



TAKING BACK CONTROL OF TBV

Official Turtle Bay Village Owners Assembly (OTBVOA)

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OTBVOA FAQs regarding the tender and NSPS

Following on from the official Notice of Recommendation of Nigel Seear Property Services Ltd., we have been listening to more comments and questions about the OTBVOA's tender for a new maintenance provider, and the following are the Frequently Asked Questions:

1. 'Takeover of Resco'

Your subject line says 'Takeover of Resco' but no-one's 'taking over Resco' which is a limited company privately owned in part by the developer.

The OTBVOA is:

- An Owners' Assembly (as opposed to a company) under TRNC law.
- Proposing to take over the responsibility of TBV's site maintenance.
- Recommending NSPS as the maintenance provider to all the owners.

2. Does that mean we divert payments to this new site management company or is this an additional charge? Thanks in advance.

The OTBVOA Committee will be issuing invoices for maintenance on or around March 15th onwards for the period April 1st to June 30th 2020 when the new site maintenance company takes over from Resco. These are new invoices and will not be replicated by Resco.

We also get asked: 'Should owners pay the existing maintenance invoices up to March 31st 2020?' In short, yes, as we've all now received the legitimate invoices from Resco for the first quarter of 2020. While this is a personal decision for each owner, please remember that title deeds for your apartments cannot be issued unless an owner is debt free.

3. What is the expected number of owners paying fees to cover the initial 6 months costs of the new management company? Is the committee expecting Resco to transfer equipment or monies they hold to the new company? How will the new company differentiate between those owners who do not cooperate and don't pay monthly fees?

Thank you for your perceptive questions. All three items are subjects that your committee have thought long and hard about:

- In the early months, we have assumed a relatively pessimistic rate of payments: 85 payers per month or 255 a quarter paying £216 for a three (3) month maintenance invoice.
- £72 has been used as an average as two (2) bedroom apartments of which there are more on TBV pay £70 per month and three (3) bedroom ones pay £80.

That gives a payment ratio of 62% (255 out of 411 apartments and 5 villas on TBV) which we expect to achieve. Once we know the response from Resco regarding an orderly handover, especially regarding the handover of the up to date database of owners for invoicing purposes, we may well be able to improve on that percentage.



We do expect any equipment or services that have been purchased by money from owners' fees to be handed over to us. Your committee prepared a comprehensive 'TBV communal assets list' which has been given to Boyra Law to be included as part of the handover negotiations.

Our OTBVOA accountant will be monitoring who has paid their maintenance from the sales ledger, which will record when an invoice was sent and the payments against it.

Credit control will be one of the prime functions of the accountant and the accounts system will be able to give aged debt reports as and when needed. The Condominium law we've used to support the process of removing Resco allows for interest to be charged on late payments and ultimately the forced sale of an apartment to pay off a debt should three (3) payments be missed in any two (2) year period. Hopefully, things will never have to get to that stage.

I hope this helps. There is a lot more information available on the OTBVOA owners' website on the process and how site maintenance will be run.

4. Dear friends,

Please provide the offer details of the preferred bidder NSPS as well as references, success/case stories etc. You may also limit it to information about the main reasons your selection is based on. Keep up your good works.

Thanks for your e-mail and for requesting NSPS's offer details, references, case studies etc. The best thing to do at the moment is to go to the Owners' Area in <https://otbvoaweb.com>. I think you've already registered to do this, so it should just be a matter of clicking on the Owners' Area tab in the far right hand side of the website's navigation bar.

In there, you'll find the full explanation behind the Tender process and the committee's selection and recommendation of NSPS, plus the related Service Level Agreements (full and six months) and Key Performance Indicators.

You can also look at the NSPS website's page about their site maintenance service at <https://www.seearestateagents.com/site-management>, and it also outlines their other property-related services as well.

Best of all, you'll probably have seen the e-mail from Udi this morning that on the face of it, says the OTBVOA is welcome to take over the maintenance of TBV. The devil's in the details of course, and there's all the MDAs, and owners' contact details database that we want to see Udi hand over as part of the negotiations to replace Resco with NSPS.

But it's a good start!

5. Dear hard working BTBA and OTBVOA committees

Many thanks for all the succinct information recently received regarding the status of the new site maintenance services, which we will all hope will deliver a lot better than the Resco incumbents. One presumes that the TRNC law does not require the new company to transfer employees from Resco?

I have now read all the recent documentation regarding the selection of the new company and all looks to be very much in order. The only, perhaps naïve question I have, is regarding the outside wall painting of apartment blocks and other external facing surfaces which need regular paint/varnish etc. I seem to remember that in the past that this was done by Resco?

I couldn't spot this specific area in the tasks list for the new company. Have I missed something or is it the fact that we never visit Cyprus and have therefore actually seen what goes on. Our property is purely for rental purposes.

I am happy to pay the new maintenance charges in 6 monthly 'lots', as this clearly helps the early cash situation. One assumes that I should not pay Resco maintenance fees henceforth – I am currently up to date with their invoices. I guess that any outstanding fees at the end of the Resco period will be taken from the original deposit?

Thanks again to all

The reason why you can't see this task is that the SLAs list all the annual tasks as part of the annual maintenance programme.

External decoration is normally a task which has taken place on a much less regular basis. To get us to pay for it, Resco used to try to get a 'community charge' from every owner of £200 to cover this task, but in the OTBVOA's case, we will account for it as a capital expenditure with an amount put aside each year to ensure that the apartments can all continue to be redecorated, and on an 'as and when' basis as funds allow and when our site maintenance provider advises us it's suitable.

6. Hi, Can you please explain to me why 3-bed apartments are being asked to pay more in maintenance. As far as I am concerned the tender doc was based on all apartments being asked to pay the same. Yes, we have more bedrooms but we only require the same amount of outside maintenance than a 2 bed. As regards using the facilities a lot of 2-bed apartments have sofa beds to allow for extra people. I am not happy with this and was given to believe this was in the tender docs that I read last year.

Many thanks for your very pertinent question. The issue of maintenance charges for two and three-bedroom apartments was discussed as a matter of particular importance by the OTBVOA committee immediately after we were elected.

