



## January 2013 Report

On Wednesday the 30<sup>th</sup> January 2013 members of the SARC Committee met with HdT and attended a meeting at the Jumilla Town Hall. The attendees were:

### SARC:

Anthony Malpass  
Sue Walker  
Cristina Zamora

### HdT

Almudena Rodríguez  
Damian Rodríguez  
Rafael Martinez (Urban Solicitor)

### Jumilla Town Hall

Enrique Jiménez (Mayor)  
Juan Simón (Architect)  
Josefa Torres (Secretary)

### SARC and HdT meeting at SADM Offices:

On Monday the 27th January Anthony Malpass spoke to Almudena to arrange an update meeting and was informed that HdT was meeting with the Mayor of Jumilla to discuss SADM and the information required by the Murcia Supreme Court. Anthony said that SARC would like to attend the meeting to put the purchases view point forward and Almudena agreed to this request.

Before going to the meeting at the town hall the SARC representatives met with Almudena and Damian in the offices at SADM. During this meeting it was explained by Almudena and Damian how the Court has had been proceeding and that all that was now required by the court to enable it to rule on the case was some information it has requested from the Town Hall. The SARC representatives asked why the information has not yet been given and were informed that the individual who had to attend the Court from the town hall had been ill and the Court had sent written questions to him but as of yet no reply had been sent back. It was explained that HdT had been telling the Town Hall the need for this to be done as soon as possible and the meeting was to emphasise this.

The SARC Committee members said that they would speak at the meeting and make it clear to the Town Hall that there is a lot of people waiting for SADM to go ahead, for one reason or another.

## **Town Hall Meeting:**

The presence of the SARC committee members was not expected by the Town Hall and a larger room had to be found for the meeting and Almudena explained that when Anthony was informed of the meeting he insisted that the purchasers should be present and be able to participate in the meeting.

**The SARC Committee Members contribution to the meeting was :**

Anthony Malpass:

Explained that the purchasers had organised and fought for SADM and that many purchasers still wanted their properties, including people who live in Jumilla and that others wanted their money back, funded by the purchase of the properties at SADM. He said that in difficult economic times that SADM would bring employment etc into the area and be of benefit to many people and explained that the purchasers and HdT had worked hard to save SADM and now it was for the council to do its bit and to help.

Cristina Zamora :

Pointed out that she lived In Jumilla and that she and her husband were waiting for their home to be built and she had to cut short speaking as she broke down in tears when speaking about how much she wanted her home built.

Sue Walker:

Said that she wanted SADM to go ahead and it would be good for employment and the local economy. She pointed out she wanted her money back and that she would be spending that money in the local area.

**HdT :**

Almudena and Damian explained the need for the Town Hall to provide the Murcia Supreme Court with the answers to the questions as soon as possible. They pointed out the time frame within the settlement agreement and that they needed to deliver upon it. They informed the Mayor that HdT had provided all of the documents and proof of water supply and the Court ruling was being delayed by not having the answers from the Town Hall and all they had to do was tell the truth.

**Town Hall :**

They expressed sympathy and the architect, who had to answer the questions said the delay was due to the court Papers having the incorrect surname on them and he had just received them addressed correctly and would provide the answers to the Court.

After the meeting Anthony asked if Cristina and Sue could keep the pressure on the Town Hall by going into the offices and asking if they had sent the answers to the Court. Anthony also asked Damian to send the Town Hall the web link to the SARC website; so they could see how organised and committed the purchasers are.

### **Almudena Telephone call to Anthony Malpass 22 Feb:**

Almudena 'phoned and informed Anthony that the Jumilla Town Hall presented their answers to the Court's questions on Wednesday 19<sup>th</sup> February and that the Shepherd now has ten days to lodge conclusion with the court and this is followed by a further ten days for the Jumilla Town Hall and HdT to lodge conclusion with the court. After these two conclusion phases the court case is at an end and the judge will give a ruling. It is anticipated that the ruling will be given by the end of March.

SARC are also sending a letter to the Mayor urging the Town Hall to be as supportive as possible of SADM and the resumption of the building.

### **Maria del Castro Client v BBVA:**

Almudena 'phoned Anthony to inform him that Maria del Castro had won the first stage of the legal process in a Court in Madrid, holding the BBVA liable for her clients' funds. We will have to wait and see if the bank appeals and takes this through the next stages of the court process and it is not yet clear if this ruling will result in the couple getting their money back. We shall watch this carefully and provide any further information about this case, as and when we receive it.

### **Comment and Opinion:**

It would appear that the court are near to giving a ruling and all being well HdT will be able to resume the process of getting the final build licences and finance for the building of SADM. The SARC Committee will keep in touch with both HdT and the Town Hall to ensure that all know that we are waiting for this to be done and are watching them.

The court action against the bank is of interest for a couple of reasons. Obviously it raises the possibility and we stress possibility of a bank having to refund a purchaser their deposit. It also has the potential of putting pressure on the banks to finance the build and thus avoid claims being put against them etc.

As soon as the SARC Committee has any further information or updates we will get it out to you all ASAP.

SARC Committee  
22Feb 2013