

NEWSLETTER SEPTEMBER 2010

Dear Altos Miraflores
Home Owners

The past year continued to be difficult for most Communities with problems getting in the Community fees. In May 2010 our current owners' debt peaked to over €127,000 - or equal to over 43% of our Annual Budget. This amount is far higher than any previous year and with the current recession estimated to remain for the next few years, it will be difficult to make planning for certain long term programmes.

Albeit we had taken a decision to continue the repair program, we were unable to start the established painting program as planned and consequently I took a decision to stop all on-going work until our current debt was reduced, instructing Salcosa only to spend on essentials until further notice. Instructions were also given to our Administrator to write to all 25 owners that were in arrears, asking them to contact the Community office immediately and arrange payment, while the lawyer was asked to chase up those cases already in court.

What is absolutely frustrating, is to observe the non-paying owners and their friends and families continue to benefit and take advantage of the Altos Miraflores community installations, and/or obtain income by letting out their property while running up important debts, - resulting in those owners that do pay on time, having to support these non-paying owners, and in some cases over several years. The debtors are reminded, that although the law does not allow the community to cut your access to utilities etc., you will until the day of payment, be charged a monthly compounded penalty interest of 2% together with the complete legal fees and expenses, all as provided for by the Community By-laws.

I am pleased to say that at the time of putting together this Newsletter, a number of owners who were in debt have already complied with their payment obligation which allowed us to reopen our contracts and start the long-awaited painting program. By the time we meet at our AGM, the repair work will have been completed together with the complete painting of block VIII. The painting program is thereafter due to commence on blocks I to III and so on until the completion of all the blocks.

The good news for our Community is that once the painting contract is completed and paid for, we will have some breathing space to plan for the future and make sure we have the funds in place for the next redecoration program and foresee the renewal program of our mechanical equipment and lift installations within the next five to ten years.

We are committed to maintaining the standards and upkeep of our investment, while making savings where possible and ensuring the continuation of the community charges at a reasonable level. We would need to keep pace with the rising cost of local taxes, IVA and utility charges, items which we have no or very little control over, while we must re-negotiate all our current contracts and any future contracts making sure that they are within our price range and provide value for money.

Finally, I wish to sincerely thank all those of our owners who have over the years always met their payment obligation as well as having constantly supported the Community and provided constructive collaboration for the wellbeing of all at Altos Miraflores Community.

Kind regards,
Ron Phillips
Community President

COMMUNITY BOARD

President:
Ron Phillips

Vice President:
Ole D. Sigurdsson

Secretary/Administrator:
Salcosa Administraciones SL

Garden Committee:
Patricia Phillips
Jayne Warburton/Brian Collier

Head Gardener:
Miguel Moreno

Technical Consultant:
Arsalan Nahavandi

ANNUAL GENERAL MEEING

Friday 22nd October 2010
1st Call 10:00h, 2nd Call 10:30h
to be held at Centro Miraflores

All owner members of the community are receiving together with this newsletter the relevant AGM papers and accounts including the Agenda of our forthcoming AGM, all prepared by our administrator Salcosa.

If you are unable to attend, please complete and sign the Proxy Form provided and forward same **immediately** to the Community Office.

You can also forward your Proxy Form by fax to the Community Office:
Fax Nr: **(+34) 952 93 2976**
For our records, please also post the original signed Proxy Form.

IMPORTANT NOTICE:

We kindly advise you, that in accordance to article 16.2 of the Law 49/18.03.1999, those Members of the Community who have not fully paid the Community Fee as required, will be deprived of voting at the AGM.