The argument (for the same rate being applied to all properties) is a strong one, and the committee has agreed to make it a long term aim, once we have the finances for site maintenance and collection of maintenance fees under control, a challenge which will take us a good few months initially.

So with that goal agreed, and in view of:

- The committee's responsibility to owners for keeping costs under control and working within our (financial) means right from the start.
- The feedback from owners which was strongly against paying any more than they were currently being charged.

...we decided to keep the same rates as are being charged at the moment for two and three-bedroom apartments, as we will need all the maintenance revenue we can raise to a) meet our financial obligations to owners and b) start a TBV Redevelopment fund to further develop our site and its facilities in line with all the owners' original aspirations.

The existing rates of maintenance charges have been used to calculate and underpin the financial plans to the owners in our Site Administration Plan and the related Management Project or business plan, which we published on the OTBVOA website back in early November.

7. ***I have been promised this situation of maintenance for 3 bedroom apartments would be sorted by other committees in the past. This has never happened. Now is the chance. I paid more for a 3 bedroom apartment- quite rightly so as I have one more bedroom. I pay more property tax and council tax - quite rightly so as I have more room.***

You might even say I could have more people to stay in my apartment who might use the facilities. Just have a look around Turtle Bay Village and see how many 2 bedroom apartments have more than 4 people staying in them The flat next to mine in the summer had 5 people staying there for 3 months. It is happening here all the time. How will you deal with that if my maintenance assessment is based on that?

I receive no more maintenance on or around my apartment than a 2 bedroom and yet you want me to pay £10 more. I can understand you want to generate income, but I would ask you to do it in a fairer way, while you have a chance, I cannot see by doing this you will lose a great deal on monies, but it would make you look a whole lot fairer.

As the committee has a mix of those with two bedroom apartments and those with three, I can assure you this topic has already received more than its fair share of attention! Obviously I can't comment on any promises made or discussions involving past TBV committees but I can only reiterate that our longer term aim is indeed the same maintenance charges for all.

But - and it's a very important 'but' - we can only safely achieve that equality once we have a much better understanding of the number of owners who pay their fees regularly and pay on time. In the short term, and our treasurer's adamant about this, we really will need all the revenue that we can get to meet our financial obligations.

Also, achieving equal charges is a surprisingly complex issue. The committee can't base the maintenance fees at TBV based on the number of people who live in an apartment, as over-occupancy can happen in either a two or three bedroom apartment. Furthermore, this approach would open up another possibility of those owners who only occupy their apartments for a few weeks a year then requesting a reduction when their apartment's occupancy is zero for the majority of the year...!

There's also the even more vexed point about what level of maintenance charge is 'equal'. Right now - and we won't even know for sure until we either get the owners database from Resco at the handover, or have to wait much longer to establish the ownership and contact details of all 411 apartments and their owners at TBV - let's say there are 100 three bedroom apartments at TBV. Each pays £10 per month more i.e. £120 a year x 100 = £12,000 or close to what has been estimated at being one month's fee paid to NSPS for the initial six months' maintenance.

For the moment, owners have been long used to paying £70 or £80 a month. Once:

- The owners are clearly much happier with the way things look and are managed at TBV.
- We are much more confident about income from maintenance invoices.
- We can see accurately what the financial impact will be of a maintenance charge that's equal for all.

...this aim will become much more realistic.

8. ***I have a current 12 month maintenance contract with RESCO, will this contract be transferred to the new Management Company. What will happen to the money I already have with RESCO?***

The servicing package you have currently with Resco for looking after your apartment will remain unaffected, as it is only the site maintenance of TBV's communal areas and facilities for which the OTBVOA is responsible.

Should Resco request NSPS to take over the additional responsibility for servicing owners' apartments, NSPS would happily take on that responsibility when Resco hands over any unused apartment servicing fees.

- 1. I have a current 12 month maintenance contract with RESCO, will this contract be transferred to the new Management Company. What will happen to the money I already have with RESCO?**

If you were able to withdraw the float you have with Resco, then NSPS would be pleased to take over the responsibilities that Resco has within your agreement. You will need to look at the agreement you have with Resco to see if this is possible.

- 2. Thanks for reply, can I ask what happens with general maintenance as we pay RESCO approx.. £250 per 3 months. The next payment Jan to March is due, do we pay this and then for April to June do we pay the new company? What happens in April with water and electrical problems will NSPS be on site?**

Thanks for your update, I already have my title deeds, but with restrictions. When the transfer is complete will NSPS also be paying all maintenance bills WATER ..ELECT.. Council TAX WSC 21.97TL per month. Therefore Resco will only be responsible for light package cleaning and minor repairs until the end of 6 or 12 month contract. At the end of my 6 month light package will I have the choice to either transfer or stay with Resco.

Regarding your latest e-mail re. Resco's bill paying service, light package etc., let's start with the easy one: Resco's latest invoices have just received by all owners for the first quarter (Jan 1st to March 31st 2020), and you should pay Resco accordingly.

Provided the handover is completed on schedule, then in late March the OTBVOA will be sending you its maintenance invoices for the second quarter (April 1st to June 30th) for payment. The level of maintenance charges is remaining the same ie. £70 a month or £210 a quarter for two-bedroom apartments and £80 a month or £240 a quarter for three-bedroom apartments.

We still need to see the outcome of the handover negotiations. While we expect Resco to hand over everything relating to TBV's site maintenance (ie. responsibility for the communal areas, facilities and resources, pool cleaning etc.), we also need to know if the developer also intends to hand over all the Resco apartment servicing (bill paying, cleaning, etc.) business as well.

However, besides handling the site maintenance of TBV itself, NSPS will also offer owners the same apartment service options and packages as Resco has done, plus repairs and general property maintenance etc. NSPS also has an estate agency and holiday rentals business.

From your perspective, this will include bill paying (ie. water, electricity, council tax) at the same rate as Resco ie. £50 a year, as long as your float is always in credit. NSPS will e-mail or WhatsApp you copies of your receipts, and inform you when your float is down to £50.

