

Fil-Prim' Awla tal-Qorti Civili

STO. Prim Imhalled Mark Chetchuti

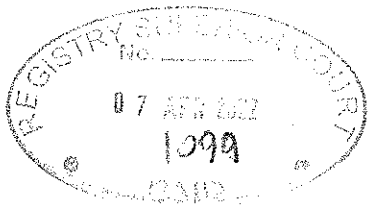
FI-Atti tas-Subbasta Immobbli

Nru. 30/21 fl-ismijiet:

HSBC BANK MALTA PLC

vs

STEFFEN MALLINOWSKI



Relazzjoni tal-Perit Tekniku

Alistair Avallone B.E.& A.(Hons.), A.&C.E.

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Jesponi bir-rispett illi:

PRELIMINARI

Jien hawn taht iffirmat, gejt mgharraf illi gejt mahtur bhala espert fl-Atti tal-Mandat ta' Qbid ta' Hwejjeg Immobbli sabiex naghmel deskrizzjoni tal-fond indikat fir-rikors promotur u sabiex infisser il-pizijiet, kirjiet u jeddijiet ohra, sew reali kemm personali, jekk ikun hemm, li ghalihom dawn il-fondi huma suggetti, kif ukoll l-ahhar trasferimenti taghhom, skond l-informazzjoni li nkun hadt mill-kreditur jew mid-debitur.

Dan ghandu jifforma parti minn rapport bl-istima tal-propjeta' immobbli, liema stima ghandha tinkludi r-ritratti tal-fond jew sit inkwistjoni, pjanti tar-Registru tal-Artijiet, l-iskema tal-Mepa u r-ragunijiet tal-valutazzjoni.

DESKRIZZJONI, RICERKI U VALUTAZZJONI TAL-FOND

Fond:

Il-fond jikkonsisti minn 'penthouse' fit-'third floor' li jifforma parti minn blokka li ghandha erba' garaxxijiet fil-pjan terren, zewg maisonettes fl-ewwel sular ('first floor'), zewg appartamenti fit-tieni sular ('second floor'), u zewg 'penthouses' li wahda minnhom hija il-fond mertu ta' din is-subbasta. Din il-blokka tinsab f'zona residenzjali kwieta, mhux boghod wisq mix-xatt ta' Marsascalea fejn hemm diversi hwienet, ristoranti u bars, kif ukoll mill-knisja parrokkjali.

Il-fond ghandu tul totali ta' cirka 22.88 metri u wisgha ta' cirka 5.1 metri mal-faccata filwaqt li minn wara t-tromba, l-fond ghandu wisgha ta' cirka 6.23 metri. Dawn jinkludu wkoll il-bitha nterna u t-tromba, u t-terrazzini ta' quddiem u ta' wara. Dan kollu jirrizulta ghal arja totali nterna ta' cirka 95 metri kwadri wara li jkunu eskluzi l-bitha nterna, it-tromba u t-terrazzini, filwaqt li l-arja totali tal-fond inkluz it-terrazzini, hija ta' cirka 126.1 metri kwadri.

Dawn il-qisien huma approssimattivi ghal skop ta' valutazzjoni biss.

Pjanta tar-Registru tal-Artijiet tinsab annessa ma' dan ir-rapport b'referenza Dok. 'A', li turi l-lokazzjoni u l-qisien tal-fond imsemmi. "Eight Schedule Form" bid-dettalji bazici u generici tal-fond tinsab ukoll annessa ma' dan ir-rapport b'referenza Dok. 'B'.

Access:

L-access tal-fond kien pjanat li jsir nhar l-Erbgha 25 ta' Awwissu 2021 fil-hdax ta' filghodu. L-intimat kien gie infurmat dwar dan l-access, b'ittra registrata li kienet intbaghtet lilu, madanakollu, l-intimat ma kienx hemm ghall-access u hadd ma fetah il-bieb ghall-esponent sabiex jaqdi l-inkarigu lilu moghti u ghalhekk, l-access tal-fond minn gewwa ma setax isir.

Kopja ta' l-ittra registrata li kienet inbaghtet lill-intimat, kemm bl-Ingiliz kif ukoll bil-Malti, fejn kien gie nfurmat dwar l-appuntament ghall-access, kif ukoll kopji tal-"Avviz ta' Tqassim Ahdar" moghti mill-Maltapost u l-ircevuta tal-hlas ghall-ittra registrata, jinsabu annessi ma' dan ir-rapport u ghandhom referenza Dok. 'C1', 'C2', 'C3' u 'C4' rispettivament.

L-esponent ghalhekk prezenta rikors ghal zgass, datat 28 ta' Awwissu 2021, liema rikors gie milqugh mill-Qorti nhar is-17 ta' Settembru 2021. Kopji tar-rikors ghal zgass ipprezentat fil-Qorti, kif ukoll kopja fejn gie milqugh l-istess rikors mill-Qorti, jinsabu annessi ma' dan ir-rapport b'referenza Dok. 'D' u 'E' rispettivament.

Wara ftehim mal-marixxalli tal-Qorti u mas-Socjeta attrici, kien hemm qbil li l-access tal-fond isir nhar il-21 ta' Ottubru 2021 fil-hdax ta' filghodu, fil-prezenza ta' pulizija, marixxall tal-Qorti u "*locksmith*".

Hekk kif il-partijiet kollha kienu prezenti quddiem il-fond, gie deciz mill-Marixxal tal-Qorti illi l-izgass ma jsirx, ladarba l-isem "*Castagna House*" hekk kif imsemmi fir-Rikors, ma kien qed jidher imwahhal imkien mal-faccata, izda kien hemm imwahhlin biss l-ismijiet "*Fair Winds*" mal-faccata ta' gewwa, fuq il-bieb tal-komun hekk kif titla' t-tarag, kif ukoll l-ismijiet "*Trinity*" fuq il-temin u "*Bersilmar*" fuq ix-xellug tal-faccata ta' barra.

Ghalhekk, l-esponent prezenta rapport fejn talab lill-Onorabbli Qorti sabiex tkun tista' taghti direzzjoni cara u tikkonferma li l-entrata tal-blokka msemmija, li quddiemha sar l-access, hija dik il-wahda korretta kif ukoll tikkonferma il-bieb korrett intern tal-*"penthouse"* jekk hux dak *"finished"* tax-xellug jew dak bl-injam temporanju tal-lemin. Kopja ta' din in-nota dwar l-access prezentatat lill-Qorti mill-esponent, hija annessa b'referenza Dok. 'F'.

Bhala risposta, il-Qorti ordnat lis-socjeta rikorrenti, *"l-HSBC Bank Malta plc. sabiex jindika b'mod preciz f'nota ghal dan l-iskop, liema hu l-fond li tieghu qed tintalab is-subbasta"*, f'nota datata 27 t'Ottubru 2021. Kopja ta' din in-nota tinsab annessa b'referenza Dok. 'G'.

Wara li l-bank HSBC Bank Malta plc ghamel ir-ricerka necessarja u ssottometta nota lill-Qorti (Dok. 'H'), fejn gie kkonfermat li l-fond li l-fond li quddiemu kien sar l-access nhar il-21 t'Ottubru 2021, kien dak korrett, il-Qorti harget digriet lill-esponent bid-data tat-8 ta' Novembru 2021 fejn *"tordna lill-perit tekniku jespleta l-inkarigu tieghu skond id-deskrizzjoni moghtija mill-Bank kreditur tal-fond meritu tas-subbasta."*

Kopja ta' dan id-digriet tal-Qorti tinsab annessa b'referenza Dok. 'I'.

Bi ftehim ma' rapprezentanti tal-Bank kreditur u partijiet koncernati, fejn ir-rapprezentanti tal-Bank kienu urew ix-xewqa mal-esponent illi l-access ghandu jsir ghal habta ta' Frar jew Marzu, l-access tal-fond sar nhar il-Gimgha 4 ta' Marzu 2022 fid-disgha u kwart ta' filghodu, fil-prezenza tal-Marixxal Ivan Spiteri Bianchi assistit minn Manolito Briffa, il-pulizija PC 1091, il-*'locksmith'* is-Sur Anthony Facciol, rapprezentanti tal-Bank HSBC is-Sinjuri Mariella Caruana u Edward Mizzi, u l-Periti ghan-nom tal-Bank – Jean Luke Zarb u Lara Lia.

Hekk kif dawk kollha prezenti flimkien mal-esponent telghu fit-tielet sular, il-bieb ta' barra tal-*'penthouse'* mill-komun instab li ma kienx imsakkar u ghalhekk, ma sarx zgass.

Wiehed irid jigbed l-attenzjoni minnufih li ghal fini ta' l-iskop ta' dan ir-rapport ta' valutazzjoni tal-fond, ma saru l-ebda testijiet fizici ta' l-istruttura matul l-access. L-osservazzjonijiet imsemmija huma kollha bbazati fuq l-interpretazzjoni professjonali tal-ispezzjoni vizwali tal-fond. Waqt l-access, il-fond gie mkejjel sabiex tkun tista' tigi mhejjija pjanta tal-fond koncernat. Wiehed isemmi wkoll li ma sar ebda access fil-propjeta' ta' terzi persuni girien.

Tip ta' Propjeta' u Deskrizzjoni:

Skizz tal-pjanta tal-fond, kif ukoll il-faccata tal-fond u sezzjoni, formanti parti mill-blokka shiha, qed jigu esebiti f'Dok. 'J' u Dok. 'K' rispettivament.

Tarag dritt fuq barra jwassal ghall-bieb ta' barra tal-komun fejn wiehed isib tromba tat-tarag li titla' sat-tielet sular (*'third floor'*) minghajr il-provizjoni ta' lift. Fl-indana tat-tielet sular, wiehed isib tliet bibien, wiehed ghall-*'penthouse'* tat-terzi fuq ix-xellug (meta thares lejn il-faccata mit-triq), bieb ghal terrazzin zghir komuni fin-nofs, u bieb fuq il-lemin li jaghti ghall-*'penthouse'* inkwistjoni.

Kif wiehed jidhol ill-komun, wiehed isib kamra mdaqqa bhala *'open plan'* bil-*'living room'* flimkien mal-kamra tal-ikel u l-kecina, li ghandha bieb wiesgha ghat-terrazzin ta' quddiem, tieqa ghall-bitha nterna u bieb ghal terrazzin zghir fil-bitha nterna. Mit-terrazzin ta' quddiem wiehed jista' jgawdi parzjalment veduta tal-bajja ta' Marsascalea.

Kuritur qasir ghandu bibien li jaghtu ghall-kamra tal-banju, ghall-kamra tas-sodda principali li ghandha 'ensuite' maghha, kif ukoll ghall-kamra tas-sodda ta' wara. Filwaqt li l-kamra tal-banju u l-kamra tas-sodda principali ghandhom tieqa li taghti ghall-bitha nterna, l-'ensuite' ghandha tieqa ghat-terrazzin ta' wara filwaqt li l-kamra tas-sodda ta' wara ghandha bieb li jaghti ghall-imsemmi terrazzin ta' wara.

Ritratti tal-fond, minn gewwa u minn barra, jinsabu mehmuzza f'Dok. 'L'.

Hekk kif l-access gie fi tmiemu ghall-habta tal-10.30 ta' filghodu, giet installata serratura gdida mill-'locksmith' fil-bieb ta' barra tal-'penthouse' sabiex il-fond issakkar.

