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## MINUTES OF THE ANNUAL GENERAL MEETING OF THE COMMUNITY OF OWNERS "ZENIAMAR V"

In Orihuela Costa, at 10:30 hours on Friday 30<sup>th</sup> of August 2013, duly called in time and format by the President Mr. Soren Rasmussen, and with Mrs. María Jesús Sevilla Lizón acting as Secretary-Administrator, the owners of Residential "Zeniamar V" met on the second call, in the Orihuela Costa Resort, according to the following:

### AGENDA:

- 1.- Accounts for 2012/2013
- 2.- Fees for 2014
- 3.- Budget for 2013/2014
- 4.- Election of administrator
- 5.- Election of President and Vice-president
- 6.- Election of 2 committee members
- 7.- Building alteration (house 77)
- 8.- Management report
- 9.- Proposals
- 10.- Any other business

### Attendees:

Jorge Ramón Rodríguez García (8)  
Mariano Terrés Moreno (21)  
Soren Rasmussen (24)  
Juan Rodríguez Gómez (47)  
Peter George Goodger (49)  
Jaime Rodríguez de Torres (57)  
Richard Charles West (63)  
Louise Rachelpeake Gillespi (68)  
Pamela Dabinson (69)  
Marti Juhani Timonen (85)  
David Henrick Jagintowicz (95)  
Jari Petteri Haapanen (103)  
Manuel Velarde Molero (115)  
José Ferrandiz Oleina (126)  
Terry & Susan Weston (128)  
Maureen Harris (129)

Total attendees..... 16

### Represented:

Hugo Jacobsen (1).....repres. by Soren Rasmussen (24)  
Foo. De Miguel Hernando (13).....repres. by Mariano Terrés (21)  
Kjell Oivind Larsen (20).....repres. by Soren Rasmussen (24)  
Dawn Elizabeth Seston (23).....repres. by Susan Weston (128)  
Noreen Florence Woods (25).....repres. by Susan Weston (128)  
Staffan Ahlstedt (27).....repres. by Soren Rasmussen (24)  
Borre & Ragnhild Sollie (30).....repres. by Soren Rasmussen (24)  
Torbjorn Ostro (32).....repres. by Soren Rasmussen (24)  
Jean Paul Decler (33).....repres. by Soren Rasmussen (24)  
John & Sheila Clark (36).....repres. by Susan Weston (128)  
Philip Hurlstone (38).....repres. by Susan Weston (128)  
Graham Eric Baker (43).....repres. by Peter Goodger (49)  
Andrés Gutiérrez Mañero (48).....repres. by Susan Weston (128)  
Gary & Susan Gay (59).....repres. by Peter Goodger (49)  
Annette & Ulf Bjorn (73).....repres. by Soren Rasmussen (24)  
Emile Corneel Morret-Trooskens (75).....repres. by Soren Rasmussen (24)

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Hausverwaltung

Christer Frank Magnussen (80).....repres. by Soren Rasmussen (24)  
 Arne Svein Toklum (83).....repres. by David Jagintowicz (95)  
 Norskpost Og Kommissjonsforbu (84).....repres. by Soren Rasmussen (24)  
 Willi & Laila Skaar (89).....repres. by Soren Rasmussen (24)  
 Leif Goran Persson (93).....repres. by Soren Rasmussen (24)  
 William Wilfred George Hyde (96).....repres. by David Jagintowicz (95)  
 Willy Skaar (101).....repres. by Soren Rasmussen (24)  
 Reidun & Kjell Klavenes (102).....repres. by Soren Rasmussen (24)  
 Tommy Hudson-Skarre (104).....repres. by Soren Rasmussen (24)  
 Knut Rodningsby (106).....repres. by Soren Rasmussen (24)  
 Tor Kristian Holen (107).....repres. by Soren Rasmussen (24)  
 Tor Sigmund Tjelta (108).....repres. by Soren Rasmussen (24)  
 Kristiansen Kare (111).....repres. by Soren Rasmussen (24)  
 Johan & Els Brugmans (112).....repres. by David Jagintowicz (95)  
 Jensen Flemming Diget (117).....repres. by Soren Rasmussen (24)  
 Kenneth Alan Smith (125).....repres. by Susan Weston (128)  
 Carl Porter (132).....repres. by Susan Weston (128)  
 Wiegersma Willem Frits (134).....repres. by Susan Weston (128)  
 Martin Albert Nicholson (137).....repres. by Soren Rasmussen (24)  
 Risto & Liisa Villikari (139).....repres. by Soren Rasmussen (24)