But in terms of your six month light package with Resco, you don't need to worry:

- If Resco decides it DOES want to hang on to the apartment servicing business at TBV, then your six month light package carries on as usual, and at the end you'll have the choice of staying with Resco or transferring to NSPS's light package.
- For light repairs like cracks, something almost every apartment suffers from, I understand that Nigel Seear has been to your apartment four times and has advised you that the cracks there are not just hairline ones but deeper and need 'stitching' using stainless steel rebar mesh, and then plaster and a re-paint.

(Incidentally, this sounds a much better solution to the deeper cracks that keep re-appearing a while after filler and paint has been used. I wish I'd been told this solution when the chap who worked on the cracks in my apartment told me that after cleaning these cracks out, he could put his hand through the wall from one bedroom into the bathroom!)

- c) If Resco and Udi decide they DO want to hand over all the apartment servicing business to the OTBVOA and NSPS, then again, you'll be fine - all that business and all the relevant owners' accounts will be transferred to NSPS to handle from thereon.

9. *Hi I've received a email today from Resco management and I've also heard they will be gone by March is that true and if so who do we pay our maintenance and who will rent our apartment?*

Yes indeed – following right behind that e-mail from Udi Ilan this morning about his welcoming the OTBVOA to take over the maintenance at TBV, came our latest invoices for the first quarter of 2020 ie. Jan 1st to March 31st...

Last Sunday on February 2nd the OTBVOA officially notified all owners about its fully compliant legal status, and its recommendation of Nigel Seear Property Services Ltd. To replace Resco as TBV's maintenance provider.

After the owners' 10 days consultation period (Feb 2nd to 12th), on February 13th or thereabouts the OTBVOA's lawyers will be sending Resco a Notice to terminate their maintenance operation at TBV with a notice period starting from February 13th and ending March 31st.

That takes us to the point when – provided the handover negotiations go to plan – Resco hands over responsibility for the maintenance operation to the OTBVOA and its recommended maintenance provider Nigel Seear Property Services Ltd. (NSPS).

As Resco's invoices are for the current (first) quarter ie. Jan 1st to March 31st, owners should pay Resco accordingly.

In the period running up to the handover point, which is planned to be March 31st, the OTBVOA will start sending its maintenance invoices for the second quarter ie. April 1st to June 30th, as by then it's planned that the OTBVOA and NSPS will be handling TBV's maintenance and invoicing.

10. *We have our penthouse up for sale but would hate to sell cheap if the site could be made nice. Also, we haven't had any rentals; yet our apartment is well located at the front of the development. I'm hoping this new company will get rentals as I don't want to do Airbnb, but if that's the way forwards then maybe the new management need to be doing this also. Maintenance; it cost to send money. I've e-mailed Resco for our maintenance bill but not heard.*

You should by now have had the e-mail from Resco yesterday or at least by today with your latest maintenance invoice for the first quarter of 2020, which you should pay as usual.

If it helps, NatWest has significantly reduced its international transfer charge very recently, but I've no idea if this also applies to its competitors as well.

Just to be clear, to date at TBV Resco has handled two kinds of business:

- a) TBV's site maintenance for the communal areas, facilities and equipment, including pool cleaning and repairs, tennis courts etc.
- b) Optional apartment servicing and service packages for owners who choose to use and pay for these eg. bill paying, cleaning, repairs, airing etc.

Until we know the outcome of the handover negotiations still to take place, while the developer claims to be welcoming the handing over of TBV's site maintenance to the OTBVOA (and NSPS), we don't yet know if:

- a) The developer/Resco want to hang on to the apartment servicing business.
- b) Or give that to us and NSPS as well.

In terms of the second aspect, i.e optional apartment servicing, rentals, service packages, repairs etc., NSPS will be offering the same as Resco and at the same prices.

More importantly from your perspective, NSPS also has an estate agency and holiday rentals business which could also prove advantageous to you and to other owners.

11. *Hi. We have a few concerns about the proposed takeover of Resco. Firstly we are all in agreement that things need to change on Turtle Bay Village however after reading all the information on the owners site that the OTBVOA have posted we have several concerns:*

1. *NSPS scored very low yet still they were voted insurely not on cost only ?*

Thanks for your questions, and we'll try to deal with them as best I can. Your observation that cost was a major part of the decision is indeed correct for the following reasons:

- a) In discussion with many of the owners it was made abundantly clear to the committee that there was simply no appetite whatsoever for any increase in maintenance charges or for any form of additional upfront costs such as Resco's so-called MDA. Indeed, one owner asked one of our committee members to "...categorically state that there would be no upfront fee requested." We have delivered that guarantee, but there are of course consequences that go with such a guarantee.
- b) Some owners originally saw changing the site management company as an opportunity to reduce substantially the existing maintenance charges, something which is simply not a viable option in view of the poor state of TBV both as a site and regarding its facilities. It's something we can all see for ourselves, and has been confirmed by the more expert opinions given to us consistently by various maintenance companies who've seen TBV for themselves.
- c) Taking into account the OTBVOA's start-up position, combined with a long heritage of many owners choosing to not pay their maintenance payments, plus the issue of whether the developer and Resco will cooperate in an orderly handover and return everything that has been paid for with owners' money (such as maintenance equipment, full records of owners' details for invoicing purposes, liquid assets such as the MDAs, etc.), the revenues from maintenance invoices in the early stages are expected to be relatively low.
- d) Calendar Property Services (CPS) would have been a safe bet, but after they were asked to focus on the absolute essentials for the first six months' site maintenance, it became clear CPS was a much more expensive option. Going with CPS would have meant the committee having to increase every owner's invoice by £20-30 per month to both:
 - Meet CPS's monthly invoices for site maintenance.
 - Generate the necessary contingency funds with which to redevelop or replace TBV's facilities such as the freshwater supply system.

We are sure you would agree such a decision would have resulted in an untenable situation for, and unfair demand upon, the owners.

2. Costing showed lots of gaps where NSPS didn't put anything downDoes that mean these items will not be provided by NSPS?surely not?

Please see the individual tasks detailed in the six (6) month SLA contained in the website's Owners' Area. The SLA is the basis of the contract to which NSPS will be required to perform over the first six months. If you still believe there are gaps in the contracted service, please let us know.

