

RESORT APARTMENTS SMALL OASIS

Internal Regulations of the Community of Owners

INTERNAL REGULATIONS OF THE COMMUNITY OF OWNERS OF THE BUILDINGS LOCATED AT C/. Martagina number 40, IN THE TOWN OF MANILVA, IN MALAGA.

PREFACE

These Regulations are intended to elaborate on the provisions of article 6 of the Horizontal Property Law. To regulate the details of coexistence and appropriate use of communal services and goods, and within the limits established by the Law and the Statutes.

These Internal Regulations are binding on all holders until such time as they are modified in the manner specified.

These Regulations or any of their points may be approved or amended at an Ordinary (Annual) or Extraordinary General Meeting, provided that this is reflected in the relevant agenda item and the agreement is made by a majority vote.

These Rules are created to complement the regulations emanating from the Statute of the Community and to complement or to record what is included in other coexistence regulations based on the different Bylaws of Manilva Council and other regional and State regulations.

ARTICLE 1

The Rules are mandatory for all owners and users.

The President, Vice-President, Secretary-Administrator, the members of the Board of Spokespersons and the employees hired to perform the relevant functions are empowered to enforce them.

Each block will appoint a representative of the same who will be considered as a Spokesperson, who will be a member of the Board of Spokespersons. The term of office, as well as the renewal of the aforementioned post, will coincide with the rest of the positions in the community, at the General Meeting called for this purpose.

The Governing Board shall consist of the President, Vice-President, Secretary and/or Administrator and the members of the Board of Spokespersons.

References in this document to the figure of the Administrator shall also be deemed to refer to the Secretary-Administrator if both positions are held by the same person.

ARTICLE 2

The Governing Board, through the Administrator (or Secretary-Administrator), will notify the owner of the flat, by any means, of the decision taken in relation to the offence committed by him/herself, his/her relatives, guests or dependents, understanding that the only person responsible will be the owner of the flat. When the flat is occupied by third parties, of whom the Community is aware, the users will also be notified.

ARTICLE 3

Observations and complaints about employees working for the Community must be brought to the attention of the President or the Administrator (or Secretary-Administrator), who will present them to the Governing Board, the authority responsible for making the appropriate decisions, urgent or otherwise, and subsequently informing the Board of Owners.

ARTICLE 4 – HOMES. GENERAL RULES

As a general rule, the homes in the building may not be used for any purpose other than the permanent or seasonal residence of the owners or tenants. If any other activity is carried out, it will not contravene the general provisions on annoying, unhealthy, noxious, dangerous and illegal activities as specified in article 7 of the Horizontal Property Law and as indicated in the municipal bylaw for protection against noise and thermal pollution.

Noise levels inside buildings must respect the limits required for the coexistence of citizens and the Regulatory Bylaw.

The provisions of this Article relate to noise produced by:

- Excessively high pitch of human voice or direct human activity.
- Acoustic devices or instruments.
- Household appliances.
- Sounds, singing, cries, or noises produced by domestic animals. Any type of noise that can be avoided inside the homes, especially from 11 p.m. to 8 a.m., produced by material or mechanical repairs of a domestic nature, change of furniture or for other reasons. On weekends or public holidays, the aforementioned times will be from 9 p.m. to 11 a.m.

With reference to the aforementioned noise, in order not to cause a nuisance to neighbours in their homes, the use of radio, television, loudspeakers, pianos and other musical instruments or household appliances must be adjusted in volume so as not to exceed the levels established in the Municipal Bylaw with respect to this section.

It is forbidden to leave birds or animals which, with their sounds, cries or songs, disturb the residents' rest on patios, terraces, verandas and balconies from 11 p.m. to 8 a.m. They must also be removed by their owners or caretakers at other times when they obviously cause a nuisance to the other occupants of the building or neighbouring buildings. All this without prejudice to what is determined by the regulations governing the keeping of animals.