Ricerki:

Mir-Rikors numru 1005/18 FDP fl-ismijiet HSBC Bank Malta plc (C 3177) vs Steffen sive Steffan Mallinowski, jirrizulta li waqt is-seduta ta' nhar il-Hamis 28 ta' Novembru 2019, il-Qorti rat ir-rikors datat 15 ta' Ottubru 2018, li permezz tieghu s-socjeta rikorrenti talbet is-segwenti:

"illi l-Bank rikorrenti kienet ikkoncediet facilita' ta' self lill-intimat permezz ta' kuntratt pubbliku fl-atti tan-Nutar Dottor Ruben Casingena data il-25 t'Awwissu ta-sena elfejn u disa' (2009) wara sanction letter mahruqa mill-istess Bank rikorrenti u datata 7 ta' Mejju 2009,"

"illi s-somma mislufa kienet tammonta ghal sitta u sebghin elf, disa' mija u hamsa u disghin Ewro (€76,995)"

"illi l-bilanc li ghandu jhallas l-intimat huwa ta' sitta u sebghin elf tliet mija tmienja u erbghin Ewro u sitta u sittin centezmu (€ 76,348.66), rapprezentanti l-kapital, kif ukoll l-ammont ta' tlieta u tletin elf, tliet mija sitta u sittin Ewro u sittin centezmu (€33,366.60) rapprezentanti interessi li ddekorrew sal-5 ta' Ottubru 2018",

"Illi ghalhekk l-intimat ghandu jhallas lill-bank rikorrenti, is-somma kumplessiva ta' mija u disat elef seba' mija u hmistax -il Ewro u sitta u ghoxrin centezmu (€109,715.26), in kwantu kapital u imghaxijiet ikkalkulati sal-5 ta' Ottubru 2018, u dan b'rizerva ghal dawk l-imghaxijiet legali dovuti mis-6 ta' Ottubru 2018 sad-data tal-pagament effettiv;"


"Ghaldaqstant, ghar-ragunijiet premissi jghid l-intimat, ghaliex dina l-Onorabbli Qorti m'ghandhiex, prevja kull dikjarazzjoni necessarja u opportuna,

Tikkundanna lill-intimat ihallsu lis-socjeta' rikorrenti HSBC Bank Malta plc is-somma ta' mija u disat elef seba' mija u hmistax -il Ewro u sitta u ghoxrin centezmu (€109,715.26), u dana oltre l-imghaxijiet legali mis-6 ta' Ottubru 2018 sad-data tal-pagament effettiv tas-somma kollha."

"Spejjez kollha, inkluz tal-ittra ufficjali surreferita u bl-imghaxijiet legali dekorribbli sad-data tal-pagament effettiv tas-somma kollha lkoll a kariku tal-intimat."

L-esponent jigbed l-attenzjoni wkoll illi l-fond ghandu l-arja tieghu, u huwa liberu u frank u bil-pertinenzi kollha tieghu. Dan jirrizulta mir-Rikors ghall-mandat ta' qbid ezekuttiv fuq il-hwejjeg immobbli u bejgh bis-subbasta tas-socjeta HSBC Bank Malta plc, mahrug data 24 ta' Gunju 2021: "illi fost il-propjeta' immobbli tal-intimati hemm:

Il-fond ossia penthouse internament immarkat bi-numru hamsa (5), bl-arja taghha sovrastanti, bid-dritt ta' access mill-partijiet komuni...[⊗] Il-penthouse huwa ezentat mill-hlas ta' kwalunkwe cens u sub-cens, liberu u frank u bil-pertinenzi kollha tieghu, bis-servitujiet passivi rizultanti mil-lokazzjoni tieghu...." Dan gie kkonfermat ukoll mir-rapprezentanti tas-socjeta HSBC Bank Malta plc waqt l-access.

⊗ Il-bejt u l-arja huma suġġetti għad-dritt ta' installazzjoni u manutenzjoni ta' tank tal-ilma, aerial tat-television u air conditioner unit tal-maisonette bl-isem Handy Castagna House kif ukoll suġġetti għall-installazzjoni minn 13 u manutenzjoni ta' solar water heater /panel, tliet air conditioning units, tank tal-ilma, satellite dis u aerial tal-apportament sabstanti. 

Qed issir referenza wkoll ghal zewg Policy Maps relatati ma' Marsascula li jiformaw parti mis '*South Malta Local Plan*', mahrug mill-MEPA fl-2006, illum "*Planning Authority*", b'relevanza mal-fond imsemmi, li qed jigu esebiti ma' dan ir-rapport f'Dok. 'M', u Dok. 'N'.

Mill-"*Marsascula North Policy Map MS1*" (Dok. 'M') jirrizulta li l-propjeta' tinsab f'zona residenzjali hekk imsejha "*Residential Area*", f'tit 'il barra mill-"*Urban Conservation Area*" (il-qalba l-antika tar-raham).

Skond il-"*Marsascula Building Heights Map MS3*" (Dok. 'N'), il-fond jinsab f'zona fejn l-gholi massimu permissibbli ghal zvilupp hu ta' tliet sulari u "*semi-basement*". B'referenza ghal "*Annex*" 2 ta' DC15, dan jirrizulta ghal gholi totali massimu ta' 17.5 metri b'gholi massimu tal-faccata mat-triq ta' 14.1 metri. Dan jigi interpretat bhala possibilita' li l-fond jista' jikber u jinbena bhala appartament kbir sal-faccata tat-triq u tinbena "*penthouse*" fuq il-fond ezistenti li jkollha l-faccata irtirata.

Jirrizulta wkoll mir-ricerki ta' l-esponent, illi originarjament il-blokka kellha '*washrooms*' flok '*penthouses*' mibnija skond il-permess PA/06661/04: "*To sanction as built internal layout and elevation and construction of washrooms at roof level.*"

Il-fond kien eventwalment inbena wara li kienet giet sottomessa applikazzjoni imsejha "*full development application*", u hareg il-permess ta' zvilupp fis-sena 2007, kif elenkat kif gej:- PA/02804/07: "*To construct two penthouses instead of approved washrooms and alterations and additions*",

liema applikazzjoni kienet giet approvata u l-permess hareg fl-20 ta' Settembru 2007.

Il-fond kien suggett ukoll ghal Concession CTB/01529/13, li kienet giet sottomessa lill-Awtorita tal-Ippjanar, mill-intimat innifsu, peress li l-kejl tal-bittha nterna u l-gholi intern kienu inqas minn dak rikjest skond il-ligi sanitarja ta' dak iz-zmien : *"Request for concession re size of internal yard and internal clear floor to ceiling height in line with LN52/13."*

Detalji ta' dawn it-tliet applikazzjonijiet qed jigu esebiti f'Dok. 'O', Dok. 'P' u Dok. 'Q' rispettivament.

B'referenza ghall-permess u l-pjanti tal-permess, jirrizulta li l-*"penthouse"* hija in generali mibnija konformi ma' l-ahhar permess PA/02804/07 u l-pjanti approvati tieghu, hlief ghal xi varjazzjonijiet zghar fil-kejl tal-kmamar, kuritur, terrazzini; il-fatt li l-bieb tat-terrazzin ta' quddiem huwa mahrug max-xifer ta' barra tal-pizz ta' fuqu, kif ukoll it-tarag tal-komun, inkluz il-bieb tad-dhul mill-komun ghall-penthouse, prezentament ma jaqblux ma' dawk tal-pjanti tal-permess.

Dan ghalhekk jirrizulta li l-fond jehtieg li jigi sanzjonat billi tigi sottomessa applikazzjoni lill-Awtorita tal-Ippjanar sabiex il-fond bil-kejl u tqassim prezenti tieghu, ikun jaqbel mal-pjanti approvati tal-permess.

Kostruzzjoni:

L-istruttura tal-fond tikkonsisti minn briks filwaqt li s-soqfa huma tal-konkos.

Mill-ispezzjoni vizwali, jidher li l-kundizzjoni generali ta' l-istruttura hija accettabli peress li ma kienx jidher li hemm difetti strutturali magguri vizwali bhal xi konsenturi wisghin fil-hitan jew soqfa, illi kieku kienu jistghu jindikaw xi forma ta' instabbilita' strutturali jew sinjali ta' movimenti fil-bini.

Madanakollu, kien evidenti li l-fond kien mitluq u kien ilu ma jinghata manutenzjoni, tant li diversi partijiet tas-soqfa tal-konkos f'diversi kmamar, kellhom konsenturi jew kienu bdew ifaqqghu jew kellhom tbajja' li kien xi darba dahal xi ilma.

Dan ikun rizultat ta' infiltrazzjoni ta' ilma, generalment tax-xita mill-bejt sovrappost, li jghaddi gos-saqaf tal-konkos u jilhaq ix-xibka jew hadid rinfurzat tant li jibda jsaddad u jespandi fil-volum u jikkaguna lill-konkos sabiex ifaqqqa'.

Konsegwentament, wiehed irid hawn jigbed l-attenzjoni li peress li l-fond ilu numru ta' snin dilapidat u minghajr manutenzjoni, dawn is-soqfa tal-konkos idealment ikunu jridu jigu ttestjati sabiex jigi konfermat il-grad tas-sahha tal-konkos biex jigi determinat jekk ghadhomx fi stat tajjeb bizzejjed li jistghu jigu msewwija u rrangati, jew altimenti iridu jinbidlu. Madanakollu, mill-aspett vizwali, is-soqfa ma jidhrux tant fi stat hazin izda evitentament jehtiegu manutenzjoni minn barra, minn fuq il-bejt, u minn gewwa.

Diversi konsenturi fil-hitan kienu wkoll evidenti f'postijiet differenti tal-fond, inkluz bejn certi soqfa u hitan bhal fil-kuritur, u xi tbajja' ta' infiltrazzjoni ta' ilma f'xi hitan li jmissu ma' barra, kif jidhru fir-ritratti mehmuzza.

Finituri:

Il-fond jinsab fi stat *"finished"* komplut u fi stat abittabli.

Is-sistemi tad-dawl b'diversi *"switches"* u *"points"*, ilma u drenagg huma kompluti. Is-soqfa u l-hitan huma miksija bil-gips u mbajdin, filwaqt li l-fond ghandu madum tal-art tac-ceramika. Il-hitan ta' barra u l-opramorti tat-terrazzini wkoll huma miksija u mizbugha izda hemm diversi partijiet taz-zebgha li qed ifarfru.

It-tarag tal-komun huwa tal-granit bir-*'railings'* tal-*'aluminium'*. L-aperturi esterni huma tal-*'aluminium single-glazing'* u l-bibien ta' gewwa u ta' barra huma tal-injam tat-tip *'flush doors'*.

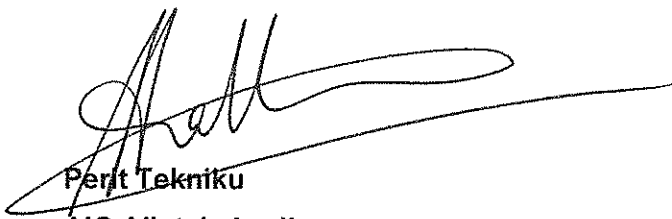
Il-kamra tal-banju ghandha *'toilet'*, sink u *'shower'* bil-madum tal-art u tal-hitan tac-ceramika li jitla' sas-saqaf. Din il-kamra ghandha bzonn manutenzjoni hekk kif is-*'sanitaryware'* u l-fittings huma jew maqlughin jew imkissrin jew bil-hsara. L-*'ensuite'* ghandha l-hitan miksija u bl-istess madum tac-ceramika tal-kumplament tal-fond, minghajr madum mal-hitan u minghajr *'sanitaryware'*. Il-kcina hija mghammra bil-*'cupboards'* u ghandha *'microwave'* u forn *'built-in'*, u *'refrigerator'*.

Valur tal-Fond :

Wara li kkunsidra d-diversi punti msemija fir-rapport li jinfluenzaw il-valur ta' dan il-fond, filwaqt li jassumi li m'hemmx restrizzjonijiet, spejjez jew pizijiet ohra li mhux infurmat bihom, u wara li ghamel ukoll evalwazzjoni tal-prezzijiet ta' fondi simili fuq is-suq fl-istess inhawi, hija l-opinjoni professjonali ta' l-esponent hawn taht iffirmat, li jistma l-intier ta' din il-propjeta' kif suggetta, bl-arja relattiva taghha, ghas-somma ta': tliet mija u erbghin elf Ewro (€340,000).