3. Nothing mentioned about a bill payment service....Lots if owners live in the UK and rely on this service to make sure Electric Water Council Tax Property Tax etc is made and they don't go in arrears.....Is this service going to be provide by NSPS ?

The developer has stated that he welcomes the OTBVOA's takeover of the site maintenance at TBV. However, his views on the other Resco income generating activity at TBV, apartment servicing, are as yet unknown to anyone.

Until the outcome of the handover negotiations is known, we won't know if the developer/Resco wants to hang on to all their apartment servicing business, or hand it over to the OTBVOA and thus NSPS.

However, NSPS does everything that Resco does in terms of optional services for owners, and at the same prices, and a list of NSPS's services will be published on the website shortly. NSPS also have both its own estate agency and holiday rentals offering which we believe will in the longer term prove advantageous to owners when TBV's appearance and operation has been significantly improved.

4. Couldn't see anything regarding Building insurance....as this was paid in block by Resco ...We already have our own contents insuranceDo we now need to get individual Insurance?

The SLA contains a requirement for the site management company to ensure that adequate site insurance is provided. The 'Management Project' or business plan relating to the SLA that was published in November last year currently allows £1,000 per month for buildings insurance.

5. This is our biggest concern.....As the contract is only for 6 months and NSPS are relatively new to thisWhat happens after 6 months if they decide they are not up to this large job of maintaining Turtle Bay Village and decide not to re new the contract or if the OTBVOA decide they are not delivering on the SLA and do not want to re new the contract ? Where does that leave us as ownersNo Resco no mainstream company ?

NSPS will be closely monitored for performance from month one onwards by being measured against the KPIs (these can also be found on the website's Owners' Area).

As we go along, the OTBVOA committee will decide if, based on feedback from owners and our own observations, any remedial action is required and then we'll agree it with NSPS for immediate action.

NSPS has already shown during the tendering process how they go about understanding and reacting to our concerns, so we are confident NSPS will perform to both our and owners' expectations.

A good example of NSPS's 'can do' attitude is the meetings they've had with Esentepe Belediye to understand and agree plans for our fresh water supply (resulting in a direct connection to TBV's own freshwater system at a reduced pressure, and not the desalination plant's reservoir nor the developer's own water tanks). And as and when the handover's completed, NSPS will meet with the

Belediyesi again to understand issues such as the ownership of the desalination plant and its highly problematic sewage treatment plant, who's responsible for what, and who pays for what.

In terms of large site experience, another factor that persuaded me that NSPS was going to be our recommendation to the owners was their plans for the two key on-site roles to ensure delivery of TBV's site maintenance to a high standard:

- The General Manager who will be responsible for the whole site.
- The Site Supervisor.

Both have been employed to date at two major developments, the main one being a 200-apartment site, with an additional related 180-apartment site to manage as well.

The intended General Manager has six (6) years' experience of large site management. She currently does all the accounts, e-mails the owners, contacts the contractors for maintenance quotes, and oversees work to completion. She also directs teams for cleaning, airing, key holding etc.

The feedback I'm getting is that she is very well thought of by the owners at her current site: very professional, polite, friendly and very popular with current owners at both sites. She deals with owners on a daily basis on-site and via e-mails.

The proposed Site Supervisor has 17 years' experience of large sites and is qualified to handle swimming pool maintenance, plumbing and electrics. I gather he's very hands on and gives clear and precise instructions to other members of staff. He's fluent in both English and Turkish, and like his colleague is polite, friendly, helpful and hard working. I understand he too is highly regarded by the owners of the site he currently helps to run.

12. *How can you guarantee that we won't be worst off.....As owners reading the tender points system and the costings it does not in still us with much confidence in this new company !*

No-one can give you an absolute guarantee that owners will never be worse off, but it's hard to imagine anyone being worse off given the current poor condition of TBV and its communal facilities. Our experience thus far with NSPS has given the OTBVOA committee real confidence and belief that TBV's site maintenance and thus the site's overall condition will improve with NSPS. But the proof that NSPS is the right choice for TBV's site maintenance will only become clear to everyone in the months following the handover.

As we stated at the inaugural AGM on October 4th 2019, we believe it will be a three to five year project to refurbish TBV, but while owners will need to be patient after years of poor maintenance allied to sub-standard materials used for TBV's infrastructure, the feedback we're already receiving suggests there is widespread support for the OTBVOA's plan and long term approach.

13. *Lastly as we have joined up the owners group so you have 3 emails addresses for our apartment but we are still not getting emails ...the last one titled ...A very important announcement from the official Turtle Bay Village owners assembly for all TBV owners & purchasers that requires your immediate attention.....I was forwarded this email by a fellow owner but as we have joined your site we expected to receive this email direct. We look forward to receiving your response in clarifying our points so we can feel more confident accepting this new company.*

The solution being actioned by our IT chap will be based around using the same developer we use for our website, e-mail and data capture, for our mail-shots as well, whereas to date we've used a separate app and database for mail-shots.

We can however confirm our e-mails on February 2nd 2020 were sent to the other three e-mail addresses.

14. Good day. Could you answer the following queries please:

Will NSPS undertake the payment of electric, tax and water bills on behalf of owners as part of a management package ? (currently Resco do so for £50 pa)

Will NSPS assist owners with cleaning and laundry in conjunction with rentals by owners? Currently, Resco's Light Package (220pa) provide this necessary function. Will NSPS staff undertake property repairs - crack repair, painting both internal and external - on behalf of owners? Is it envisaged that another separate property management company will undertake the above type of business? Thank you, and I await your response.

First, thanks for your enquiry which raises various aspects about the kind and range of services that owners at TBV will come to expect NSPS to provide, from bill paying, cleaning and laundry to building repairs etc., besides the maintenance of the site itself.

I forwarded your message to NSPS last evening and have received a response from them this morning that says they'll match everything Resco does in terms of services, packages and prices.

'Looking over Resco's price list, yes we can match this, I think it will give owners a sense of continuity. NSPS will of course do property maintenance for owners in house. Yes we will continue with bill payments at £50 year as long as their floats are always in credit, we will email or WhatsApp owners copies of their receipts and inform them when their floats are down to £50. Yes will match all packages.'

