

COMMUNITY OF OWNERS
SEÑORIO DE ALOHA

ANNEX5.3-

**ADDITIONAL REGULATIONS APPLICABLE TO OWNERS & TENANTS
CONCERNING SHORTTERM RENTAL PROPERTIES.**

Article 1:

- i) Owners who rent/loan out their properties are required to submit FORM A 'SdA-Declaration of Apartment Use' (<https://forms.gle/SNasLUNbDvr3mvJ2A>) to the Community Administrator. A resubmission is required upon change of any of the details therein. In the absence of the submission of Form A, or a valid Tourist Licence from Junta de Andalucia and a valid Numero de Registro de Alquiler (NRA) number from the Property Register requested therein, & where the administration has doubts about an 'Apartment Use', the Administrator reserves the right to contact the Authorities for clarification under the authority bestowed by the Owners. If it remains clear that an apartment is being rented out short-term, without having submitted Form A, the owner is considered to be in breach of these community rules.

- ii) On the basis of the Form A submissions, the Community Administrator shall maintain a public register of properties authorised for short-term rentals (<https://docs.google.com/spreadsheets/d/1TaRIHA3ymx7OKpDNXxJZTQeDtXJfpxRs2Cl6-IDFWWU>). In particular, said register will be available for consultation to the local registrar for the purposes of determining whether to issue/revoke an NRA or for any other similar purpose. Any properties not included in said register are expressly not permitted by the SdA community to be rented out on a short-term basis.

- iii) Every property on the register shall incur an additional charge of 10% of the current annual community fees, due with the third quarterly payment of said fees each calendar year. This is intended to cover extra costs to the community in allowing short-term rentals and, where possible, provide additional services to minimise any potential negative impact on other residents, including but not limited to the possibility of additional security staff during peak rental season.

Article 2:

At the discretion of the President/Administrator, the community reserves the right to report to the civil authorities and/or pursue the revocation of any rental license granted to properties which are not compliant with the Señorío de Aloha Community Regulations and/or the currently applicable Andalusian and/or national legislation. In the event of a property/owner being found to be non-compliant, the owner shall first be notified accordingly by the Community Administrator and issued with a deadline of at least one month in order to restore and/or demonstrate compliance. Failure to do so will result in the immediate removal of said property from the register of Article 1(ii). At a later date and upon restoring and/or demonstrating compliance, the owner may re-apply to the Community Administrator for the property to be (re-)included in the register of Article 1(ii).

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Article 3:

The SdA community shall regularly, and at least annually, publish the percentage of properties which are declared as rented as per their inclusion in the register of Article 1(ii).

The SdA association of Owners reserves the right to refuse the issuance of new rental licenses in case the percentage threshold agreed by the Association will be exceeded. Said threshold shall be decided based on the Article 1(ii) register, & any other information pertaining to the number of rental properties in SdA.

Article 4:

All SdA Community Regulations shall be published in printable form or digitally downloadable (e.g. displayed QR code) in the property. Owners must make every effort to ensure their guests do not violate the regulations, especially whilst in the common areas & facilities of SdA. This article does not exclude the requirement for Owners to make available other mandatory information as demanded by the relevant authorities.

Article 5: Tenant Behaviour:

Tenants/guests must remove all their waste to the public containers provided outside SdA. Under no circumstances can waste be left outside apartments or in common areas. Disposing of baby wipes & cosmetic cleansing pads in apartment toilets has been known to block SdA sewer pipelines & is strictly prohibited. Owners are encouraged to place signage in their bathrooms to discourage this practice.

Swimming Pool rules are displayed at the pools along with the hours of opening & these must be strictly adhered to.

No disturbances inside or outside of apartments are allowed between 22:00-08:00. Non adherence will involve the police after reasonable warning has been given.

Using private parking spaces of other owners is strictly prohibited without their permission

Article 6: Landlord Behaviour:

Occupancy overnight must not exceed the quota specified in the Tourist Licence, which must be consistent with the Nota Simple of the property.

In the interest of avoiding party revellers & their reputation for disturbing the peace of the community, no property shall be available for rentals or advertised as such for less than 3 consecutive nights.

No property shall include means for relaying and/or recording images, video or audio of SdA community areas outside the property. Any such relaying and/or recording within the property itself must comply with local and national law.

With security and the rights to non-disturbance of all residents in mind it is the owner or their agent's responsibility to fulfil the mandatory requirement to register all tenants with the Interior Ministry's database.

Article 7:

Owners will be charged cleaning & repair costs for any damage caused by their tenants to community property. Similarly, an additional fee of 10% of the current annual community fees will be charged to any owner on the occurrence of three or more disturbances involving their tenants under Article 5 in any given calendar year. If the owner doesn't pay voluntarily, the cost will be added to their community account as a debt. Any property having an outstanding debt, for this or any other reason, shall be deemed to be non-compliant with these regulations for the purposes of Article 2.

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Article 8:

In light of historic problems caused by tourist's groups generally referred to as "Bachelor or Hen parties", best efforts should be used by owners & their agents to restrict rentals to family groups.

Article 9:

Any property being used for short-term rentals must have adequate liability insurance covering the activity and potential damage to guests and third parties as required by local and national law, especially Decrees 28/2016 and 31/2024.

Article 10:

No commercial listing can describe SdA as a 'Apart-Hotel' or words to that effect that imply the type of property to be a 'Hotel'.