



Welcome to our first independent newsletter produced by Los Claveles owners for owners, to keep you independently informed.

A lot has been happening at Los Claveles in the last 2 years, we are independent of both WimPen and the committee and concerned that this unfortunate dispute is causing many owners much concern and distress and also costing a lot of Owners' money. Many of you are probably quite bewildered.

WimPen

Wimpen have stepped in as acting Administrators while the dispute continues. We know not everyone will agree with that, but for the moment that is the situation, so we should work with it and see what they can do. We don't believe that should stop improvements being made to the way the resort runs, or to the facilities, and we urge WimPen to continue with the refurbishment.

Who are we?

We are just a group of owners who can't quite get used to the idea that we are in the middle of an unnecessary and expensive dispute in our resort, which has been well run by WimPen for the last 25 years. All we want is a peaceful holiday, with no hassle and we are sure you want the same.

We are led by a small working group of owners, led by Roger Barrow, who is an owner here and also president of the Community of Owners at Las Casitas in Lanzarote, where they have successfully developed an amicable working relationship with Wimpen and seen a significant improvement in their fortunes. We want to see if we can learn from their experience.

Why have we started this group?

We are not saying that WimPen are the right administrators for the future, although they are doing a pretty good job at the moment, have made significant improvements to our financial health and have managed this resort successfully for more than 25 years. Now that OnaGrup have settled down, other resorts are seeing little operational change with much the same team at WimPen's Tenerife head office.

Neither do we necessarily believe that the current committee are leading us in the right direction so we are challenging the way this dispute is being handled, We wanted answers to some questions that we were unable to obtain from the committee.

We want to see a full general meeting of all owners under an impartial chair, with the opportunity for every owner to have a say and to vote on the future direction of the management of this resort. The committee must meet and include the founder members from WimPen who were removed. We want to see fresh elections for chair and committee and we want to undo the changes made to the constitution, and a new constitution implemented that puts more power in the hands of owners. Until that happens, we believe Wimpen should continue as acting administrators.

Frequently Asked Question

Since OnaGrup acquired WimPen, many of you have asked questions and have been worried about the dispute with the committee. We will try and answer them here.

Why is there a dispute?

The committee and AGM 2015 decided they didn't approve of OnaGrup, and wanted a change of management company. They were offended that they had not been informed of the takeover beforehand and disagreed with some of the changes OnaGrup tried to make.

We believe that the decision was made prematurely, before any proper negotiation with OnaGrup and before OnaGrup could go through a learning curve. The Managing Director of OnaGrup was not permitted by the chairman to make a presentation he had prepared for the AGM.

There are also some aspects of the vote in 2015 that we believe were undemocratic. We have no objection to a new management company, we want what owners want, but we feel the new WimPen should be given a chance to see what they can do and a full meeting of the membership should decide the future.

Who do we pay for access to our villas?

We know this is causing much confusion and that the committee are sending invoices to some and telling owners that is the only legal way to pay. However, WimPen remain acting administrators, they pay all the wages, the maintenance and the management of the resort, so for access to your villa, for the time being you must pay them until such time as the dispute is settled.

Do we have to pay twice?

No, you should just pay WimPen. Some owners have paid both the club and WimPen. There is no guarantee you will receive a refund from the club however.

If we pay WimPen in advance, but then if the committee take control when the dispute is settled, what will happen to our money?

Funds are not taken by WimPen, they are paid into the Community account. If a new management company is appointed, the fund would be passed to them so your money would be safe.

Why were some of the staff sacked?

WimPen were the employers, under employment law they would have to have had good reason to dismiss them, but they are bound to secrecy so cannot comment. In any event, employment and staffing is entirely their business.

What changes have been made by the committee at recent meetings?

The committee held a number of general meetings when very important decisions were taken on behalf of owners. Many owners were unaware that they would have had a vote as many were either not invited or did not even know about the meetings. In our view, decisions made at these meetings were not legitimate.

The constitution was changed. Changes to the constitution enabled the chairman to remain on an annual term when he should have resigned/taken a compulsory holiday in 2017 having served 3 years. At a

subsequent meeting his term was increased to a 3 year term. A president was added to the committee and his powers of the committee were also increased. The new constitution requires payment to the management company which they define as Club Los Claveles Ltd, which had been set up by the chairman in 2015.

The AGM in 2016 selected a new Administrator, why don't you accept that?

