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Sent: 15 February 2024 12:21 PM

Subject: Proposed Agenda Items - 2024 AGM

Fellow Homeowners

We did not enjoy the benefit of a Junta de Compensacion AGM in 2023 and have not yet had sight of the financial accounts for January 2022 to December 2022. Where did the money go?

The Junta Board remained silent about setting an AGM date until the last minute, as is customary with our Junta Board. The Junta Board prefers to keep attendance down to a minimum by making arrangements as inconvenient as possible.

The Junta Board never calls for Agenda items for an AGM as it does not have any regard for the Homeowners interests. Essentially, the Homeowners are only being used as 'cash cows' to fund the Developer's obligations, legal support, jobs for cronies and office premises.

However, on 27 December 2023 a number of Points of Order and Agenda items were formally submitted to the Town Hall with a request to include them in the order of the day at the next AGM. These items were also copied to the Junta de Compensacion with a request for inclusion.

Of course, the Junta Board has ignored the request as expected.

Please see the proposed Agenda items in the attached documents (English and Spanish). Some of the proposals are predicated on the fact that the Developers have declared that they intend to continue enacting their "1993 Agreement" which essentially enables them to act on a parasitical basis using Homeowner money as they wish. If the Developers impose the illegal 1993 Agreement, it is proposed that Homeowners take control of their own money and decide where it is spent. In addition, we have raised some additional items for AOB in a separate attachment.

The proposed Agenda items should also demonstrate the chaotic way that the Junta de Compensacion is being run. Neither the Town Hall nor the Homeowners know what their voting rights are anymore with these charlatans at the helm. On this occasion, the Town Hall seems to be as bemused and confused as the Homeowners, especially as they have just realised that their Vote % has been reduced from 29.7% to 10% by the Developers.

The sooner this 'runaway train' of a JDC is brought under control, the better!

Many of you may be unaware, but, in January 2024, a huge number of Homeowners submitted formal legal challenges to the Town Hall regarding the most recent invoices that were raised by the JDC. They have expressed their discontent with the JDC, and the ongoing financial exploitation of the Homeowners by the Developers.

Coupled to this, we understand that Homeowners Association (HOA) members overwhelmingly supported the principle that invoices should not be paid without due transparency, on the one hand, and also because they do not seem to conform to "the rules" that were established for the development of Cabrera.

Every Homeowner understands the need to pay for the upkeep of Cabrera. In fact, one might even say that homeowners might be willing to even pay more if they actually had a say in the governance. Serious issues of capital improvement might actually be addressed, once and for all, if homeowners were involved.

So it is not an issue of paying or not paying.... This has to be done right.

And the one thing that always seems to be glossed over, and is at the very heart of this issue, is that **DEVELOPERS ARE NOT DEVELOPING**. They had one job to do, as per the Cabrera Development Project, and they didn't do it. Furthermore, they were supposed to **GUARANTEE** that they would be finished by 2004. They didn't. And yet they want homeowners to pay the bills for Maintenance and Conservation that they, the Developers, should be paying for until they are finished.....

Guess what is missing from the 23 February 2024 AGM agenda which was issued on 12 February 2024:

- The plan to finish the urbanisation of Cabrera (ie. the primary reason for the very existence of the JDC)
- The budget for the completion of the urbanisation works.
- We have not been asked to approve the plan or the budget.

It is ironic that the Promoters of the 1993 Agreement (the Developers) do not want to fulfil their part of the 1993 Agreement by funding and completing the Development. Instead, it has become a 30 year old one-sided "agreement".

Instead, we find out that the Junta Board intends to take €21,000 of our Homeowner money to pay a pal called Rodrigo Sanchez to allegedly do their job for them. This is added to the €15,600 gravy train payment for 'Office Administration', which is now termed a 'contribution'. The blatant unauthorised, self-awarded cash extraction 'wheezes' simply spiral.

All of this would have been a moot point if the Developers had met their commitments:

The Town Hall would be providing us with a water bill. It would clean our roads. It would pick up our rubbish. We would be taking care of the gardening, security and pest control, but mainly spending our time and resources making Cabrera a more beautiful and attractive place.....

This can still happen - and we can avoid what may be coming down the road - if the Developers were to agree to sit down with homeowners to discuss a mutually satisfactory way forward.

We know that the HOA has made multiple approaches in this regard and are still hoping that the Developers agree to take up the offer. Legal action is not inevitable, but it may be the only option if a dialogue cannot be established. The HOA attempted to get the Developers around the table with the Mayor (Arturo Grima). They refused to enter into discussions and the HOA eventually had to resort to meeting with the Mayor with their Lawyer instead, simply to convey the gravity of the situation to the Town Hall.

In his accompanying note to the 2024 AGM notification, The Junta President laments:

*"We have to leave this situation behind and move forward along the path of collaboration and agreement, **of resuming development, good coexistence and focusing our efforts on the present and future of Cortijo Cabrera.** That is the objective that we aim for from the Junta of Delegates."*

"Collaboration", "Agreement", "good coexistence". "Focusing **our** efforts".....are these just words without any credibility?.....

If the President is acting in good faith:

WHY WON'T THE JDC BOARD (DEVELOPERS) SIT DOWN FOR OPEN, PRO-ACTIVE DISCUSSIONS WITH THE HOMEOWNERS ASSOCIATION?

Onwards and Upwards!!

OPEN CABRERA

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