



From the President NEWS BULLETIN

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Roger Barrow, President

Updates from recent court cases

Mr Fletcher and the committee continue to unsuccessfully try and take control of Los Claveles through the courts

Attempt to prevent WimPen and the DOA from managing and renting club apartments.

This hearing was brought by Mr Fletcher and the Club Committee to prevent WimPen and DOA using and renting club villas. Club lawyer failed to turn up and requested a new date. Judge refused as WimPen's lawyers had taken the trouble to travel from Barcelona. **CASE DISMISSED**

Hearing to enforce the first arbitration in Spain.

The first arbitration was in Scotland, but not relevant in Spain unless enforced by the Spanish court. Mr Fletcher had been relying on this judgement to enable him to take control of the resort.

Had the club been successful it would have had significant repercussions for owners, Wimpen and the DOA. However, the judge ruled in favour of WimPen and the DOA, acknowledging that the arbitration award does not affect in any way the DOA, and also that the Community account where your management fees are paid is away from the scope of the arbitration. **CASE DISMISSED**

Club Appeal to impugn the DOA AGM May 2018.

This appeal was only partially upheld, namely item 6 on the agenda, the approval of accounts. This is because club members had not been invited to vote. All other decisions made at the AGM remain unchanged, and all subsequent meetings remain unchanged.

However, this judgement is no longer relevant as since 2021 all club owners have been invited to vote and voted in favour of the budget, a single account and Wimpen's right to collect fees. **PARTIALLY UPHeld**

Enjoy your holidays.

Owners can be confident in the future of Los Claveles and as long as you are paying your fees to the Community account, you can continue to enjoy your holidays.

If you are paying fees to the club and are in arrears with the community, your money does not contribute to the expenses of the resort. You are invited to have a conversation with WimPen on how it might be possible to hold your debt in abeyance if you start making payments to the Community so you can also enjoy holidays at Los Claveles.

Join the DOA Facebook group.

Come and join us, meet other like-minded owners, be up to date with the latest news and share experiences.

www.facebook.com/groups/LosClavelesDOA/ You can also read news and updates on our website, www.losclaveles.eu

With best wishes

Roger Barrow
President, Los Claveles Development Owners' Association