

FIL-QORTI CIVILI, PRIM' AWLA

Fl-Atti tas-Subbasta

Nru. 49/13 fl-ismijiet:

HSBC Bank Malta plc

Vs

Risea Limited



# PERIT VINCENT MAGRI

B.E.&A.(Hons.),M.A.(E.P.D.P.),MBA(Maastricht),MMCP,MIM,A.&C.E.

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BUSINESS MANAGEMENT - PLANNING - PROPERTY DEVELOPMENT  
CONSULTANCY

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## Rapport Dwar Il-Fondi

720/721, Triq Il-Kbira, il-Hamrun



Ippreparat mill-Perit Vincent Magri

Jinkludi 16 il-pagna

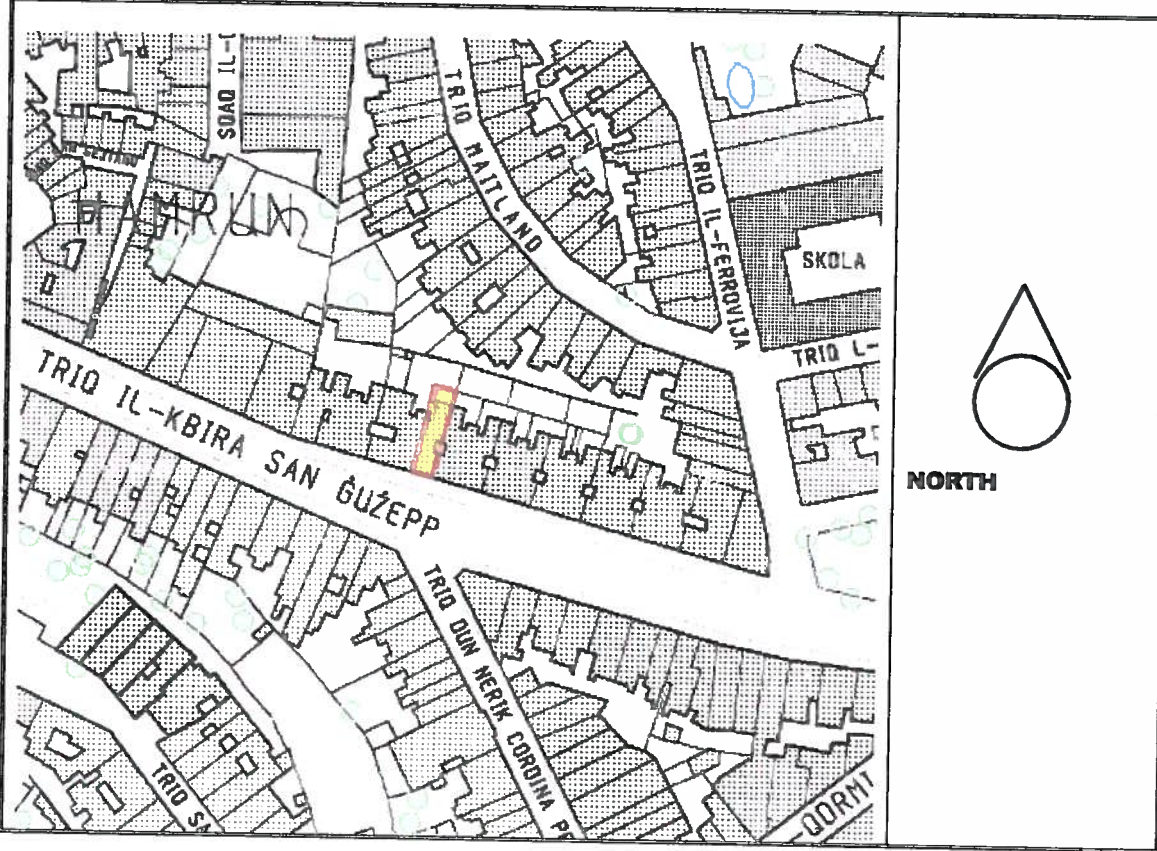
A handwritten signature in black ink, appearing to be 'V. Magri', located in the bottom right corner of the page.