Ghaldaqstant, l-esponent hawn taht iffirmat, in adampiment mill-inkarigu lilu moghti, ghandu l-unur jissottometti ghas-superjuri gudizzju ta' din l-Onorabbli Qorti li taghha jiddikjara ruhu,


Serv umli u ubbidjenti,



Perit Tekniku
AIC Alistair Avallone
B.E.&A.(Hons.), A.&C.E.

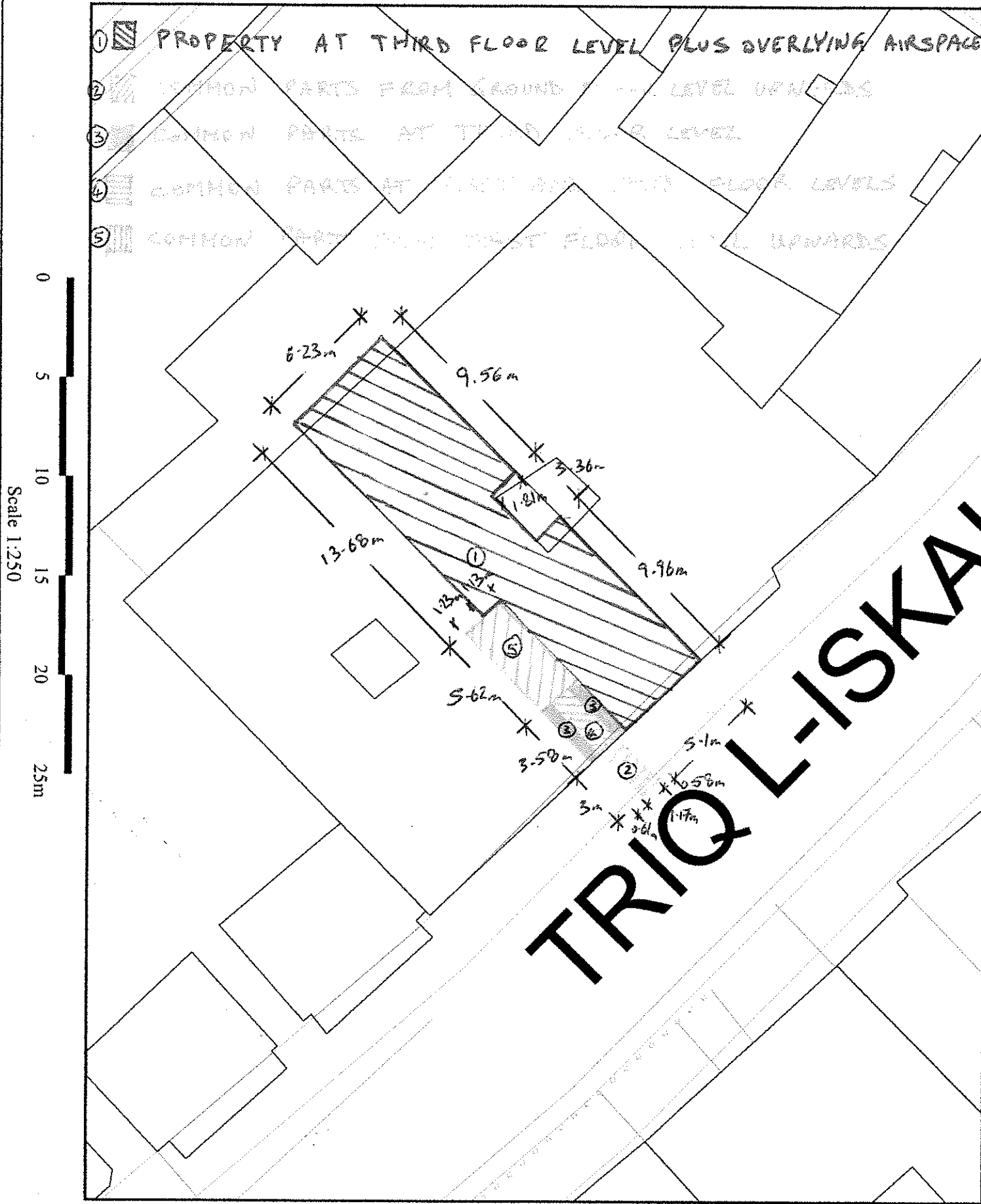
07 APR 2022

Illum.....
Ipprezentata mill- Perit A. Avallone
B/bla dok. Sbatax (17) dokumenti

Illum: 20 ta' April 2022
Deher il-Perit Legali / Tekniku: AIC A. Avallone KI 115282M
Li wara li ddikjara li thallas l-ammont lilu dovut, halef/halfet li qeda/qdiet fedelment u onestament l-inkarigu moghti lilu/ha.
 Deputat Registratur

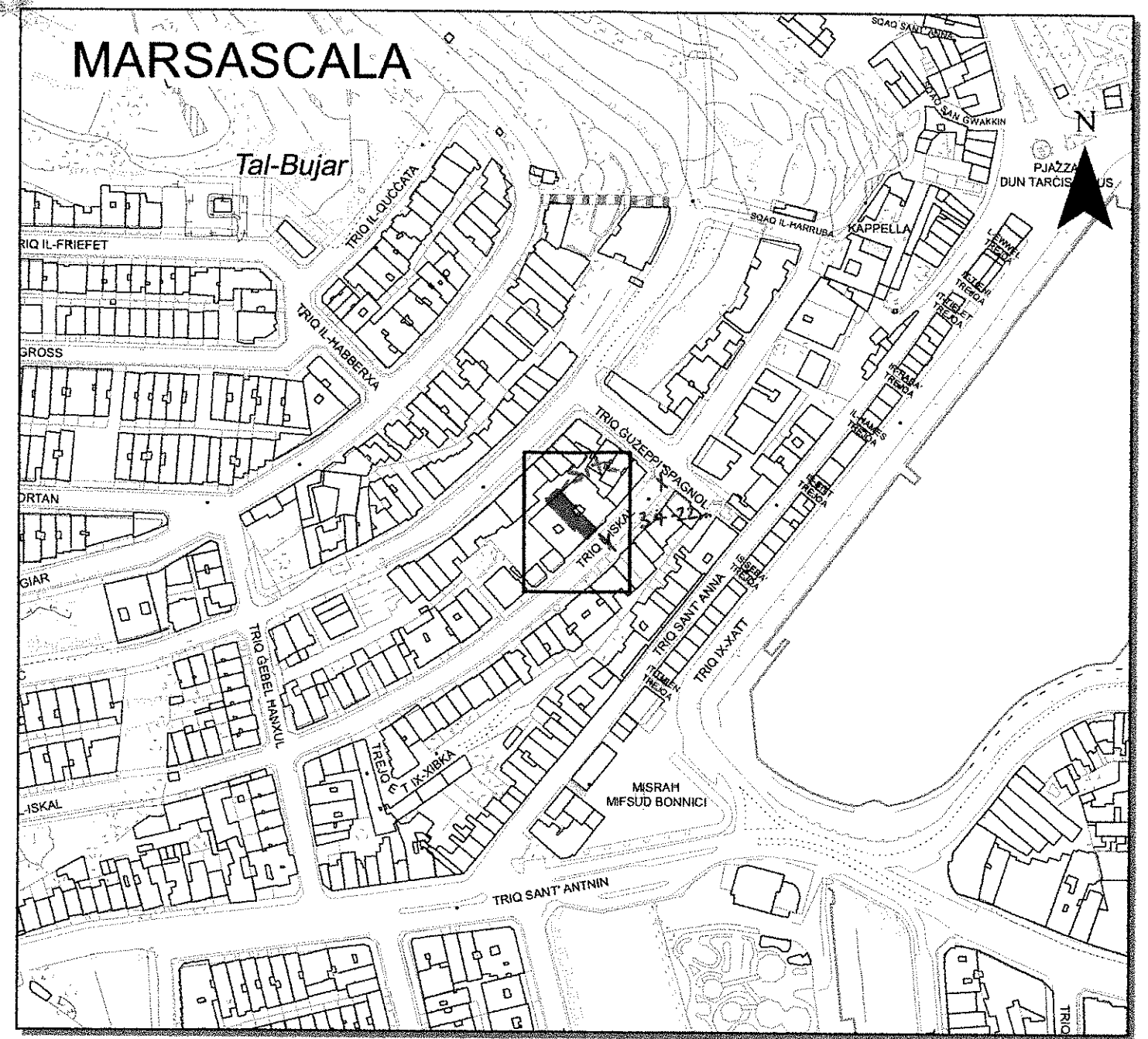
Marvic Farrugia
Deputy Registrar

Annalise Spiteri
Deputat Registratur
Qorti tal-Gustizzja (Malta)



Scale 1:250

Scale 1:250



Pjanta tas-Sit 1:2500 Site Plan

Aġenzija għar-Registrazzjoni tal-Artijiet

116, Casa Bolino, Triq il-Punent, Il-Belt Valletta



Land Registration Agency

116, Casa Bolino, Triq il-Punent, Il-Belt Valletta

Nru tal-Mappa: **253482 E**
 Map Number:

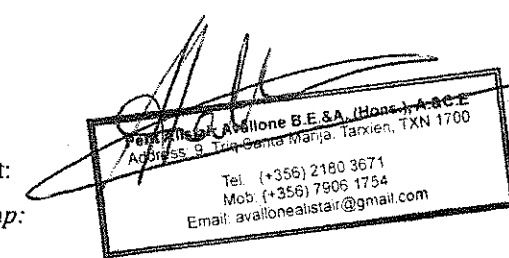
Pozizzjoni Ċentrali: **x = 60411**
 Centre Coordinates: **y = 69172**

Parti min S.S.: **6069**
 Extracted from S.S.:

Data: **09/03/2022**
 Date:

Perit:
 Architect:

Timbru tal-Perit:
 Architect's Stamp:



Qies (metri kwadri): **AREA 1 CIRCA 126.1m²**
 Area (square metres):

Firma ta' l-Applikant:
 Applicant's Signature:

LR 266435

Dritt imhallas
 Fee Paid

Dok 'A1'

Alistair Avallone
9,
Triq Santa Marija
Tarxien
TXN 1700
Malta

Cash Sale

21/02/2022

251272E

No of Copies	1
Fee Per Site Plan	€6.00

Total	€6.00

Land Registration Agency
116, Casa Bolino
Triq il-Punent
Il-Belt Valletta
VLT 1535

Tel: +356 21239777, 25904700

Email: enquirieslandregistry@gov.mt

www.landregistryplans.gov.mt

PART III
EIGHTH SCHEDULE

Physical Attributes of Immovable Property

Locality

Address TRIQ L-ISWAL, MARSASCALA"/>

Total Footprint of Area Transferred *

Tick where applicable
(Tick one box in each case except where indicated otherwise)

Type of Property	<input type="checkbox"/> Villa	<input type="checkbox"/> Semi-Detached	<input type="checkbox"/> Bungalow	<input checked="" type="checkbox"/> Flat/Apartment
	<input type="checkbox"/> Penthouse	<input type="checkbox"/> Mezzanine	<input type="checkbox"/> Maisonette	<input type="checkbox"/> Farmhouse
	<input type="checkbox"/> Terraced House	<input type="checkbox"/> Ground Floor Tenement		
Age of Premises	<input checked="" type="checkbox"/> 0-20 years	<input type="checkbox"/> Over 20 years	<input type="checkbox"/> Pre WW2	
Surroundings	<input checked="" type="checkbox"/> Sea View <i>PARTIAL</i>	<input type="checkbox"/> Country View	<input checked="" type="checkbox"/> Urban	
Environment	<input checked="" type="checkbox"/> Quiet	<input type="checkbox"/> Traffic	<input type="checkbox"/> Entertainment	<input type="checkbox"/> Industrial
State of Construction	<input type="checkbox"/> Shell	<input type="checkbox"/> Semi-finished **	<input checked="" type="checkbox"/> Finished ***	
Level of Finishes	<input type="checkbox"/> Good	<input checked="" type="checkbox"/> Adequate	<input type="checkbox"/> Poor	
Amenities <i>Tick as many as appropriate</i>	<input type="checkbox"/> With Garden <i>FRONT + BACK TERRACES</i>	<input type="checkbox"/> With Pool	<input type="checkbox"/> With Lift	<input type="checkbox"/> With Basement
	<input checked="" type="checkbox"/> No Garage	<input type="checkbox"/> One Car Garage	<input type="checkbox"/> Two Car Garage	<input type="checkbox"/> Multi Car Garage
Airspace	<input checked="" type="checkbox"/> Ownership of Roof	<input type="checkbox"/> No Ownership of Roof	<input type="checkbox"/> Shared Ownership	

