



Asociación de Regularización de
Vecinos de la Cholla, A. C.
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LA CHOLLA NEWS

December 2021

The latest meeting of the Board of the Vecinos de la Cholla, AC was held on Sunday, December 12, 2021. At that meeting the financial statements from the 5 months ending November 30, 2021 were approved. The statements and minutes from the meeting are available on our website. We have been spending many hours creating a comprehensive database to improve communication and better serve our members. Those members current through June 30, 2022, should have already received a “no debt” letter, a receipt and stickers for your home and vehicles. With the transition from Monica to the new database, mistakes are not only possible, but expected. Please allow us to correct any mistake in your personal information.

Regardless of your Vecinos AC status, here are the facts:

1. The Vecinos de la Cholla A.C. is a legal entity, proof of this has been provided multiple times and is contrary to what some have been led to believe.
2. Whether or not you like the current Board, they were elected by the current members of the Association and ran uncontested. They have been and are “still working for you.”
3. None of the services provided by the Association have been disrupted, roads graded, park and building have continued to be maintained and Porta Johns serviced.
4. Because more homeowners have chosen not to pay their dues, due to the controversy, the Association’s income and consequently the yearly budget have been affected and adjustments will have to be considered.
5. The Vecinos de la Cholla is the only association providing the above-mentioned services for all of La Cholla. And as a result, the current and paying members of the Association are carrying the burden for those who are “sitting on the fence” and/or refuse to contribute. The result is and has been to the detriment of the entire community.
6. Paying members have asked the Board to ask the homeowners to unify and become part of the community by doing their part and contribute their fair share by paying their dues.

Our La Cholla golfers have been enjoying reduced green fees at Islas del Mar golf course. With a new course manager in place, he will continue offering Vecinos de la Cholla, AC members \$36 fees for 18 holes on any day. If you need a Vecinos AC membership card, please send a request to this email address. We have created a “Cholla Bay Golf Addicts” Facebook page to help local golfers put together groups to play at the three local courses. We are hoping to expand discounts to our members from other local businesses and social clubs.

We have found that many new homeowners in LaCholla are not aware of the purpose and function of our Civil Association. We have created a color brochure that explains it all. It can be printed back-to-back to be distributed to your new neighbors, if questions arise concerning our AC. The brochures will be distributed to local real estate

agents, attorneys and property transfer companies after the Christmas vacation in January 2022. This membership brochure is available on the website.

Many of you have been enjoying our wonderful lending library. It wouldn't be possible without the effort of Heath & Jennifer Stockard and Gordie Waite. We appreciate the hours they donate to make such a library possible. Questions concerning the operation of the library can be directed to ChollaBayLibrary@gmail.com. Keys can be requested through the same email, as well. Recently, the open (no password) WiFi has been out of service. It has been repaired and is up and running again. If you find the WiFi down again, please send an email to this address. We often do not know it is not working unless someone brings our attention to the problem.

Many American landowners in LaCholla purchased their property through creating or purchasing an American LLC. Their fidiecomiso (bank trust) is held in the name of the LLC, rather than the actual occupant of the property. This practice has been used to make property ownership transfers far easier and the far less expensive than in Mexico. The American LLC ownership transfers stateside, and in theory the Mexican government is not aware of the transfer. In actual practice, the American LLC is being used primarily to evade Mexican capital gains tax, which is a hefty 33%. This practice has been detected by several banks and some governmental institutions. Currently, Bancomer, the holder of the master trust in La Cholla, is not allowing U. S. corporations to be part of a bank trust. The Ministry of Foreign Affairs granted the permit to set up a bank trust. The purpose of the permit is always "residential purposes". Under Mexican law, any corporation must have business purposes, not residential. The public registry will not accept new transactions in which LLC are acquiring rights. How this will affect bank trusts currently held by an American LLC is unknown. Please keep in mind, if you purchase in American LLC and the seller has not paid any required taxes, the SAT (Mexican IRS) will go after the buyer (you), not the seller. As in all transactions, it is "buyer beware" in Mexico as well as in the States. If an American LLC is involved in a sales transaction, please research all of the consequences before you sign.