

From: Open Cabrera <OpenCabrera@outlook.com>
Sent: 07 February 2020 5:40 PM
To: juntadecompensacion@hotmail.com <juntadecompensacion@hotmail.com>
Subject: Junta email dated 7 February 2020

Dear Junta,

We have received your email dated 7 February 2020 outlining your views on the Court Judgement that was issued on 13 December 2019.

We note your mention of the OPEN CABRERA website in the opening paragraph of this important communication to Owners and wish to clarify a few matters. Firstly, the repeated efforts to associate us with the CRA residents association seems to underline some discomfort caused by the questions that we have raised on behalf of the Home-owners.

Secondly, we do not need the CRA to influence us as you assert. We are perfectly capable of forming our own opinions simply using the powers of observation.

OPEN CABRERA was initiated by us when it was apparent that the Junta was not going to enable open communications for and on behalf of the Home Owners. This lack of engagement created the unfortunate impression that there is a desire in the Junta to suppress information rather than to share it openly.

We are still waiting for queries on the FY18 accounts (dated 6 January 2020) to be answered. Satisfactory answers will go a long way to building confidence in the community.

As far as unsolicited emails go, we have to date received only one request to be removed from the mailing list and that was from a person that no longer has a home in Cabrera. Once again, we invite anyone who does not wish to be contacted to let us know and we will simply remove them from the circulation list. At the moment, we are only receiving multiple emails from Home-Owners expressing their appreciation.

Now to your email of 7 February 2020:

1. We note that you have not taken the trouble to provide the Home-Owners with a copy of the Legal Judgement. Fortunately OPEN CABRERA is able to assist in this regard and the document is attached to this email. It can also be found on our website.
2. You categorically state in your email dated 7 February: "The judgement is therefore suspended" and "is at the moment null and void". This is not quite true at the time of writing. Do you still maintain that these statements are true?

It would perhaps be more truthful to say that the Junta lawyers have applied for legal nullification of the Judgement based on their opinion.

In our opinion, this application should fail.

This is because our Junta is merely a bystander in proceedings. The Almeria Courts do not need the assistance of our Junta to apply the law correctly.

3. The Town Hall Lawyer has had the decency and integrity to not launch an appeal against the Judgement. The Judgement was obtained by the only legally registered residents association in Cabrera Poligono 1. Yet, our Junta has somehow decided to try to obstruct a legal Judgement which clearly benefits the Home Owners of Cabrera.

Furthermore, the Junta seem to be using Home-owners' funds to enable this obstruction. We know this because there are no Land-Owner funds in the Junta budget for 2020 as they have made no contributions.

How does the Junta justify the use of Home-owners' funds on this course of action?

4. The current status is that the Court Judgement applies with immediate effect from 13 December 2019 and this means that the Junta is obliged to correct and re-state the January invoices to Home-Owners accordingly and without any delay. The Almeria Court Judgement has not been nullified.

Kind Regards

Jeremy Oliver
OPEN CABRERA