

Open Letter to All Owners - September 2023

Dear Owners,

I hope this letter finds you well. Over the past three months, several significant developments have taken place within our community. I believe it is essential to keep everyone informed and address certain issues that require attention. While I acknowledge that there are individuals better suited to crafting eloquent letters, I believe that clear communication is of utmost importance. We must avoid dwelling on outdated matters and instead focus on the path forward.

It's important to remember that we are situated on a volcanic island within a geological fault line, exposed to potential seismic activity. To safeguard our homes from potential structural damage during earthquakes, it is crucial that we prioritize necessary maintenance and improvements.

For me, the primary concern is that long-overdue repairs and enhancements are finally implemented. Despite long-standing awareness of issues requiring attention at Amarilla Bay, they were often pushed aside. Perhaps this was due to concerns about increased monthly expenses. For decades, we have not raised the monthly contributions, even though it has been necessary, both for maintenance and to ensure compliance with regulations.

Under Peter's leadership, and under pressure from a few individuals, a renovation fund was established five years ago, amounting to 10%. Unfortunately, this fund proved insufficient given the extensive and unsafe condition of Amarilla Bay. Even this fund was not fully utilized for its intended purpose.

Our community cannot operate efficiently without adequate funds, a fact acknowledged by all in theory. However, in practice, we face a different reality. After visiting seven similar communities, it became evident that Amarilla Bay pays the lowest monthly contributions while also maintaining the poorest standards. For instance, many apartments and areas within Amarilla Bay have outdated and illegal electrical installations, posing a severe fire and safety hazard. Unlike most communities, our bylaws and standards seem not to apply when it comes to property maintenance.

Efforts to rectify these issues and enhance the aesthetics, safety, and regulatory compliance of our community have been met with resistance from a particular group of owners. This resistance has hindered efficient management and created a divisive atmosphere at Amarilla Bay.

Furthermore, certain owners are actively persuading others to stop their financial contributions to Amarilla Bay. This has far-reaching consequences, including the inability to pay wages, insurance, utilities, maintenance, and other essential expenses. It also has legal implications and exacerbates divisions within the community. Is this the intended outcome?

According to the Horizontal Law, owners who owe money to the community are exempt from voting at any AGM/EGM meetings. I have repeatedly implored these owners to collaborate in resolving this issue, but they have consistently refused.

Financial Matters

Many have inquired about the €51,000 that was saved and where the newly acquired €55,000 is allocated. Here is a concise summary:

Monthly expenses, including gardens, five electricity meters, personnel, administration, water supply, sewage, swimming pool maintenance, and various other costs, have consistently placed a significant strain on our finances. It is evident that the recent economic crisis has further exacerbated these expenses. Consequently, it took several years to accumulate the funds while minimizing spending, which,

unfortunately, had its drawbacks. For instance, aluminium doors that cost €180 three years ago now require a payment of €360 each.

The "pillars" were repaired very well and instead of €34,000 we had this done by another professional company for €22,000...under the supervision of an architect (and the president) we spent €4,000 instead of €17,000. Steven and I still had to finish things, such as bricking all 16 garden walls back to the pillars, cleaning and painting everything properly and also putting the garden back in order. But given the huge financial savings, we were happy to do so. Unfortunately, while working on the pillars, it was found that the copper water pipes of 24 flats had been incorporated IN the cement of the pillars and had been heavily corroded by the chemistry/cement/concrete over the years. This extra urgent repair was estimated at €7000 and carried out.

Additionally, we replaced hazardous 400-volt fuse boxes in the central garden with modern ones and installed 40m of new electricity cables in the garden for two flats. While owners covered the expenses within their flats, the community paid around €7,000. We also addressed the 10mm (40m) electricity cables and replaced the old wall box for a total expenditure of €300 on materials and parts.

Furthermore, we completed thorough repairs to the undersides of approximately five staircases, using superior products that ensure longevity. Quotes ranging from €6,500 to €8,000 for one stair's underside were avoided, and we accomplished all five for €3,000 using high-quality Weber-products.

Plumbers addressed issues with the drainpipe and septic tank in the bar, costing approximately €6,000. Another plumber replaced the community tap work of block 7 for €1,600, and a German firm (PH Electronics) did some very heavy and lengthy work with Eric's valued and free help to get the Internet / WIFI back on track and install the necessary new hardware and software and at a fraction of normal prices, being €1,600. Christine Grey is warmly thanked for making her flat available as a test site.

Budget Allocation

The new budget, totalling approximately €55,000, includes:

Renewal of old leaking water pipes to blocks 5/6/7, with new tap work. Estimated cost: €15,000.

Installation of 24 new taps for block 2. Estimated cost: €7,000.

Closure of old leaking water pipe to block 1. Estimated cost: €1,000.

Electrical connection points, open boxes, and grounding improvements at various locations, including the area behind the swimming pool. Estimated cost: €19,000.

The electricity in the big green metal cupboard at the bottom of the stairs needs to be renewed inside and a new aluminium door needs to be fitted outside. An ENDESA inspector could not touch the meters and finds an unsafe and officially unauthorised situation and has formulated an official complaint to Amarilla Bay. Quote for electricity €3000 and the aluminium door €2700€.

Urgent plastering and painting works in-house. Estimated cost: +/- €7,500.

