEAR NEWSLETTER

Season's Greetings Fellow Owners,

As we close out 2024, we reflect on a year filled with progress, challenges, and continued efforts to maintain and improve the quality of life within our community. Below is a summary of key developments, issues and ongoing initiatives:

#### **1. Financial Management**

The key imperative of financial stability has been maintained throughout the year & bank balances are comfortably positive. Community expenditures remained aligned with the 2024 approved budget. Although variances occurred, especially in utilities, the management team actively monitored and adjusted spending accordingly. Significant repairs and maintenance projects were completed on schedule and mainly within budget. Whilst inflation in Spain has been trending downwards, we remain alert to rising prices in various material costs & outsourced services.

A significant inherited burden in 2020 was the claim by Pinturas for €138,000, supposedly due to additional costs in painting the community in 2017/18. We refused to recognise this cost due to the absence of a contract & invoices. However, in 2024 Pinturas had a successful legal outcome against the Community on the evidence of them appearing as a 'creditor' in the minutes of the AGM's after 2018, (a travesty of justice in my opinion especially given the extremely poor standard of the work). An out of court settlement was agreed, & we made a bullet payment of €28,500 in the 3rd quarter & are now paying off the balance at the rate of €3,000 per month. Careful management is enabling us to service this debt from cash flows.

The conclusion of the 15yr legal case against FCC, the General Contractor of Señorío de Aloha, resulted in FCC claiming an approximate net €53k from the community. I struggle to find any other reasons beyond the incompetency of the lawyers of the day & the inadequacies of the legal system to explain how the community finds itself in this unfortunate situation. The current management team hopes to find an effective work around for yet another inherited problem.

#### **2. Community Fee Debt Reduction**

The total outstanding debt now stands at €372,255, a figure significantly below the inherited debt of over €500,000 in 2020.

Of the current debt, 88.29% is attributed to just five property owners, and legal actions are progressing slowly through the courts. Outcomes are difficult to predict but potential outcomes include asset seizures & or the auction of the most indebted properties.

This year, approximately €145,000 from previous fiscal years has been recovered, adding to the €429,382 collected since ADENJO began its work.

The fees collection rate has improved, averaging approximately 95%, which reflects a notable improvement in owner's financial discipline.

The behind-the-scenes work by Adenjo, including coordination with lawyers and collection agencies, has been critical to this ongoing success. It remains a substantial part of their workload, & most owners will not appreciate how this pressures other areas of their workload.

### **3. 'Access Control' System Developments**

This year saw the successful installation of Phases 1 and 2 covering the perimeter pedestrian gates, & the garage gates & doors. This change of security approach, from easily available keys & the use of contracted security personnel, has already brought a number of benefits including:

- ✓ Enhancing community security by restricting access to current owners, tenants, & approved contractors, with an ability to switch off access to undesirables.
- ✓ Issuing the new fobs/ garage remotes, was an opportunity to reduce the number of Debtors. It enabled Adenjo to re-establish contact with owners who'd gone off the radar & were not paying their fees. This was particularly the case with garage & storeroom debtors who do not have apartments & are therefore difficult to deliver legal notices to.
- ✓ Enabled 'denial of access' to the swimming pools and padel court to all debtors by disabling their fobs to these facilities.

Phase 3, involving the installation of a new intercom system, is scheduled to start in January 2025. This is an urgent necessity caused by the obsolescence & constant breakdowns with the current system. The new intercoms will be installed building by building starting with Mezquita. Upgrade options will include the ability to give trusted people access to your property portal entrance via a mobile App.

While the stricter access control has inconvenienced a minority, the long-term benefits of this system are expected to surpass those of the old manned security & its lack of control over the issuance of gate keys and remote controls. Flexibility within the new system may be considered in the future if the majority supports this once the pros & cons are fully understood.

### **4. Non-Compliant Property Renovations**

A significant number of capital renovations were undertaken this year mainly by Property Developers who buy, renovate, & sell or rent out. Many renovations were not compliant with Spanish laws or the community's rules. Despite many attempts by Adenjo and Site Manager Víctor Porrás to reach compromises on allowable works, legal actions have had to be initiated in order to try & stop the situation spiralling further out of control, & negatively impacting the Community. Simply put, non-compliant renovations can pose safety issues & impact the architectural integrity of the Community. Whilst Property Developers can greatly profit by modernising an apartment, it doesn't necessarily follow that the value of other properties receives a future beneficial knock-on effect.

The community, advised by legal experts, is drafting updated rules and renovation guidelines to clarify expectations and streamline enforcement. A proposal will be presented to all owners in 2025. Meantime, I appeal to ALL owners undertaking renovations to reach out to Adenjo & Site Manager Víctor Porrás with advance notice of your plans & licences. They can assist & work with you to advise what is legal & in conformity with the Community Rules. This can save a lot of cost & unnecessary work on all sides.