If you are in any doubt with regard to your current Community account, it is recommended that you immediately contact the Miraflores Community Office on telephone:

(+34) 952 93 2699

COMMUNITY CHARGES

It is being suggested, that part of the reason Owners don't pay their Community Charges is due to the ever increasing charges. It is important that we clarify this matter by presenting the following ACTUAL FACTS:

The first Community Charge for 2002/03 was set to: €228.496
The last Community Charge for 2009/10 was set to: €297.575
Resulting in a total increase over 8 years of: € 69.079
- or average 3,78 % per year, while we over same period built up an accumulated Reserve Fund of over €149.000....!! (as of 31.08.2009)

EXTRAORDINARY EXPENSES OF €100,000

It is important to bear in mind that over the last 8 years the Community carried out a quantity of major extraordinary work to improve our installations. The total cost of this extraordinary improvement work amounted to over €150,000, or equal to nearly 70% of our last year's total budget. These improvements included:

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|-----------------------------------|---------------------------------------|---|
| 1) Our own water supply | 2) Easy access into the swimming pool | 3) Fencing / netting |
| 4) Motors to gates / Garage doors | 5) Security alarm | 6) Garden lighting |
| 7) Low energy staircase lighting | 8) Masonary repairs to all blocks | 9) Installations of gutters - etc. etc. |

None of the above items was paid for by increasing the Community Charge. The only added cost was to make sure that they appear on the maintenance budgets at an increase of 1% per year.

NO DOGS



This year has been rather upsetting for a number of our Owners at Altos Miraflores due to two owners not respecting the Community Statutes in relation to the prohibition of keeping a dog in their property and/or in the community grounds.

I am sure we were all impressed by the five star standards when we were looking to purchase our homes at Altos Miraflores, which included within its purchasing package a full set of community rules and regulations set by the developer, and which each of us acknowledged and accepted by our signature at the Notary Public at the time of signing our purchase title deed.

Following numerous complaints and warning letters and allowing time to make arrangements to remove the dogs, unfortunately the only reply to our request has been a number of letters addressed to me your President with contents of an offensive and insulting nature. We have now reached the point of no other alternative than to take legal action against the two owners who have chosen to breach the rules of the Community by each having introduced a dog into Altos Miraflores.

The Byelaws of Altos Miraflores clearly state, Article 13.3 - page 12 quote - "It is totally forbidden to have dogs in the apartments, as well as to walk said animals in the communal garden areas of the complex and the swimming pool area. Other animals may not be kept either, of any nature whatsoever." - end quote. These rules have been fully supported over the years and have appeared on our AGM agenda each year to remind Owners that the rules have not changed.

To proceed with the legal action in court it is required by law that the authorization to do so must be voted upon at the AGM and consequently you will find this item on the attached Agenda. Our Lawyer will continue to pursue this matter and will be putting forward her action taken so far at forthcoming 2010 AGM.

Some Owners have been complaining that nothing was being done by the Community Board to resolve this issue and the matter for them seems long overdue. However, I can assure you that right from the beginning the Board actively took action against the one owner who was then in breach and we actually succeeded in having the dog removed. However a few months later, same owner returned with the dog while furthermore, a new owner who purchased a resale property in 2010 at Altos Miraflores also introduced a dog, - **This albeit I personally informed him prior to his purchase of the NO DOGS rule.** - Henceforth, many, many hours of both my time, the time of the Vice President and that of the lawyer have been dedicated exclusively to this issue, which could have been much better spent dealing with other matters that concern our Community rather than incurring costs at a time when every single Euro counts.

GENERAL REPAIR PROGRAM

We have carried out the redecoration repair program on all the blocks finishing in March/April 2010 and all work undertaken has been recorded on a disc for future reference.

In May we went out to tender for the painting program and the selected contractor started work late July 2010.

Should you have a problem with the work being undertaken by either repairs or the painting contractor please contact Amalia Aragon at the Community Office. Amalia will then arrange a meeting or visit to your apartment with the contractor to review the matter of your concern.



REDECORATION PAINTING PROGRAM

The painting contract was awarded to ELODATEC and is a rolling payment program as each block is finished the final payment is made subject to work undertaken and inspected by Arsalan, our Technical Consultant. Reports so far have been good standards of work with limited or no mess, and it has been agreed with the contractor to use this same team of painters for the rest of the contract.