The placement and use of an owner's or tenants private interior elements, which, apart from the above-mentioned noise, could objectively and justifiably disturb other residents, will be dealt with individually at a meeting upon request of the affected parties, where a decision will be made.

The placement of exterior elements visible to other residents or even passers-by will be done in accordance with what has been agreed upon at a General Meeting of owners, in such a way that the general aesthetics of the community are maintained. "Visible exterior elements" shall be understood to be those that can be placed outside the internal spaces of the home. The placement of elements visible from the outside, but internal, for example, in windows or bay windows on the inside, would not be included in this point. These external elements, therefore, include (but are not limited to) the following: air-conditioning machines, external grilles, blinds, awnings or signs, which must follow what has been agreed upon at the meeting.

The posting of signs for private interests anywhere in the community's common areas (façade, fences, etc.) is forbidden.

All awnings to be installed on the terraces of the community must be of the following models: for the ground floor a white lacquered aluminium articulated arm awning model: premium A1 Gaviota or model Ilaza art 350, for the first floor a white lacquered aluminium straight point awning: model indico 12 from Gaviota, and for the second floor a concertina awning with concealed or exposed white lacquered aluminium fittings. The colour of the fabric is Pantone Blue 3002 regata.

Grilles to be fitted on windows, doors, etc. of community dwellings shall be coloured:

White *NCS S0500N – Walls*

Light Grey *NCS S1500N – Outer roof or ceiling and edges*

Dark Grey *NCS S5000N – Grilles, pergolas, window coverings.*

The model should be as similar as possible to the model provided by the Developer. If the Developer has installed none, a model will be agreed upon at the Meeting to ensure they are all the same.

External shutters of colour (*WHITE to be decided according to what is fitted in the Community*) may be installed, always respecting the existing aluminium and/or plastic finishes.

It is forbidden to remove existing window slats (*if there are any in place*).

Terrace enclosures may be fitted as long as they do not affect the external appearance of the building and are located inside the terraces. The colour of the enclosure must be the same as that of the existing aluminium or plastic.

Barbecues are forbidden in any common part of the building, including penthouse terraces.

ARTICLE 5 – RENTAL OF HOMES AND ANNEXES

The Community will hold the owners responsible for damages, breakages and misuse of the common elements of the building by the tenant or occupants of their property, as well as for the non-observance of the other communal rules, and the owners will have to pay the Community the amount of any necessary repairs that may be required and/or be responsible for any nuisance that may have been caused.

The owners will be responsible for the payment of the fees for participation in the communal expenses, regardless of the fact that they may require their tenants to meet these costs.

The owner shall also be obliged to inform the Administrator or President of the affiliation of the tenants of the property, if applicable. The tenant must expressly allow the conveyance of the aforementioned data in their rental contract.

If the Board of Owners or the Governing Board justifiably informs the owner of the property that the tenants are misusing the building or causing a nuisance to the rest of the owners, the latter must immediately notify the tenant of this fact so that they immediately cease the activity. For those who contravene the annoying, unhealthy, noxious, dangerous or illegal activity provisions, the Community will proceed to initiate the procedure for the definitive cessation of the forbidden activity and the compensation of damages as established in article 7 of the Horizontal Property Law.

ARTICLE 6 - COMMUNAL AREAS. INTERIORS. GENERAL RULES.

All owners are aware that the Community belongs to everyone and that it is therefore all the owners' responsibility to make good use of all communal areas and facilities and to contribute to the good upkeep, maintenance and improvement of the facilities by behaving appropriately.

In order to maintain good conservation of the building, the owners of properties who carry out furniture removals or building work shall be responsible for ensuring that the companies providing these services do not cause any damage to the communal elements. Should this occur, the owner undertakes to carry out the appropriate actions to correct said damage or, failing this, to pay for the correction.

In accordance with the article on the rental of homes or properties, the owners will be responsible before the Community for any damage, breakages, and problems in general that their tenants or occupants may cause.

