

**Ordinary General Assembly of the  
Association of Club Jardín Amadores**  
(*“Comunidad del Complejo de Apartamentos Club Jardín Amadores”*)

An Ordinary General Assembly of the Holders of Rights Association of Club Jardín Amadores (**“Holders Association”**) is held on 30<sup>th</sup> November 2023. First call at 09.00 hrs, second call at 09.30 hrs.

Meeting held at Hotel H10 Meloneras, San Batolomé de Tirajana, Gran Canaria.

Assistance and representations

A list of attendants is prepared as per Addendum.

The meeting takes place together with the meeting of the Holders Association of Club Vista Amadores, Club Playa Amadores, Club Sol Amadores and Club Puerto Calma although resolutions will be passed independently. This is in line with the decision passed in the meeting held on 2 December 2021 to have all meetings at the same time, and this was anticipated in the calling of the meeting. The casting of votes shall be done separately for each Club. For the purposes of the recording of the decisions, separate minutes will be prepared. All attendants agree to this procedure.

The meeting starts on time in the second call.

Presentation of the Chairman of the Meeting and of the participants

Mr. Roberto Picón acts as the Chairman and Vice-chairman of the Holders Association and Mr. José Puente acts as Secretary of the Holders Association, as they were elected in the last meeting of the General Meeting of the Holders Association of Club Jardín Amadores held on 2 December 2021. This is acknowledged by all attendants.

The Chairman introduces other participants in the meeting to the attendees:

1. Mr. Miguel Muñoz, C.E.O. Holiday Club Resorts Spain
2. Ms. Claudia Esplá, representing Holiday Club Canarias Vacation Club S.L.U.
3. Ms. Samantha Holmes, customer services representative.
4. Mr. Miguel Juliá, representing Holiday Club Canarias Sales & Marketing S.L.U.
5. Mr. Roberto Picón, representing Holiday Club Canarias Resort Management S.L.U.
6. Ms. Ilona Kievits for taking notes for the minutes.
7. Mr. Pauli Puntala, Director Real Estate Holiday Club Resorts Oy
8. Ms. Laura Numminen, Chief Legal Officer Holiday Club Resorts Oy

The Chairman introduces Mr. Miguel Muñoz to the attendants as the new C.E.O. of Holiday Club Resorts Spain

Mr. Miguel Muñoz informs all holders that he has been working in the tourism and leisure industry as well as the timeshare industry for many years at large corporations such as Hilton Grand Vacations, Meliá, Interval International, and Mahindra Holidays and Resorts, with a focus on customer satisfaction and standards. His aim is to regain the confidence of the holders, to improve the standards of all resorts, and stressed the importance of delivering quality service standards and taking care of holders. He will also work tirelessly with the team to enhance communication and working for the interest of all our holders.

Language of the meeting

In accordance with past practices, since all holders attending the meeting speak English, it is agreed that the meeting will be held in English. All attendees confirm that they are fine in having the meeting in English. Translations from and to Spanish, German and Dutch is offered if needed.

The General Assembly was called by means of a letter sent by the Administrator of the Holders Association, as established in the by-laws of the Holders Association.

The attendees are informed that all information for the meeting is available on the Internet where the holders can download the callings, minutes of the previous meeting, the statements of income and the budget proposal. The former webpage [www.hccanarias.com](http://www.hccanarias.com) remains operative and all documentation can also be accessed through <https://www.holidayclubcanarias.com/members/>.

Being present or represented holders holding a total number of 777 rights (equivalent to the same number of weeks), the meeting is considered as duly convened and constituted in second call. The Chairman declares that the General Assembly is validly formed, without any attendant making any protest or reservation, to discuss the following.

### AGENDA

1. Minutes of the previous General Meeting
2. Report from the Administrator, Holiday Club Canarias Resort Management S.L.U., on the year 2023.
3. Status of the reparation and renovation fund and the use of the fund.
4. Report of the Services Company, Holiday Club Canarias Resort Management S.L.U., on the 2022 Statement of Income and Expenditure.
5. Report of the external auditor of the 2022 Statement of Expenditure.
6. Report on the recovery of weeks of holders in default. Prorogation of the 2011 resolution.
7. Presentation of the budget submitted by the Services Company for rendering services to the resort and holders in 2024 and its approval, as the case may be.
8. Appointment and/or renewal as appropriate, of the Chairman of the Association.
9. Appointment and/or renewal as appropriate, of the Vice-chairman of the Association.
10. Appointment and/or renewal as appropriate, of the Secretary of the Association.
11. Appointment and/or renewal as appropriate, of the Administrator and the Services Company
12. Questions and answers.
13. Granting of powers to implement and to remedy the resolutions passed, as the case may be.

