



29 November 2020

Dear Junta Board

JC_0026 Confirmation of Court Order

We have received notification that the Court Decision of 13 December 2019 has been upheld by the Almeria Court. (see attached document, dated 23 November 2020).

Using our homeowner money, you have managed to delay this process on the basis of a procedural technicality for almost one year. You have, yet again, held back the progress and development of Cabrera on the basis of this frivolous action.

The 1993 Agreement is re-confirmed as null and void and you need to abide by the official Cabrera Statutes.

We trust that no more Homeowner's money will be spent on any ongoing legal action. This should be unacceptable to all contributors to the maintenance fund. The Junta has questioned the court process, that challenge has now been considered and the outcome is that the original judgement stands. It is a matter of law.

There is no doubt that the Town Hall will now have to take decisive action to control the Junta Board. **OPEN CABRERA** believes that the Junta Board should be put on immediate 'special measures' with all financial control residing with a fully independent financial Auditor with a suitable understanding of the legalities. This independent Auditor should be tasked with carrying out a Forensic Audit dating back to at least 2016.

Very recently, there have been a number of developments which have caused a ripple in the community. It has been brought to our attention that:

1. Notice has been given to the long standing Estate Agent in the Office block
2. Notice has been given to Los Pastores Restaurant
3. Notice has been given to the Treasurer's brother at the Arch bar
4. Petanque courts to close by end December
5. Tortoise sanctuary to close

We have also received reports that a Junta Board member has been berating various members of the Community about signing the recent Petition against the purchase of the

transformers. As a consequence, some people have questioned whether the Petition is in any way connected to the above actions.

It seems that it has not been possible to achieve a sale of the Village Centre properties (connected with items 1 to 5 above) in spite of increasing the kerb appeal by asphaltting the access routes and frontages in 2019 at Homeowners' expense.

We are unable to determine the precise reasons for the above actions but we would make the observation that financial institutions or purchasers often need to have unencumbered properties in order to take them over.

Given the above, we approached the Town Hall to obtain clarity on the way the Petition has been handled.

We are very sorry to have to advise the Home Owners that the Town Hall has apparently released the signatories of the Petition to the Junta in spite of being asked specifically not to do so. We have discussed this with the Town Hall and expressed our displeasure that this has happened. We should be able to trust our Town Hall and our Homeowners should not be put into a position where they suffer any abuse for their opinions.

While the Town Hall has not taken any direct action on the basis of the Petition, it has pointed out that it would have to grant a licence for any transformer work to be able to take place and there would need to be a change to the Urbanisation Plan for the new proposal. A change of this nature would also require approval by the Junta by means of a Special Quorum. Furthermore, the banks would need to see the licence for the work if they are to lend any money.

We now need to turn to the Junta Board itself.

During this past year, you have ignored every single request for information that we have put to you. This is the behaviour of a secretive organisation that has something to hide.

Collectively, you have not served the residents well and we have lost all confidence and trust in each of you.

An AGM has not been planned yet, but this is the year that all the Junta members are obliged to stand down in terms of the Statutes. You would be making a significant contribution to the wellbeing and future of Cabrera by standing down on a permanent basis and enabling a smooth transition.

This is an opportune time for you to leave for the good of Cabrera. Please Just Go.

Yours Sincerely

OPEN CABRERA