* Includes all lands and gardens but excludes additional floors, roofs and washrooms
** Includes plastering, electricity, plumbing and floor tiles
*** Includes ** plus bathrooms and apertures

Date: 14-03-2022

Perit's Signature: _____

[Handwritten Signature]

Warrant Number: 559

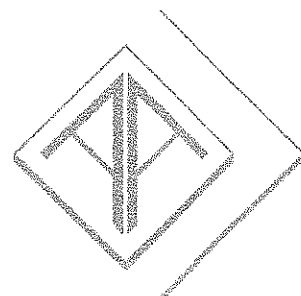
Rubber Stamp:

Perit Alistair Avallone B.E.&A. (Hons.), A.&C.E
Address: 9, Triq Santa Marija, Tarxien, TXN 1700
Tel: (+356) 2180 3671
Mob: (+356) 7936 1754
Email: avallonealstair@gmail.com

ALISTAIR AVALLONE

B.E.&A.(Hons.), A.&C.E.
Architect, Civil & Structural Engineer
Cost & Planning Consultant
Interior Designer

PERIT



Fil-Prim Awla tal-Qorti Civili (Malta)

FI-Atti tas-Subbasta Nru. 30/2021

HSBC Bank Malta plc

Vs

Steffen Mallinowski

Mr S. Mallinowski

Penthouse no. 5,

"Castagna House",

Triq L-Iskal,

Marsaskala.

14 ta' Awwissu 2021.

Ghaziz Sur Mallinowski,

Ghandi ngharrfek illi fid-dawl tal-Kawza Civili hawn fuq imsemmija, is-sottoskritt gie mahtur mill-Qorti bhala Espert fl-atti tal-Mandat ta' Qbid ta' Hwejjeg Immobbli hawn fuq imsemmi sabiex jaghmel deskrizzjoni tal-fondi indikati fir-rikors promotur u sabiex ifisser il-pizijiet, kirjiet u jeddijiet ohra, li ghalihom dawn il-fondi huma suggetti.

Ghal dan l-iskop, qed gentilment ngharrfek li l-access fil-fond tieghek se jsir nhar l-Erbgha 25 ta' Awwissu 2021, fil-11.00am.

Inti gentilment mitlub tkun prezenti sabiex tipprovdi access ghall-fond.

Grazzi bil-quddiem.

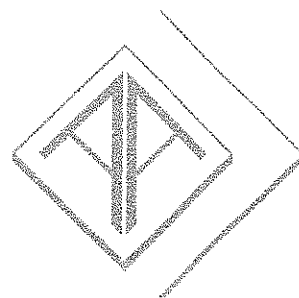
Tislijiet,

Perit Alistair Avallone B.E.&A.(Hons.), A.&C.E.
Architect, Civil & Structural Engineer

ALISTAIR AVALLONE

B.E.&A.(Hons.), A.&C.E.
Architect, Civil & Structural Engineer
Cost & Planning Consultant
Interior Designer

PERIT



Fil-Prim Awla tal-Qorti Civili (Malta)

FI-Atti tas-Subbasta Nru. 30/2021

HSBC Bank Malta plc

Vs

Steffen Mallinowski

Mr S. Mallinowski
Penthouse no. 5,
"Castagna House",
Triq L-Iskal,
Marsaskala.

14th August 2021.

Dear Mr Mallinowski,

The undersigned is hereby kindly informing you that, in view of the Civil Case referred to above, has been appointed by the Courts as an Expert in the acts of the aforementioned Immovable Property Seizure Warrant in order to describe the property indicated and to explain the charges, rents and other rights, which the property is subject to.

On this basis, you are being kindly informed that an inspection of your property shall be carried out on Wednesday 25th August 2021, at 11.00am.

You are kindly requested to open and be present during the said inspection.

Thanks in advance.

Regards,


Perit Alistair Avallone B.E.&A.(Hons.), A.&C.E.
Architect, Civil & Structural Engineer



AVVIŻ TA' TOASSIM AHDAR
GREEN DELIVERY NOTICE

Dok. 'C'

SOUTH

GREEN OPN/010-39

EM:
NAME:

S.

KUNJOM:
SURNAME:

Melli ^{o'ski}

LOKALITA':
LOCALITY:

Msd

BULKY

REG.

DATA U FIN:
DATE AND TIME:

19/8

NUMRU TA' TI
TRACKING NL

RR Registered Item
RR414129768MT



RUVAJNA NQASSMU PAKKETT FL-INDIRIZZ TIEGHEK
IA DAN MA KIENX POSSIBLI.

WE ATTEMPTED DELIVERY OF A PACKET TO YOUR ADDRESS
BUT THIS WAS NOT POSSIBLE.

MODI TA' ĠBIR
hada (barra f'dud u Festi):

Mill-Fergħa Postali wara d-9.00am kif indikat fuq wara;
Iġbru mill-egreb EasiPik 24/7 Parcel lockers; *jew
Request another courier delivery (against a charge)*; or
Iġbru minn Fergħa Postali differenti (hlas ta €2.00)*
*Billi żżur is-sit www.maltapost.com/packets

COLLECTION OPTIONS

- Tomorrow (excluding Sundays and Public Holidays):
 - From the Postal Outlet as indicated overleaf after 9.00am;
 - Collect it from your nearest EasiPik 24/7 Parcel Lockers;* or
 - Request another courier delivery (against a charge)*; or
 - Collect from a different Postal Outlet (€2.00 charge)*
- *By visiting www.maltapost.com/packets

WARRANTY

għor il-pakkett għandu jippreżenta dan l-avviż flimkien
dokument ta' identita' originali u l-identifikazzjoni originali
arsuna lil min hu indirizzat il-pakkett f'każ li qed jiġbru f'isem
na oħra. F'każ li l-pakkett hu indirizzat lil entita' l-persuna li
trid iġġib ukoll dikjarazzjoni mill-entita' li tagħtiha dritt li
il-pakkett.

IMPORTANT

The person who collects the item must present this notice together with
their original identification document and the original identification
document of the recipient, in case it is being collected by someone
other than the addressee. If the item is addressed to an entity, the person
collecting the item should also present a declaration from the entity
authorising same person to collect the item on the entity's behalf.

AFTER 12 WORKING DAYS
Item will be returned to sender.

AFTER 12 WORKING DAYS
Item will be returned to sender.

OPERATOR NAME & SIGNATURE

NOTICE NUMBER: GN

356498

Dok'Cu



FOR MORE INFORMATION
WWW.MALTAPOST.COM/PACKETS

Malta Post p.l.c.
Reg. No. 1511-4134
No: X0947
No: T115114138
13 AUG 2021
Maruska Thornton
ACH 275

037351
R: ACH 275
Contact Name: MARUSKA THORNTON
Contact Number: 20286026
18 AUG 2021 11:50:04
CASH SALE CLIENT
NA

PLA11665740

Qty	Description	T	€
1	€2.80 Olympic Games 2	E	2.80
			2.80
			2.80

IN
Th
th
do
otl
coi
au

Grand Total: €2.80
Total tendered: 5.00
Cash tendered: €2.20

AF
lter

Change: €
VAT Analysis

Full	0.00
Reduced	0.00
Exempt	2.80
Non-Vatable	0.00
VAT Paid	€0.00

PLA11665740

This receipt is invalid
if cheque is dishonoured
No payment against Local Purchase Order

Fil-Prim Awla tal-Qorti Civili (Malta)

FI-Atti tas-Subbasta Nru. 30/2021

HSBC Bank Malta plc

Vs

Steffen Mallinowski

28 t'Awwissu 2021.

Lill-Onorabbli Mhallfin,

Fid-dawl tal-Kawza Civili hawn fuq imsemmija, is-sottoskritt gie mahtur mill-Qorti bhala Espert fl-atti tal-Mandat ta' Qbid ta' Hwejjeg Immobbli hawn fuq imsemmi sabiex jaghmel deskrezzjoni tal-fondi indikati fir-rikors promotur u sabiex ifisser il-pizijiet, kirjiet u jeddijiet ohra, li ghalihom dawn il-fondi huma suggetti.

Ghal dan l-iskop, l-intimat gie nfurmat minni l-esponent, permezz ta' ittra mibghuta bil-posta registrata, dwar il-htiega ta' spezzjoni tal-fond tieghu li skond l-inkartament ninsab infurmat li jikkonsisti minn penthouse internament immarkat numru hamsa (5), formanti parti minn blokk appartamenti bl-isem Castagna House gewwa Triq l-Iskal, Marsascalea. Id-data u l-hin ffissati ghal din l-ispezzjoni tal-fond, kienu nhar l-Erbgha 25 ta' Awwissu 2021, fil-11.00am.

Kopja ta' din l-ittra mibghuta lilu tinsab hawn mehmuza.

L-esponent mar ghall-imsemmija spezzjoni fid-data u l-hin iffissati ghal dan, madanakollu, l-intimat ma kienx hemm u hadd ma fetah il-bieb ghall-esponent sabiex jaqdi l-inkarigu lilu moghti. Kien evidenti illi l-intimat ma kienx ghadu joqghod hemm peress li l-kaxxa postali tieghu ta' barra, kienet ippakkjata b'diversi ittri u karti hirgin 'il barra minnha.

Fosthom fuq quddiem, kien hemm in-Notifika ta' Avviz ta' Tqassim Ahdar tal-Maltapost bid-data tad-19 t'Awwissu 2021 fejn biha kien gie notifikat biex imur jigbor l-ittra registrata li kont bghattlu jien bl-appuntament tal-ispezzjoni, wara li l-pustier kien prova jaghtihelu imma ma kien sab lil had. Apparti dan, sahsitra imwahnla mal-kaxxa postali tieghu, kien ghad hemm Citazzjoni Nru. 1: Avviz ta' smiegh ta' kawza, mill-Qorti Civili, mill-Onor. Imhallel Silvio Meli bid-data tas-27 ta' Novembru 2018.

L-esponent tkellem mas-sidt tal-appartament numru 4 li jinsab sottostanti ghall-fond tal-intimat, imma l-esponent kien infurmat illi l-imsemmija sidt kienet ilha ma tara lill-intimat ghal-diversi xhur, jekk mhux snin.

Fid-dawl ta' dan kollu u peress li kont mitlub mill-Onorabbli Qorti fl-inkartament, sabiex nissottometti r-rapport mitlub fuq il-fond indikat, sas-27 ta' Settembru 2021 izda l-access tal-fond ghad ma kienx possibbli li jsir mis-sottoskritt sabiex ikun jista' jaqdi l-inkarigu lilu moghti, l-esponent qed jaghmel din id-dikjarazzjoni sabiex tinbeda il-procedura ghal rikors ta' zgass.