### RESOLUTIONS

#### 1. Minutes of the previous General Meeting

The Chairman explains that the Minutes of the General Meeting held on 2 December 2022 were drafted according to the law and the authorization granted by the holders and approved by the Chairman and Secretary. The Secretary informs that the minutes were uploaded into the webpage [www.hccanarias.com](http://www.hccanarias.com).

The Chairman indicates that the minutes are valid with the signature of the Chairman and Secretary, but he asks the attendees for comments or remarks on the minutes of the previous meeting. No comments or remarks to the minutes are made. The minutes are thus acknowledged by all attendees and no additional comments are made.

#### 2. Report from the Administrator Holiday Club Canarias Resort Management S.L.U. on the year 2023, presented by Mr. Roberto Picón.

A summary of the events during 2023 is given.

The Secretary informs the attendees of a significant breakthrough achieved in 2023 in connection with the legal claims. The Supreme Court has confirmed that the contracts used by Holiday Club Canarias (HCC) are in compliance with Spanish law. Two rulings from the Supreme Court issued in June and July 2023 have declared that the HCC contracts are valid. The clients that initiated the claims have now to pay legal fees to HCC. The position from the Supreme Court is now being followed by the lower court instances in Gran Canaria. This information will not be published, but if any holder wishes to receive a redacted copy of the rulings, this can be requested by e-mail to [owners.association@hccanarias.com](mailto:owners.association@hccanarias.com).

It was informed that a technical condition assessment of the properties is currently being conducted at all the resorts to identify compliance and areas for improvement. With the results at hand, proper assessment of maintenance and renovation needs and priorities will be established.

The deadline for paying the maintenance fees will be extended to the 29th of February 2024.

The Chairman suggests answering all questions that would normally be addressed at the end of the meeting now, to give fluidity to the meeting. All attendees agree, but for the purpose of the minutes, these will be recorded as per the agenda.

### **3. Status of the reparation and renovation fund and of the use of the fund**

Mr. Roberto Picón explains the situation of the funds. As of 31 December 2022, the available money in the bank account for the renovation fund was 74,172.39 Euros.

As per 2023 budget, the total contribution for the renovation fund was agreed to be 72,757.28 Euros. In accordance with the authorisation granted in last year meeting, the Services Company has used some of the available proceeds throughout 2023 to carry out investments. Regarding the expenses shown in the status of the reparation and renovation fund of 2023, the costs are mainly related to (i) upholstery (mainly curtains), (ii) payback of the proportional amount related to the gas and hot water installation in 2018, (iii) payback of the proportional amount of the Wi-Fi installation in 2022, (iv) electrical appliances, and (v) terrace furniture.

The information uploaded includes a report detailing the concepts, and the related invoices and amounts.

The Chairman requests that the authorisation in favour of the Administrator to use the funds, if necessary, for renovation works granted last year, is renewed for 2024 and future years, acknowledging that a full report will always be provided to the Holders Association.

A voting takes place, and all holders vote in favour. No holder raises any objection or wants to abstain. Therefore, the following resolution is unanimously passed:

⇒ The Administrator is authorised to use the funds available in the reparation and renovation fund during 2023 and future years to devote the funds to any reparation or renovation purposes.

### **4. Report of the Services Company, Holiday Club Canarias Resort Management S.L.U. on the 2022 Statement of Income and Expenditure.**

The Chairman explains to the holders that a Statement of Income and Expenditure for the whole year 2022 has been prepared and it has been uploaded in the webpage. Mr. Roberto Picón states that the Statement shows the total amount of actual expenses incurred in that period. The main conclusions of the Statement of Income are as follows:

A voting takes place, and all holders vote in favour of acknowledging the Statement of Income and Expenditure of 2022. No holder raises any objection or wants to abstain. Therefore, the following resolution is unanimously passed:

⇒ The Statement of Income and Expenditure of 2022 is acknowledged and approved.

⇒ The management and the services carried out by the Services Company are also approved.

### **5. Report of the external auditor of the 2022 Statement of Income and Expenditure.**

The Chairman introduces this point of the agenda and explained the audit analysis carried out by the auditor RSM Gassó. The audit analysis is referred to year 2022. The report is in Spanish and English. A full copy is available in the web page <https://www.holidayclubcanarias.com/members/>

It is explained that the expenses are booked in the accounts of the services company and the auditor has verified that:

- a) The auditor has seen the real Statement of Income and Expenditure of the year 2022.
- b) Expenses are duly recorded in the accounts and correspond to actual invoices.
- c) There is an analytical accounting in Holiday Club Canarias Resort Management S.L.U. to allocate the expenses to the different resorts.
- d) The real Statement of Income and Expenditure of the club is in line with the accounting of Holiday Club Canarias Resort Management S.L.U.
- e) The amount of expenses allocated to the Club is reasonable, i.e., respond to a rational parameter of allocation.

The costs of the auditor have been considered as part of the costs of the Holders Association.