Total represented.....36

The President opens the Meeting welcoming attendees and thanking them for coming.

### 1.- ACCOUNTS FOR 2012/2013.

Accounts are presented as exposed below:

#### C.P. ZENIAMAR V: SUMMARY OF ACCOUNTS FISCAL YEAR 01/08/2012 to 31/07/13:

RESERVES at 01/08/2012.....	19.732,81 €
Bank Caja Murcia.....	294,97 €
Bank Solbank.....	17.207,10 €
Debtors.....	9.792,85 €
Owners advances.....	-2.489,47 €
Creditors.....	-5.072,64 €
AGM july.....	-523,04 €
Viv. Victor jul.....	-1.671,18 €
Pentágono apr-jul.....	-2.845,44 €
IRPF july.....	-32,98 €
<b>+INCOMES FOR BUDGETED FEES.....</b>	<b>+68.155,68 €</b>
Ordinary fees.....	66.345,68 €
Wise Sat TV.....	1.810,00 €
<b>-EXPENSES FISCAL YEAR AUG-2012/JUL-2013.....</b>	<b>-68.077,75 €</b>
Sundry & repairs.....	23.379,15 €
Maintenance pools+garden+cleaning.....	20.521,44 €
Administration fees.....	5.654,40 €
V.A.T.....	1.173,27 €
Photocopies.....	187,86 €
Correos.....	220,08 €
Community insurance.....	3.279,05 €
Commissions Caja Murcia.....	42,00 €
Electricity.....	5.692,36 €
Water.....	4.714,63 €
Expenses for regularizations.....	3.092,51 €
<b>=RESERVES at 31/07/2013.....</b>	<b>=19.810,74 €</b>
Bank Caja Murcia.....	1.034,39 €
Bank Solbank.....	13.795,05 €
Debtors.....	5.850,95 €
Debtors Wise Sat TV.....	720,00 €
Owners advances.....	-1.490,70 €
Creditors (IRPF july).....	-98,95 €

The Administrator explains that the reserves are more or less the same at the beginning than at the end of the fiscal year. The balance in bank seems to decrease, but if you observ, at the beginning of the fiscal year there were creditors (the community owed money to them) for amount of 5.000 € (this would be equivalent of having 12.000 €, and not 17.000 €), therefore this year, in practical purposes, the balance at the bank also increased.

Regarding Wise Sat TV just to inform owners that as being not a community subject but private, these funds have been separated into another bank account.

It is explained that the electricity and water expenditure were inside the normal previsions, we changed the electricity tariff to save money. We remind that in September 2012 the VAT changed, increased a 3%, this is why some of the expenses are higher from that date.

Some owners think that the level of expenditure at the community is too high, and from the sundry expenses some of them were not necessary.

The Committee explains that there are certain maintenances and improvements which are necessary to do at the residential if you wish to keep a good standard of quality.

Some owners complain about some expenses as for example the barbecues, as only the few owners who can attend in that dates can enjoy them, but the cost is paid by everybody.

The Committee explains that, in those barbecues, owners who were attending brought their own food and drinks from home, and the community only paid for the music, the singer, and it was less than 200 € in total, but after a long discusión in this point, owners agree not to do any expense on the community when doing another barbecue.

