

CABRERA TIMELINE - 12 JUNE 2023 UPDATE

2000	Cabrera Urbanisation project set a 24 month implementation period so infrastructure should have been complete by November 2002.
20-May-02	1 st phase of Urbanisation Project approved (€1,233,998 out of total budget €3,305,567 + 16% IVA)
25-Nov-05	Issues regarding Developers not paying their contributions
26-Apr-07	Plan Parcial revised by Plenary session
18-Mar-08	Town Hall approval for creation of Functional Units (19 Development Zones)
2016	Town Hall assesses that €1,387,809.57 of infrastructure is in place out of total Budget € 3,547,396.87. Only 2 of the 19 Zones were 100% complete. Nothing much has happened since.
2017	Cabrera Residents Association (CRA) takes Town Hall to Court
13-Dec-19	1st Almeria Court Judgement awarded against the Town Hall
18-Feb-20	Junta de Compensacion appeals against the Court Judgement on a matter of "process"
23-Nov-20	2nd Court Judgement against Town Hall confirmed. Junta de Compensacion avoids holding a 2020 AGM at all.
17-Dec-20	Junta President and Treasurer decide to appeal against the 2nd Court Judgement.
17-Jun-21	Residents gain immediate enactment of the Court Judgement on 17 June 2021 by paying €3000 bond to the Court
24-Jul-21	Junta de Compensacion requests DONATIONS from homeowners to keep Cabrera running and to avoid raising legal fee invoices according to the Court Judgement
26-Nov-21	AGM held in Turre. Developers use their overwhelming majority vote to pass proposals to amend the Cabrera Statutes, to pass a budget which is not in accordance with the Cabrera Statutes, to charge for Services which is not in accordance with the Cabrera Statutes and to charge fees in a way that is not in accordance with the Cabrera Statutes.
01-Dec-21	Multiple appeals against the legality of the 2021 AGM submitted to the Town Hall.
18-Dec-21	Junta de Compensacion publishes minutes of the 2021 AGM. Homeowners shocked to discover that Junta de Compensacion has unilaterally amended Town Hall's voting rights from 29.7% to 10% enabling Developers to achieve over 60% vote between a handful of them. This change to the voting rights was not even discussed at the AGM. Developers believe that a 60% vote entitles them to change the Statutes. They are incorrect as "more than half the Junta Members who between them hold more than 60% of the votes" would be needed to change aspects the Statutes. In addition, this majority may not vote on a matter of Law. For some changes (such as repairing the wall above the bowling green) a 100% vote would be required according to the Treasurer himself as cited in previous AGM Minutes.
18-Jan-22	CRA lawyer files an Appeal against the legality of the 2021 AGM with the Town Hall. CRA lawyer also files a breach of the Court Order against the Town Hall in the Almeria Court as invoices have not been raised in accordance with the Statutes. The Town Hall has seemingly washed its hands of the matter, saying that it is the responsibility of the Junta de Compensacion to comply with the ruling.
11-Feb-22	Open Cabrera meets with the Junta Treasurer to hear how he has 'lost respect for the owners in Cabrera' and 'how much everyone owes him'. He also stated that he would be deducting his share of future chargeable fees from what he believes is owed to him.
January \ February 2022	The Town Hall remains silent on the Appeal against the legality of the 2021 AGM. Junta again rely on DONATIONS to keep Cabrera running instead of raising legitimate invoices. The February EGM is not called as mentioned at the November AGM. Suitable financial assessors do not seem to be appointed as yet.
24-May-22	The Junta reports that it sees "no point in reporting week after week that information is being gathered, assessed, discussed, reviewed, and awaiting legal confirmation from local and regional administrations". This is consistent with their approach of hiding information and keeping people in the dark.

