

REGULATIONS FOR THE MANAGEMENT OF THE COMMUNITY

OF

EDIFICIO PUERTO ESTEPONA, AVENIDA DEL CARMEN 31, 33, and 35.

ARTICLE 1.

GENERAL

Owners, tenants, and servants are obliged to abide by, comply with and cause these regulations of management to be complied with, there being contained herein the rules for the regulation of co-living, good neighbourly relations and the adequate use, care and utilisation of the common installations, services and other things at the above named complex. These regulations observe those of higher authority for commercial premises and properties, already in force.

ARTICLE 2.

HEALTH AND SAFETY

For the purpose of preserving and maintaining the common elements in proper condition, the Governing Committee will make decisions about inspections, repairs and cleaning of communal areas. Additionally, the regulations of the Health Authorities, and Estepona Town Hall relating to specific services and installations in common use, will be complied with. In relation to the persons living in the building, the Governing Committee will be empowered to take the necessary steps to maintain at all times the moral status and the character of the building as a private residence.

ARTICLE 3.

BUILDING WORKS

No alterations may be made to the external parts of the building in any Apartments or Locales, nor may any parts of the building be closed in without the written permission of the Governing Committee. Architectural plans (if required) and / or detailed proposals for ANY external alterations must be submitted to the Governing Committee for consideration. Any infringements of this rule could result in immediate litigation for which all resultant legal fees will be charged to the owner of that property.

ARTICLE 4.

SIGN BOARDS, TV AERIALS, AND AIR CONDITIONERS

- a) The Governing Committee will be empowered to give written permission in specific cases and on prior application, for the putting up of signboards of commercial type, in the Locales that form part of this complex, after having seen the written plans and sketch/ architectural drawings that must be submitted with the application, ensuring always that this is not offensive to the aesthetics of the building, or in bad taste. 'For Sale' and 'To Let' notices may not be displayed on any part of the façade of the building but small notices may be displayed in windows or on balconies or terraces.
- b) The Community has a TV system connected to all apartments. If owners wish to receive their own separate satellite programmes, the dish must be placed on the roof of the building and be installed by the Community approved installer. The dish is NOT allowed to be placed on terraces, balconies or the façade of the building.
- c) Air conditioners must only be placed within the private terrace or balcony area of an apartment. They are NOT allowed on the façade of the building.

ARTICLE 5.

SECURITY

Each owner is responsible for ensuring that the outer doors to/from the building, including the garage and garden, are kept shut and locked at all times (after they have passed through them) to minimise the risk of possible undesirable intruders or illegal users of the building, communal areas and the swimming pool.

ARTICLE 6.

OBSTRUCTIONS

The parking of cars, motor bikes, bicycles, prams, or any other objects that obstruct free circulation and passage will be prohibited in garden entrances to the building, entrance foyers, stairways, lifts, landings, garage entrances or other communal parts of the building.

ARTICLE 7.

LIFTS.

The lifts are very important to all residents so it is imperative that they are kept in good working order. The lifts are inspected regularly and comply with all current legislation in force. Repairs are expensive !

- 1) Do not allow children under twelve (12) to use the lifts unaccompanied.
- 2) Avoid overloading the lift - no more than four people or the maximum weight authorised.
- 3) Limit the weight of luggage, packets, furniture etc., to that displayed in the lift
- 4) Do not allow the lift cabin to be damaged in any way
- 5) Do not enter the lift with wet feet as it could be dangerous
- 6) If there is a problem when in the lift, use the alarm. Do not try to open the doors unaided.
- 7) Call the emergency telephone number displayed or the concierge for assistance

ARTICLE 8

CHILDREN

Children under the age of 12 are not allowed in the lifts, stairways, landings, garage, garden areas, nor in the pool or other common areas unless accompanied by a responsible adult. Parents or guardians are responsible for the behaviour of children in their care at all times whilst on Community premises and they will be charged for damage or vandalism caused to the building and installations in any communal areas, caused by children in their care. Balls may not be played with in any communal areas or in the gardens.

ARTICLE 9.

