

RFI 001

REQUEST FOR INFORMATION ON LEGAL CHALLENGE

Dear Junta, Home Owner Delegados,

We note the legal appeal that has been made by the Junta against the Court Judgement dated 13 December 2020.

The current status appears to be as follows:

The original case is still very much active and the Junta now have to put their case forward to the court in order to demonstrate that the 1993 agreement is fully legal.

The nullity of the Judgement is therefore far from “final”.

It seems that the Junta were not kept informed of the proceedings by the court since they submitted defence in October 2017. This was a clerical error by the court.

The case will therefore be restarted from the point in time that the clerical error was made.

During Administrative hearings there are no lawyers present and all judgements are based on submitted evidence. We understand that the Junta have already submitted their defence in 2017.

Given that the Junta are the representatives of the Home Owners and they are using Home Owner funds to pursue what is thought to be a frivolous action by many, we request that the following information is made available to all Home Owners:

1. Copies of the defence or argument submitted to the Court in October 2017.
2. Copies of any new submissions to the Court on the day that they are made by the Junta

It is not unreasonable for Home Owners to be fully informed of developments given that it is their money, and their money alone, that is being exploited for these legal proceedings.

Indeed, significant concerns have been raised as to whether this potentially constitutes “misappropriation of the funds placed in one's trust by the Home Owners”?

We are now calling on our Home Owner delegados, the President, Secretary and the Treasurer, to perform their role on behalf of the Home Owners and to remove apparent cloak of secrecy that seems to shroud Junta workings.

We would also like to receive the responses to the queries on the FY18 accounts which were raised on 6 January 2020.

Kind Regards

Jeremy Oliver
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