Ghaldaqstant, l-esponent hawn taht iffirmit, in adempiment tal-inkarigu lilu moghti, tant ghandu l-esponent l-unur x'jissottometti bir-rispett ghal wisq aktar savju gudizzju ta' din l-Onorabbli Qorti li taghha jiddikjara ruhu,

Serv umli u ubbidjenti,



Perit Tekniku
AIC Alistair Avallone

FIL-PRIM AWLA TAL-QORTI CIVILI
STO. PRIM IMHALLEF MARK CHETCHUTI

FL-ATTI TAS-SUBBASTA 30/21

FL-ISMIJET

HSBC BANK MALTA PLC

VS

STEFFEN MALLINOWSKI

Il-Qorti,

Rat ir-rikors tal-Perit tekniku tal-15 ta' Settembru, 2021.

Tordna li l-access isir bi zgass bl-assistenza ta' pulizija u marixxal wara li l-perit jibghat ittra postali lil partijiet interessati bil-gurnata u hin tal-access. Wara l-access il-fond jinghalaq u c-cavetta tigi ddepozitata fil-Qorti mill-marixall.

Illum, 17 ta' Settembru, 2021

Gaetana Aquilina

Deputat Registratur

Fil-Prim Awla tal-Qorti Civili (Malta)

FI-Atti tas-Subbasta Nru. 30/2021

**HSBC Bank Malta plc
Vs
Steffen Mallinowski**

ACCESS

Access mizmum illum 21 t'Ottubru 2021, fil-11am quddiem il-fond tal-konvenut li ghalih kien gie milqugh ir-rikors ta' zgass.

Prezenti:

Marixxall is-Sur Ivan Spiteri Bianchi assistit mis-Sur Manolito Briffa.

Rapprezentanti tal-Bank HSBC : Is-Sinjura Mariella Caruana, is-Sinjura Dorianne Fitzpatrick, is-Sur Edward Mizzi

Perit Christabelle Borg Muscat, f'isem il-Perit Jean-Luke Zarb, li qed tassisti lir-rapprezentanti tal-Bank

Il-Pulizija mqabbad mill-Bank, PC 153

Il-"*locksmith*" mqabbad mill-Bank, is-Sur Tony Facciol

Gie deciz mill-Marixxal tal-Qorti illi l-izgass ma jsirx, ladarba l-isem "Castagna House" hekk kif imsemmi fir-rikors, ma kien qed jidher imwahhal imkien mal-faccata, izda kien hemm imwahhlin biss l-ismijiet "Fair winds" mal-faccata ta' gewwa, fuq il-bieb tal-komun hekk kif titla' t-tarag, kif ukoll l-ismijiet "Trinity" fuq il-lemin u "Bersilmar" fuq ix-xellug tal-faccata ta' barra, kif indikati fir-ritratti annessi Dok. A.

L-esponent jgbed l-attenzjoni lill-Onorabbli Qorti, illi l-isem "Fair winds" huwa mnizzel wkoll fir-rikors, flimkien ma' "Castagna House".

L-esponent jikkonferma li din kienet l-istess entratura tal-blokka appartamenti li hu kien mar sabiex jaghmel l-ispezzjoni tal-fond nhar l-Erbgha 25 ta' Awwissu 2021, fil-11.00am, izda ma kien fetahlu hadd.

L-esponent kien identifika din il-lokazzjoni tal-blokka tal-appartamenti meta kien ghamel ricerka minn "Google Maps" u kien sab li, tal-inqas fiz-zmien meta Google kienu hadu ir-ritratti tat-toroq ta' Malta, l-isem ta' "Castagna House" kien imwahhal mal-faccata, hekk kif ghadu jidher fuq "Google Maps" fir-ritratt anness Dok. B, ghalkemm wiehed jista' jargumenta fuq il-fatt li l-isem "Castagna House" ma jinqarax daqshekk car fuq "Google Maps".

Il-Perit Borg Muscat tikkonferma wkoll li dik kienet l-entratura li minnha kienet hadet xi kejl sal-eqreb kantuniera, hekk kif kienet giet imqabbda mill-Bank xi xhur ilu, sabiex thejji pjanta tal-Land Registry tal-lokazzjoni tal-fond mehtieg, liema kopja tal-pjanta qed tigi hawn annessa Dok D.

Kien hemm ukoll xi notifiki tal-Onorabbli Qorti mwahhlin ma' wahda mill-kaxxa tal-ittri fil-genb tat-tarag ta' barra li jwassal ghall-bieb tal-komun.

Waqt l-access, l-esponent ha kejl mill-appogg tal-blokka appartamenti li fuqha mahsub li hemm il- "penthouse", sal-eqreb kantuniera tal-bini u tal-"front garden". Dawn huma ndikati fuq is- "site plan" annessa Dok. E.

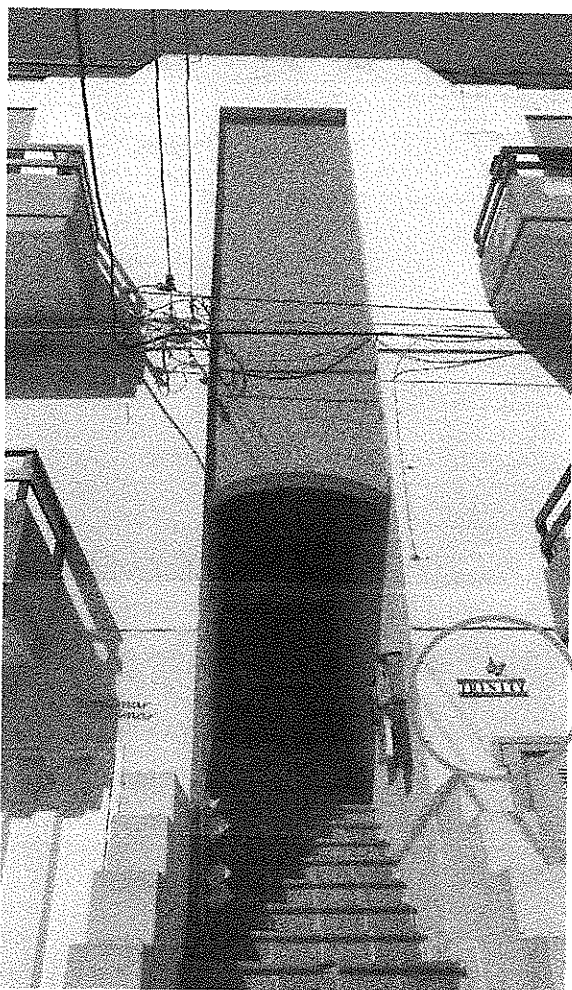
Peress li l-esponent kien fthiem ma' wahda mis-sidien tal-appartamenti sabiex tiftah il-bieb ta' barra tal-komun, l-esponent flimkien mar-rapprezentanti tal-Bank dahlu fil-komun biex jaraw kieku liema hu l-bieb tal-"penthouse" ghal darb'ohra. Madanakollu instab illi fl-ahhar indana ta' fuq, kien hemm zewg bibien bla numru – bieb "finished" jaghti ghall-fond fuq ix-xellug, kif ukoll bieb temporanju maghmul minn bicciet tal-injam li jaghti ghall-fond fuq il-lemin, apparti bieb iehor tal-"aluminium" bil-hgieg, fic-centru li jaghti ghall-bejt komuni. Dan jidher fir-ritratti annessi Dok. C.

L-esponent ghalhekk jitlob lill-Onorabbli Qorti sabiex, abbazi ta' din l-informazzjoni li qed tigi hawn mghoddija, kif ukoll flimkien mar-rapport tal-Marixxal, tkun tista' taghti direzzjoni cara u tikkonferma li l-entrata tal-blokka msemija, li quddiemha sar l-access, hija dik il-wahda korretta kif ukoll tikkonferma il-bieb korrett intern tal-"penthouse" jekk hux dak "finished" tax-xellug jew dak bl-injam temporanju tal-lemin.

Ghaldaqstant, l-esponent hawn taht iffirmat, in adempiment tal-inkarigu lilu moghti, tant ghandu l-esponent l-unur x'jissottometti bir-rispett ghal wisq aktar savju gudizzju ta' din l-Onorabbli Qorti li taghha jiddikjara ruhu.

Serv umli u ubbidjenti,


Perit Tekniku
AIC Alistair Avallone

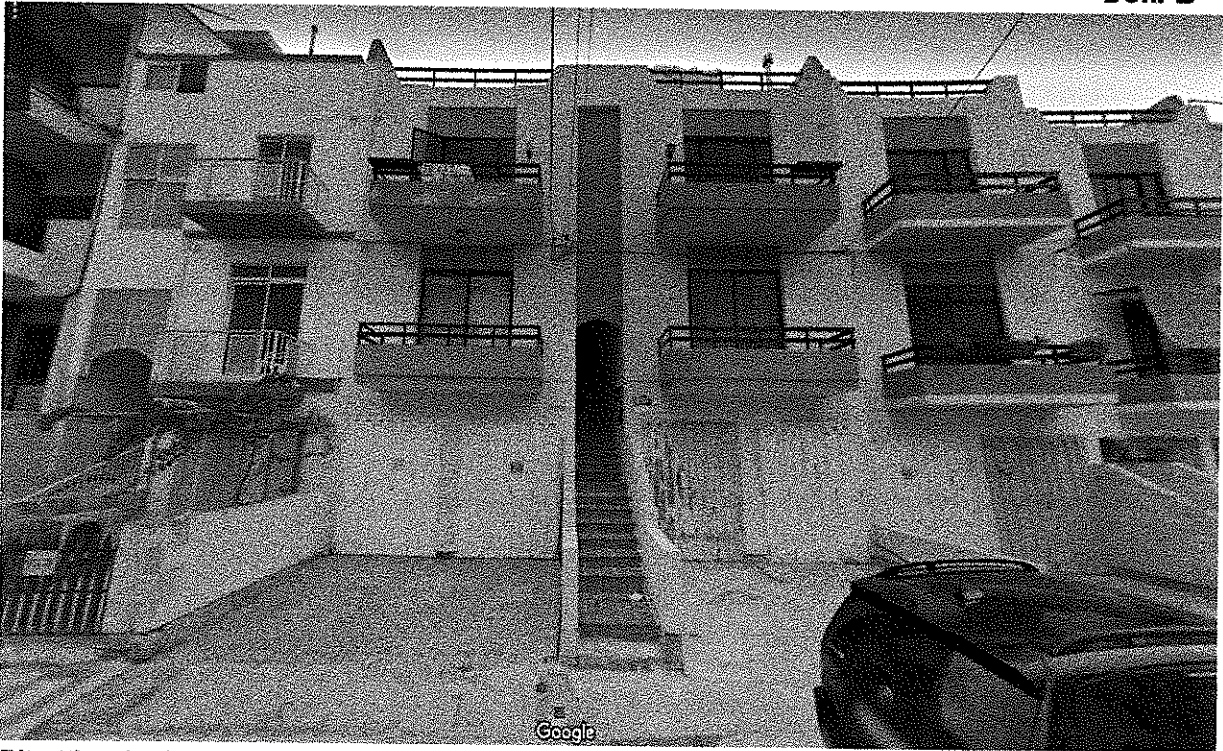


L-isem "Trinity" fuq il-lemin flok dak li jidher li li qabel kien "Castagna House"