All owners and tenants undertake to inform the Governing Board, through the community administrator, of any inappropriate use or behaviour on the part of other residents or third parties, in order to improve communal coexistence.

Smoking is not permitted inside the lobbies or within enclosed or indoor communal areas. All owners are responsible for ensuring that their visitors and/or tenants do not smoke. In accordance with the anti-smoking law, the private spaces where smoking is forbidden are as follows:

In play areas, smoking is only permitted in outdoor areas that are not defined as children's areas (if such areas exist).

In communal areas, smoking is only allowed in outdoor areas that are not defined as children's areas.

In the swimming pool area, smoking is allowed in open-air areas that are not defined as children's areas (if such areas exist).

Smoking is forbidden in the corridors, staircases and lobbies of residential communities.

Access to the roof of the building is forbidden and is reserved for roof maintenance and building TV antenna maintenance staff only.

It is forbidden to step on and pass through places not intended for passage and especially garden areas.

Children's games shall be played exclusively in the designated areas.

Rules-based ball games are forbidden within the Community premises. Where children are allowed to play with a ball, they must use a foam or rubber ball.

Rubbish bins shall be deposited in the spaces provided for this purpose. Owners must place their rubbish bags inside the rubbish bins.

People may only enter the buildings through the existing doors.

Vehicle access will be by means of a number plate reading system, which means that each owner must provide the number plates of their vehicles in order to gain access to the Community. It is the responsibility of each owner to keep the number plates of their vehicles up to date.

Plants may not be placed on window sills and/or balconies.

ARTICLE 7 - LOBBIES AND USE OF LIFTS

Any notice that must be made public for the owners of a building or of the Community, may be left in the place designated for this purpose, which is none other than the notice board, without prejudice to the sending of the notice by electronic means. This information will be given to the spokesperson of each building, or to the caretaker if there is one, who will be in charge of placing it on the notice board.

1. Each building has a lift and under no circumstances may the capacity indicated in each lift be exceeded, neither in weight nor in the number of passengers, and the corresponding responsibilities will be demanded in each case for the improper use of the lifts.

2. Please note that smoking is strictly forbidden inside the lifts.

3. Children under the age of 12 must not use the lifts unless accompanied by an adult.

4. Packages or items heavier than the capacity limit or which, due to their size and characteristics, are likely to cause damage or deterioration, may not be transported in the lifts.

5. Under no circumstances may the lifts be occupied permanently or continuously, leaving the rest of the residents without service, for moving furniture, building materials or for any other reason, and the lifts must be protected in these cases to avoid damaging them. When lifts are used to move furniture or building materials, they must be cleaned if necessary.

6. In the event of a fault in one of the lifts, it should be reported preferably to the Administrator, or if he/she is not available, to the spokesperson for the building or a member of the Governing Board, who will be responsible for notifying the maintenance company for its repair. No owner or tenant shall tamper with the mechanism in the event of a malfunction.

ARTICLE 8 - OUTDOOR AREAS

The deposit or placement of private items (mats, bicycles, flower pots, etc.) in communal areas is not permitted.

Uncomfortable, unhealthy and dangerous activities are forbidden inside the homes, as is keeping domestic animals that are not tolerated by the health regulations in force or by the municipal authorities.

No private antennas are allowed to be installed.

The placing of advertising visible from the outside in windows and/or elsewhere in the complex or in private homes, including "for sale" signs or similar, is forbidden.

It is forbidden to hang clothes, garments and bathing gear on the terraces, railings or architectural elements of the urbanisation.

Dogs and other domestic animals are not allowed in the communal areas, except for direct access to flats in which case they must be kept on a leash.

In the case of animals on the terraces or in the gardens of dwellings, their owners are obliged to adopt the necessary hygienic and sanitary measures to avoid bad smells and/or parasitic infections.

Likewise, the owners of animals, especially dogs, shall ensure that there is no continuous and repeated barking that would constitute a nuisance for the rest of the residents.

The outdoor areas are for the use and enjoyment of all residents, following the basic rules of civility and coexistence.

