

CLUB LOS CLAVELES COMMITTEE REPORT TO THE 2019 ANNUAL GENERAL MEETING

Once again it has been a very busy year for the Committee and its small group of valued supporters/workers. And once again Frank Westfield who set up and continues to run the website has done an outstanding job to meet the ever increasing demands on his expert volunteer services. Dot and Ray Steele have also been stalwarts in maintaining the invoicing records for the Club. Together we have responded to hundreds of email enquiries, processed thousands of invoices, advised tens of members daily by telephone, and published over 100 articles, bulletins and updates on the website in 2018 to keep members informed. At the same time we have been working closely with our legal advisors in Edinburgh, Spain and Tenerife to make progress on a daily basis. Without the dedication of the Committee and loyal supporters the immense progress and success that the Club has achieved would not have been possible.

Club Sales

In 2015 following the sale of WimPen Leisure Management SA to Onagrup Vacations the Committee gave notice for them to cease administering sales and rentals on behalf of the Club and the Committee took on the role. Despite a number of notifications to Club Members to this effect some owners have continued to use 'WimPen' to wrongly conduct their sale or purchase.

For their part WimPen/Onagrup, have continued to both undertake those sales/purchases and were until very recently issuing illegal ownership certificates. Cognisant of the growing legal successes of the Club they are now advising that they are no longer issuing certificates due to a delay of a '*bureaucratic nature*' and state that they '*do not expect to be able to issue certificates for several months*'. The delay they mention is actually due to a realisation that they have no authority to issue certificates.

Those owners who have kept up to date with the legal situation have both purchased and sold via the Club website <https://www.losclavelesowners.eu> and have enjoyed a number of benefits. Personal sales of this nature do not carry the 25% charge levied by WimPen/Onagrup, plus an administration charge of £295, all of which is subtracted from the sale price of your week. Most importantly the certificate issued guarantees your legitimate ownership.

Private sales undertaken using the Club system are only subject to an administration charge of £100 plus a small donation to the Club fighting fund for the use of the website. This is a 'win win win'. Cheaper for the vendor - bargain prices for the purchaser - and a small fee to the Club account held on behalf of owners to assist with the fight to retain our control of the resort.

Realising that some owners have been unaware of the full consequences and have unwittingly sold/purchased through WimPen/Onagrup since May 2017, the Club Chairman has committed to exchanging the illegal certificates free of charge. In order to take advantage of this offer, members with WimPen/onagrup issued certificates should send these, without delay by recorded delivery, to the Chairman's address which can be found on the Club website. A new valid certificate will be issued.

In general terms sales have slowed down but the resort remains popular and there are sales, both new ones and current owners purchasing additional bargain weeks, as the Club's successes continue. Club weeks are available for sale through Club President Carol Parkinson. Please contact her for availability.

Rentals

Rentals have generally slowed down due to WimPen/Onagrup's continued practice of denying

CLUB LOS CLAVELES COMMITTEE REPORT TO THE 2019 ANNUAL GENERAL MEETING

entry without a second payment. The Club Committee continues to work with our lawyers to stop this blatant illegal activity. Where extra payments have been made to gain entry a 'Statement of Losses' form and instructions on completion can be downloaded by members from the website. The form should be completed and sent, together with copies of all relevant WimPen/Onagrup letters, invoices, receipts and a personal declaration, to Committee Member Mac Farquhar.

Surrender of Club certificates

The Committee continues to receive information of WimPen/Onagrup's illegal acceptance of weeks handed back by owners. There is no provision within the Club Constitution for the surrender of ownership, and Club owners' contracts are with the Club not WimPen/Onagrup. The 2018 Club AGM demonstrated the extent of the believed theft of Club weeks when WimPen/Onagrup proffered 1201 proxy votes for cancelled weeks belonging to the Club that they had purloined and are the subject of legal proceedings. Owners who continue to act as though WimPen/Onagrup remain as the Club Administrator, and use their illegal services, have and are aiding and abetting a calculated action to outvote bone-fide Club members at general meetings.

If you have special challenges in relation to your ownership speak in the first instance to Club President Carol Parkinson and the committee will seek to find a solution for you.

Club Finances

The Committee hold three bank accounts on behalf of Club members.

The main account is for the receipt of maintenance payments for Club weeks which includes an element for the upkeep of the common areas of the resort and staff salaries. The levy should be agreed annually with the Club Chairman however WimPen/Onagrup, who control the Development Owners Association (DOA), continue to breach their responsibilities by not levying the charge. Funds are held to meet the Club's possible obligations to the DOA.

A savings account is held for owner donations and voluntary contributions made for website rental and sales. Donations and loans are still welcomed – please contact a Committee member.

A Euro account exists in readiness for the Club Administrator Hiro Bulchand to take over from WimPen, and payments from our non-UK owners.

In line with resolutions passed at general meetings the balance of the accounts will be held in confidence for the duration of the legal proceedings. However, financial record keeping is on-going in readiness for the production of the annual accounts.

Owner Interface with the Committee

All Committee members work as a team to support owners during this stressful period. Many owners remain confused by the on-going situation and many hours are spent responding to emails and telephone calls seeking clarification on a number of relevant topics.

A key aspect of the work of the Committee during the action against WimPen/Onagrup - and particularly since May 2017 when the Club's contract with WimPen ended – has been communications to support Club owners going out to the resort with up to date information.

The various illegal actions of WimPen designed to distress owners has necessitated an evolving

CLUB LOS CLAVELES COMMITTEE REPORT TO THE 2019 ANNUAL GENERAL MEETING

strategy and a lot of work by committee members to assist owners to access their property as painlessly as possible. A great deal of effort has gone into contacting owners who have properly paid their maintenance to the Club to prepare them for a second illegal charge on arrival.

A considerable number of owners, alerted by emails and telephone calls from the Committee, were prepared for that charge with payment on a credit card. As a result the majority were able to reclaim their payments to WimPen made under duress from their card companies –some making several successful claims. As credit card companies became more and more successful at reclaiming money from WimPen, payment by card was stopped by WimPen. However support continues in the shape of a strategy for reclaiming losses via legal means. The Committee continues to be on hand to provide owners with information on making a statement of their losses that will be made good when the payments that WimPen has collected illegally since May 2017 are recovered. The Statement of Losses forms can be found on the Club website.

Owners can assist the committee to provide a good service and keep the volume of work manageable by not sending the same query to several committee members. Committee members have specific responsibilities but also provide cover when their colleagues are ill or are on holiday. If you approach the wrong Committee member they will signpost you to the correct individual.

Annual General Meetings

AGMs are organised by the Committee and involve the team in a lot of hard work in preparation. The consensus is that meetings are professionally run and managed strictly in line with the constitution and Club members appreciate the commitment not to terminate the day's proceedings until all owners have been given the opportunity to make an input.

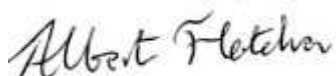
Monthly Committee Meetings

Committee members attend a monthly, full-day Committee Meeting and take part in a weekly Video Conference meeting to evaluate and develop the strategy for regaining control of Los Claveles. The work that goes on is huge and mainly invisible to members in the cause of regaining control of the resort. With the support of members this work will continue despite Onagrup's determined efforts to undermine the Committee, disunite us and break our resolve.

The Future

We will review all that has happened in the past year and discuss the way forward at the AGM.

We hope that you will all continue to give your support to each other and to the Committee by approving this report.



**Albert Fletcher
for and on behalf of the Club Los Claveles Committee**