The OTBVOA's initiative has always been about taking over responsibility for the site maintenance of TBV ie. all the communal areas and facilities, and finding a better replacement for Resco.

We certainly believe NSPS is the solution to TBV's site maintenance that all the owners are looking for, but it's great to think that this team can and will also handle all the other apartment-related issues as well.

On the subject of cracks in walls, something which affects practically every owner and property at TBV, NSPS has already advised at least one owner at TBV that once it's been checked to see if it's just a genuine hairline crack or something more serious, this problem often needs a lot more than an application of some filler and a re-paint.

NSPS described the process to me as 'stitching' using stainless steel rebar mesh, a special silicon for metal, plaster and paint. I was sufficiently impressed to think about getting NSPS to tackle all the cracks in my apartment at TBV!

NSPS has told me this morning that their packages and services price list will be TBV-ready shortly, and I'll be making sure that you and other owners will be able to see this ASAP.

15. *I've been asked to post my comments on here [Facebook]. Firstly it would be better for everyone if there was just one place for comments.*

My only concern is the lack of past experience in maintaining sites for the preferred company. I would like to have heard glowing reports from owners of another site that the preferred company is maintaining.

Many thanks for your message and I'll try my best to provide some answers for you.

Firstly, one place for all feedback was what we wanted too, but...! The Facebook page (TBV Owners Against Resco Transfer) was set up over three years ago in order to help the BTBA go beyond its then much smaller membership of owners and reach out to as many other owners at TBV as possible.

It's since become fairly popular amongst TBV owners, but still only has a membership of 164 individual members (and thus less properties) compared to the 411 apartments, five villas and however many owners those properties actually represent.

On the whole, the 164 are supportive of the BTBA and now the OTBVOA, and so over time that Facebook page has become a regularly used channel for some BTBA messages and more recently for the OTBVOA's. But even as a 'private group page' it's open and not secure.

To respond to the formal Notice of NSPS's recommendation that we published last Sunday February 2nd, we asked that all TBV property owners contact us with their feedback at enquiries@otbvoa.com. This is so that we can be sure they are registered owners of a TBV property, whereas the Facebook page is open to anyone and not secure!

Next, you raise the experience of NSPS – or the perceived lack of it. We too were concerned about this factor, especially comparing NSPS to Calendar Property Services (CPS). As the tendering and selection process progressed, NSPS demonstrated to us they're definitely the kind of partner we want to work closely with as we start to improve things at TBV.

A good example of NSPS's 'can do' attitude is their meetings with the Belediye to agree plans for our fresh water supply (resulting in a direct connection to TBV's own freshwater system at a reduce pressure, and not the desalination plant's reservoir nor the developer's own water tanks) and the future of the desalination plant for sewage treatment.

In terms of large site experience, another factor that persuaded me that NSPS was going to be our preferred choice was their plans for the two key on-site roles to ensure delivery of TBV's site maintenance to a high standard:

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The feedback I'm getting is that she is thought by the owners at her current site to be very professional and polite, friendly and very popular with her current owners. She deals with owners on a daily basis on-site and via emails.

The proposed site supervisor has 17 years' experience of large sites and is qualified to handle swimming pool maintenance, plumbing and electrics. I gather he's very hands on and gives clear and precise instructions to other members of staff. He's fluent in both English and Turkish, and like his colleague is polite, friendly, helpful and hard working. I understand he is also highly regarded by the owners of the site he currently helps to run.

Armed with this later information, plus the ways in which NSPS's directors and expert partners dealt with our concerns about the freshwater and the problematic sewage system at TBV, and then my own subsequent dealings with both NSPS directors, I've become very confident NSPS will deliver both in the short term ie. the first six months, and help the OTBVOA to succeed in transforming TBV over a three to five year period.

I hope this reassures you the OTBVOA's making the right decisions on behalf of all the owners at TBV. If there's anything else you want to raise with me, please feel free to do so.

Thank you for that information, it definitely puts my mind at rest. Good luck with the negotiations and thank you for everybody's work on our behalf. Bring it on 🍀🍀🍀🍀

16. Hi. I have a few things to ask about the new maintenance company you have decided to take over from Resco, somethings I know you might not at this moment be able to answer.

(1) Could you tell me why there was a decision to increase a three bedroom apartment by ten pounds a month against a two bedroom. As I see it a three bed apartment takes up no more room than a two bed, the two beds over the three beds where more expensive when new and have a sun terrace as well. Maintenance is for looking after the grounds and pools, as i see it, if there was to be a difference it should be for the people that are permanently resident, spend months there permantly ,or rent there apartments out as a business all using the facilities more often.

(2) In 2010 the pound against the Lira was 2.30 and now is 1 pound = 7.80 this is an increase of over 300% I can not imagine the worker's in Northern Cyprus of having an increase in there wages of this amount , so in my thinking making this maintenance company some what expensive. As i remember Udi Ilan has made some handsome profits over the years by not giving us the right exchange rate. Would it not be better to have the maintenance company quote and pay in Turkish lira rather than pounds.

(3) Has there been any thoughts by the new maintenance company on removing the stray dogs and cats roaming around the site, failing the lawns, paitios of owners and a heath hazard and danger for small children.

(4) Has the new maintenance company given any thoughts on removing air conditioning units installed on communal land, and the removal of extra rooms built on paitios, dog pens etcetera making the site look like a shanty town.

(5) Have they given any thoughts on stopping owners driving there cars to there apartments and doing major repair work on lawns outside of them. Also the abandoned cars, as one i was informed has been left there for over a year.

(6) Has there been any thoughts buy the company on how to stop outsiders using the facilities including the new complex being built next to TBV which the developer is advertising as being able to use all of TBV facilities.

(7) What ides have they about stopping coach loads of migrant worker renting the apartments, I presume this was done by Ilan to make TBV less attractive to holiday maker to rent there and devaluing the properties. I presume these workers rent from Resco, how are they going to stop them renting to this type of client as there is no law against who you advertise your apartment for rent with.

(8) Will Ilan fight against letting us have the sales office , shop, gym, tennis courts, childrens play area and try to charge us outrageous rents for them. What will happen to the new sales office and restaurant that has been half built and left.