The audit report is thus acknowledged by all attendees and no additional comments are made.

#### **6. Report on the recovery of weeks of holders in default. Prorogation of the 2011 resolution**

Mr. Roberto Picón has prepared a report on the recovery of weeks of holders in default in the payment of maintenance fees. To date there have been 19 weeks recovered.

The report also includes the evolution of delinquency during the last 9 years. Delinquency in 2012 reached 22.65%, the percentage for 2018 was 5.66%, for 2019 was 2.44%, for year 2020 was 6.41%, for year 2021 was 7.11%, and the percentage for the year 2022 was 7.83%. Currently the percentage for year 2023 is 9.71%.

The increase of the bad debt in 2020 and 2021 is highly likely to be due to the pandemic created by Covid-19 and the impact that it may have had on families and their budgets.

The Chairman requests that previous resolutions acknowledging the recovery of weeks by HCCSM against the payment of current year maintenance fees are renewed for future years, as readiness by HCCSM to continue the recovery of weeks is strictly subject to this condition.

The Chairman requests that the 2011 resolution is extended for subsequent years in the event of the recovery of weeks.

A voting takes place, and all holders vote in favour. No holder raises any objection or wants to abstain. Therefore, the following resolution is unanimously passed:

⇒ Holiday Club Canarias Sales & Marketing S.L.U. is authorized to continue in the future the recovery of weeks of clients in default in the payment of their maintenance fees and in those cases, it will pay to Holiday Club Canarias Resorts Management S.L.U. the outstanding maintenance fee for the year when the recovery takes place.

For the avoidance of doubt, Holiday Club Canarias Sales & Marketing S.L.U. has the right to do that but is under no obligation to carry out said recovery.

#### **7. Presentation of the budget submitted by the Services Company for rendering services to the resort and the holders in 2024 and its approval, as the case may be**

Mr. Roberto Picón presents to the holders the budget submitted by the services company Holiday Club Canarias Resort Management S.L.U. to the Holders Association to provide services to the Holders in 2024. The budget includes a grand total of 799,486.14 Euros, including an amount of 68,000.00 Euros as bad debt provision. This budget proposal includes the total amount to be paid by all holders of weeks to Holiday Club Canarias Resort Management S.L.U. as consideration for the services the company will provide during the year 2023 pursuant to the standards based on which have been prepared for the corresponding budgets.

Mr. Roberto Picón explains the budget to the Holders. The outcome of the budget is that the maintenance fee payable by the Holders will not increase in comparison to the maintenance fee payable under to the budget of 2023.

If the budget is approved, the services company Holiday Club Canarias Resort Management S.L.U. will issue the corresponding maintenance fee to each of the holders of the week including the corresponding IGIC (i.e., VAT).

A voting takes place, and all holders vote in favour. No holder raises any objection to the specific terms budget or wants to abstain. All holders show their conformity with the budget so that the budget is unanimously approved and the maintenance fees to be paid by each holder are approved.

Therefore, the following resolution is unanimously passed:

- ⇒ The budget submitted by the Services Company and Administrator for 2024 is approved.
- ⇒ Following additional measures are agreed:
  - The Services Company will charge the total of the maintenance fees to the holders, splitting the total of the budget among the holders;
  - Payment of the maintenance fees shall be made before 29<sup>th</sup> of February 2024;
  - Non-payment of the maintenance fees on time will trigger a penalty as per the by-laws of the Holders Association.

#### **8. Appointment and/or renewal as appropriate, of the Chairman**

The Secretary informs the attendees that the Chairman elected last year, Mr. Calvin Lucock, is no longer working for the Holiday Club Canarias. Therefore, he proposes to the Assembly to appoint Mr. Miguel Muñoz as new chairman. The Secretary further proposes that since Mr. Lucock will no longer be the Chairman, if so agreed, there should an express resolution repealing any powers or authorities granted by the Assembly to Mr. Calvin Lucock.

Mr. Miguel Muñoz is unanimously elected as Chairman of the Holders Association in the terms foreseen in the by-laws and in the Spanish Act on Condominiums ("*Ley de Propiedad Horizontal*").

Mr. Miguel Muñoz thanks all attendees for their support and confidence.

It is also agreed that any powers granted to Mr. Lucock are repealed.

#### **9. Appointment and/or renewal as appropriate, of the Vice-chairman**

Mr. Roberto Picón is unanimously re-elected as Vice-Chairman of the Holders Association in the terms foreseen in the by-laws and in the Spanish Act on Condominiums ("*Ley de Propiedad Horizontal*").

Mr. Roberto Picón thanks all attendees for their support and confidence.

The Chairman states expressly his thanks for the services rendered by Mr. Roberto Picón as Vice-Chairman during 2022, which is confirmed by all attendees.