It requires a full general meeting, where every owner has an opportunity to vote to select a new administrator. Many owners were not informed of this meeting and we don't believe sufficient vetting of the proposed new administrator took place. He was only seen briefly in an internet video link at the meeting. We would also have expected to see competitive tenders offered. We understand that the intention was that the committee and club would actually manage the resort, rentals, sales etc and we don't agree with that.

If WimPen handed over the member Database, the committee could arrange a full general meeting.

That would be a meeting run by the committee and current chairman. We want to see a meeting held under an impartial moderator.

You are just an unofficial unelected group of owners, what gives you the right to challenge the committee and the constitution?

We are owners, just like you. It is a democracy, so anyone has the right to challenge, that is all we are doing. We have no official role, but unlike the committee we have been able to open up constructive communication channels with WimPen, so we hope we can find a way through to end this unnecessary and expensive dispute.

The constitution has been changed, illegitimately we believe, so we do not recognise it. We need a new constitution that all owners can understand and support that puts the power back into the hands of owners, not the committee. We also believe the structure should be reviewed, possibly bringing escritura and club together and bringing Los Claveles more in line with other resorts.

What is happening at other WimPen resorts?

All have settled down now, although there were some early misunderstandings. Our group is led by Roger Barrow, who is also president of the community of owners at Las Casitas in Lanzarote. Calm and thoughtful negotiation with OnaGrup in the early days allowed him to establish a constructive working relationship with them. We can learn a lot from his experience. All other WimPen resorts have seen an improvement in their fortunes and have renewed their contracts with an overwhelming majority. Where are we going wrong at Claveles?

We are told that OnaGrup employees assaulted our president and some members, is that true?

That is just hearsay, the police were involved at the time and took no action. Had those allegations been true, they would have. At that time emotions were running pretty high on both sides however and there were probably some misunderstandings.

How will the dispute end?

Who knows? There are currently legal challenges in both Scotland and Spain, and a lot of owners' money is being spent on unnecessary legal fees. We believe that only a full meeting of everyone, under an impartial moderator, can decide the future.

From Roger Barrow, Claveles owner and President of the Community of Owners at Las Casitas, Lanzarote



Las Casitas is another Wimpen resort and I have been watching with interest, and a degree of concern, the ongoing dispute between the Club Los Claveles and OnaGrup/Wimpen.

When OnaGrup first took over WimPen, we also had very similar concerns to yours, but rather than react and rush immediately into a dispute with them, we decided to 'wait and see' and negotiate. I am glad we did. Wimpen are now doing an excellent job for us and through patient and non-combative compromise, we have developed a good working relationship

We are all part of the original WimPen Family', and we share some owners. I would be sorry to lose Los Claveles from the 'Wimpen Family' but I fear Los Claveles owners are being taken along a path which you may ultimately regret.

Germán Castro, MD of Wimpen has offered a way out, a meeting where all owners have the opportunity to vote on the future of Los Claveles under an impartial moderator. Our group urges the committee and owners to consider this. It does not mean that we have to have WimPen as our Management Company forever, but it does provide an opportunity for the conflict to be brought to an end and will put a stop to unnecessary expenditure on legal fees.

So please, let's get the dispute over and done with, get the refurbishment underway and let's just start enjoying Los Claveles and our holidays without all the upset.

The Independent Working Group



Sue Mackenzie: Sue is a qualified accountant, now retired as Senior Partner in her own accountancy practice. She an owner of several weeks at Los Claveles and dearly wishes to see an end to the problems besetting the resort.



Marilyn Fry: An owner since 1994, Marilyn is a farm secretary working on her family farm in South Devon. Outspoken in her views that this dispute has been unnecessary from the start, she wishes for an outcome to this situation that is beneficial to all the owners.



Julie and Keith Lear: Keith works in IT and Julie works for the NHS, they have owned at Los Claveles for 20 years. They believe the current stalemate between committee and Wimpen now requires all owners to determine the future for Los Claveles.

Keeping in touch

We want to hear from you and would like you to share your views with us.

You can 'join us' through our website, contact us by email, or come and chat with us on our Facebook group.

facebook.com/groups/clavelesindependent

www.losclaveles-alt.eu

info@losclaveles-alt.eu

You can also call Roger on 07948 447084



If you want to have a say in your resort, want an end to the dispute or want to be kept up-to-date with information please return the section below or join us on our website:

Name		Villa and weeks owned
Address		
Phone		Email Address

Please return this form to reception