10-May-22	TH responses to appeals against the legitimacy of the 2021 AGM start being received. In general, the Town Hall claims that it does not have the same powers as the Junta de Compensacion to enforce the court ruling. It also says that if you do not like their response, you should appeal to the Almeria Court. CRA Lawyer receives response from TH dated 3 May 2022. CRA Lawyer takes Town Hall's advice and consults the Almeria Court.
18-Jun-22	Junta now claims that the Town Hall approves the following: "A Service of maintenance company structure must be formed with sole responsibility of the maintenance of all services". For this purpose, it is necessary a minimum of three volunteers to initiate it." This separate company is not necessary at all and looks suspiciously like a new vehicle for implementing the 1993 Agreement again.
09-Jul-22	Junta sends out 'pseudo invoices' and requests DONATIONS to keep Cabrera running. Junta claims it is unable to send out valid invoices for some reason, probably because a) the Junta is not allowed to sell services for money and b) The Developers are not inclined to raise invoices to themselves. A number of Cabrera Residents (5) volunteer to hold discussions with the Junta about the feasibility of a new Services and Maintenance company. There would be multiple obstacles to overcome including mechanisms to ensure that all Landowners (yes, including Developers) pay their required contributions under the Statutes and the fact that it has emerged that the infrastructure between Poligono 1 and Poligono 2 is not fully separated.
02-Aug-22	Almeria Court responds to CRA lawyer: The Court issues a decree to the Town Hall to hand over all its Administrative Files to the Court by 19 September 2022. It looks like the Almeria Court is responding which is very encouraging.
20-Nov-22	Volunteer Residents talks with Junta Board collapse. Cabrera Residents announce the formation of a new HOA (Homeowners Association)
25-Nov-22	2022 AGM held in Turre . Developers use their overwhelming majority vote to pass a budget which is not in accordance with the Cabrera Statutes. Developers invent new way of charging fees which is not in accordance with the Statutes. Developers feign compliance with the Court Order. Developers vote in their own "Homeowner Representatives" using block vote and prevent Homeowner David Levin from standing for election as 'he was not present in the room' (a complete invention of rules). Developers believed to be paying nothing towards annual budget as they feel they are "owed" by the Homeowners. Developers state that audit reports and fee calculations ("Technical Report") are available at the Junta Office but no-one has been able to obtain them as of 20/2/23. Developers say they cannot distribute the information electronically as the 'file size is too big'.
20-Feb-23	The Courts have not yet responded to the Appeal by the Developers against the 2nd Court Judgement which was made in December 2020, more than 2 years ago. JDC continues to issue multiple versions of fee invoices to Homeowners, all of which are incorrect and illegally calculated - a pure invention of the Junta Treasurer Developer.
01-Mar-23	It was established that Invoices were raised to the JDC for electrical infrastructure (electrical ducting) in 2018 and 2019. Cheques were written by the JDC Developers to pay for the electrical infrastructure (electrical ducting). The Developers have not made any contribution towards these costs. (€47,241.65). The Developers should have paid for the full cost of the infrastructure (electrical ducting) but the costs were instead 100% passed on to the Homeowners. (As with the transformer upgrade, the widespread asphating of the roads, the additional water deposit, the AVAL payments, the Administrative charges, the Maintenance and Conservation cost etc etc)
08-Mar-23	Residents discover that Junta Treasurer has converted Office Space at the Arch into residential accommodation with a tenant in place. In addition the Treasurer has converted the under-build at the Town House complex next to the tennis court into residential rental accommodation which has been advertised. It is unclear how this will be accommodated in the Junta Fee calculations or whether this is in any way legal.

14-Apr-23	The long-promised EGM is scheduled for 14 April 2023, only to be cancelled by the JDC about 1 hour before the event was due to take place. The JDC stated "Due to recent discovered historical information of 30 years reference to contributions, the Junta has seen it appropriate to not hold the EGM as planned today, therefore it is postponed to a future date. Apologies for the inconvenience but the emphasis is put on complying 100 percent with the court judgement and its complexity of recent discovered information." Homeowners have made travel arrangements and preparations for this event. The JDC had been warned by Homeowners well in advance that the Technical Report was fundamentally flawed and unworkable - essentially worthless. Most of the effort had been to formulate a fanciful claim against all Homeowners for previous infrastructure investment made since 1993.
01-May-23	It emerges that the two Homeowners that were appointed by the Developers as Homeowner Delegados (representatives) at the 2022 AGM have resigned. (Con Bonner and Graham Harman). No reasons for the resignations have been communicated to the residents by the former Homeowner Delegados or the JDC. It seems that Homeowner Delegado Bob Hall is no longer eligible. John Bailey remains as Secretary and Noeline Ramsay is still a fixture although her role is unclear.
01-Jun-23	The JDC has given no further update on the status of the flawed Technical Report, and has not responded to requests for information as to exactly what information dating back 30 years was uncovered, causing them to cancel the 2023 EGM . The JDC continues to operate illegally in the face of the Court Order which was enacted on 17 June 2021. Therefore, under the guidance and control of the Turre Town Hall, the Junta de Compensacion continues to create more financial damage which may be irreversible.
01-Jun-23	The new Homeowners Association (HOA) gains traction with 5 Homeowner Leaders (David Levin, Damon Golder, Tony Butt, Jennifer Scarfe, Manuel Pinto). Widespread community support of the HOA gathers momentum. The Town Hall Mayoress (The Honorable María Isabel López) refuses to engage with the Homeowners since first requested prior to the planned EGM in April. It does not appear that ongoing corruption is a major issue for the Town Hall.