#### **10. Appointment and/or renewal as appropriate, of the Secretary**

Mr. José Puente is unanimously re-elected as Secretary of the Holders Association in the terms foreseen in the Spanish Act on Condominiums ("*Ley de Propiedad Horizontal*").

Mr. José Puente thanks all attendees for their support and confidence.

The Chairman states expressly his thanks for the services rendered by Mr. José Puente as Secretary during 2022, which is confirmed by all attendees.

#### **11. Appointment and/or renewal as appropriate, of the Administrator and Services Company**

It is explained that Holiday Club Canarias Resort Management S.L. was appointed in 2011 as administrator and manager of the Association to manage the resort and the Association.

Holiday Club Canarias Resort Management S.L. is unanimously re-elected as **Administrator** of the Holders Association in the terms foreseen in the Spanish Act on Condominiums ("*Ley de Propiedad Horizontal*"), and as **Services Company** of the resort in the terms foreseen in the Spanish Act on Timeshare ("*Ley 4/2012 de Aprovechamiento por Turnos*").

As part of this item of the Agenda, the Chairman addresses to the attendants the convenience to renew the existing contract between the Association and the Services Company, on the same terms as until now. The idea is to extend the duration for another term equal to the one that is about to lapse. All attendants express their agreement to the motion and therefore following decision is unanimously passed:

- ⇒ It is agreed to renew the management and administration services agreement with the Services Company under which it renders services to the Association and performs as the Administrator of the Club.
- ⇒ Renewal shall be in the same terms as per the existing contract and for a new term equal to the one that is about to lapse.
- ⇒ Full powers are granted to the Chairman to enter and execute the new management and administration services agreement in the terms and conditions that he deems fit, appointing HCCRM as manager and administrator, and any other executory, additional, informative, complementary or rectifying documents, both private and public. For such purposes, powers are granted to (i) appear before the relevant Spanish Administrative Authorities and make declarations and sign all necessary documents and to do whatever is necessary or appropriate in connection with the powers granted; (ii) arrange and sign all types of whatever public and private documents are required to exercise the powers conferred, to ratify, extend or renew said document, to rescind or cancel them; (iii) delegate all or any of the powers contained in this document in favour of any other attorney, and to withdraw any such delegation as he shall deem appropriate, to which effect the attorney may execute any private or public documents required.
- ⇒ Powers of attorney are granted to the Chairman, Vice-chairman, and the Administrator so that any of them on behalf of the Holders Association may submit the new management and administration agreement to the Land Property Registry and effect the necessary declarations as regards the identity of the services company.

## **12. Questions and answers**

The Chairman introduces the questions and motions raised by holders that have been sent in writing (by email) to the Administrator before this meeting, as well as the questions raised during the meeting:

### **Refund from 2020 and 2021.**

The owners were sent a charge for maintenance and were sent receivables in reimbursement. Not everyone had understood that you had to deduct the reimbursement from the maintenance price yourself, and those who did not get it done now cannot have the money sent afterwards. Holiday Club has done nothing to properly communicate and why was the money not automatically transferred or deducted from the following year's maintenance?

*A 2-page Addendum was added to the 2021 minutes of all resorts with clear instructions and guidelines. Refunds could be requested online or in person. In some cases, monies were transferred, in other cases, monies were collected in cash. An automatic deduction to all holders was not possible, as not all holders opted for a refund, but took the option to use those weeks in 2023 or 2024. It was not feasible to deduct the refund from next year's maintenance due to administrative complexity.*

### **The ownership of all the hotels.**

The owners are half of the ownership of the hotels and Holiday Club is the other half. What conditions are there in the contracts of the 5 hotels and how are the ownership relationships distributed, what belongs to the owners, apart from the apartments and some of the outside area, and what belongs to Holiday Club? Can we have a copy of Holiday Club's contracts?

*The holder owns what is indicated in the contract and they share in the upkeep of all common areas. Holders have a 1/52 share in the relevant apartment per week (i.e., a quota of ownership that entitles them to use a week) and they also have the right of use of the common facilities of the resorts. HCC bought all the commercial premises from the original developer Puerto Calma Group and thus is the owner of those areas.*

### **The minutes from the Meeting.**

What is the reason why the minutes do not come until several months after the meeting, received 15 April 2023. They should be sent out before the payment of the maintenance.

*Minutes are usually uploaded before year-end. Last year's minutes were uploaded too late and we apologised in the Owners Meeting for this, however, this year's minutes will be available by year-end.*

#### **Subletting of weeks to HCC.**

It has previously been suggested that a scheme was started again, subletting against payment of maintenance.

*As addressed in 2022, the maintenance programme, i.e., subletting of the right of use over the weeks to HCC in exchange for maintenance fee paid, was suspended as Holiday Club has 6.000+ weeks that need to be rented to ensure maintenance fees for these weeks can be paid. Reintroduction of the programme will be studied.*

#### **Solar cells and solar panels.**

What is the plan for energy savings at the hotels.

