🛠️ STRATEGIC OPTIONS: HOW WE PROCEED COLLECTIVELY

Now that the official figures have been released, it is completely clear that **Option 3 provides a vastly superior financial outcome for the vast majority of our 21 detached villas.** Out of 21 homes, 17 would walk away with immediate credits, and the remaining 4 would face only minor, negligible adjustments.

Because we are now strictly applying "the law," we have a very strong case. Below is a clear, simple guide on our exact voting power, why the EGM vote was misleading, our paths forward, and our newly opened legal channel.

🗳️ 1. Understanding Our Power: Number of Votes vs. Quotas

To understand why the villa group holds all the cards, we must look at how voting works under Spanish Horizontal Property Law (LPH). Passing standard community resolutions requires a **double majority**—meaning we must win both the total number of property hands *and* the total size percentage (*coefficients/quotas*).

OUR VOTING POWER DEMOCRACY

COMMUNITY NUMBER MAJORITY	COMMUNITY QUOTA MAJORITY
Detached Villas: 21 Houses (57%)	Detached Villas Quotas: 76.33%
Quad Properties: 16 Houses (43%)	Quad Properties Quotas: 23.67%
RESULT: Villas hold number majority.	RESULT: Villas hold massive majority.

Because the 21 villas hold **57% of the individual hands** and a massive **76.33% of the community's quotas**, we completely control the community's voting floor. The 16 quad properties cannot outvote us on any standard community agreement.

⚠️ 2. Why the EGM Vote Was Misleading

There is a major procedural issue with how the budget vote was conducted at the EGM on May 26th:

- **No Prior Notice:** The revised budget options presented were completely unseen and were never shared with owners prior to the meeting. This late introduction caused a great deal of confusion on the floor.
- **The Misleading Premise:** Chat logs confirm that while the villa group successfully voted for the lowest overall total option to protect the community from excessive costs, many owners cast their votes under the clear and logical understanding that the general pot would continue to be split equally, as it had been historically. Voting for a budget under these false premises means the decision lacks true informed consent.
- **The Large Expenditure Shift:** While an upgraded insurance policy total of €1,761.40 may have been discussed at the original AGM, the sudden shift to strict coefficients completely changes the financial situation. Nobody has had a fair opportunity to re-vote on how such a large expenditure item is split under these new quota rules.

⏱️ 3. The 100% Myth & Our Window of Opportunity

The administrator has claimed that changing the budget layout requires 100% unanimous agreement from all 37 owners. **This is legally incorrect.**

- **The Truth About Unanimity:** Changing the permanent size percentage written on your property's Title Deeds at a Notary requires 100% unanimity. We are **not** trying to do this.
- **The Truth About a Simple Majority (50.1%):** Unbundling operational expenses (like streetlights and specialized insurance) into separate spreadsheet columns based on physical use and utility only requires a simple majority under Article 17.7 of the LPH.
- **Our 3-Month Legal Window:** Because these minutes have been officially issued under misleading circumstances that directly harm the financial interests of the detached properties, we have a strict **three-month window** to launch an official court challenge (*Impugnación*) under Article 18 of the LPH. Since the minutes were officially released on June 30, 2026, and because the entire month of August is completely excluded as a non-working judicial month in Spain, our exact legal deadline to file a claim in the Torrevieja courts is **November 2, 2026**.

📋 4. The Three Collective Paths Forward

Here are the three realistic options for the villa community to choose from:

Option A: The "Veiled Threat" & Formal Administrative Dispute
We submit a unified, multi-signature letter to the President and Admin formally disputing the single-pot budget layout before our legal window closes. We inform them that we are collectively organizing a joint legal fund to halt the accounts based on the Supreme Court's utility doctrine.

- **The Cost: €0.00**
- **Likelihood of Success: High.** Property administrators absolutely despise court challenges because it forces them to turn their ledgers over to a judge. When the Admin and the challenger realize the villa majority is unified and prepared to freeze the community accounts, they are highly likely to back down and implement Option 3 to avoid a costly court battle.

Option B: Call an Immediate Summer EGM to Vote in the 3 Pots
Under Article 16.1 of the LPH, any group of owners holding more than 25% of the quotas can legally force the administration to call an Extraordinary General Meeting (EGM) at any time. We use our 76% majority to force a summer EGM with one single agenda item: *Voting to unbundle the single-meter electricity and private road insurance into separate columns.*

- **The Cost:** Minimal administrative printing/mailing fees.
- **Likelihood of Success: Very High.** We hold the absolute double majority. We can walk into the room, exercise our 76.33% quota weight, and democratically pass the 3-pot system into the official accounts. The administrator's software would be legally forced to apply it.
- **The Legal Blueprint Goal:** The main objective of consulting legal counsel right now is to obtain **official legal confirmation** that our democratic 76.33% majority gives us the absolute right to implement this 3-pot system through a standard floor vote, completely bypassing the need for expensive court litigation.

Option C: Launch a Joint Court Challenge (Impugnación)
We hire an independent lawyer (*Abogado*) and a court agent (*Procurador*) to file a formal civil lawsuit in the Torrevieja courts to void the current EGM minutes on the grounds of "Abuse of Right" and procedural confusion over unseen budgets.