PERIT VINCENT MAGRI

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REFERENZA

<b>VALUATION REPORT Q113</b>	
	
721 TRIQ IL-KBIRA	
This site is located in HAMRUN and is indicated above in red outline.	
Date: September 2013 Scaled to fit page – Source MEPA	

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### INGAGG

Permezz ta' ittra rregistra mill-Qorti Civili, jien gejt mahtur bhala espert fl-atti ta' Qbid ta' Hwejjeg immobbli sabiex naghmel deskrizzjoni tal-fond/fondi u sabiex infisser il-pizijiet, kirjiet u jeddijiet ohra, sew reali kemm personali, jekk ikun hemm, li ghalihom dan il-fond/fondi ikun suggett, kif ukoll l-ahhar trasferiment tieghu, skond l-informazzjoni li nkun hadt mill-kreditur jew mid-debitur.

Dan ir-rapport ghandu jigi pprezentat sa l-20 ta' Settembru 2013.



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### METODOLOGIJA

Il-process li ntuzza fit-thejjija ta' dan ir-rapport inkluda:

- Analizi tad-dokumenti migbura mill-Qorti
- Vizta fil-fond/fondi rispettivi (22 ta' Awissu 2013)
- Interazzjoni mal-partijiet
- Analizi ta' dokumenti ohra relatati
- Analizi tas-suq
- Thejjija tar-rapport



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### DAHLA

Mid-dokumenti migbura mill-Qorti jimizulta li:

- Il-fondi li jappartjeni ghalih dan il-kreditu huma il-hanut fi 720 Triq Il-Kbira, il-hamrun, u il-hanut 721 Triq Il-Kbira, il-Hamrun
- Risea Ltd akkwistat il-hanut 721 minghand George u Maria Dolores Apap fil-31 ta' Jannar, 2003.
- Risea Ltd akkwistat il-hanut 720 minghand il-konjugi Rajan (Simon) Bharwani u Dot. Isabel Bharwani Scicluna fid-29 ta' Marzu, 2006, bbazat fuq self ta' l-ammont ta' €326,112.28 minghand HSBC.
- Sar kuntratt ta' kostituzzjoni ta' debitu datat 29 ta' Dicembru 2008 bejn HSBC u Rajan (Simon) Bharwani bhala raprezentant ta' Risea Ltd.
- HSBC giet konfirmata kreditrici ta' Risea Ltd ghas-somma totali ta' €528,722.72 permezz ta' ittra datata 27 ta' Jannar 2011



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### DESKRIZZJONI TAL-FOND 720 Triq Il-Kbira, il-Hamrun

Il-hanut huwa suggett ghal-cens annwu u perpetwu ta' €465.87.

Il-fond jifforma parti minn blokk antik ta' qabel il-gwerra, mibni fuq tlett sulari fil-faccata. L-entrata ghal dan il-hanut hija fil-pjan terran u ma jinkludix l-arja ta' fuq. Il-faccata hija wahda miftuha biex taghmel access ghall-fond aktar facli. Dan huwa importanti ghal kull hanut.

Huwa sottopost ghal-beni ta' terzi, li magghom ghandu sistemi komuni ta' ilma tax-xita u tad-drenagg. Il-propjeta tat-terzi allura hija suggetta u tgawdi d-drittijiet u servitujiet li hemm konnessi bi-Higi minhabba il-pozizzjoni taghha fuq il-fond ikkocemat.



Is-saqaf huwa ta' travi ta' l-injam u xorok, u ma jidhirx li hemm problemi strutturali fil-fond, ghalkemm ma kienx possibbli li ssir investigazzjoni kompleta minhabba li l-hitan u s-saqaf huma mgħottija minn faccati artifizjali ta' l-injam u gypsum. F'certi partijiet tal-kantina izda hemm evidenza ta' problemi ta' access ta' ilma u problema kbira ta' umdita.