L-isem "Fairwinds" fuq il-bieb ta' barra tal-komun

Dok. B

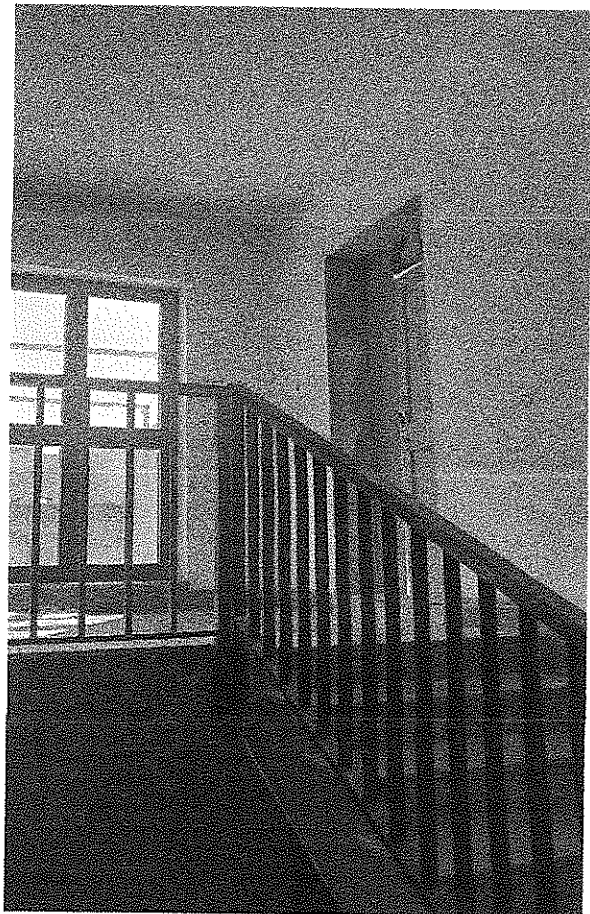
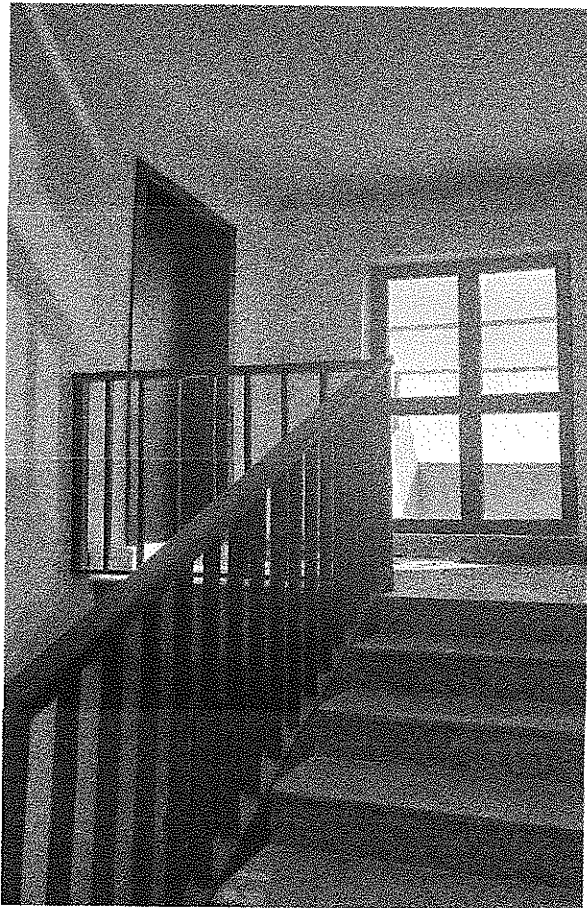


Ritratti mehuda minn Google Maps

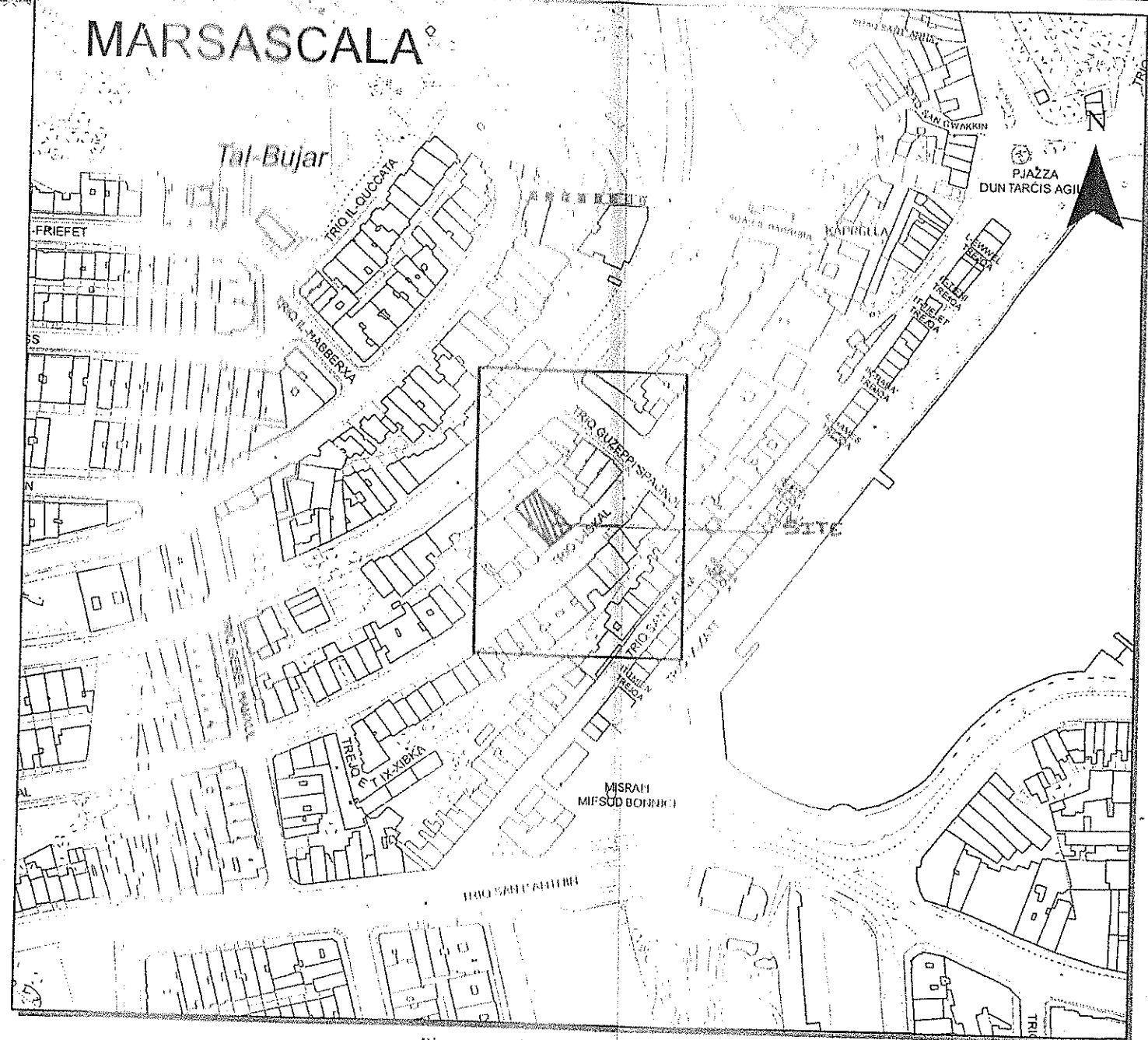
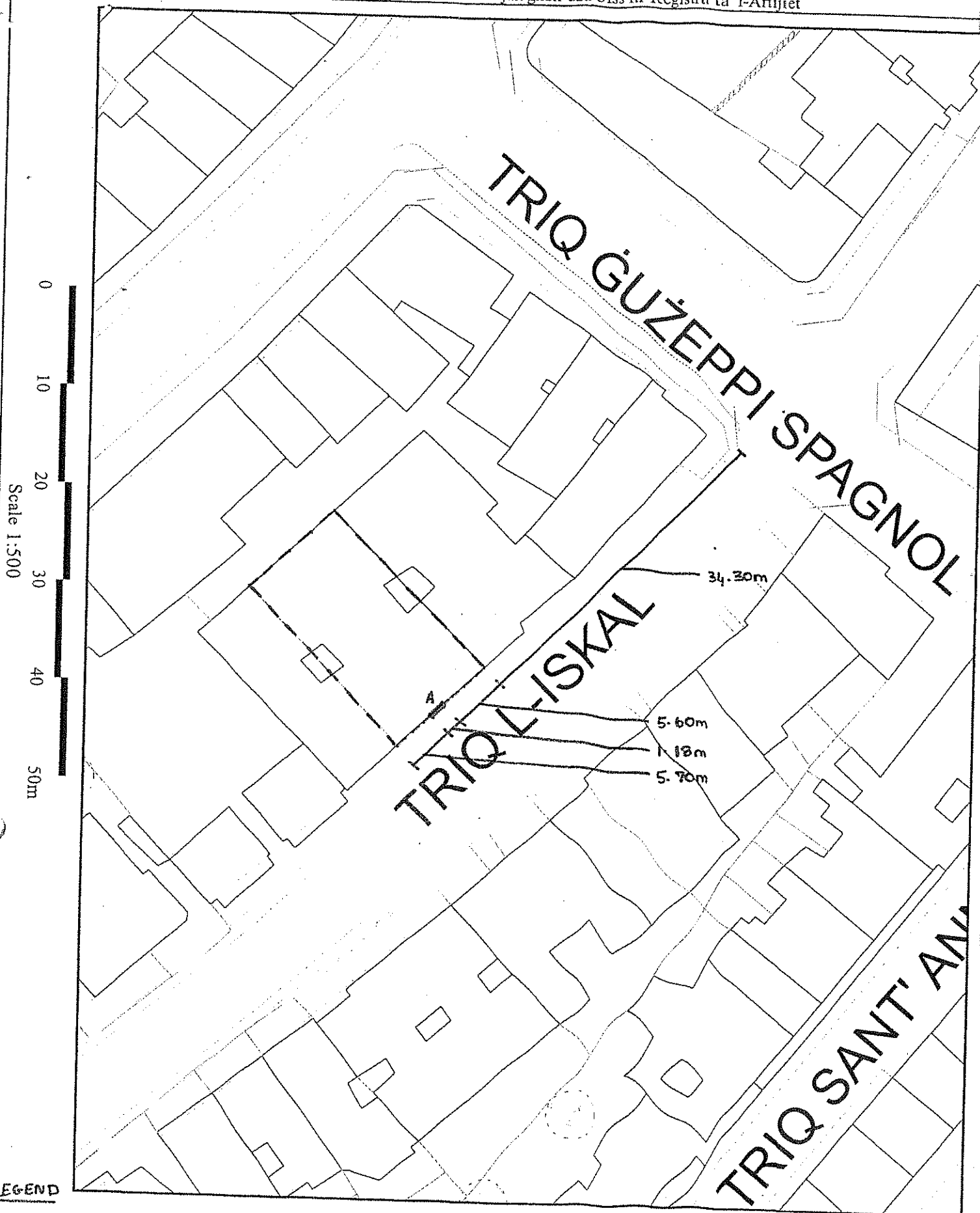




L-ahhar indana ta' fuq bil-bieb "finished" li jaghti għall-fond fuq ix-xellug, kif ukoll bieb temporanju magħmul minn bicciet tal-injam li jaghti għall-fond fuq il-lemin, apparti bieb lehor tal-"aluminium" bil-hgieg, fic-centru li jaghti għall-bejt komuni.



DAI



LEGEND

Scale 1:500

— LOCATION OF: —

A ENTRANCE TO COMMON PARTS

PENTHOUSE NO. 5 CASTAGNA HOUSE TRIQ L-ISKAL, MARSASCALA.