All users also undertake to use the litter bins or containers available for anything they wish to dispose of, with the exception of rubbish or waste which must be disposed of in the specially provided rubbish bins. Large objects such as bicycles, furniture, mattresses, lamps, cardboard boxes, etc. must not be disposed of in the litter bins or containers, except for those provided for such items.

Playground or specific elements for children, if there are any. The age limit for the use of the playground or specific elements for children, if there are any, is 12. Children under 12 years of age must be supervised by their parents at all times.

ARTICLE 9 - SWIMMING POOL

Swimming pool rules and use:

The mandatory rules established by the Autonomous Region of Andalusia shall apply:

The showers should be used for hygiene reasons before swimming in the pool.

Street shoes are not allowed on the beach/grass area.

Eating on the beach/grass area is allowed, as long as the user does not leave any waste. The use of glass and/or crystal is strictly forbidden.

The public, spectators, visitors or accompanying persons may only access the areas designated for them, using the specific accesses.

No person suffering from contagious diseases that can be spread by water or contact with the skin may enter the area reserved for bathers.

Users must respect the capacity of the pool.

Users may not access the swimming pool outside operating hours.

Additional internal rules of the Community:

No glass bottles or glasses are allowed in the pool.

Pets are not allowed in the swimming pool, except guide dogs.

Children under thirteen years of age must use the pool only when accompanied by their parents or a responsible person of legal age, who are solely responsible for any accidents that may occur to them.

It is forbidden to play any kind of game in the water that could injure or disturb other residents. It is also forbidden to use inflatable mattresses, floats, etc. if they disturb other residents.

No violent or dangerous games may be played on the edges of the pool, in the surrounding area or in the water, which could cause accidents or lead to accidents.

All users of the swimming pool, without exception, must respect the rules and instructions given by the Community and by the staff in charge of the service.

Please do not put cigarettes out on the grass.

Guests, if any, will always enter the swimming pool accompanied by the owners, who are responsible to the Community for their behaviour and compliance with the Rules.

It is forbidden to enter the swimming pool outside the opening hours, therefore, anyone using the pool outside the scheduled days and times will do so at his or her own risk.

In order to enter the swimming pool area, it will be absolutely necessary to present the access system established by the Community.

Appropriate clothing must be worn to access and remain in the swimming pool, specifically, it is forbidden to wear anything other than a swimming costume and shirt or similar and bathing shoes must be worn at all times.

Swimming pool opening hours. These will be defined by regulations and agreements with the maintenance company as follows, unless corrected in new meetings or by the decision of the Governing Board:

Opening: between 10 and 15 May (the nearest Saturday to those dates)

Closing: between 25 and 30 September (the nearest Sunday to those dates).

Opening hours: Monday to Sunday: from 10 a.m. to 9 p.m. non-stop (may vary depending on the season and the hours of sunshine).

Guest passes/access to the swimming pool will be for a maximum of 3 persons per dwelling.

In addition to the above passes/accesses, two more permanent passes/accesses for guests will be issued to each dwelling. In order to use the aforementioned two passes/accesses, they must always be accompanied by an owner with their own pass/access.

ARTICLE 10 - ACCESS GATES TO CAR PARKS

Parking spaces are exclusively for the use of and occupation by one vehicle. Not for more than one vehicle, nor for other elements or objects. The Community will not be held responsible for loss or theft or possible insurance claims on the car park users' vehicles.

Motorbikes and other two or three-wheeled vehicles may not be parked in gaps between parking spaces in the garage. It is also forbidden to attach elements to the floor or wall with the intention of securing these vehicles. Any damage to the parking space caused by these circumstances will be charged directly to the owner of the vehicle.

Vehicles must not encroach on common areas outside the boundaries of the parking spaces.

It is strictly forbidden to use the parking area as a workshop for the repair and cleaning of vehicles; in the event of a breakdown of a parked vehicle, the owner will be responsible for the removal of the vehicle in the event that the entry of a tow truck or mechanic is necessary for its possible transfer to a workshop.

