Subject: RV: Re[4]: LPH COMUNITY PROBLEMS
From: mar@sol-4gestion.com
Sent: 16/7/26, 08:20:34
To: m_vanbellen@hotmail.com;
Attachments: Obra Nueva - Division Horizontal QSD2.pdf; 30062026-SPANISH-Final-Minutes EGM Altos de la Marquesa QSD2 2026.pdf

Dear Mark,

Legal Summary of Your Inquiry

After reviewing both the Master Deed (División Horizontal) and the official EGM minutes, I can confirm the following essential points:

1. The community is legally divided into two distinct groups:
    - **16 "quads" (Altos de la Marquesa QSD-2)**: These properties have an exclusive communal pool. They hold both general coefficients and pool coefficients, and they are legally obliged to contribute to all pool-related expenses.
    - **21 "villas" (Rojales Hills QSD-2)**: These properties do not belong to the pool sub-community. They only have general coefficients and cannot be legally required to pay for the pool. They may participate voluntarily, but never obligatorily.
2. General community expenses must be distributed strictly according to the deed coefficients, unless the community unanimously agrees to use a different system. The EGM minutes explicitly confirm that the community must return to coefficient-based distribution because unanimity was not achieved.
3. It is not legally possible to exclude the 10 public-road villas from infrastructure-related expenses. The Master Deed defines water, electricity, and service conduits as compulsory common elements for the entire community. Any exclusion would legally require unanimity, which is practically unattainable.
4. It *is* legally possible to create separate sub-budgets for "differentiable services" (for example, the electricity meter that primarily serves the pool, or internal street lighting). These types of adjustments require a 3/5 majority. With 76.33% of the community quotas, this majority is satisfied.
5. Pool expenses must continue to be paid exclusively by the 16 quads, unless a villa voluntarily opts in. This obligation cannot be altered without unanimity.

If you would like a **technical and legal report** detailing how these sub-budgets can be structured and presented at a future EGM, I can provide a fee estimate for that work. Once approved, I will proceed with the full preparation.

Saludos / Regards