Pool renovation, split into two parts (F1 and F2), with each part estimated at €17,000.

Additionally, significant repairs are required for our roofs, including addressing loose tiles, leaks, and an unsafe situation where an owner was nearly hit by a falling roof tile. Since insurance claims from the community to owners are often denied due to maintenance issues, a reserve must be established for legal costs. It is essential to maintain at least €10,000 in cash for unforeseen urgent situations. Even if less than €55,000 proves sufficient, the rest will remain available to the community, so that hopefully we also have budget to carry out the necessary but not urgent aesthetic improvements.

Garden Maintenance and Documentation Efforts

Maintaining the gardens, primarily handled by Steven, consumes 15 of his 25 weekly working hours, leaving only 10 hours for actual maintenance work—a clearly insufficient allocation of time. We are considering options such as hiring a gardening company twice a week or seeking volunteers. Automating watering systems poses challenges due to the diverse garden layouts and plant densities.

I am currently cataloguing and numbering all electrical and water pipes, providing plans, documentation, and photos. These resources will be accessible on the website for professionals and concerned parties. We are also pursuing necessary certificates and approvals to garner recognition from insurance companies.

Clarity on Expenditures and Ownership

To ensure transparency and prevent misunderstandings or disputes, we will clearly document with photos and supporting evidence which expenses and projects are for the community and which are for individual owners. This will eliminate any ambiguity surrounding these matters and promote a harmonious community environment.

Future Plans

In the interest of Amarilla Bay's future, several essential projects have been outlined:

Checking, repairing, and painting all wooden cabinets and doors within one year.

Connecting the septic tank/Black Hole to the sewer network within three years.

Conducting extensive roofing work, including gutters, within two years.

Inspecting the pillars in block 2 within three years.

Installing a fence and gate around swimming pools F1 and F2 within two years.

Relocating mailboxes outside, allowing each owner to have a private mailbox, in accordance with private legislation, within one year.

Comments

Thursday office meetings are intended for all owners, not exclusively for those who repeatedly raise the same issues. I understand that some owners prefer to discuss matters outside the office to avoid stressful situations.

It's important to clarify that my work, along with the efforts of many others, is unpaid and aimed at the betterment of Amarilla Bay as a whole. We greatly appreciate the support of the majority of owners who value these contributions. However, it's worth noting that most opposition and criticism stem from "older residents" who reminisce about the past and resist change.

In response to ongoing misunderstandings and disagreements, the installation of security cameras in the office has been discussed with our lawyer. Unacceptable behaviours, such as shouting, disrespecting privacy, screaming, threats, or verbal abuse, should not be tolerated towards myself, the administrators or other owners.

Certain points continue to be raised repeatedly by specific owners:

The misconception that I caused the closure of Flicks Bar. I want to clarify that this closure had no association with my actions; it is due to other reasons known to many. Flicks Bar held significance in our community, and its closure is regrettable.

The debate about the removal of the barrier downstairs. The majority finds this change beneficial, resulting in a quieter and safer environment.

The status of the terraces of the ex-Locals. These terraces have always belonged to the ex-Locals and have been paid for by owners. The deed of sale confirms this ownership, and this issue has been brought to light by L3's owner.

Concerns about increased financial burdens. It's understandable that some may be hesitant, but this reluctance stems from years of insufficient contributions and neglect of necessary improvements.

Complaints about noise at the pool, primarily during holiday periods. We must consider that children playing and making noise is natural during these times. Of course, violation of the rules of pool use must be fought!

Parking issues. Various solutions, such as registration vignettes per car, have been considered to address this concern.

Resistance to contributing to the pool's maintenance costs when not everyone uses it. Unfortunately, this is an inherent part of community living.

The argument that ex-Locals pay less in levies. This is due to incorrect coefficients allocated for the past 23 years, which we are actively working to rectify in a legally sound manner. Almost all owners pay incorrect amounts according to their areas and coefficient. The ex-Locals pay almost €500 more than they should per year in Community Fees based on their coefficients and have a much smaller voting percentage than they should legally be allowed. This was noted years ago but previous Presidents refused to address the inconsistencies. The AGM last year finally approved to work on this with a proportional distribution key. Trial proposals are submitted to the administrator and lawyer and will be announced after investigation

Just to note

If I'm not mistaken, I am the only president who actually actively participates in everything that is needed at the Bay such as gardens, plumbing, electricity, plastering, painting, etc. I drive my car almost all over the island for parts or better prices or to save on transport costs e.g. floor tiles €2 each 20 pieces = €40 transport is €70 in my car it remains €40. My unpaid working hours this year until Aug 2023 were approximately 900 hours. Useful and normal administration / banks and meetings 160 hours. Useless and time-consuming administration 120 hours

Clearing Other Misunderstandings

I would like to clarify that my concerns are not related to nationality but rather focus on a particular group's consistently negative attitude, which impedes progress and unity within our community. I wholeheartedly welcome diversity and cooperation among all cultures and races at Amarilla Bay. My primary goal is to create, with your help, a beautiful and safe complex for everyone, and I hope for support and mutual respect, fostering a positive atmosphere instead of negativity and hostility.

I must acknowledge that this letter, like any human endeavour, is not perfect. However, it reflects my sincere efforts to communicate effectively and transparently with all of you.

Sincerely,

Julien R. De Vos

President of Amarilla Bay F1 Community