*The options are being looked at, but the installation cost and profitability cannot be compared to other EU countries.*

*Club Puerto Calma and Club Playa Amadores are the only resorts where the installation of solar panels would be possible, due to the surface available. A further study will be conducted during the technical condition audit that is currently taking place of all the properties. With results at hand, proper assessment of renovation needs and priorities can be done and eventually planning of the project can take place.*

#### **Shuttle bus.**

Is it nice to have, or need to have, or maybe it's just a selling point for Hotel.com guests. Shuttle bus to what? The calculation for taxi rides and fares per week from and to the resorts amount to a total of €51.250. Also, is it possible to have the same arrangement as the booking.com guests, with pickup and return to the airport which could be done with a reasonable payment.

*The courtesy bus, from and to the beach with pick-ups at each resort, was reintroduced in May 2022 after repeated requests from holders as not all holders rent a car. Pick-up times and routes are displayed at each reception. With regards to the airport transfer, HCC does not offer any shared transfers e.g., shuttle-bus arrangements and will not do so. The option was investigated but is not feasible, practical, or cost-effective if clients do not arrive with the same flight and will have to wait for other flights to arrive. As an alternative, HCC is offering a 7-10 persons minibus that holders can book if they join hands to share, but that is not something HCC will get involved in.*

#### **Deeds for the apartments.**

What happens to all the deeds when I sell flats, I don't receive them, so where are they and what about the name of the deeds, what is it?

*If the right is sold, HCC will change and update all the details of the new holder in the system and the obligations are for the new holder. Purchase of weeks does not require a notarial deed, although it is possible to document them in a notarial deed. There are some clients that purchased a week from Puerto Calma and documented the purchase in a notarial deed. If they relinquish or sell their week in a private document, the transfer of the week is valid and effective, and HCC will consider the acquirer as the new holder and will send the maintenance fee invoices to the acquirer. If the initial clients registered their deed with the Land Property Registry this can only be changed through a new notarial deed. Clients can still sell and transfer their weeks, but they will still appear as registered owners. This does not mean that they are still the owners, but they will continue appearing as registered owners. It shall be noted that the Land Property Registry in Spain is only informative so the information provided might not be updated.*

#### **The information.**

Holiday Club information is lacking, it is almost equal to zero information. It must be possible to do better, an update every month, as a minimum.

*The sharing of general information was implemented years ago, by issuing a periodical newsletter whereby the subscriber authorises the use of their personal e-mail address. As the subscribers to the newsletter are holders and non-holders, the newsletter is sent to share relevant general information. Subscription to the newsletter is available on the [www.holidayclubcanarias.com](http://www.holidayclubcanarias.com) website.*

#### **How many are employed?**

In the administration, and how are the jobs distributed?

*The administration / finance department of Holiday Club Canarias is currently staffed with 6 persons including head of department, controller, accountant, and administration clerks.*

**We would like to have the number of votes.**

At Sales and Marketing and Vacation Club updated at each AGM.

*The number of votes is expressly indicated at the start of the meeting and the figure is included in the minutes.*

**The kitchen equipment.**

Needs an update and upgrade, this applies to all 5 hotels. So that all the apartments are the same and contain what is needed. Estimated price €1,000 corresponds to €19.60 per week, per apartment, as a lump sum, on top of the maintenance.

*All apartments are equipped with the necessary kitchen equipment. When broken it is replaced. It is not cost effective to replace all equipment throughout all resorts. Following the refurbishments of Club Puerto Calma and Club Vista Amadores, new equipment was installed in the kitchens. It is not cost effective to replace all equipment throughout all resorts.*

**Maintenance at the hotels.**

The maintenance does not work at all, the hotels are slowly falling into disrepair. We would like to propose that there be a general maintenance manager who will ensure that the hotels maintain the standard, i.e., total review every 6 months, after which errors and deficiencies are rectified. There must also be a housekeeper who takes care of the cleaning and maintains the kitchen equipment on an ongoing basis.

*Day-to-day maintenance repairs are supervised by a general maintenance manager and reported by housekeeping. Housekeeping is taking care of the cleaning and revision of missing or broken kitchen equipment. Due to the increase in inflation rate of 5.5% for 2021-2022, 6.30% for 2022-2023, and a further 4.1% for January 2023 to November 2023, HCC was forced to be very mindful of the costs. However, we will be looking at all the standards and see how we can improve the standards but still maintaining the costs at a manageable level.*

**Television channels.**

Get a TV box, so that it is possible to watch TV over the Internet, it could possibly be rented at the reception, for a small amount, or bought. Will provide many more channel options than we have now, and it will be somewhat cheaper.