Il-hanut huwa mqassam kif hawn deskritt:

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Fil-pjan terran jinkludi entratura (3.5m x 6.0m app.) minn Triq Il-Kbira, Il-Hamrun. Din l-entratura tinkludi tarag fuq ix-xellug ghall-kantina ta' taht. Kuridur (3.0m x 1.2m app.) jaghti ghal spazju akbar (3.5m x 11.0m app.) li minnhu hemm access permezz ta' tarag dejjaq tal-hadid ghal bitha, 5 filati aktar l-isfel. Din il-bitha (3.5m x 4.0m app) ma tirizultax li hija msemnija fil-kuntratt ta' l-akwist u tinkludi strutturi mibnija go fiha. Dawn l-istrutturi huma tojlit u access li jaghti ghall-kantina ta' taht. L-ispazju li jifdal fil-bitha huwa ristrett hafna (3.5m x 1.0m). Ma gewx pprezentati dokumenti li juru li dawn l-istrutturi huma mibnija skond il-ligi.



**Tarag u strutturi gewwa l-bitha**



**Spazju ristrett fil-bitha**

Il-qies approssimattiv tal-fond huwa ghalhekk 70sqm fil-pjan terran, 85sqm fil-kantina, u 15sqm bitha bejn iz-zewg livelli.



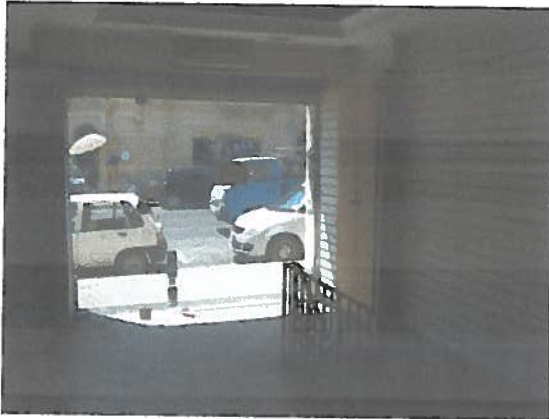
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Il-fond huwa arjakondizzjonat u ghandu provista ta' l-ilma u gie indikat mis-sid li s-sistema ta' l-elettriku hija '3 phase'. Is-sid indika ukoll li il-hanut ghandu permess mill-MEPA bhala Class 4, jgifieri permess normali ta' hanut.

Il-gewwieni ta' dan il-livell ma huwiex komplut u jonqsu xogholijiet zghar biex jitlesta. L-art hija miksija b'madum tac-ceramika izda id-desinn huwa mhallat li jindika li dan il-fond kien originarjament jifforma parti mal-fond ta' hdejh. Il-hitan huma miksija b'faccati artifizjali, u partijiet mis-saqaf huma mghottija bil-gypsum.



**L-ispazju fuq quddiem**



**L-ispazju fuq wara**

Il-hanut jinkludi kantina taht il-livell terran li ghandha access principali mill-parti ta' quddiem tal-hanut, kif ukoll access sekondarju mill-istruttura fil-bitha. Din il-kantina testendi taht il-post kollu, inkluza l-bitha ta' wara permezz ta' dizlivell li jidhol taht il-bitha.



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**L-ispazju tal-kantina**



**Il-kantina taht il-bitha**

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### DESKRIZZJONI TAL-FOND 721 Triq Il-Kbira, il-Hamrun

Il-fond huwa liberu u frank minn kull piz u cens.

Il-fond huwa fuq in-naha tal-lemin tal-fond precedenti u jifforma parti mill-istess blokk antik mibni fuq tlett sulari fil-faccata. L-entrata ghal dan il-hanut hija fil-pjan terran u ma jinkludix l-arja. Jinkludi bitha retroposta ghalih. Huwa sottopost ghal-beni ta' terzi u ghaldaqstant huwa suggett ghal-servitujiet passivi li jirrizultaw mill-pozizzjoni relattiva tieghu.