There is a group of owners who think if we continue with this level of expenditure/improvements, we will have to increase the fees every year, and this is not acceptable.

The Administrator and Committee ask to postpone this discussion until the next point, as we are still in point 1 of approval of accounts, expenses and debts for exercise 2012/2013.

After those clarifications regarding accounts and expenses, those attendees vote, resulting in the approval by unanimity of the accounts.

The administrator explains the situation of the different debtors of the community. From the ones included in the summons, some of them have already paid until this date, as it follows:

LIST OF DEBTORS 31-07-2013:		
PROPERTY	OWNER	AMOUNT
3	TOMÁS SAEZ GAITÁN- PAID	5,41 €
6	JUAN CARLOS GARCÍA CANO (fulfilling agreement of payment)	170,76 €
13	FRANCISCO DE MIGUEL HERNANDO- PAID	6,41 €
14	NORMAN ROBERT & GILLIAN PRIOR	103,93 €
15	PAUL JAMES DUNSTAN- PAID	217,73 €
23	DAWN ELIZABETH SESTON- PAID	224,19 €
42	FEDOR SOLONINKO- PAID	121,56 €
58	AGUSTÍN MARTÍNEZ RUIZ (paid a part)	15,33 €
61	EVA PÉREZ BOVDON GARCÍA- PAID	22,22 €
67	JASON & FIONA RICHES	2.150,10 €
82	JULIÁN CRISTÓBAL ALONSO BERC	619,64 €
92	EDWARD & ANN MEEGAN	1.303,03 €
114	LUISA BERMEJO GÓMEZ	5,30 €
118	EUROPEAN VILLAGE AGENCY, S.L.	535,52 €
138	ANTONIO TOMÁS MARTÍNEZ CARRILLO	271,27 €
141	STEVEN BRIAN DANSON	8,55 €
<b>TOTAL</b>		<b>5.850,95 €</b>

It is explained that from the large list of unpaid fees last year, due to not disposing of contact details and bank accounts from owners, we have almost eliminated all of them. From the bigger debtors that the community had at the beginning of the year, we have eliminated 3 of them through different agreements of payment.

Regarding those who are still keeping big debts with the community, just to comment that number 67 belongs to the bank, it is repossessed, but the process of collecting the fees complicates a little because banks are reabsorbed by another banks, and the companies who managed with their debts are also constantly changing, anyway, we have already notified all the debt.

Number 82 is a lady who got widower and is not coming to the community a long time ago, we are trying to locate her through her neighbours before starting any legal action.

Number 92, we have tried to contact them using different ways, as they are renting their property, but no success, and they still have unpaid fees, therefore the community will take any action that we consider necessary against this property.

Regarding number 118, the Committee, advised by the Administrator, regularized the part of the debt that was not legally chargeable, in order to have a more realistic vision when claiming to a future owner.

Mr. David Jagintowicz comments that we must impute them all the debt again, as according with the new normative approved a couple of months ago applicable in these cases, in which the chargeable period when changing the owner extends to longer, we can at least try to legally claim almost the total of the debt.

It is explained that the situation of this property is special because is still registered at the name of a company that has disappeared, and we have no yet news if is near to be repossessed or not.

We will try through the bank entity that appears in the land register copia simple as creditors of their mortgage, to claim this debt to the bank, but this process will take time.

The proposal to those present as mr. Jagintowicz is exposing is to impute the total of the debt and to try to claim everything. The administrator, committee and owners agree. Therefore, the total debt of property number 118 at 31-07-2013 is 3.370,23 €, and it will be registered like this in the accounts.

It is unanimously approved the outstanding debts of these properties. Owners authorize President and Administrator to grant powers of attorney to Lawyers and Procurator to claim in Court, in case the debt is not solved within a period of 15 days.

## **2.- FEES FOR 2014.**

The Committee propose that we increase the fees for the calendar year 2014 (to be paid in February 2014 and August 2014) with 3%.

