

Claveles Independent Owners Fact File

You may have seen that the club chairman has recently published a fact file on the owners' website where he claims the DOA AGM was invalid, and he contests election of President of the DOA and Timeshare Community. He also claims that it is legal requirement to pay maintenance to the club, even though the club cannot provide the service for which you are paying.

These are the facts as we see them:

1. The Club/WimPen dispute is not over. The rights and wrongs of the legal issues are matters for the club, WimPen and lawyers to resolve, not us.
2. DOA manage the common parts and employ all the staff, the Club don't manage anything.
3. In the absence of a resolution to the dispute, and until such time as it is resolved, the DOA has authorised WimPen to collect maintenance payments
4. The Community account is a combined Club/Escritura and DOA account. There is no agreement to split it.
5. The DOA has published full audited accounts. The club has not
6. Maintenance payments made to the Community account contribute to the running costs of the resort.
7. Maintenance payments made to the Community account get you unhindered access to your villa
8. Maintenance payments made to the club make no contribution to the resort, so owners still need to pay the community.
9. WimPen have a legitimate 6-year contract to be administrators for DOA and Timeshare community1.
10. Approaches made to the club chairman by the DOA president suggesting a collaborative relationship between Club and DOA have been ignored.
11. While the dispute continues, the DOA recognise WimPen as acting Administrators for the club.
12. Spanish Lawyers have confirmed that the DOA AGM, which was conducted under Spanish law, was legally convened and conducted.
13. They have also confirmed that Roger Barrow's election as president of DOA and Timeshare community 1 legitimate under Spanish law.
14. DOA represents the whole resort and has access to the membership database for sending out communications.
15. Many owners were unaware of recent Club AGMs and were unable to vote on important constitution changes.
16. Many legitimate votes were ruled inadmissible at last club AGM.