Sleeping or living in a vehicle parked in the parking area is not permitted. Animals may not be left inside vehicles.

Double-parking of vehicles within the parking area is to be avoided.

Each home has the right to use only ONE parking space at a time.

Vehicles may not be parked in the same parking space for a period of more than 6 months.

The Community reserves the right to remove any vehicle that contravenes the above rules, proceeding to send it to the impound, with the owner of the property being responsible for all expenses incurred.

Skips may not be placed in the parking areas. When a skip is required for works on a property, the express permission of the community must be sought for its placement.

ARTICLE 11 - ANIMALS, PETS

The owner of the flat is responsible in all respects for what his or her animals or pets do. If the animal's owner is not the owner of one of the flats in the Community, the person responsible for the animal becomes the owner of the flat in which the animal is staying (regardless of whether it is a regular resident, a visitor, etc.).

Animals will not be allowed in the communal areas of the Community without their owners. In the event of there being any, a way will be found to remove them, calling the corresponding Council services if necessary.

Under no circumstances may they be at large without the owner near them.

Under no circumstances may animals relieve themselves in the communal areas of the Community. If this happens, the owner of the animal will be responsible for cleaning it up. In the event that he/she does not do so, the residents must notify the Community Board so that measures can be taken to avoid it or even to take the appropriate and legal reprisals against the offender.

The Owners and Tenants of the Community must at all times comply with the bylaws in force regulating the keeping and protection of animals.

Feeding animals in the communal areas of the building is strictly forbidden.

ARTICLE 12 - JANITORIAL SERVICES - CLEANING - SECURITY

Janitorial, cleaning and security tasks will be carried out by external companies unless otherwise agreed by vote at an Owners' Meeting; these companies will ensure that their employees comply with current legislation, and will be responsible for any anomaly that may occur (registration with Social Security, updated documentation, accidents, insurance, shifts, substitutions, sanctions, etc.).

The janitor, security and cleaning staff will be duly uniformed at all times (supplied by the companies commissioned for each service).

Both the janitorial and cleaning staff will be dedicated to communal tasks during their working hours, and must therefore be available for the tasks and functions that are assigned, but not for specific support to residents' private tasks beyond the merely punctual and human support.

The Community's Governing Board will generally give instructions to the janitorial service about the tasks to be carried out (or to the janitor, if they are contracted by the community), and even specify how and when to do them, but any resident can also point out to the janitor any necessary (community) tasks that fall within his/her responsibilities. If the janitor has doubts about these tasks, or about how or when best to perform them, he/she will refer to the Community's Governing Board.

Janitor's hours. These will be defined by regulations and agreed upon with the janitorial company by the Community.

The basic functions and tasks to be performed by the janitor and their company, which may be modified at a General Meeting or by the Governing Board, are as follows:

Guidance and assistance to owners or visitors if necessary.

Keep a register of the number plates of vehicles entering and leaving the community, with an indication of the times of entry and exit.

Control of compliance by residents with these Rules.

Daily logging of a Service and Incident Report.

The basic functions and tasks to be performed by the security company (IF ANY), which could be modified at a General Meeting or by the Governing Board, are:

- Control of the Security Cameras (if there are any) complying with the regulations of the LOPD (data protection law) and the Security Law in this respect.

- Control and verification in the event of an alarm going off in any of the homes located within the Community. The janitor or watchman will immediately notify the emergency services, in addition to the Board.

- The Watchman will respond to any emergency call from the owners, providing the necessary assistance at all times whenever possible. To facilitate this, the janitor and watchman will have an exclusive mobile phone or form of immediate contact to cover their service.

- Organisation and control of the evacuation of residents if necessary.

Security work may only be carried out by companies that have been authorised to do so by the Ministry of the Interior.