In this point there is a big discussion, because some owners are totally against of increasing the fees, they say there have been 2 consecutive increases, and with the proposal for this year would be the third one.

David Jagintowicz reminds those present that in the years when he was the president, owners were asked to increase the fees during several years, but no increase was done.

The current Committee explains to these group of neighbours who are unhappy, that the prevision for this next year is that all services increase, electricity, water,...and the expected works to be done for this year will need to do this increase.

Other owners and the committee explain that those works done last year were necessary and the result was very satisfactory and the community looks very good, and this is good to revalue the properties.

The discusión extended during a long time with different opinions about the need or not of increasing the fees. As it was not possible to agree in this subject, because the opinions are very confronted, owners are asked to vote, and to finish with this discussion that could extend with no result.

After the voting, it is approved an increase in the fees of the 3% by majority of 45 votes in favour, and with 7 votes against (properties 8, 13, 21, 48, 57, 115 and 126). Owner from property 21 would like to include in the Minutes that his opinion is that the community has enough funds for not being necessary to increase the fees.

Please, remember that the increase will be applied from February 2014.

## **3.- BUDGET FOR 2013/2014.**

Consequently after the approval of the previous point, the fees for 2013, we have the following budget as it follows:

BUDGET OF EXPENSES FOR 2013-2014:	
Sundry & repairs.....	15.000,00 €
Maintenance pool+garden+cleaning.....	21.000,00 €
Administration fees+VAT.....	6.900,00 €
Photocopies+Correos.....	500,00 €
Community insurance.....	3.500,00 €
Electricity.....	7.000,00 €
Water.....	6.000,00 €
Extras.....	500,00 €
New gates.....	3.500,00 €
5% oblig. Reserve fund.....	3.386,79 €
Total.....	67.286,79 €

It is approved by majority the budget of expenses for 2013/2014.

#### **4.- ELECTION OF ADMINISTRATOR.**

Owners elected unanimously Mrs. María Jesús Sevilla Lizón (AGM Administradores) as Secretary-Administrator.

#### **5.- ELECTION OF PRESIDENT AND VICE-PRESIDENT.**

The current President stands again this year for the position, being no more volunteers.

It is elected Mr. Soren Rasmussen (24) as President, by majority of votes with 4 votes against, properties 13, 21, 57 and 126.

The current Vice-president, also stands for the position again, being no more volunteers.

It is elected Mr. Peter Goodger (49) as Vice-president, by majority with 4 abstenciones, properties 13, 21, 57 and 126.

#### **6.- ELECTION OF 2 COMMITTEE MEMBERS.**

The President explains that owner from number 1 is not standing this year as he is not spending much time in Spain, and this makes difficult for him to be actively at the Committee. President also explains that owner from number 13 has expressed his wish of not standing this year.

Mr. Willi Skaar, nº89 and 101 stands as Committee Member, resulting elected by majority with 5 abstentions, properties 13, 21, 57, 115 and 126.

More volunteers are asked to be part of the Committee, preferably owners who live here part of the year, Mr. David Jagintowicz nº 95, is standing, resulting elected by majority with 2 votes against, properties nº13 and nº21.

Therefore the officers of the Community for this year are as it follows:

PRESIDENT: SOREN RASMUSSEN (24)

VICE-PRESIDENT: PETER GOODGER (49)

COMMITTEE MEMBERS: WILLI SKAAR (89 & 101)

DAVID JAGINTOWICZ (95)

SECRETARY-ADMINISTRATOR: MARÍA JESÚS SEVILLA LIZÓN (AGM)

#### **7.- BUILDING ALTERATION (HOUSE 77).**

The President informs about the modification/closing asked from owner of property 77, exposing a picture in the screen. This closing would be similar to others already done at the residential, with the only difference that it is a combination between closing of glass and balaustrade, but following the same colours, materials and aesthetic than the rest, those present decided to give him the ok for him to carry this modification out.

