

ALMERIA COURT RAMPS UP THE PRESSURE

21 October 2022

Fellow Homeowners

The Junta Board have recently distributed two open letters at the request of individual Cabrera homeowners. We welcome this new development and hope that this courtesy will be extended to **ALL** Cabrera residents. Ironically, **Open Cabrera** was formed in 2019 because the Junta Board of Delegates refused to circulate an open letter from a Homeowner regarding the illegal purchase of transformer infrastructure for the Developers. We needed to find out what was going on.

Open Cabrera is aware that the Almeria Court has been in direct contact with the Junta Board of Delegates to give them some very precise instructions. As yet, the Junta Board of Delegates has chosen not to share this information with us although it was communicated by the Court in September 2022.

Could the Junta Board of Delegates advise when they will circulate this communication from the Courts to all Junta members? It is the right of every Junta member to be aware of his communication as it affects us all. We should all be informed.

In one of the open letters recently published by the Junta, a Homeowner lamented:

“Open Cabrera seems determined to destroy the well-practiced mechanisms that have served our community well.”

“How would you manage to maintain the standards to which we have become accustomed?”

“How could you possibly make savings on the very reasonable costs which we pay today?”

We disagree that the community has well practiced mechanisms that have served us well. The only well practiced mechanisms that we have seen are deceit, the hiding of information such as bank loans and court notifications, deliberate actions to make it difficult for Homeowners to exercise their Proxy votes, the refusal to operate in accordance with the law and the misappropriation of Homeowner funds.

The Homeowner acknowledged the misappropriation of Homeowner Funds in his letter but conveniently stated that it needed to be addressed separately.

The other well practiced mechanism is the non-payment of fees by the Developers (non-payers).

The ‘standards’ in Cabrera are not high. The infrastructure is incomplete after 30 years, the roads are in pitiful condition, at least 12 Homeowners are without Endesa connections, the sewage network is incomplete, and some water pipes and electricity cables run over the ground.

The Homeowner also pointed to the ‘very reasonable costs’ and asked how we could possibly make savings.

The **PRICE** of a ‘very reasonable cost’ has been:

- a. Secrecy and Corruption
- b. A dilapidated and incomplete urbanisation
- c. Misappropriation of Homeowner funds
- d. Division between homeowners

Is this the pinnacle of the Homeowner vision and ambition for Cabrera?

Surely we can aim higher than this – a lot higher?

Cabrera has been held back by the Developers and a small band of self-serving cronies for 30 years. As long as some people perceive the fees to be low, they have been prepared to turn a blind eye to malpractice and this is why we have stagnated.

Open Cabrera has pointed out that we cannot continue to be held captive by the past and the Developers. As Homeowners, we need to free ourselves because all these people who control us will not be here forever.

It should be abundantly clear that Homeowners need to become independent and self-sufficient as quickly as possible.

The Court has instructed us to operate in accordance with the Law and the Statutes. The game is over and yet, very sadly, there are people still hankering for the misguided comfort that they feel the corrupt regime provides. They have sold their souls for the false promise of 'low fees'.

The people who supported this dysfunctional Junta should be apologising to the many newcomers to Cabrera who, in good faith, bought into this appalling mess. They should not be promoting the current regime and continuing to hide Cabrera's dirty little secret.

We need to fix Cabrera.

So, where are the savings?

Without trying too hard, here are a few suggestions:

1. Avoidance of purchase of transformer infrastructure for the Developers: €276,580.00
2. Avoidance of purchase of ducting for the Developers: €47,000.00
3. Avoidance of transformer upgrade at the Arch: €24,887.40
4. Rent Junta office space at reasonable cost: €13000.00 saving each year
5. Efficiencies gained by not using single source suppliers without Homeowner approval: €25000.00 each year (est.)
6. Avoidance of purchase of annual Bank Guarantee (AVAL) for Developers: €2000.00 each year (est.)
7. Annual savings on unnecessary legal costs to defend an illegally operating Junta: €3000.00 (est.)

Over a period of 5 years, this amounts to a saving of €797,450.40 which could be put to much better use and provide a much better return to Homeowners. This would help to enhance the condition of the urbanisation and the values of our properties and there are even more efficiencies to be had on top of this.

Of course, as with the two Homeowners who recently wrote to support the Junta, we are confident that the Developers are never going to pay their way. Why would they change their habits of the past 30 years?

This is not a good reason to enable the Developers to continue acting as Overlords of the Homeowners and holding Cabrera to ransom.

Fortunately, there are now only a very small minority of people left in Cabrera that continue to support the Junta Board of Delegates and the way they operate.

Whether these people like it or not, **CHANGE** is going to happen in Cabrera. Cabrera is going to operate according to the **LAW** and the malpractice is going to be **RUN OUT OF TOWN**.

Now, more than ever, it is up to ALL Homeowners to stand together.

We appeal to the two homeowners, whose letters were distributed by the Junta, to step back and see the sense in operating in accordance with the Law. We would like to have you on our side.

We also look forward to receiving the September 2022 Court Instruction from the Junta Board of Delegates.

OPEN CABRERA

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