Huwa sottopost ghal-beni ta' terzi, li magghom ghandu sistemi komuni ta' l-ilma tax-xita u tad-drenagg. Il-propjeta tat-terzi allura hija suggetta u tgawdi d-drittijiet u servitujiet li hemm konnessi bil-ligi minhabba il-pozizzjoni taghha fuq il-fond ikkoncemat.



Is-saqaf huwa ta' travi ta' l-injam u xorok, u ma jidhirx li hemm problemi strutturali fil-fond, ghalkemm ma kienx possibbli li ssir investigazzjoni kompleta minhabba li l-hitan u s-saqaf huma mgħottija minn faccati artifizjali ta' l-injam u gypsum.

Il-hanut huwa mqassam kif hawn deskritt:

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Jinkludi entratura (3.5m x 6.0m app.) minn Triq Il-Kbira, Il-Hamrun. Wara dan hemm kuridur (3.0m x 1.2m app.) li jinkludi fetha zghira ta' shaft fis-saqaf, u jaghti ghal spazju akbar (3.5m x 11.0m app.) li minnha hemm access ghal bitha. Din il-bitha (3.5m x 3.0m app) tinkludi struttura mibnija go fiha. Din l-istruttura hija ta' tojlit. Ma gewx pprezentati dokumenti li juru li din l-istruttura hija mibnija skond il-ligi.



**L-ispazju fuq quddiem**



**Il-bitha fuq wara**

Il-qies approssimattiv tal-fond huwa ghalhekk 70sqm, li mieghu irid jizjed 10sqm bitha fil-pjan terran.

Il-fond huwa arjukondizzjonat u ghandu provista ta' l-ilma u gie indikat mis-sid li s-sistema ta' l-elettriku hija '3 phase'. Is-sid ipprezenta dokumenti li juru li il-fond ghandu permess mill-MEPA bhala Class 9, jigifieri permess ta' hanut ghall-loghob. Il-sid indika ukoll li: fil-passat inhargu permessi u licenzji mill-awtorita ghal- 'gaming' (LGA) lill-kumpanija Maltiplay, sussidjarja ta' Risea Ltd; li dawn il-licenzji skadew u ntilfu; u li izda hemm applikazzjoni ta' ri-attivazzjoni.

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## STIMA TAL-VALUR

Il-Hokalita' tal-Hamrun hija centru stabbilit ta' kummerc. Iz-zewg fondi ghandom lokazjoni centrali, u qeghdin vicin hafna tal-pjazza principali, tal-knisja, u ta' hwienet ohra stabbiliti.

Il-kundizzjonijiet partikulari taz-zewg fondi gew mehuda in konsiderazzjoni biex giet stabbilita l-istima taghhom, fosthom il-kundizzjonijiet legali marbuta maghhom, il-permessi li ghandhom, il-qies tal-fondi, il-kundizzjoni strutturali u ta' l-intem, u l-pozizzjoni taghhom fil-lokalita.

Wara li gew ikkunsidrati dawn l-affarijiet kollha u gew ikkomparati mal-valur ta' proprjetajiet ohrain fis-suq, hija l-opinjoni tieghi li il-valur taghhom huwa stmat kif gej:

720 Triq Il-Kbira, Hamrun - €255,000 (Mitejn, hamsa w hamsin elf ewro)

721 Triq Il-Kbira, Hamrun - €132,000 (Mija, tnejn u tletin elf ewro)

  
PERIT VINCENT MAGRI

19 SEP 2013

Mim .....  
ipprezentata mill- Perit V. Magri  
bla dok/b. Rapport .....dokumenti

**Ilum** 1 ta' Ottubru 2013  
**Deher il-Perit Legali / Tekniku:**  
Alc Vincent Magri 50565(M)  
Li wara li ddikjara li thallas l-ammont illu  
dovut, halef/halfet li qeda/qdlet fedelment  
u onestament l-inkarigu moghti filu/ha.