#### **8.- MANAGEMENT REPORT.**

Almost all points of this report were already commented during the meeting, doing the review of the year. And as this report has no vote, it is only explicative, the President asks if any owner has questions or doubts about any subject of the report.

The President explains how it works the community Internet, the Community does not pay anything, but we have installed a system that makes much more accesible and cheap for those who wish to attach (privately with that company), if you wish more information to subscribe ask the Committee through the web site of Zeniamar 5.

It is also explained about the new insurance policy, we have saved money, and also the private water pipes are now included, this is very beneficial for the owners as they have their internal water pipes from their properties covered. We recommend owners to speak with the agent of the community insurance when negotiating their private insurances, as they can get a discount for not duplicating the coverage. Some of the present confirm that they have already done it.

We remind owners the steps to follow if they wish to do any modification at their properties that affects the exterior or fachade. Nobody can do modifications without the authorization of the community.

In the last point of the report, about the barbecue, there are complaints from some owners, that request this kind of expenses not to be paid from community funds, because not every owner can or wish to attend, and only a few owners get the benefit from something that is paid by everybody.

The President explains that this is not going to happen no more, and from now if a group of owners celebrate a barbecue, everyone will take their own items. The promoters of these barbecues explain that it is not viable to do it if it is not community because it is impossible to know how many people are attending, and because it is a difficult work, they also explain that the only intention for celebrating this barbecue was a way of integration and socializing, and from now they prefer other people to organize the barbecues.

An owner explains that the dates for celebrating the barbecues were never in Eastern or August, this makes impossible for some owners to attend, and he expresses they do not wish this expense to be paid by the community.

It is confirmed that no more barbecues will be paid by the community.

#### **9.- PROPOSALS.**

The Committee proposes the following proposal to be included in the internal rules:

” Because of the risk of rats it is not allowed to set up bird tables or feeding birds in gardens”.

Due to some owners are usually feeding birds, rats are appearing in the community. In fact, when those owners were asked not to continue feeding the birds, rats were not seen no more.

It is approved by majority to forbid feeding birds and to have bird tables.

#### **10.- ANY OTHER BUSINESS.**

-The paint from the walls painted at the pool is lifting in some points. This winter the small areas in bad state will be repainted.

-Last year we asked the Town Hall the installation of 2 green waste containers, they would be located in calle Pino Piñonero, in the part where phase 4 ends and there is an empty plot. The contractors from the Town Hall distribute the bins according to their palmification, but we will ask this point again.

-It is proposed a date for the next AGM in 2014. There are some Spanish owners who are very unhappy as they say that setting the AGM on the 30<sup>th</sup> of August when almost everybody is already gone, was not making easier their attendance than celebrating in any other month.

The Comité explains that the proposal is to have it in October 2014, as it was discussed in the last year meeting, to try to do it in August and October alternatively every year. In this moment there is a large discussion as some Spanish owners are against of celebrating the AGM in October.

We remind owners that they should not wait until the day of the AGM to contact the Committee or administration and to expose any doubt, opinion or proposal they have. We also remind that from the sending of the Summons we haven't received not even a proposal from owners, and most of those who were not able to attend, had enough time to contact with a neighbour, friend, administration, committee or any person attending to represent them and to have this right to vote. If not doing it, they must obligatorily accept what the majority decide.

After the debate, it is agreed with majority of votes, with 7 against, to celebrate the next AGM on the last Friday of October 2014.

And with no further issues to discuss, the President closes the meeting being 14:15 hours, on the same day and the same place as initially stated, and of its contents, as Secretary-Administrator, I bear witness and sign with the approval of the President.