*All TV's are smart TV's and clients can bring their own TV box or firestick.*

**Wrist bands.**

When the hotels are not locked to the outside world, anyone and everyone can enter the area. Do we have to introduce wrist bands in different colours, applicable to each hotel, or one colour for owners, and another for Hotel.com and the like. *The purpose of wristbands in hotels is to distinguish clients that book all-inclusive from clients that do not. All our resorts are however self-catering. It shall be noted that the rental of units carried out by HCC is of units that HCC owns. So, those users are allowed to use the apartments by the owner.*

**Automatic booking.**

Is it possible to make automatic bookings at all the hotels, this could mean that there might only be one or two receptions that are staffed. Could be Puerto Calma and Vista Amadores.

*Online check-in is currently not available and would only avoid having to register each client's name for registration purposes with the national police authorities. The apartment keycard still needs to be given to the client, a refundable deposit needs to be taken for damages from non-holders, etc.*

**Smoking on the terraces.**

Smoking is prohibited in the apartments, but smoking is permitted on the terrace. Unfortunately, it has been observed several times that the ashtray is moved into the apartments, so that there is smoking in the apartments.

A better information must be made that smoking is only on the terrace and not elsewhere.

*The welcome letter with (QR code to our website) that is given at check-in states that smoking is prohibited at the resort. An addition will be made adding "and inside the apartments". The information is also available at the "internal house rules" page of the website. The internal house rules QR code is also accessible from the "Rights of Admission" notice at each reception. A further indication for inside the apartments will be made available.*



### **Childrens pool and playground.**

Make our resorts child-friendly for our younger guests, for example make playgrounds safe to use and make sure that the water in the children's pool is heated and kept clean of debris.

*The only resorts with a playground are Club Puerto Calma and Club Sol Amadores. Due to the location of the playground at Club Puerto Calma, at the far end of Block A, the playground is not used, and material has deteriorated. Like the playground in Club Sol Amadores that is hardly used. A price quotation for both playgrounds will be obtained and voted for in the next meeting. The water in all the children's pools is heated. All pools are cleaned daily in the mornings. The possible debris referred to might be caused by the weather conditions or solar products used during the day.*

### **Energy consumption.**

The high consumption has been raised since 2017, proposals for reduction, the installation of solar panels etc. have been submitted but no measures were taken by HCC. A concrete energy environmental-friendly saving plan with demonstrable results from HCC is requested.

*Energy consumption is part of the technical condition assessment that currently takes place. Since 2021 the consumption has decreased approx. 10% by encouraging sustainability (recommendations to save water and electricity are available on the website and by notification card on the bathroom sink tops). Housekeeping has been instructed not to turn on the dishwasher if there are not enough dishes to wash. Water tap reducers have been mounted at all taps at all resorts. The options are being looked at, but the installation cost and profitability cannot be compared to other EU countries. Club Puerto Calma and Club Playa Amadores are the only resorts where the installation of solar panels would be possible, due to the surface available. A further study will be conducted during the technical condition audit that is currently taking place of all the properties. With results at hand, proper assessment of renovation needs and priorities can be done and eventually planning of the project can take place.*

### **Improvement of standards.**

All facilities have been deteriorated over the past years whilst maintenance fees have increased. Shortcomings have been repeatedly communicated without the management taking this seriously, which makes it difficult to maintain the expected standards and good reputation. An overall maintenance plan, indicating priorities, as well as an increase in cooperation with the members, is requested. No recommendations for cleanliness as the staff do a very good job. *Due to the increase in inflation rate of 5.5% for 2021-2022, 6.30% for 2022-2023, and a further 4.1% for January 2023 to November 2023, HCC was forced to be very mindful of the costs. However, we will be looking at all the standards and trying to see how we can improve the standards but still maintaining the costs at manageable level.*

### **Internal change of weeks or check-in day.**

What rules or instructions does the booking department have regarding internal change of weeks or check-in day, when a member does not have the opportunity to use his week one year but wants to move it to the next year in the same period, what are the costs for a one-time change of one week, and what is the cost when a member wants to permanently exchange his current week or check-in day?

*Internal exchanges are specific to check-in days, i.e., Monday, Wednesday, or Saturday. In low season there can be some flexibility if the exchange is requested for check-in on i.e., a Tuesday or Thursday. The cost of a one-time change for one week is 100€. The cost for a permanent exchange depends on what the holder wants to change to and trade in.*

### **Unused weeks.**

It appears that unused weeks of members, for which the maintenance fees are paid, are rented out by HCC to other guests, without permission and without informing the member, as witnessed by a friend staying at the resort. When asked, the reservations department indicated that, as the apartment was free, it was rented. What instructions does the reservations department have, shouldn't the member be contacted before renting it out and compensated for at least the cost of the maintenance fee?