Gvern ta' Malta Pjanta tas-Sit 1:2500 Site Plan

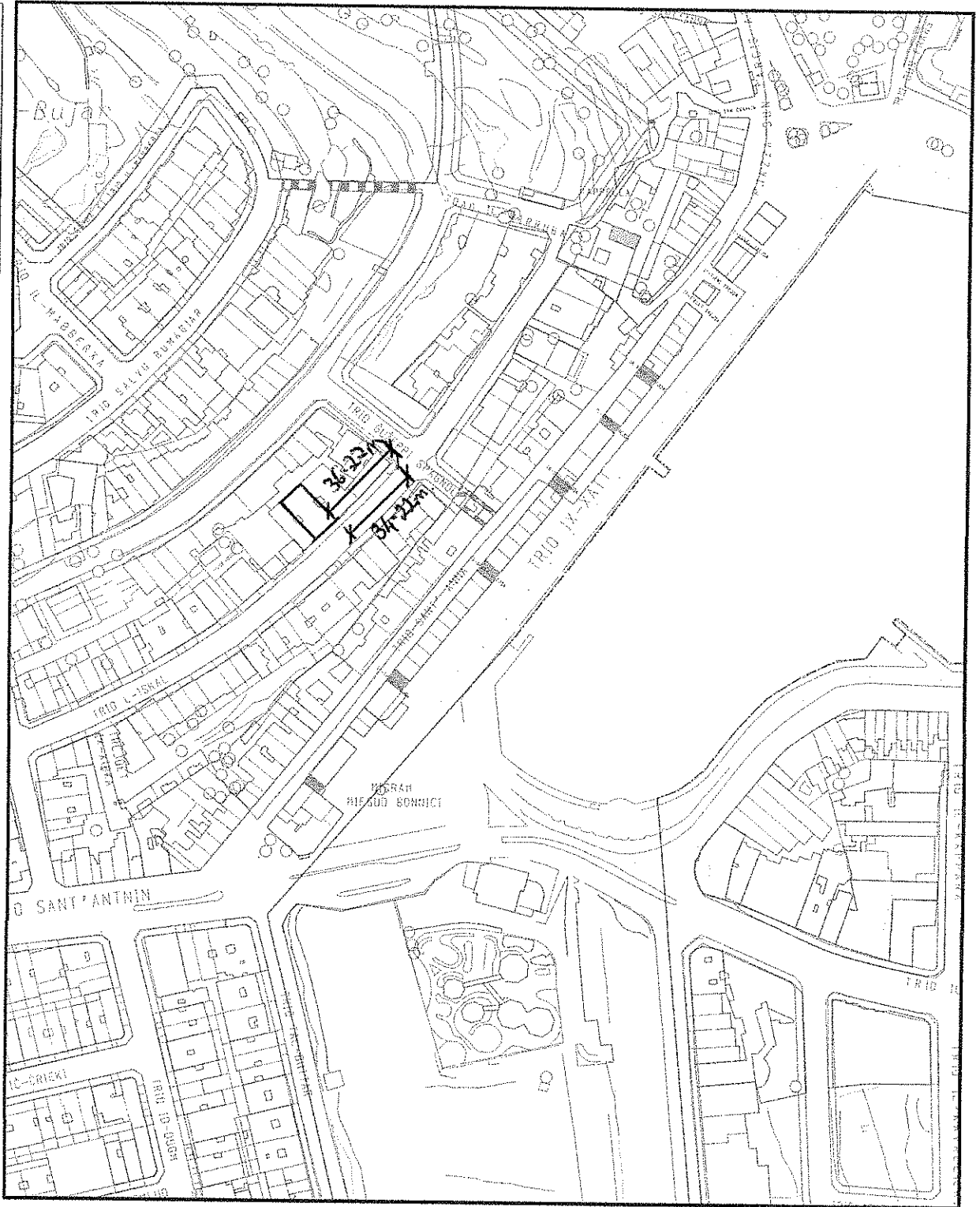
Registru ta' l-Artijiet
Casa Bolino, 116, Triq il-Punent, Valletta

Government of Malta
Land Registry
Casa Bolino, 116, Triq il-Punent, Valletta

Nru tal-Mappa: Map Number:	156570 E	Pozizzjoni Ċentrali: Centre Coordinates:	x = 60424 y = 69175	Parti min S.S.: Extracted from S.S.:	6069	Data: Date:	20/02/2020
-------------------------------	----------	---	------------------------	---	------	----------------	------------

Perit: Architect:	Jean Luke Zerb G. A. (Hons), MS, Struct. Eng. A & CE	Qies (metri kwadri): Area (square metres):	- NA -
Timbru tal-Perit: Architect's Stamp:		Firma ta' l-Applikant: Applicant's Signature:	
Warrant No. 707		ID 151000	Dritt imballas

500m



Min Easting 60283.6, Min Northing 68884.76, Max Easting 60683.6, Max Northing 69384.76

0m

400m

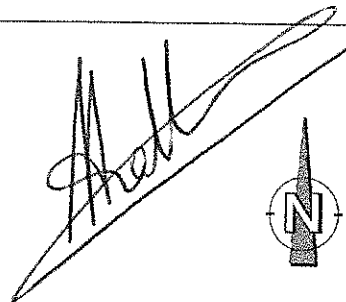
MEPA - www.mepa.org.mt

St. Francis Ravelin
 Floriana FRN 1230, Malta
 PO Box 200, Marsa MRS 1000, Malta
 Tel: +356 2290 0000 Fax: +356 22902295

Site Plan, Scale 1:2500

Printed on: Thursday, November 01, 2012

Not to be used for interpretation or scaling of scheme alignments
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FIL-PRIM AWLA TAL-QORTI CIVILI

STO. PRIM IMHALLEF MARK CHETCHUTI

FL-ATTI TAS-SUBBASTA 30/21

FL-ISMIJIET

HSBC BANK MALTA PLC

VS

STEFFEN MALLINOWSKI

Il-Qorti,

Rat in-nota tal-Perit imqabbd mill-Qorti.

Tordna lill-HSBC Bank Malta plc. tindika hi b'mod preciz f'nota ghal dan l-iskop liema hu l-fond li tieghu qed tintalab is-subbasta wara li l-informazzjoni migbura f'dan l-access u dan entro gimgha millum.

Illum, 27 ta' Ottubru, 2021

Gaetana Aquilina

Deputat Registratur

FIL-PRIM AWLA TAL-QORTI CIVILI

Fl-atti tas-Subbasta 30/21

Fl-ismijiet

HSBC BANK MALTA PLC

VS

STEFFEN MALLINOWSKI

Nota tas-socjeta` HSBC Bank Malta plc

Li permezz taghha, in ottemperanza tad-digriet tas-27 ta' Ottubru 2021, tirrileva s-segwenti;

Illi skont estratt tal-verzjoni elettronika attwali tar-Registru Elettorali, kopja ta' liema qeghda tigi hawn annessa u mmarkata Dok RE, jirrizulta illi l-konvenut Mallinowski huwa registrat fl-indirizz moghti mill-Bank fir-rikors promotur minnu intavolat u cioe Castagna House, Flat 5, Triq l-Iskal, Marsaskala;

Illi huwa evidenti, mill-konkluzjonijiet li wasal ghalihom l-perit appuntat mill-Qorti kif imfissra fin-nota tieghu tas-26 ta' Ottubru 2021, illi l-blokka, li taghha hija formanti parti l-apartament subbastandi, illum ggib l-isem Fairwinds u kull referenza ghal Castagna House giet imwarrba;

Illi jirrizulta oltre, mill-pjanta annessa mal-kuntratt ta' akkwist (kopja hawn annessa u mmarkata Dok K) – anki wara illi l-Bank kellu opportunita` jikkonsulta ma' perit tieghu li acceda fuq il-post dakinhar tal-access - illi l-apartament appartenenti lil konvenut Mallinowski huwa dak imberfel bl-isfar u cioe dak li l-entrata tieghu huwa sitwat fuq ix-xellug meta wiehed jaccedi bit-tarag ghall-oghla sular. Ghal finijiet ta' semplicita`, l-entrata qeghda tigi mmarkata bil-kulur orangjo fuq kopja tar-ritratt li l-perit mahtur mill-Qorti ezebixxa (kopja annessa u mmarkata Dok R);

Daqstant ghandha x'tirrileva r-rikorrenti in kwantu l-apartament;

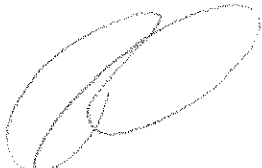
GHALDAQSTANT, in vista tal-premess u sabiex ikun hemm aktar kjarazza, ir-rikorrenti jitlob sabiex dina l-Onorabbli Qorti tordna korrezzjoni fir-rikors promotur fis-sens illi dik il-parti tad-deskrizzjoni a paragrafu 1, senjatament:

"... Il-penthouse huwa sovrastanti apartamenti ohrajn, il-koll mibnija fuq il-maisonette minghajr numru bl-isem Fairwinds, bin-numru mhux ufficjali tlieta (3) formanti parti minn blokk apartamenti bl-isem Castagna House gewwa Triq l-Iskal, Marsaskala. ..."

Tigi sostitwita bis-segwenti:

"... Il-penthouse huwa sovrastanti apartamenti ohrajn, u formanti parti minn blokk apartamenti bl-isem Fairwinds, gja jew drabi ohra indikat bhala Castagna House, gewwa Triq l-Iskal, Marsaskala. ..."

,b'dan illi l-bqija tad-deskrizzjoni tibqa' valida.



Av. Ralph Agius Fernandez
32, Triq il-Merkanti, Valletta

ELECTORAL REGISTER

Register Type:
 Locality:
 Street:

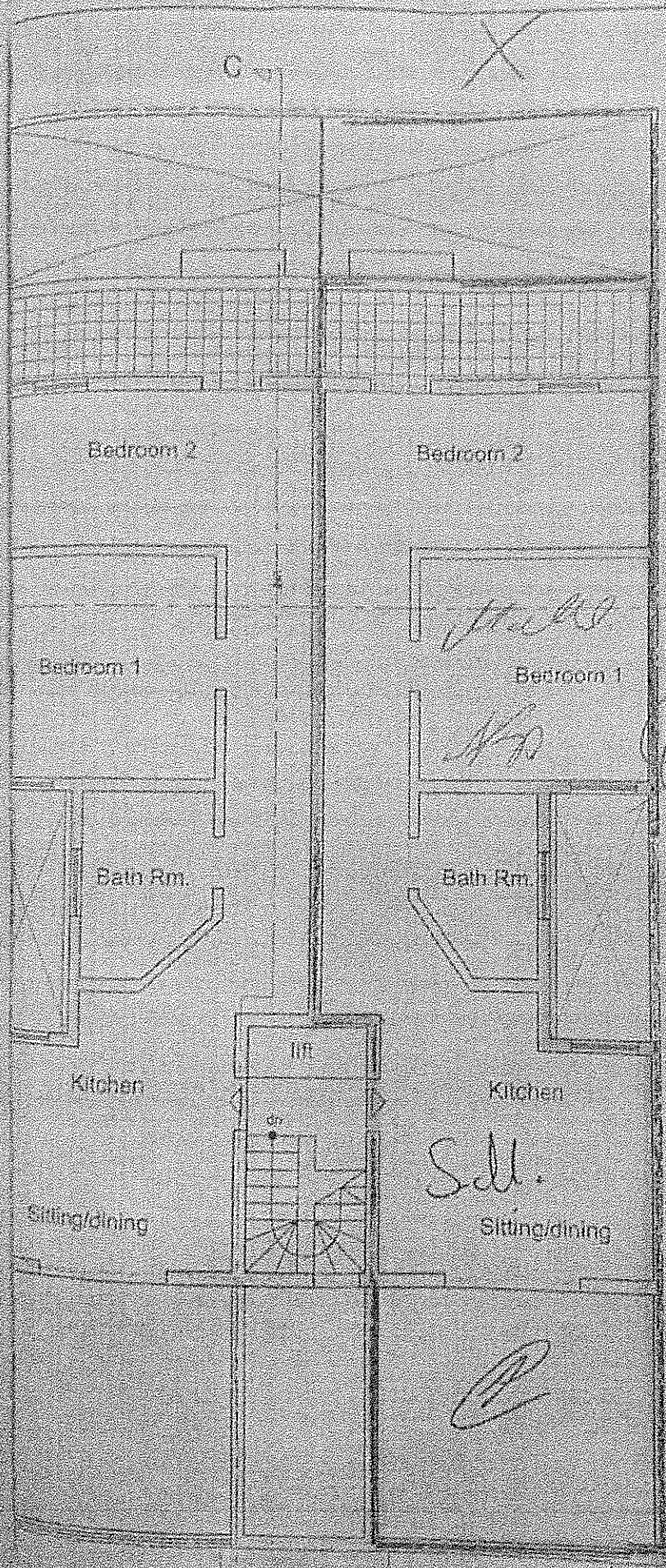
SEARCH ELECTORAL REGISTER

Surname	Name	House	ID Card Number
Milinski	Frank	Sea Crested, Fl 1	01281324
Milhomovska	Stefano	Carapapa House, Fl 5	00313054
Martijn	Zuzanna	17	01018224
Martijn	Andrius	18	01018224

2/2/RE

Dolk

1657



DELEGATED
APPROVED

19 SEP 2007

Carmel Caruana
95% (Hons)

Sdl.