THE PRESIDENT  
SOREN RASMUSSEN

THE SECRETARY-ADMINISTRATOR  
MARÍA JESÚS SEVILLA LIZÓN

<b>PROPIEDAD N° PROPERTY N°</b>	<b>CUOTAS/FEES FEBRERO-AGOSTO-2014 FEBRUARY-AUGUST-2014</b>
1	290,44 €
2	191,17 €
3	191,17 €
4	275,74 €
5	268,39 €
6	191,17 €
7	191,17 €
8	283,09 €
9	209,56 €
10	209,56 €
11	209,56 €
12	209,56 €
13	227,94 €
14	227,94 €
15	224,26 €
16	220,59 €
17	220,59 €
18	220,59 €
19	220,59 €
20	220,59 €
21	231,62 €
22	165,44 €
23	231,62 €
24	216,91 €
25	158,08 €
26	213,23 €
27	238,97 €
28	169,12 €
29	238,97 €
30	238,97 €
31	169,12 €
32	238,97 €
33	327,20 €
34	165,44 €
35	330,88 €
36	312,50 €
37	158,08 €
38	312,50 €
39	180,15 €
40	180,15 €
41	231,62 €
42	194,86 €
43	194,86 €
44	231,62 €
45	213,23 €
46	187,50 €
47	187,50 €
48	213,23 €
49	220,59 €
50	209,56 €

<b>PROPIEDAD N° PROPERTY N°</b>	<b>CUOTAS/FEES FEBRERO-AGOSTO-2014 FEBRUARY-AUGUST-2014</b>
51	209,56 €
52	220,59 €
53	220,59 €
54	209,56 €
55	209,56 €
56	220,59 €
57	330,88 €
58	165,44 €
59	327,20 €
60	312,50 €
61	158,08 €
62	312,50 €
63	180,15 €
64	180,15 €
65	231,62 €
66	165,44 €
67	231,62 €
68	213,23 €
69	158,08 €
70	191,17 €
71	238,97 €
72	169,12 €
73	238,97 €
74	238,97 €
75	169,12 €
76	238,97 €
77	227,94 €
78	227,94 €
79	220,59 €
80	224,26 €
81	220,59 €
82	220,59 €
83	220,59 €
84	220,59 €
85	275,74 €
86	191,17 €
87	191,17 €
88	290,44 €
89	283,09 €
90	191,17 €
91	191,17 €
92	268,39 €
93	209,56 €
94	209,56 €
95	209,56 €
96	209,56 €
97	268,39 €
98	187,50 €
99	187,50 €
100	268,39 €

<b>PROPIEDAD N° PROPERTY N°</b>	<b>CUOTAS/FEES FEBRERO-AGOSTO-2014 FEBRUARY-AUGUST-2014</b>
101	286,76 €
102	194,86 €
103	194,86 €
104	290,44 €
105	209,56 €
106	209,56 €
107	209,56 €
108	209,56 €
109	308,82 €
110	301,47 €
111	312,50 €
112	312,50 €
113	308,82 €
114	187,50 €
115	187,50 €
116	305,15 €
117	305,15 €
118	187,50 €
119	187,50 €
120	305,15 €
121	209,56 €
122	209,56 €
123	209,56 €
124	209,56 €
125	312,50 €
126	187,50 €
127	187,50 €
128	305,15 €
129	305,15 €
130	187,50 €
131	187,50 €
132	312,50 €
133	209,56 €
134	209,56 €
135	209,56 €
136	209,56 €
137	272,06 €
138	279,41 €
139	272,06 €
140	275,74 €
141	268,39 €
142	180,15 €
143	187,50 €
144	268,39 €
145	290,44 €
146	194,86 €
147	194,86 €
148	286,76 €
149	209,56 €

<b>PROPIEDAD N° PROPERTY N°</b>	<b>CUOTAS/FEES FEBRERO-AGOSTO-2014 FEBRUARY-AUGUST-2014</b>
150	172,80 €
151	209,56 €
152	209,56 €
<b>TOTALES</b>	<b>34.672,87 €</b>