

November 3, 2025

To all Homeowners of Condominio Mar Azul

**REF.: IMPORTANT UPDATE REGARDING CONDOMINIUM ADMINISTRATION,
WATER SUPPLY, AND LEGAL ACTIONS.**

Dear Homeowners:

We are writing on behalf of our clients, **GRATUM NOSARA SOCIEDAD DE RESPONSABILIDAD LIMITADA, RANCHO AZUL GUZEMAN LIMITADA, RANCHO VERDE RIABOV SOCIEDAD DE RESPONSABILIDAD LIMITADA, and PROPIEDADES Y TERRENOS TERRAZAS DEL ARCO IRIS LIMITADA**, to inform you of critical recent developments regarding the administration and infrastructure of Condominio Mar Azul.

These events confirm our repeated warnings that the project is being mismanaged and is in a state of abandonment, highlighting the urgent need for homeowners to take collective action.

1. Court Grants Injunction and Suspends February 2025 Assembly

First of all, we wanted to report that the Civil Court of Guanacaste, in case file **25-000060-2018-CI**, has granted the precautionary measure (injunction) that was requested in the ongoing annulment process filed against the administration of the condominium.

The court has **provisionally suspended all agreements** reached during the illegitimate Homeowners' Assembly held on February 25, 2025.

The court recognized the high probability that these agreements are null, specifically because they violate **Article 27(b) of the Condominium Property Regulatory Law (Law No. 7933)**. This law requires that for bylaw changes, when one owner holds over 50% of the value (as the developer does), the agreement must also be approved by **50% of the remaining homeowners**. As our clients (representing 69.98% of the remaining, non-developer votes) voted **against** these measures, the approval was illegal.

What this court-ordered suspension means for all homeowners:

- **The 71% Budget Increase is Suspended:** The massive 2025 budget increase (approved as Option 2), which raised the annual budget from **\$94,550 to \$161,862**, is now suspended.
- **The Discriminatory Fee Structure is Suspended:** The illegal bylaw amendments (Articles 6.7 and 6.9) that forced built, non-developer homes to pay 100% of the fees

while the developer pays only 20% are suspended. This fee structure, which quadrupled the fees for all homeowners besides the developer, is no longer in effect.

- **The Illegitimate Construction Committee is Suspended:** The appointment of the new Construction Committee is suspended. This committee was also appointed in violation of the condominium's own bylaws (Article 12.3), which require members to have technical or professional experience.

Per this court order, the administration must immediately revert to the budget and regulations that were in place **prior** to the February 2025 assembly. **The effects of the injunction will remain in place unless a final judgment overturns this decision, so any appeal against said ruling will NOT suspend its effects (Article 67.3.4 of the Civil Procedure Code).**

2. Water Directorate (MINAE) Confirms Condominium Well is Not in Use

Furthermore, we must inform you of a serious infrastructure and safety issue. On September 11, 2025, the Water Directorate of MINAE issued official report **DA-UHTPNON-0353-2025** following an inspection of the condominium on August 5, 2025.

The official report confirms that the well legally permitted to supply the **entire** condominium (Permit CJ-135, under the name of DESARROLLO RANCHO MAR AZUL NOSARA, LIMITADA) was found to be **without use and without electrical installation**.

The condominium has a legal water concession that is not being used. This confirms the project is in a state of abandonment by the developer and administrator and raises urgent questions about the **actual** source and legality of the water currently being supplied to your homes—and for which the administration continues to charge without being legally able to do so.

These two official findings—a court injunction suspending the administration's illegal assembly and a government report confirming the abandonment of the project's primary water source—demonstrate a severe lack of legal and operational management.

We invite all concerned homeowners to contact us to discuss these developments and how to move, ensuring the condominium is managed legally and responsibly, seeking the benefit of all residents and not just a few.

Sincerely,

Sfera Legal

On behalf of the residents of Condominio Mar Azul