[Signature]  
Dapota R

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BUSINESS MANAGEMENT - PLANNING - PROPERTY DEVELOPMENT  
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## Copy of Original Decision Notice



To: Mr. Rajan Bnarwan  
67, 'Chandni'  
Triq ir-Russett  
Kappara  
I/o San Gwann  
SGN 4414

Date: 28 April, 2009  
Our Ref: PA 07342/07

Application Number: PA 07342/07  
Application Type: Full Development Permission / 01  
Date Received: 30 November, 2007  
Approved Documents: PA 7342/07/1C/13A

Location: Citar, 721, Triq Il-Kbira San Guzepp, Hamrun  
Proposal: To sanction change of use from class 4 to class 9 and alterations to facade.

### Development Planning Act 1992 Section 33 Full Development Permission

The Malta Environment & Planning Authority hereby grants development permission in accordance with the application and plans described above, subject to the following conditions:

- 1 The existing stainless steel fascia and canopy shall be duly removed as featured on the approved drawings.
- 2 Air conditioning units shall not be located on the facades of the building which are visible from a public space. Any such units located at roof level shall be set back from the facade by at least 1 metre.
- 3 There shall be no service pipes, cables or wires visible on the front elevation or on any other elevations of the building which are visible from the street.
- 4 No approval is hereby granted for the display of any sign or advertisement. These must form the subject of a separate application for advertisement consent.
- 5 a) This development permission is valid for a period of FIVE YEARS from the date of this notice but will cease to be valid if the development is not completed by the end of this five year period.

PA 07342/07

Date: 28 April 2009

MALTA ENVIRONMENT & PLANNING AUTHORITY  
LAWTORĠA TAL-MALTA DWAR L-AMBIENI U L-URBANJAR  
Page 1  
0121 226 1333 / 0121 226 1334  
0121 226 1390 / 0121 226 1391 / 0121 226 1392  
www.mepa.gov.mt

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Lotteries & Gaming Authority

## NOTIFICATION ISSUED IN TERMS OF THE *LOCATIONS FOR GAMING PARLOURS DIRECTIVE*

Our Reference: LGA/GDR/CL3/3/2011 - 1

6<sup>th</sup> January 2012

**Rajan Simon Bharwani**  
**721, St. Joseph High Road, Hamrun.**

The Lotteries and Gaming Authority (hereinafter the 'Authority') hereby notifies the public that it has given its clearance for a gaming parlour to be opened at the above-quoted address. Such clearance however is still subject to final review of the application by the Authority.

The Authority notifies the public that, until the **26th January 2012**, copies of the application, plans and other documents may be viewed, by appointment, at the Authority's office during office hours (i.e. Monday to Friday (excluding public holidays) between 9am and 4pm).

Any person may object to the opening of this gaming parlour but such an objection may only be made on grounds of non-compliance with the *Locations for Gaming Parlours Directive*. This Directive may be found on the Authority's website [www.lga.gov.mt](http://www.lga.gov.mt)

The Authority shall only accept objections which are made in writing and which are received by not later than the **26th January 2012**. The written objections are to either be sent to *The Chief Regulatory Officer, Lotteries and Gaming Authority, Suite 1, Level 3, TG Complex, Brewery Street, Mriehel BKR 3000* or by e-mail on [objections@lga.gov.mt](mailto:objections@lga.gov.mt)

Objections shall quote *our reference* and shall also include the details of the person making the objection, including full name, address and contact details.

The Authority shall subsequently consider the objections if received within the stipulated deadline and shall proceed accordingly.

LOTTERIES AND GAMING AUTHORITY

LOTTERIES AND GAMING AUTHORITY – MALTA  
Suite 1, Level 3, TG Complex, Brewery Street, Mriehel, BKR 3000, Malta  
Tel: +356 21 316590 Fax: +356 21 46556 Website: [www.lga.gov.mt](http://www.lga.gov.mt) Email: [info.lga@lga.gov.mt](mailto:info.lga@lga.gov.mt)



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