TIME SCHEDULE (subject to cash-flow & weather conditions)

Block VIII - work started late July 2010 to be completed in six weeks.

Blocks I, II and III - work to commence 2nd week October, completion end November.

Block IV & Garage building - work to commence 1st week December and complete 2nd week January 2011.

Block VI - work to commence 3 week January and complete 2 week March 2011.

Block VII - work to commence 3rd week March and complete end April 2011.

We kindly remind you that those apartments with terraces fitted with glass, the enclosed terrace does not form part of the painting program. Terraces without glass will be painted and the Owners are asked to clear furniture and fittings.



UNPAID COMMUNITY CHARGES

Following our last AGM held in October 2009 it was agreed that any owner who has problems paying their Annual Community Charges, is recommended, in order not to incur legal expenses, to contact the Community Office immediately and negotiate an agreement to pay off the debt to the Community of Owners Altos Miraflores account

**For information regarding above please contact our Community Office (Salcosa): Attention: Ms Virginia Reina
Tel: (+34) 952 93 2699 * Fax: (+34) 952 93 2976
Email: virginia@salcosa.com * Web Site: www.salcosa.com**

Once an agreement is reached for instalment payments of the debt to the community, and in the event the payment scheduled is thereafter not honoured, the community lawyer has been instructed to refer the debt back to court.

Debtors are reminded that in case of continued non-payment of the community charges, the law provides that ultimately your property is at risk by way of public court auction.

Total amount owed at the AGM (16.10.09):	€ 63.820
Total amount owed in April 2010 (30.04.10):	€ 127.350
Total amount owed as of end August (31.08.10):	€ 69.896

SECURITY & SAFETY TIPS:

- 1) Make sure you are familiarised with your neighbourhood and where the Miraflores Security Red Box is placed.
- 2) Always lock the front door with the key, even when you are in, and close the windows when you go out, even if you will only be out for a short time.
- 3) Activate your alarm system (if you have one).
- 4) If the door to your house is open upon your return do not enter alone and do not touch anything. Call reception or the security guard.
- 5) In case you do not have a phone, activate the Security Red Box in your community and wait at the Red Box for the security guard.
- 6) Use timer device on interior lights as well as the terrace and the lamp next to your front door.
- 7) Keep valuables in safe or out of sight.
- 8) Keep keys to your home and car in a safe place.
- 9) When going to bed make sure all doors and windows are secured.
- 10) Do not open your door to strangers.
- 11) If you hear or see anything strange, notify the reception or security guard.
- 12) In case of assault do not resist; try to get the maximum detail.
- 13) If you lose your keys, inform the reception or security guards and it is better to change your lock.
- 14) Be mindful when walking out and about of people walking too close to you.
- 15) Don't walk in isolated places at night.
- 16) When you answer your phone just say "hola" or "hello" - don't give your telephone number.
- 17) If someone snatches your bag, don't fight back, you may get hurt - let it go.
- 18) Last but not least - be a good neighbour.....

SECURITY & SAFETY

Due to the high unemployment, the number of break-ins has increased overall on the Costa del Sol and unfortunately also in Miraflores.

Following years of absolutely no break-ins or attempted break-ins at Altos Miraflores, I am sorry to report that this year three of our owners suffered break-ins and all three on the same night.....!

For peace of mind please follow the security and safety recommendations on this page and also make sure your car and storage room are always protected.



**Unfortunately I have to give you the sad news of the sudden death of one of our Owners:
Mr. STIJN PANNIER, Apartment nr. 50**

**Stijn (Stan) died of a heart attack in his own country Belgium on the 24 July 2010 at young age of only 57.
Stijn will be missed by his friends here at Altos Miraflores.**

May I on behalf of the Community thank Mr & Mrs Markey (Apartment Nr. 14) who attended the funeral on the 31st of July and arranged for flowers to be placed on behalf of the Community board and members as well as flowers from his friends here.

I have sent our Condolences to Mrs. Marlene D'Hollander on behalf of Altos Miraflores Community.