(9) Will Ilan get charged the same maintenance as the rest of us on apartments he owns, and will he get charged maintenance to look after his communal land which he cheated owners out of.

Many thanks for your questions and feedback. I'll try to deal with all your points as best I can.

Why aren't we all paying the same rate of maintenance charge?

The current developer and Resco made the decision from the beginning that three bedroom apartments should pay £10 a month or £120 a year more than their two bedroom counterparts. No explanation was ever offered, but now that we're far more familiar with the ways of our developer, it was probably just another way he saw for taking more money from us.

When the OTBVOA committee first looked at the issue of maintenance charges a few months ago, we all started off wanting equality for all, as three bedroom apartments' owners paying £80 a month (a rate which has been applied for a number of years) don't, generally speaking, use the TBV facilities any more than a two bedroom owner paying £70 a month.

But owners also made it abundantly clear to us that they had no appetite for increased maintenance charges, so even if we had decided to average the maintenance charge at £75, the two bedroom owners would – and there are many more of them at TBV than their three bedroomed counterparts – understandably complain about increases. Not a good start for the OTBVOA.

We also needed to take into account some major issues like the freshwater supply system's future replacement. So we agreed to keep the current maintenance charges at £70 and £80 respectively, which is what everyone's used to, and make it our longer term goal to achieve the same charges for all apartments, but only when TBV is in significantly better shape, eg. when the freshwater supply system has been replaced throughout TBV, and when the sewage treatment and disposal system is working properly, and owners are generally much happier with the ways in which TBV is being improved.

Why isn't everything in TLs?

The Turkish Lira as you have shown has suffered dramatic rates of inflation against far more stable currencies like sterling. What we've paid in TRNC for eg. taxis and hire cars has remained the same for years as they've been charged in sterling. Likewise with TBV's maintenance costs; in TLs they'd be subject to more and deeper foreign exchange fluctuations, such that your maintenance invoices would alter almost every month.

While the lack of transparency in Resco's accounts has meant we've never been able to see if Udi Ilan has actually made any 'handsome profits', we know Resco submitted a significant loss to the TRNC tax office for the last financial year. Conversely, all the OTBVOA's financial dealings will be – by law – completely transparent, and any financial surpluses will be going into a Redevelopment Fund (something Resco never did) that puts all the money back into TBV for the owners' benefit.

Stray dogs, privately owned things on communal land, abandoned cars, etc.

Most of these are issues that fall under the heading of 'unacceptable behaviour', a topic that's key to the OTBVOA's legally enforceable Site Administration Plan.

They arose because TBV's site rules and regulations were a) never made clear to every property owner, an issue made worse when new owner buyers appeared or when owners became landlords and had a duty to ensure their tenants knew the TBV rules, regulations, and standards of behaviour expected of them, and b) 'policed' for want of a better word so that anyone living at TBV knew unacceptable behaviour was not tolerated. The developer's decision to rent apartments to factory workers only made this situation worse.

The OTBVOA's SAP has its rules and regulations, and it'll be one of the many tasks of the site's new maintenance provider, NSPS, to make sure these rules are enforced. NSPS's advice, incidentally, is to build trust and start communicating with as many people at TBV as possible, so that as many people as possible start to know who the site and maintenance managers are, and they will deal with things owners find unacceptable.

We have a plan for dealing with strays – dogs and cats – based on our building a constructive relationship with a local animal charity and are in a position to divert a small amount of funds to neutering programmes.

Outsiders using TBV's facilities

The developer was stopped by the BTBA from marketing and advertising to buyers of his new Olive Grove development as being able to enjoy TBV's facilities. An obvious proof of this was his being forced to build a swimming pool alongside the building that cost, so he claimed, £30,000...!

When it comes to your valid point about outsiders using TBV's facilities, Resco should have supplied adequate security for the basketball and tennis courts to prevent outsiders using them. There have been instances when outsiders have come and used our pools.

We don't want to introduce wrist bands or their equivalent but owners will be encouraged to challenge people using a pool if it's suspected they're outsiders and/or report them to the staff of the site management company ie. NSPS (once the handover's completed) and help keep TBV's facilities for TBV owners' enjoyment only.

Migrant workers at TBV

Tenants have to live by the same rules as owners at TBV, but the ones laid down originally by Resco were never satisfactorily enforced.

Tenants have to live by the same rules as owners at TBV, and their landlord(s) is subject to the same Condominium Law that enforces our SAP. The first steps will be for NSPS to ensure all the tenants and landlords know what the SAP's 'Rules & Regulations' section is, and how it applies to them.

Building relationships, trust and positive communications is part of NSPS's skillset in terms of the site and maintenance managers NSPS will be employing. Failing that, we will use the law and/or the police.

Savyon's properties, and TBV owners' communal property

The developer definitely owns certain buildings at TBV, which as far as we're able to establish are the Resco offices, the mini-market, the former planned restaurant that will now be 'luxury apartments', and the building in which the Village Bistro and the gym are located. Our legal team is in the process of double-checking the developer's claims of ownership of properties on TBV.

We will be charging the developer the full rates of maintenance charges appropriate for their floor space, and the law enables the OTBVOA to seize his assets if he fails to pay our invoices on three occasions in two years.

While the developer has claimed in court that he 'owns everything' except the pools, children's play area and tennis courts, the BTBA is actively challenging in court his claim to own the title deeds to large swathes of TBV's communal gardens. The owners own the communal facilities and are not charged rent for these.

The BTBA's legal action has also stopped the developer from trying to claim that the new 'sales office' was anything more than another apartment block in waiting, and once the outcome of the trial is known, we'll be in a better position to know what can be done with the foundations.

Finally

I hope that's helped to reassure you that as the OTBVOA, we both share your concerns and have made them central to our plans for TBV's transformation. It'll take time, perhaps three to five years, but with the support of owners like yourself, we'll all help TBV to get there.