PETS

In general owners are not allowed animals in their apartments but dogs and cats will be permitted providing they are properly controlled and cause no inconvenience or annoyance to neighbours either in the apartments or in the communal areas. Animals are not allowed in the gardens. These animals must be registered by passport or by Junta de Andalucia regulations and the documentation produced on demand. Owners are encouraged NOT to allow tenants to have any pets in their apartments.

ARTICLE 10.

WASHING AND SWIMMING TOWELS

Apart from anything contained in any municipal regulations, the hanging of washing, swimming towels, or any other objects over the edge of balconies or terraces is strictly forbidden. Drier stands only, are to be used on balconies/ terraces for washing/drying. Variations to this rule must be applied for through the Governing Committee.

ARTICLE 11.

AWNINGS, BLINDS AND SHUTTERS

All awnings and blinds must be in royal blue fabric in order to ensure that there is uniformity in the complex. Pelmet for these may be edged in white braid. No other colours are permitted. Shutters and pull-down blinds must be white.

ARTICLE 12.

BARBECUES

Barbecues are not permitted on terraces, on balconies or in the garden. Barbecues produce fumes / aromas which may cause offence to other residents living in the complex. Only those few owners on the top floor of Portals 1, 2 and 3 who have roof gardens may be permitted to use a barbecue on their roof area, not on their balconies.

ARTICLE 13.

SWIMMING POOL

- a) The swimming pool may not be used before 1100 hours to permit cleaning chemicals to dissipate, and after 2100 hours for the peace and comfort of all residents. Separate swimming pool rules are displayed by both main entrances to the pool and are to be adhered to at all times.
- b) The pool is for the use of owners of apartments and their guests only. The owners of garage spaces / locales / trasteros who do not also own an apartment in Edificio Puerto Estepona, are NOT permitted to use this facility.

ARTICLE 14.

NOISE LEVELS AND TOWN HALL REGULATIONS

It is forbidden to make unreasonable levels of noise or to play loud music at any time in any apartment or communal areas of the building in a way that may cause inconvenience or disturbance to any other member of the Community. There are municipal bye-laws governing levels of noise in Estepona which must be adhered to. After 2300 hours and before 0700 hours - radio, TV, musical and domestic equipment must be used in a manner that causes no offence to others and is not audible from outside the apartment.

After 2300 hours it is also forbidden to cause a nuisance by moving any furniture (see Town Hall regulations). But at other times everyone is requested to be considerate of their neighbours and be aware that marble floors magnify and transmit sound.

ARTICLE 15.

GUESTS AND TENANTS

When owners have relatives or guests to stay, or when they rent out their premises to other people, the owners are responsible for ensuring that their 'guests' or 'tenants' have read and understood the regulations contained in this document. It is the responsibility of all owners to make sure that this document is displayed in their apartments or other premises within the complex. Ignorance of the regulations and rules will not be accepted as an excuse.

ARTICLE 16.

RUBBISH

It is the owners' responsibility to place rubbish in bags and to take it out to the bins at the front of the building after 2000 in the evening. The bins are emptied daily but it is an offence (with hefty fine) to put rubbish in those bins at any time during the day. (These are the Regulations of The Town Hall and are common sense).

ARTICLE 17.

WORKMEN

If workmen need to use the lifts, hallways and stairs, please tell them to treat the lifts with respect. The lifts must not be overloaded. It is the responsibility of owners who have the workmen to see that the lifts, hallways and stairs are cleaned at the end of each working day or when the workmen have finished (if earlier), for the convenience of other residents and visitors. Please ask your workmen to delay making any noise until a reasonable hour (0900 hours) in the morning to avoid disturbing holiday makers or others at rest and to finish making noises at the latest by 2000 hours when business people are arriving home from work.

ARTICLE 18

SUNDAYS AND RELIGIOUS HOLIDAYS

There is to be no banging or drilling on Sundays or on Religious Festivals. As August is the main holiday period, it would be appreciated if major works are not carried out during August due to the high occupancy of people on holiday.

PRESIDENT OF THE COMMUNITY AND GOVERNING COMMITTEE RULES

ARTICLE 19.

- a) If possible the President should be an owner who resides in the complex for more than 6 months of the year but in any case he should always have two Vice Presidents, one from each Portal, who can act on his behalf when he is away for extended periods.
- b) There should be a small Committee co-opted by the President (numbers not to exceed six) to assist the President / Vice- Presidents and form the Governing Committee of the Community.
- c) The President is to be elected annually at the AGM or at a Special General Meeting.