*The apartment remains unused for approx. 2 days in the event of no-shows. If no contact with the client can be established, the apartment is either (i) used for holders that rented an additional week or made an internal exchange so that they can remain in the same apartment, (ii) used for holders that use their 2020-2021 COVID weeks in 2023 or 2024, (iii) used for corporate or collaborating partner visits, or (iv) used for emergencies in the event of sudden and unforeseen maintenance needs in another apartment, currently without payment. Reintroduction of the rental programme will be evaluated.*

### **Reinstatement of services.**

Having collaborated with HCC regarding the cost-saving measures to ensure the operation of the resorts during the Covid-19 lockdown, energy crisis, etc. with major consequences for the business, it would be appreciated to restore the services that were in place before, such as (i) the luggage store room, (ii) the 24/7 opening of all receptions, (iii) the water gym, boules, darts, hiking excursions and activities for the children, and (iv) the cushions on the balconies of Puerto Calma (why do we have to ask for this at the reception).

*(i) The storing of luggage was inherited when HCC took over. The service was free of charge for storing luggage at the home resort. This became unmanageable at one point, due to the lack of space, the perishable items that were kept, the type of luggage stored, and luggage that was never collected. In 2019 a procedure was introduced to reduce the storing of luggage, and holders are encouraged to use the external service Easy-Go-Back <https://easygoback.com/> that has been made available. Due to the lack of adequate space, the liability, and the controlling issue, it is not possible to reinstate luggage storage. Any unidentified luggage that is still stored, will be removed / donated in 2024. Some of the holders indicated their content when they used easygoback. (ii) Due to the high inflation costs since 2021, costs needed to be carefully monitored and the decision was made to reduce the night receptions at the two smaller resorts Club Playa Amadores and Club Sol Amadores. The 24/7 opening is included in the budget for 2024. (iii) To offer the entertainment services would mean the hiring of 2.5 additional staff members for each resort to offer animation at all resorts, thus an additional cost of approx. 60.000€/year. (iv) As previously mentioned, the increase of inflation and monitoring of costs, the cushions are placed upon request of holders only, as they rapidly wear and tear due to rains and night humidity, getting mouldy inside. They have been also changed to a slightly darker colour as white rapidly stains.*

### **Customer services.**

There is currently a delay in replying and an indication of who to contact for what.

*More clarification on who to contact will be made available at the [holidayclubcanarias.com](http://holidayclubcanarias.com) website.*

### **Refurbishment.**

What is the current plan and when will the budget be presented to the members? It is a great wish to preserve the Spanish and original style with warm summer colours, more privacy and enhancing the common areas such as making the pool area more family friendly, when apartments are refurbished with the recommendation to plan the design with help of a professional designer.

*A show apartment of a potential refurbishment was prepared and there were many different opinions on it that need to be considered. The plan to renew Club Jardin Amadores has nevertheless been postponed since it was concluded that it would make sense to carry out a technical audit first to determine status. First step will be thus the technical condition audit of all the properties including Club Jardin Amadores. This will be conducted by the end of the year 2023. With results at hand, proper assessment of renovation needs and priorities can be done and eventually planning of the project can take place (not earlier than 2025). We will know after the audit is prepared. Owner suggestions will be of course very welcome when the planning proceeds.*

### **Apartment 100 and 600.**

How do they become part of the refurbishment; do they pay the same price as the other apartments?

*Yes, the contribution is the same as for any other apartment. In the budgets there is a line of extra income reflecting the monies paid by these apartments.*

### **Parking at Jardin.**

Should only be for owners at the hotel as there are only 9 parking spaces. A warning ticket could be placed under the windshield of the car and if not moved, remove the car at the owner's expense.

*As per request in last year's meeting, parking signs have been placed at the entrance of both parking lots, indicating the parking is for exclusive use of clients from that respective resort. Also, there is much more space available with the new parking conditions on the public road. As the resorts' parking bays are private, any unauthorised car cannot be towed away. An entrance barrier could be placed, like at Club Puerto Calma, which will prevent clients from Club Vista Amadores and other surrounding resorts to park there.*

### **Pool area at Jardin.**

Belongs to the owners at Jardin, and owners from Vista can come as guests. Hotel.com guests do not have that option. It is an option to limit access to Hotel.com guests from Vista Amadores?

*It is not possible to limit access to a specific segment of clients, as no distinguishment can be made between owners that rent out their week or has family or friends using their week and Hotel.com guests, as the latter are guests that make use of the weeks that are owned by Holiday Club.*

#### **Maintenance.**

There is very little or no maintenance at Jardin and a general wear and tear also visible from the outside and no actions is taken. the weeds in the flower boxes grow very nicely, and on the wooden terrace the weeds come up between the boards.

*Maintenance will be instructed to revise on a more regular basis. However, any incident can also be reported to the reception who will include this in the planning of the maintenance team.*

#### **Wi-Fi.**

Is my data secure if the Wi-Fi access code is the same for all guests?