- **The Cost: €1,500 to €3,000 total**, split equally across participating villa owners (roughly €100 to €150 per villa).
- **Likelihood of Success: Extremely High.** The Spanish Supreme Court has repeatedly ruled that forcing public street properties to pay for internal courtyard infrastructure from which they derive zero utility is illegal.
- **Current Progress:** As an initial exploratory step, we have already contacted our fiscal firm, **Sol-4 Law & Solicitors** in Benijófar. They have acknowledged our request via Nieves Sáez Vera (Customer Service Manager) and are on standby to review our file if the villa community decides to collectively proceed with formal representation.

⚠️ 5. A Warning on Vetoing Future Budgets

Some neighbors may suggest that we simply use our majority to "veto" or vote down all future financial decisions.

While we have the voting power to do this, **this tactic carries a major risk of backfiring.** If the villa majority maliciously blocks essential maintenance funding (like mandatory pool safety or basic insurance), the quads can sue the villa owners under Article 18 of the LPH for a "blockade that harms the community." The courts would rule against us. We must stay on the legal high ground: we are not trying to block the community; we are simply demanding that expenses are allocated fairly according to utility.

Additional note/suggestion:

Of course, providing 100% of the detached villas agree, and if this devolved pot system is implemented, we could simply total the villa fees and divide them equally. This would still represent a saving on what we have at the moment, but it would require every one of the detached villas to subscribe to this arrangement.

On the next page is my proposed response to Nieves from Sol-4 – As I am still waiting for instructions from you all I will hold for now.

Initial Informational Inquiry for Nieves (Sol-4)

English Draft (On Hold)

Dear Nieves,
Thank you for your prompt response.
We are seeking a preliminary review and legal confirmation regarding a community budget structure dispute under the Spanish Horizontal Property Law (LPH). Following an EGM on May 26th, the administration team has applied a single-pot budget using raw deed coefficients (*cuotas de participación*). This forces our public road-facing villas to contribute toward localized private road infrastructure, specialized underground pipe insurance, and courtyard pest control from which our plots derive zero usage, physical access, or utility.
Furthermore, the general budget allocates 46% of the electricity costs to the inner streetlights, despite the fact that there is only **one single physical utility meter** for the entire area, which primarily serves the heavy consumption of the communal pool pumps. These streetlights are also physically situated entirely within the quad property boundaries.
We require **legal confirmation on the mechanical process to correct this**. Specifically, we wish to confirm that under Article 17.7 and Article 9.1(e) of the LPH, the community possesses the legal right to unbundle these specific expenses into operational sub-budgets (a Three-Pot System) via a **standard simple majority vote at a general meeting**, without needing a 100% unanimous modification of the Master Deeds or resorting to court litigation.
We are currently consulting the wider group of detached villa owners (who collectively hold a 76.33% quota majority) to determine whether we will force an immediate general meeting to pass this system or proceed with a formal court challenge (*Impugnación*) within our 3-month legal window. We would appreciate knowing if your legal team, led by Mar Bascuñana, can provide this formal assessment and what your standard advisory fee structure would be.
Kind regards,

Spanish Draft (On Hold)

Estimada Nieves,
Gracias por su pronta respuesta.
Solicitamos una valoración preliminar y confirmación jurídica sobre un conflicto en la estructura presupuestaria de nuestra comunidad bajo la Ley de Propiedad Horizontal (LPH). Tras una junta extraordinaria celebrada el 26 de mayo, la administración ha aplicado un presupuesto único utilizando estrictamente los coeficientes de participación de las escrituras. Esto obliga a nuestras villas orientadas hacia la vía pública exterior a pagar por el mantenimiento de viales privados internos, un seguro especializado de tuberías subterráneas y control de plagas de los cuales nuestras propiedades no obtienen ningún uso, acceso físico ni utilidad.
Además, el presupuesto general asigna un 46% del coste de electricidad a las farolas internas de los viales, a pesar de que existe **un único contador físico de luz** para todo el recinto, el cual sirve principalmente al elevado consumo de las bombas de la piscina comunitaria. Dichas farolas están situadas físicamente en su totalidad dentro de las propiedades tipo 'quad'.
Necesitamos **confirmación jurídica sobre el proceso mecánico para corregir esto**. Específicamente, deseamos confirmar que bajo el Artículo 17.7 y el Artículo 9.1(e) de la LPH, la comunidad tiene el derecho legal de desglosar estos gastos específicos en subpresupuestos operativos (un sistema de 3 potes) mediante un **voto estándar de mayoría simple en una junta general**, sin la necesidad de una modificación unánime del 100% de las Escrituras de División Horizontal ni de recurrir a litigios judiciales.
Actualmente estamos consultando al grupo de propietarios de villas independientes (que colectivamente ostentan una mayoría del 76,33% de las cuotas) para decidir si forzamos una junta extraordinaria inmediata para aprobar este sistema o si procedemos con una demanda judicial de impugnación dentro de nuestro plazo legal de 3 meses.
Agradeceríamos saber si su equipo jurídico, dirigido por Mar Bascuñana, puede proporcionar esta evaluación formal y cuál sería su estructura de honorarios de asesoría estándar.