

# NEWSLETTER



2023/2

28 april 2023

## Contact Information

### Apartment Owners

#### General Failures

**VZB Vastgoed**,

office hours 09:30-17:00 **070-4273 372**

**emergency number 070-311 02 44**

[info@vzbvastgoed.nl](mailto:info@vzbvastgoed.nl)

### Tenants

#### For all failures

**Heimstaden**, every day

00:00 – 24:00 uur. **085 - 0866039**

[service@heimstaden.nl](mailto:service@heimstaden.nl)

(or online serviceportal)

### Elevator problems

**ORONA 24/7 breakdown service**

**0172 – 446111**

### Sewerage

**RRS 088 - 030 13 13**



**FACEBOOK en WHATSAPP are useful for mutual communication between residents, but please note: this is not a means of reporting malfunctions and/or complaints to the VvE board.**

### ...from the board...

The financial documents for 2022 have been completed, the annual accounts have been drawn up and the audit committee is currently checking the financial documents. The board is therefore preparing to convene a General Members' Meeting for May 22, 2023. Despite the fact that the vast majority of members prefer a digital meeting, this will still have to take place physically due to the current outdated law that if you interprets it quite literally, according to some, must be adhered to, to the letter. Without a counter-message, the ALV will take place in the Paloeloe community building, also known as "de Shack". The advantages of digital meetings such as no to minimal costs, orderly progress and digital voting are obvious; that is why there is also a proposal for a new law that makes digital meetings permanently possible. This new law will hopefully come into effect later this year. In order not to allow the extra costs for the association, which physical meetings entail, to become unnecessarily high, we therefore urge you to attend so that sufficient members are present and no second meeting is necessary. This is in everyone's interest. The invitation to the General Members Meeting and all additional information will be sent to all members by email at the beginning of May. Given the financial situation, the costs for joint electricity and cooking gas have risen sharply due to the energy crisis. In addition, because of significant overdue major maintenance it will be necessary to increase the monthly contribution. The documents for the ALV will provide the substantiation for this.

### Construction Fire Station Abdissenbos postponed

Developments around the new fire station at the Abdissenbos have come to a standstill for the time being. After years of planning, consultation, design and consultation with local residents, it appears that the plan will cost € 3.5 million more than the original budget. The barracks, which the fire service now uses in the Stadshart, are outdated and need to be replaced. In 2020, the council approved the move of the fire station to the Abdissenbos in Meerzicht; € 8.7 million was allocated for this. Designs were made for the new barracks, also taking into account bedrooms and a living room for firefighters on duty and sports facilities. The barracks would be used in the region as a test location for fitness tests of firefighters. The contractor, who wants to build the new barracks, has drawn up a budget for the project, which is considerably higher than budgeted. Due to the increased construction prices, the total investment costs amounted to € 12.2 million. This is € 3.5 million (41%) higher than the available budget of € 8.7 million. In the report 'Spatial physical, 2nd half of 2022' was therefore stepped on the emergency brake. Mayor Bezuijen: "We now have to take a good look at what is still possible, no decision has been made yet. We are in talks with the security region about the construction." The cooperation agreement stipulates that the municipality of Zoetermeer and the security region share financial risks in the project. For both parties, this would mean an additional 1.75 million.

### Compensation for HOAs with block heating is a complex scheme

With the temporary allowance for block connections, the government has created a repair scheme for residential units that are connected to a block connection and, as a result, cannot use the regular price ceiling that was introduced at the end of 2022. The forty-page legal text for the temporary allowance for block connections contains a series of provisions that applicants for compensation and the application itself must comply with. Compensation can only be requested by the holder of the energy contract for the block connection. The application for the block connections allowance can mean a significant reduction in energy costs for residents with a block connection. The amount of the compensation per housing unit depends, among other things, on the type of energy (electricity, gas and/or heat), the contract, whether it concerns self-contained or non-self-contained homes and the distribution key with which the energy costs are regularly settled by residents. One of the conditions is that the gas prices in the block heating contract may not be below the price ceiling. For Belvédèrebos this will be the case before the end of 2023, so there is little chance that compensation for block heating will be awarded. The board and the VvE manager hope to be able to provide more clarity about this later. It is also not clear how the scheme will be applied to joint electricity and cooking gas. For these two Belvédèrebos does comply with the rule that prices are above the price ceiling.

### Camera surveillance in the VvE, is that allowed?

Many Owners' Associations (VvE) want to install cameras in and around the building. This may be to prevent nuisance, but also to protect communal matters. Preventing theft and burglary can also be a reason to install cameras in the VvE. [Nederlandvve.nl](http://Nederlandvve.nl) explains in this article whether camera surveillance is allowed in the VvE.

#### VvE, AVG and camera surveillance

A VvE may set up video surveillance, but the conditions must then be met. These conditions are set out in the General Data Protection Regulation (GDPR). There are six reasons in the AVG that the VvE may invoke to make camera images in the building. For the VvE, the most important basis is to serve a legitimate interest. Whether this requirement has been met depends on the reasons given by the VvE for opting for video surveillance.

#### Court of Justice on camera surveillance in the VvE

In December 2019, the Court of Justice of the European Union ruled on camera surveillance in an apartment complex. An owner had objected to this. He felt that the cameras violate his right to a private life. However, the Court found that the video surveillance system was lawful and explained how the GDPR should be interpreted.

#### Video surveillance allowed in VvE

If the purpose of video surveillance is to ensure the safety and protection of persons and property, then it is allowed. However, camera surveillance must be necessary. In addition, the invasion of privacy must be as small as possible. The VvE must also ensure that everyone knows that there is camera surveillance, for example by putting up signs. The cameras are also not allowed to film in homes or on public roads. The images may also not be kept longer than necessary. The guideline for this is 4 weeks.

It is very important that the VvE properly records the rights and obligations regarding the privacy of all those involved if the VvE installs camera surveillance. For this reason, VvE Belvédèrebos has a camera protocol approved by members. This camera protocol includes rules about the purpose of the camera surveillance, tasks and responsibilities, the digital storage space and security of the images, the operation of the camera system, reporting and reporting and the inspection and distribution of recorded camera images to third parties. This camera protocol can be found on gate management and on [www.vvebelvederebos.nl](http://www.vvebelvederebos.nl).