

Hello to all of you.

First of all, I would like to thank those of you who have been able to attend this extraordinary assembly, as I know that, given the dates, many of you have made a great effort.

Secondly, I would like to give you an explanation, as clear and summarised as possible, of why we are here today.

On 16 December 2022, the Board of Directors met, at the request of Mr. Daniel Niz, to allegedly discuss matters related to our community. Mr. Nis-Edwin, Mrs. Elsa Adán, Mr. Daniel Niz, Mrs. Ángela Bräuer, Mr. Jan Ketil, the administrator and myself attended the meeting.

That meeting was a real trap, because some of its members, namely Mr Nis-Edwin, Ms Elsa Adán, Mr Daniel Niz, Ms Ángela Bräuer and Mr Jan Ketil, that is to say, all of them, all the members of the board of directors, Mr Elsa Adán, Mr Daniel Niz, Ms Ángela Bräuer, Mr Jan Ketil and Mr Jan Ketil, all the members of the board of directors. Jan Ketil, that is to say, all except the administrator and myself, urged me to resign as President of this Community, or else they would throw me out, given that they have the necessary number of delegate votes until the end of the year 2022, to be able to carry out both a request for an extraordinary meeting of this assembly and to be able to throw me out. Faced with this situation, I have chosen to leave and I am resigning today.

At this point, I think it is important that all the owners are aware that this resignation is the result of constant disagreements since last August. Of a total and absolute incompatibility initially with Mrs. Elsa and Mr. Daniel and in recent months with Mr. Nis-Edwin.

They have a way of doing things that has been clashing with the idea of management that the rest of the Board and I have. We must not forget that we have been put here, on the Board of Directors, by and for the interest of our community. And that any decision that goes beyond the usual and necessary management and maintenance of our building, must be decided by the owners in an assembly.

When I started this journey as President, I did it mainly to be able to fight against the General Municipal Plan that did not allow residential use in the building, but I also came with the desire to bring improvements to the building. Together with the board, we came in with many projects to do, which require time and a significant outlay of money.

This Board of Directors took office on 27 February 2022, but it was not effective until May-June when we were able to have access to the bank account and the new administration was able to mechanize the building data, as Afal (former administrators) gave the information late and in pdf (non-exportable format) so the new administration had to type all the information received by hand.

During these scarce 10 months, things have been done, of course not all that we would have liked, but anyone can understand that one thing are the intentions of improvement that are initially had, and another thing are the realities and urgencies that one finds as one gets to know the building.

In recent months we have:

1. Solved the problems with the sewage pumping equipment, whose pumps, nearly 30 years old, were pumping 24 hours a day due to the blockages caused by the accumulation of faeces and grease, whose layer was up to 75cm high, as was found during the cleaning of the pit. This situation was causing blockage of the pipes and was also generating mosquitoes in the area.  
The previous board had ordered, for an amount of €11,278.12 (paying 50% in advance on 21 January 2022), the replacement of the pumps.  
This solution was not adequate, as the new pumps would clog up again and would not solve the problem.  
Therefore, deodorisation equipment was installed at a cost of €8,000, which has ensured that the same pumps that previously pumped 24 hours a day now only pump 1 hour a day.  
In addition, the annual cleaning cost of the pit, which was in the order of €5,000, has been eliminated and replaced by an annual maintenance cost of only €900 per year for the deodorisation equipment, as it will no longer be necessary to clean the pit every year.
2. Fixing the slope that had collapsed behind phase I of the building, which has prevented major damage when the rains came.
3. Regular meetings with the electrical installation designer, culminating in the presentation in December of the electrical project in industry as a residential building and not as a tourist building, as the previous board had proposed. Therefore, the legalisation of the installation has now been formalised.  
All that remains is to carry out an action that was deficient and that is necessary to carry out as soon as possible so that everything is in accordance with the project. This action is budgeted for an amount of 2,329.80 €. This is important and necessary to be done as soon as possible.  
All the documentation is in the Drive account that I have used for Don Paco and of which I will give the passwords later.
4. The waste containers have been put in place.
5. Negotiations with the disastrous insurance that we have contracted before this board arrived for an amount of €12,000, which is undoubtedly the most chaotic point we have had and where multiple repair negotiations have been carried out between the building staff and external contractors, as the insurance does not cover the uralite pipes.
6. Occasional repairs to landslides on the façade of phase II, between floors 2 and 3 and on the premises - restaurants, which posed a high risk and liability if they fell on pedestrians.
7. Hiring of qualified personnel to carry out maintenance work on the lift's safety generator, since it had not been inspected once since it was installed and in fact failed during tests. It is now operational.
8. We made a control of expenses so that the products and materials purchased were justified.
9. All these actions, given that we did not have an approved budget for this year 2022, have been carried out from the 2021 prologue budget, as permitted by the regulations.
10. We received the community with an account balance of €152,987.48 and it currently has a balance of €184,096.30, (€31,000 more) proof of correct management.

But in spite of all this, Mr Nis-Edwin, Mr Daniel and Mrs Elsa, you claim against me for what I have not done. But you say nothing about what you have done and which I have had to put up with and suffer since July.

Such as, for example, the harassment and demolition of Ms. Elsa:

- Accusing me of neglecting my duties on multiple occasions.
- Her demands and pressures, almost coercion, for me to view the cameras, without there being a court order or injunction requesting me to do so, as the law establishes and as the administrator informs us that it is necessary to act, belittling the training of the property administrator, treating her as inexperienced and unprofessional.
- Demanding that I myself resolve issues that by their nature should be managed through the breakdown service of the property management company, which is there for a reason.
- His bad manners towards me, disrespecting me on multiple occasions, which he disguised as criticism, even defaming me, as he has even written that I wanted to get paid, when this is totally false.