- 17. *Hi. Can I ask a question just to clarify as I'm still a little confused. You're going to take over managing the site so that will be the grounds, pools etc.? So we will pay maintenance to you? What about renting our apartment out, will you also do that and managing the apartment, at the moment Resco do this and they also pay our bills as and when needed. Although we have decided not to rent it out at present as we have had it decorated internally and waiting for quotes for the external to be done, we are hoping to sell the apartment.***

Thanks for asking us for clarification. As you'll know, things are moving fast now but until we know the outcome of the handover negotiations, we won't know if Udi Ilan intends to hand over all Resco's

business at TBV, or just the one that gives him the most headaches, ie. the site's maintenance. At this point, we're working on the basis it'll be the site maintenance only.

As you rightly say, taking over TBV's site maintenance means that with NSPS we'll be responsible for the communal areas and facilities ie. looking after the gardens, dealing with TBV's drainage, cleaning the pools, etc., etc. for which we all pay.

Resco has just invoiced all owners for the first quarter's maintenance from January 1st to March 31st, and these invoices should be paid to Resco.

If everything goes to plan (!), and our negotiations result in a smooth handover, the OTBVOA will take over the site maintenance of TBV from April 1st 2020 onwards. The new OTBVOA invoices for the second quarter will start going out towards the end of March 2020.

However, our recommended provider, NSPS Ltd., not only does everything that Resco does, but also has an estate agency and holiday rentals business as well.

So if Udi does hand over Resco's apartment servicing business, NSPS will pick up the baton immediately and at the same prices. For owners who have used Resco for eg. bill paying and/or other services, their accounts with Resco would be transferred to NSPS and owners' payments made to NSPS in future instead of Resco.

But if Udi wants to hang on to the apartment servicing business – and with legal contracts between Resco and owners using the optional services, we can't stop him from doing so - then NSPS will focus on the site maintenance and start the long haul of delivering the improvements for which we've all been waiting.

That said, we will still encourage NSPS to compete hard for Resco's business.

I hope all that answers your questions, but feel free to raise anything else if you want to.

18. Can I ask why you have chosen NSPS as the preferred bidder and not given several companies the opportunity? – that is normal practice. You don't just choose the first company – you need to compare quotes/quality of work/reviews etc. How many sites do NSPS manage currently and how large are these sites? I await your response.

Eight companies were given the opportunity based on reputations and sites visited, and meetings were held with each, including Carrington (Sea Magic's developer and provider), Bastaslar (Pine Valley View's developer and maintenance provider), the provider for the Turquoise development, and then Evergreen Properties, Calendar Property Services, Medtran (which approached us), Beyler, and NSPS.

It soon became clear that after initial interest, the developer-owned companies preferred to remain the sole maintenance providers for their own developments. Another was a non-starter (Medtran), leaving three: Calendar, Beyler and NSPS. Beyler then decided to walk away from the tender. Calendar was the early favourite, given their large site experience and reputation, while NSPS's experience appeared insufficient.

That perception changed when NSPS told us that if they won the tender, they were employing two people with large site experience as their TBV-dedicated site manager and maintenance manager.

The experience factor

Next, you raise the experience of NSPS – or the perceived lack of it. We too were concerned about this factor, especially on an initial comparison of NSPS to Calendar Property Services (CPS). But as the tendering and selection process progressed, NSPS demonstrated to us they're definitely the kind of partner we want to work closely with as we start to improve things at TBV.

A good example of NSPS's 'can do' attitude is their meetings with the Belediye to agree plans for our fresh water supply (resulting in a direct connection to TBV's own freshwater system at a reduce

pressure, and not the desalination plant's reservoir nor the developer's own water tanks) and the future of the desalination plant for sewage treatment.

In terms of large site experience, another factor that persuaded the committee that NSPS was likely to be our preferred choice was their plans for the two key on-site roles to ensure delivery of TBV's site maintenance to a high standard:

- The General Manager who will be responsible for the whole site.
- The Site Supervisor.

Both have been employed at two major developments, the main one being a 200-apartment site, with an additional related 180-apartment site to manage as well.

The General Manager has six (6) years' experience of large site management. She does the accounts, e-mails the owners, contacts the contractors for maintenance quotes, and oversees the work to completion. She also directs teams for cleaning, airing, key holding etc.

The feedback I'm getting is that she is thought by the owners at her current site to be very professional and polite, friendly and very popular with her current owners. She deals with owners on a daily basis on-site and via emails.

The proposed site supervisor has 17 years' experience of large sites and is qualified to handle swimming pool maintenance, plumbing and electrics. I gather he's very hands on and gives clear and precise instructions to other members of staff. He's fluent in both English and Turkish, and like his colleague is polite, friendly, helpful and hard working. I understand he is also highly regarded by the owners of the site he currently helps to run.

Focusing on the first six months

Things changed further in their favour when we asked both companies to focus on the minimum required to maintain TBV effectively for the first six months. This was set up to test their flexibility towards costs, focus on what really mattered, and the degree to which each got to grips with the issues at TBV.

Calendar's proposal for six months barely changed from the one for the full year, while NSPS showed both flexibility and their very welcome 'can do' attitude. NSPS then had meetings with the Esentepe Belediyesi to ensure that they and the OTBVOA committee fully understood the Belediye's plans for freshwater supply to TBV, the outcome being that the freshwater would be fed directly into TBV's own freshwater system, and much more importantly, not into either the reservoir that is part of the desalination plant and reliant on its problematic pump, nor Resco's/Savyon's own water tanks at the top of the TBV site.

Two further visits by NSPS to TBV's desalination plant with their water engineering partners confirmed it was as suspected not processing sewage properly, because the blades that treat the sewage (after chemicals have been applied) were blocked and needed major attention involving deep cleaning and refurbishment. Evidence of this has been seen by owners with raw sewage running down the hill by the beach and going directly into the sea. NSPS has a plan to rectify this, and the Esentepe Belediye has agreed to work with NSPS when NSPS takes over from Resco.

The focus on a six month plan also helped reveal other advantages of NSPS to owners. For example, the cost of pool maintenance will be kept low initially because the site manager that NSPS will dedicate to TBV's maintenance is qualified to do pool maintenance and he will maintain all our pools in the initial six month period.

NSPS also has the equipment and experience to start replacing TBV's internal sub-standard freshwater and wastewater pipework as and when funds are available.