ARTICLE 20.

The President and Governing Committee should meet at least once a Quarter and at other times as necessary to discuss problems, decide planning permission requests and to prepare the Agenda for Community meetings.

ARTICLE 21

The person appointed to the office of President will preside at all meetings but another member of the Governing Committee may be delegated to preside in his absence.

ARTICLE 22.

The Annual General Meeting will be held, where possible, on the first Wednesday of August, annually. Special General Meetings at other times may be convened by the Governing Committee.

All communications to owners (in writing) must be in Spanish or English (as appropriate). Meetings may be conducted in either Spanish or English but there must be an interpreter for Spanish / English at all Annual General Meetings or Special General Meetings, to be paid for by the Community.

It is intended to make greater use of E mails in the future to reduce printing and postage costs to the Community.

ARTICLE 23.

A list of all owners, together with their contact telephone numbers / E mail addresses, must be available on site (with the President and the concierge) at all times in case of emergency. A separate sheet of important local emergency telephone numbers should be on display on the notice board in the entrance hall of each portal.

ARTICLE 24.

When owners fall behind in the payment of their Community Charges beyond three calendar months, the Administrator will take immediate legal action against the defaulter to recover the monies owed to the Community and to additionally charge them:

- a) Interest on the outstanding amount at the normal Bank Rate
- b) The full legal costs in taking this action.

If the debt is paid subsequent to legal proceedings being started, the legal fees already incurred by the Community are to be paid by the owner involved. If the monies are not recovered then the property may be sold by the Community to collect the outstanding debts. By law, owners who have not paid all their Community Charges do not have voting rights.

ARTICLE 25.

For good government of the Community, the Administrator should present accounts to the Governing Committee half yearly and to the Annual General Meeting without prejudice to his accounting and to the President at any other General Meeting whenever required. These accounts should be detailed and arranged in a manner that will show the financial state of the administration, the cost of its services, the amount of expenses duly supported by receipts, and the state of accounts between the Community and each and every owner. All owners may ask to see copies of this information.

ARTICLE 26.

The Administrator will keep, at the expense of the Community, in addition to the minute books, an inventory in which will be set out all the moveable property belonging to the Community. He will also keep a bundle or file of documents relating to each resident's apartment or premises which may be of interest directly or indirectly to the Community in addition to those required to be kept by the regulations.

ARTICLE 27.

- a) Owners, tenants and any other users of apartments, locales, and trasteros (store rooms) who leave their property unoccupied must nominate a key holder who is to take charge in case of emergency by fire, breakage of water pipes or drains, or other malfunction within the complex, so that it is possible to gain access to the apartment, locale or trastero in which such malfunction occurs for the purpose of the avoidance of greater damage.
- b) The Administrators or President of the Governing Committee will keep a list of nominated keyholders at all times.
- c) If this regulation is not complied with, the Administrator will be deemed authorised in the presence of two witnesses to use a duplicate key or pick lock, or to instruct a locksmith to open the premises and to effect whatever repairs may be required or take whatever measures are deemed necessary to avoid further damage to the complex at the expense of / to the owner.

ARTICLE 28.

CONTRACTS FOR WORK FOR THE COMMUNITY.

Before new contracts can be arranged for any works on the building or repairs affecting owners (other than emergencies), a minimum of three estimates must be obtained and considered by the Governing Committee. When a decision has been reached the Administrator will draw up the appropriate contracts in association with the Committee.

Contracts are normally in force for the garden maintenance; for the maintenance of the lifts; for the inspection and maintenance of fire extinguishers; for the television systems; for the CCTV system; and for paid staff.

ARTICLE 29

BUILDING INSURANCE.

Owners are advised that the Community Insurance only covers the main structure of the buildings. It is doubtful whether it covers the interiors of individual apartments (including walls, doors, wiring, plumbing etc). Owners are therefore advised to take out additional insurance.

RE-WRITTEN USING THE ORIGINAL STATUTES AND OTHER RULES HELD BY THE ADMINISTRATOR. UPDATED AND AGREED BY THE GOVERNING COMMITTEE, JULY 15TH, 2009.