*The devices that use the Wi-Fi cannot be seen by others as it's a secure network.*

#### **Meeting by live-stream.**

It is requested if in the future the meetings can be followed by live-stream.

*The option for holders to follow the meeting by live-stream will be certainly looked at.*

All attendees acknowledge the questions and the answers given.

The Chairman expressly thanks the holders attending the meeting for giving up part of their holidays and spending the time at this meeting deciding issues which affect all holders, and he particularly thanks the representatives from OPCA Denmark, OPCA Nordic.

### **13. Granting of powers to implement and to remedy the resolutions passed, as the case may be**

The Secretary explains that it is convenient to foresee the possibility that the above resolutions may need to be remedied, provided it is always in the necessary terms as to implement the resolutions passed not to change them. Therefore, the following resolution is unanimously passed:

- The Holders Association grants powers of attorney to the Chairman Mr. Miguel Muñoz, to the Vice-Chairman Mr. Roberto Picón and to the Secretary Mr. José Puente, so that any other, acting on their own and on behalf of the Holders Association may appear before a Spanish Notary and grant a public deed raising these resolutions to public deed and submitting them for registration to the Land Property Registry.
- The Holders Association grants powers of attorney to the Chairman Mr. Miguel Muñoz, to the Vice-Chairman Mr. Roberto Picón and to the Secretary Mr. José Puente, so that any other, acting on their own and on behalf of the Holders Association may take on behalf of the Holders Association any necessary step as to remedy and cure any of the resolutions passed in this meeting, provided no change such remedy or cure does not alter the sense of the resolution.
- For the above purposes, powers are granted to (i) appear before the relevant Spanish Administrative Authorities and make declarations and sign all necessary documents and to do whatever is necessary or appropriate in connection with the powers granted; (ii) arrange and sign all types of whatever public and private documents are required to exercise the powers conferred, to ratify, amend, extend or renew said documents, to rescind or cancel them; (iii) delegate all or any of the powers contained in this document in favour of any other attorney, and to withdraw any such delegation as he shall deem appropriate, to which effect the attorney may execute any private or public documents required.

### **14. Approval of the Minutes**

According to the terms of the law, the minutes will be prepared by the Secretary and once they are ready, the Minutes will be signed by the Chairman and the Secretary of this Meeting.

These minutes will be uploaded into the webpage <https://www.holidayclubcanarias.com/members/> and will be made available to all holders. In accordance with Spanish law all holders that have not attended in person to the meeting are


informed that, in line with previous years, they have the right to express within 30 days their discrepancy as regards any of the resolutions passed in this meeting once that they receive a copy of the minutes with the wording of resolutions. If they wish to raise any discrepancy with the voting they should remit it in writing by registered mail (or any other mean that provides proof of remittal) to the attention of the Secretary of the Holders' Association of Club Puerto Calma at the email address [customerservices@hccanarias.com](mailto:customerservices@hccanarias.com). If no written discrepancy is received within a period of 30 days, it will be considered that they agree and consent to the resolutions passed, and their relevant votes will be counted as part of the votes voting in the same sense as the resolution passed in the meeting. If any written discrepancy is sent, this will be reflected in an addendum to the minutes that will be uploaded in the webpage <https://www.holidayclubcanarias.com/members/>

Powers are granted to the Chairman, Vice-chairman as well as to the Secretary so that, should it be necessary, any of them may, indistinctly, in the name and on behalf of the Holders Association, execute the aforementioned resolutions and particularly in order to issue a certificate of the resolutions adopted, and if appropriate to appear before a Public Notary with the most ample faculties, in order to grant and sign the necessary Public Deeds, so that the aforementioned resolutions and the legal transactions arising from them may be formalised, and to raise them to the status of a Public Deed, for all the pertinent legal effects, even for the inscription of the same at the Land Property Registry.

The meeting was closed on Thursday 30<sup>th</sup> November 2023 at 14:30 hrs.



**THE CHAIRMAN OF THE MEETING**  
Mr. Roberto Picón



**THE SECRETARY OF THE MEETING**  
Mr. José Puente

**Assistance and representations Ordinary General Assembly  
Association Club Jardin Amadores  
30th of November 2023**

	<b>Nr of votes</b>
Holiday Club Canarias Sales & Marketing SLU represented by Mr. Miguel Juliá	490
Holiday Club Canarias Vacation Club SLU represented by Mrs. Claudia Esplá	175
Holiday Club Canarias Resort Management SLU represented by Mr. Roberto Picón	13
OPCA Denmark represented by Mr. Keld Hvidbjerg	59
OPCA Nordic represented by Mrs. Anna-Liisa Åstrand	30
Mrs. Marina Starkey	2
Mr. Hans Sundblad	3
Mr. and Mrs. Don and Marion Leverett	3
Mr. and Mrs Jonathan Devereux and Amanda Hall	2
<b>Total</b>	<b>777</b>