Armed with all this information, plus the ways in which NSPS's directors and expert partners dealt with our concerns about the freshwater and the problematic sewage system at TBV, and then our own



subsequent dealings with both NSPS directors, we've become much more confident that NSPS will deliver both in the short term ie. the first six months, and help the OTBVOA to succeed in our aim of transforming TBV over a three to five year period.

We hope these answers deal with the points you've raised, and if there's anything else you'd like to ask, do feel free to do so.

With kind regards,

The OTBVOA committee

- 19. Please can you confirm that anyone who registers as a TBV owner on the OTBVOA website (and can therefore access the Owners' Area of the site) is immediately added to the owners' contact list in order to receive email updates/notifications from the OTBVOA committee at the very earliest opportunity. Many thanks.**

Yes, we can confirm that this is now the case. We will be setting up future mail-shots using the same developer as we use for the website and e-mail system in which there's already an app that captures e-mail addresses automatically, so that we can automate both data capture and the use of the same owners' database it builds for mail-shot purposes.

- 20. I am requesting information within the stipulated 10 days as stated in your document "Tender Recommendation".**

1. We are not aware of any owner that received email notification of these important documents relating to the appointment of a new Management Company (MC). Had we not seen the notice at the entrance to TBV we would not have been made aware of this. When you supposedly pride yourselves on transparency, why were owners not informed, you have the email address of many of them - and you certainly have mine?
2. For what reason was NSPS chosen when based on your own assessment score they were only 50% as good as Calendar? The explanations given do not appear to hold much merit.
3. What other sites do NSPS maintain? In your assessment of the tender, which sites did the committee actually visit, inspect and talk to owners? If the committee did visit other sites, what were the owners' comments?
4. According to the document Explanation of Tender, Section 3, NSPS never scored more than 2 on your suitability matrix. Therefore each criteria area having reservations and meaning NSPS did not provide suitable explanations as to how each point on the criteria will be addressed, whereas Calendar scored double at 4. How is it possible then that NSPS were appointed when their score was the worst submitted?
5. It would seem that in relation to 4 above your choice was made purely on cost. Is this not correct?
6. If you disagree with point 5 - please explain in detail why that is not the case?
7. Please explain why you arbitrarily took it upon yourselves under Section 2.a) to determine that owners would accept a tender based purely on costs and why the owners were not asked if they would be prepared to pay a marginal increase in fees to provide a much better site maintenance than is currently being supplied, or could be supplied by NSPS? We have never been asked and we know of no owner that has?
8. What reason did Beyler give for not tendering?

Looking at the Costs breakdown under attachment 2

1. It would seem that NSPS have provided a well thought-out, comprehensive tender, but specifically

2. NSPS are not providing an on-site electrician, carpenter or plumber. How will any issues that arise be promptly dealt with, especially plumbing or electrical emergencies with owners properties
3. NSPS are providing, according to your document, 2 senior personal - will these be based in TBV?
4. Will NSPS have full-time offices at TBV? If yes, staffed by how many personnel?
5. What provision is NSPS making for holidaying visitors? Is there key holding? Yes. Will there be any provision for providing visitors food packs? Yes Will NSPS provide cleaning services and apartment preparation for holiday visitors, as well as departing visitors Yes
6. How many personal (personnel?) will be provided and will they be full-time to: Maintain the landscaping? Provide emergency services under 1 above? To provide face-to-face contact with owners? How many admin personnel will be based full-time on site at TBV?
7. What gives you the right to arbitrarily insert costs for NSPS, as indicated in Blue? If NSPS have not provided these figures it surely goes to show their incompetence in tendering. Or more to the point, not providing the service as costed?
8. Section 5 electrical handyman, you have put £1000, but it is not stated if the conversation was with NSPS or between yourselves?
9. Pool repairs and maintenance has not been costed by NSPS, but rather a statement (NSPS will use their own in-house pool expertise initially), but why is that not costed?

It would seem in each cost criteria NSPS have been woefully inadequate in provision of relevant and important information, thus leading to the conclusion they are not a suitable MC for TBV.

I await your reply to all the above.

First, may I remind you of the developer's latest e-mail in which he welcomes the OTBVOA's taking over TBV's maintenance:

Message From Udi Ilan

Dear TBV owners

We have received a message from OTBVOA group in which they have taken some legal steps in order to take over TBV maintenance services

We are awaiting legal documents from their side to be presented to our lawyers

Once both lawyers from both sides agree that all necessary legal steps has been done OTBVOA are welcome to take over the maintenance services

Hope these changes will be for better future and atmosphere among TBV owners

All the best

Udi Ilan

I refer you to our latest FAQs document for you to peruse as it contains answers to most of your questions and which is now on the website for all owners to see.

Beyond that, there are some other points we'd like to make, and which we hope you'll either understand or at least appreciate.

As and when the OTBVOA contracts with our recommended site maintenance provider, the contract will be based initially on the six month Service Level Agreement (SLA), and the provider's performance and delivery will be measured against the Key Performance Indicators (KPIs). Both the six month and full SLAs, and the KPI are documents that are available for inspection in the Owners' Area of the website.



Also, NSPS will bring as many or as few team members to TBV as they see fit; some will be dedicated to TBV only, some will be required occasionally or part-time. NSPS has a wide network of professionals in TRNC with all sorts of expertise and experience that can be brought to bear on whatever arises at TBV.

Lastly, it's not the committee's or indeed the OTBVOA's job to micro-manage any provider or supplier, or tell them how to do the things that they know best when it comes to site maintenance and all that entails.

21. *I forgot to ask that what Owners Forum is being provided to enable dialog between all owners and between owners and OTBVOA?*

What method is being provided for owners to converse with NSPS?

The OTBVOA web sit does not provide these facilities.

We are currently considering an owners' forum for the owners via the website. As it happens, there is already a very effective forum where for the past three years owners (now 165 of them) have been sending and sharing all sorts of posts about things at TBV, including the OTBVOA's development.

As far as communicating with NSPS is concerned, as and when becomes appropriate, this will be far more effectively achieved by owners talking either face-to-face or by phone to the site manager when owners are on site, and when they're off site, by e-mail.