The basic functions and tasks to be carried out by the Cleaning Service and company, which could be modified at a General Meeting or by the Governing Board, are:

- The service will be provided by the necessary personnel during the hours and on the days stipulated and decided at the General Meeting of Owners.

- Cleaning will include the cleaning of lobbies, stairs, lifts, glass, communal fixtures and fittings (e.g. information boards, flower pots,...) and communal areas in general.

- Certain communal areas defined by the Board, and as per contract, will only be cleaned periodically but not on a daily basis.

ARTICLE 13 - OFFENCES AND PENALTIES

Failure to comply with the obligations of the members of the Community of Property Owners, as defined in the statutes or in these rules, constitutes a punishable offence.

The power to impose penalties for such offences lies with the Community's Governing Board after a fifteen-day hearing period has been granted to the member or members who have been accused to allow them to make any allegations they deem appropriate in writing.

The penalties imposed are, in any case, of a private nature and are agreed upon by virtue of the principle of autonomy of will and as an attempt to ensure the correct coexistence in the urbanisation, and are totally independent of any public sanction, fine or penalty that may be imposed for the same actions.

However, the Community shall withdraw any private penalty it has imposed in the event of a public penalty being imposed for the same acts, in order to prevent any member from being fined twice for the same act.

Offences shall be graded as follows according to the criteria of the Governing Board:

- * Minor: Fine of 5.00 €.
- * Serious: Fine of 1.000 €.
- * Very serious: Fine of 10.000 €.

ARTICLE 14 – OFFENCES.

The following are punishable offences:

- a) Wilfully or negligently causing damage or harm to the elements and services of communal use.
- b) Obstructing the communal elements or impeding in any way or by any means their use by the owners of the communal areas.
- c) Depositing rubbish, garden, household and construction waste outside the places or outside the collection days or times established by the Governing Board.
- d) Storing or allowing dangerous or inflammable substances to be stored on their property, except those intended for domestic use and in the quantity strictly necessary for that purpose.
- e) Carrying out immoral acts on their property or using it for uses that go against morality, or that are in any way annoying and uncomfortable for the owners of the other properties, such as excessive noise, lights, etc., outside the limits of normal tolerance in neighbourly relations.
- f) Failure to comply with the instructions relating to private and communal buildings, swimming pools and in general areas of a communal nature, which the Governing Board may issue in order to guarantee the safety of persons or property.
- g) Failure to comply with the rules on wild or domestic animals contained in these statutes.
- h) Any other obligation contained in these rules that is not specified above.

ARTICLE 15 - PENALTIES

The above offences shall be punishable by a fine, which shall be set by the Governing Board in accordance with the seriousness of the offence, the damage caused, recurrence and whether or not the offender has been previously warned. Likewise, the offender shall be responsible for and shall pay compensation for the expenses, costs, and damages of any kind caused to the entity as a consequence of the offence, as well as, where appropriate, the reinstatement of the physical reality altered by the offence.

The aforementioned penalty shall be considered as an extraordinary community fee for the owner.

ARTICLE 16 - COLLECTION

The amount of the penalties must be paid within fifteen days of notification of the resolution imposing the penalty by the Governing Board.

In the event of non-compliance, the amount of these penalties will be claimed by the same means as the fees corresponding to the owners as a contribution to the communal expenses, although they will be claimed as debts independent of these expenses, accruing 20% annual interest for late payment.

All costs and expenses incurred by the Community for non-payment of these penalties, including lawyer's and solicitor's fees, even if their intervention is not compulsory, shall be borne by the owner in default.

ARTICLE 17. DAMAGES

In addition to the penalties foreseen in the previous articles, the breakage or deterioration of a communal element, due to improper use or use contrary to its intended purpose, shall give rise to a financial demand for the amount of the invoice for the repair of said communal element.

ARTICLE 18 - INTERPRETATION OF THESE STATUTES.

The Governing Board shall be responsible for the interpretation and correct application of these Statutes, resolving any doubts that may arise on any matter contemplated therein.

(For information purposes only)