### **5. Repairs and Maintenance**

Despite some owners concerns over the pace of repairs, our 24/7 maintenance team attempts to immediately respond to critical issues

One of the most serious in 2024 was the mains water pipe burst under the perimeter wall in front of the Triana building that took several days to repair.

Non-critical tasks enhancing the appearance of the community, include repainting: fire doors exiting the garages; repainting the elevator exteriors on each floor; & repainting the ground floor level walls of the Mezquita building. The four other buildings will complete in the next few weeks.

Behind the scenes, freshwater holding tanks have been replaced, as have a number of individual water pipes from the ground floor meter rooms up to owner's apartments.

The program continued to repair the terrace floor waterproofing badly of a number of apartments affected by poor original construction & problems emanating from the planter irrigation system. These repairs help towards stopping further discolouration of the terrace facades. We remind owners that removal of the planters is forbidden under municipal regulations. Please be advised we have engaged a Technical Architect to advise on a permanent solution for the complete facades & planters of all buildings.

Since standing down the manned security service 2 years ago, our nighttime maintenance staff undertake a minimum three full patrols of the community between 21:00 & 07:00 &, when called upon assist with various disturbances. This has had some positive results but more needs to be done particularly with summertime short term rental guests to prevent problems happening in the first place. More follows on this point.

At the start of 2024 we replaced the previous gardening contractor with an equally experienced but more energetic team. As you can imagine, maintaining the gardens under the drought conditions imposed by regional government has been extremely challenging. However, many positive comments from owners provide good testimony to the hard work of the team, & we exit the year with the gardens in very good condition.

There is an on-going discussion with our neighbouring community Casaño about the barren land area between them & our Triana / Giralda buildings. We hope Casaño will decide to fund the building of a wall to replace the broken fencing, & in turn we would then improve the gardens at that end of the community.

We hope that during 2024 owners have been satisfied with the performance of the cleaning team. We would highlight the challenge of having to clean up after lazy builders leave a mess in & around the elevators, or down in the garages or along the walkways out to the streets. We feel a need to try & impose some penalties on owners who do not control the negative impact of their workers. In addition there are many instances of renters leaving their rubbish outside apartments & expecting our cleaners to remove to the external garbage areas.

## **6. Short-Term Renters**

The summer of 2024 posed challenges with short-term renters causing noise, vandalism, and other disturbances. Management is collaborating with experienced rental owners and agents to create guidelines aimed at improving accountability. For example, owners will be requested to instal sound monitoring devices inside their apartments, & to prominently display inside their apartments the Community Rules & important contact phone numbers. Currently, the Spanish government is in the process of further tightening regulations on short-term rentals & this should also help mitigate future issues.

The Key Safes adorning the perimeter walls of the Community were removed as part access control implementation.

On a related note, after many years of successful operation Gloria is taking her business in a new direction & will not be running operations from within the community. Her office apartment which a 2 bedroomed duplex is well located near the main entrance & is for sale to interested buyers at a very reasonable price. The listing can be found on the 'Idealista' website.

## **7. Recurring Issues**

Persistent problems in 2024 included:

- Sewer blockages caused by baby wipes.
- Damage to garage doors by rental vehicles.
- Broken portal doors and glass due to vandalism.
- Construction-related disruptions and rubbish in common areas.
- Improper parking in other owner's private spaces. N.B. Plugging electric vehicles into the community electricity is strictly prohibited.
- Pet excrement inside the community. CCTV evidence will be used to prosecute repeat offenders. Gardeners & Cleaners refuse to deal with this problem.

Management continues to address these issues through proactive measures and community education.

Owners need to appreciate the drain on time & money that these unnecessary issues consume.

## **8. Avatel Internet and TV Service**

The community's arrangement with Avatel has been both beneficial and challenging. While the discounted rates are no doubt appreciated, Adenjo has absorbed significant workload to manage payments and troubleshoot owners problems with the service. Going forward, the community must decide whether to compensate Adenjo for the extra workload or, transition to direct contracts between owners and providers. As President, my recommendation would be to reach an accommodation with Adenjo.

## **9. NAÔ Pool Club Disturbances**

The May opening of NAÔ Pool Club's new entrance across from the Giralda/Alhambra gates created severe disruptions, including noise, vandalism, and safety concerns during large events.

The Community, alongside Aldea Blanca, initiated legal action against NAÔ, & the first court hearing is set for February 2025. Negotiations for an out-of-court settlement are ongoing, but confidence in a favourable resolution remains cautious.

## **Conclusion**

2024 has been a year of progress and perseverance for Señorío de Aloha. Despite challenges, we continue striving to maintain the community as a secure, welcoming, and harmonious environment for all residents. We look forward to engaging with owners in 2025 to address ongoing concerns and implement improvements.

Best wishes for 2025,

John Riley,

President

Señorio de Aloha.