I would like to take this opportunity to point out that this entire board has not collected a single euro from the community, as the payments that were made in the past were not justified or reported to the tax office as required by law. I hope that this will be the case in the future, as we all promised not to charge for belonging to the board.

Or the attitude of Mr. Daniel that from the beginning you wanted to be vice-president and we were happy to agree on it. But little by little I have been realising that behind this, you only wanted to have some power but not to assume responsibility, since being a member of the personnel committee, as you wanted, you were there for the good but not for the bad, and when I asked you to do something like knowing what tasks the personnel were doing, you answered me with your phrase: "that's up to you, that's why you are the president". This shows that what interests you is to be in charge, but that the responsibility lies with someone else.

And as for Mr. Nis-Edwin, you have been part of the Board of Directors of our community for many years and now you come to me to claim a lot of things that I have not done. I remind you that I have only been here for 10 months and the building has not yet fallen down because of all the things you say I have not done. I am going to remind you of some of the things that you participated in and consented to during the years that you were part of the previous Board:

1. When we arrived at the Board of this Community, a total of 9 mobile phone lines had been contracted (8 from Orange and 1 from vodaphone), of which the use of all of them was unknown, with the exception of the maintenance staff line and the breakdown line. These lines have been contracted since September 2018 and cost around 300 €/month (3600 €/year). When I called these lines, I only found an answer on one of them, where a lady told me that this number corresponded to a telephone number of Mr. Enrique's supermarkets. A few moments later, Mr. Enrique himself called me with the intention that I should transfer this telephone line to him, which I emphasise was direct debited to the Community's account, claiming that this line was the one he used to communicate with his suppliers.

During the years that you were vice-president, you consented to this expense and never said anything.

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At present these lines have been deactivated and now we only pay €10 for the maintenance staff line, as the breakdown telephone is managed by the administration.

2. A man was also employed who did not usually work in the building and communicated with me via an email from Mr. Enrique's supermarket chain. This man was costing the community 400 € every month, without knowing very well what tasks he had assigned to him. The point is that when he was required to be present in the building to be able to attend to the needs of the users, he automatically presented his voluntary resignation from the company. Nor did she mobilise to stop this expense with the demands that she is now making on me.
3. We had taken out an insurance policy for which we pay 12,000 € per year, the previous Board claiming that this high cost was due to the fact that this insurance covers the bursting of all the pipes in the building, both communal and private, and it turns out that it does not generally cover them as our pipes are made of uralite and the repairs to these pipes are not covered. You did not stop the insurance renewal either.  
As of today, you were looking for a new insurance company that would have a lower cost in contracting what was actually going to be covered.
4. You, Mr. Niss, together with the rest of the previous Board, have carried out a swap contract for the premises where the storage rooms are now located, in exchange for a flat in favour of Mr. Enrique. Without clearly explaining the conditions of this exchange, which, as of today, is permanent, and in addition, the installations of the electrical project have been installed, which will make it very difficult to remove the exchange, he did not say anything either. This agreement adopted in the Meeting did not comply with the legal requirements and meant a serious prejudice to the interests of the Community.
5. You also allowed, since as you say you were more informed with Enrique than with me, the signing of a purchase option for premises owned by Mr. Mariano and for which a deposit of 5.000 € was paid. Mr. Niss, I would like to inform you that communities of owners are not allowed to purchase real estate, but you did not say anything either. Also, as in the previous case, the agreement at the meeting was not adopted in accordance with the law.  
Moreover, they were in a hurry to equip them for storage rooms, spending more money on it and thus making it more difficult to revoke this purchase option.

Now, you are demanding my resignation, because of a series of points that we have not fulfilled, where we were thinking of taking these points to the ordinary assembly in February, as it should be up to the owners to decide whether or not we assume the cost of these points. I explained this to you, but you prefer to do things the way they were done before, that is, first I spend and

then I explain. Well, I am sorry to tell you that this is not the way things are done. The money belongs to the owners and it is up to all the owners to decide what the money is spent on before it is invested.

Because, I would like to remind everyone that there are procedures and protocols, laws and timescales that must be complied with so that things are done correctly.

Today I present my resignation as President of this community, but I will say one thing loud and clear, so that you three, Nis, Daniel and Elsa, have NO DOUBT WHATSOEVER I HAVE DONE IN THESE FEW 10 MONTHS, I AM LEAVING WITH MY HEAD UPRIGHT AND SURE THAT EVERYTHING I HAVE DONE IN THESE FEW 10 MONTHS, HAS BEEN IN COMPLIANCE WITH THE CURRENT LEGALITY, given that I have received legal advice from our property administrator, Mrs. Cristina, who is a lawyer specialising in Horizontal Property, as well as our property administrator. I have dedicated all the time possible to carry out my functions as President, in the best possible way. And I thank you all for the trust you have placed in me. I am sorry that this trajectory could not have been longer, but in view of what I have seen, I have been left with no other option but to tender my resignation today.

Along with me, the treasurer Sergio and the member Manuel also present their resignation.

In Mogán, 29th December 2022

Pedro Manuel González Aguiar  
Outgoing President of the Community  
of owners of Edificio Don Paco