[Handwritten signature]

[Handwritten signature]

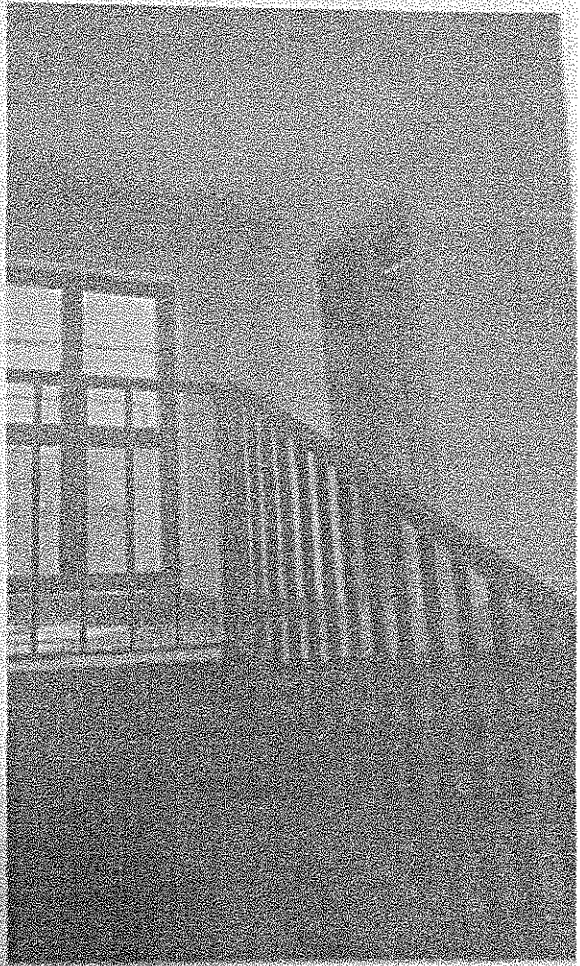
[Handwritten signature]

D.R

Det. C



L-ahhar indana ta' fuq bil-bieb "finished" li jaghti għall-fond fuq ix-xellug, kif ukoll bieb temporanju magħmul minn bicclet tal-injam li jaghti għall-fond fuq il-lemin, apparti bieb ieħor tal-"aluminium" bil-ħgieg, fic-centru li jaghti għall-bejt komuni.



Fil-Prim'Awla tal-Qorti Ċivili

S.T.O. Prim Imhallef Mark Chetcuti LL.D

Fl-atti tas-subbasta numru 30/21

fl-ismijiet:

HSBC Bank Malta p.l.c

vs

Steffen Mallinowski

Il-Qorti,

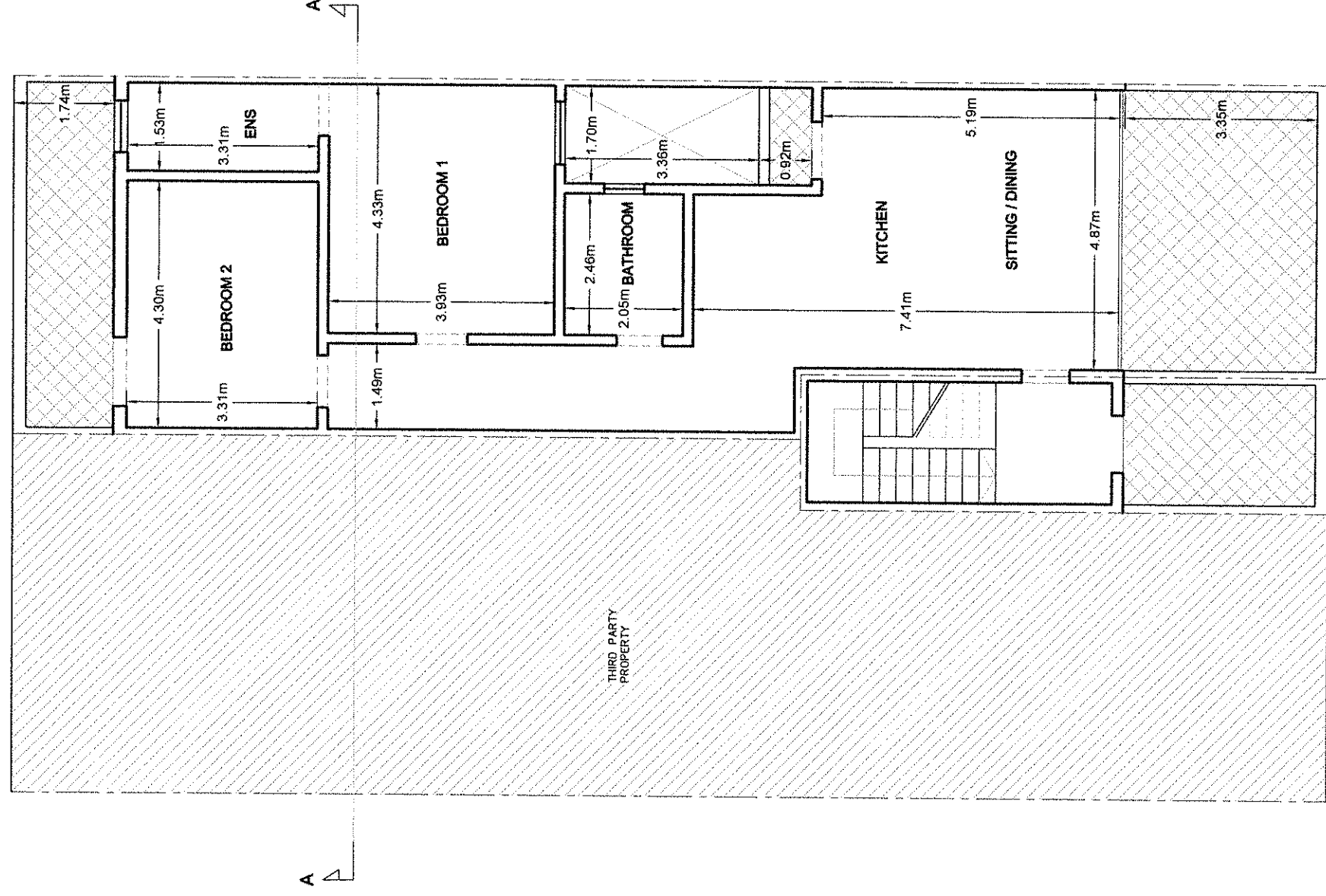
Regghet rat ir-rikors tal-perit tekniku tas-26 ta' Ottubru, 2021.

Rat in-nota tal-HSBC Bank Malta plc tat-3 ta' Novembru, 2021 u l-korrezzjoni awtorizzata mill-Qorti.

Tordna lill-perit tekniku jespleta l-inkarigu tieghu skond id-deskrizzjoni moghtija mill-Bank kreditur tal-fond meritu tas-subbasta.

Ilum, 8 ta' Novembru, 2021

**Gaetana Aquilina
Deputat Registratur**



**EXISTING THIRD FLOOR LEVEL
(PENTHOUSE)**

SCALE 1:100

Total Internal Area 95m²

(Handwritten Signature)

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Drawing, dimension errors, and omissions are to be reported to Perit Alistair Avallone immediately on discovery.

All dimensions are in millimeters (mm) unless otherwise stated.

Scale : 1:100 on A3		0 1 2 3 4 5m	
METRES			
Scale : 1:50 on A3		0 1 2 2.5m	
Date :	30/03/2022	Drawn By :	N. Borg
no. by date		revision details	
		Checked By :	A. Avallone

Client :	Gorti Subbasia Nru 30/2021
Job Title :	Survey of Property : Penthouse No. 5, "Castagna House", Triq l-Iskai, Marsaskala.
Drawing Title :	Existing Third Floor Level
Code :	QRT/22
Drawing No. :	QRT/22-01-00

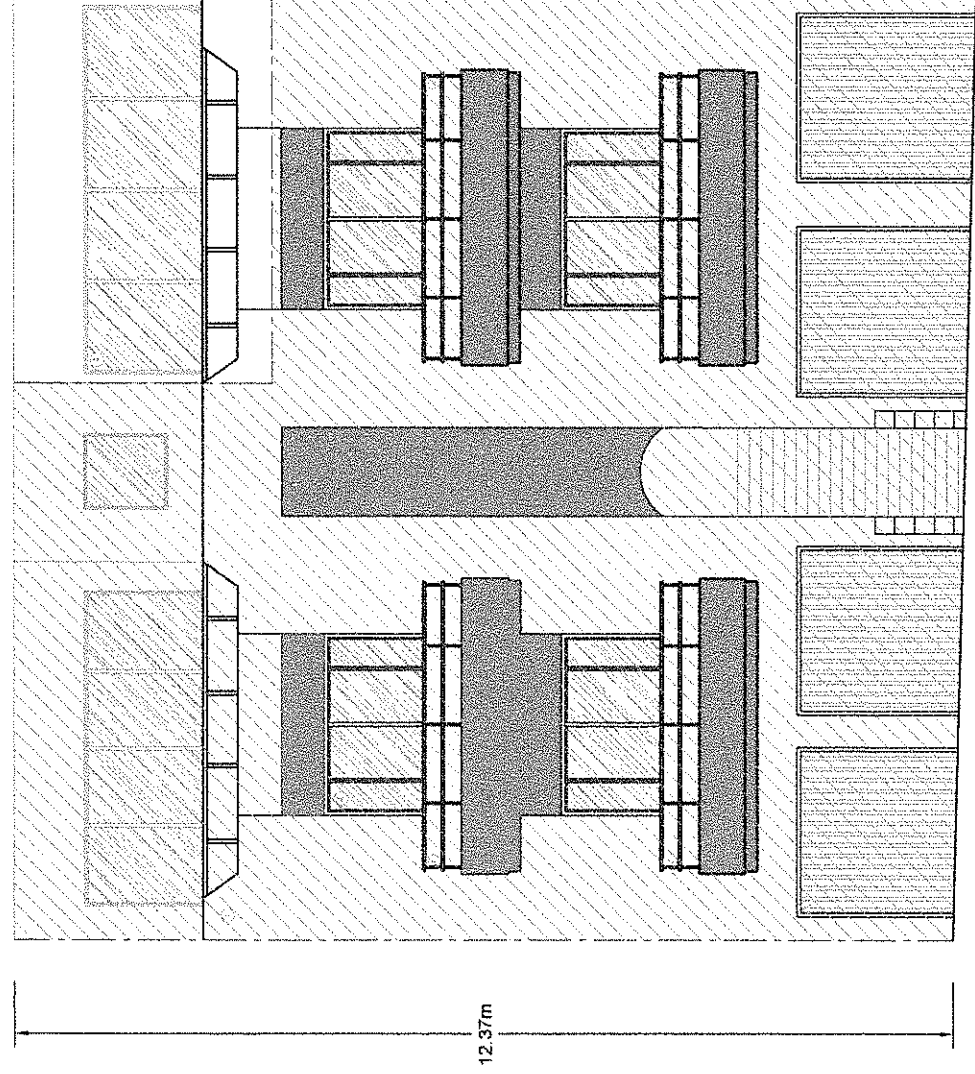
ALISTAIR AVALLONE
 B.E. & A. (Hons.), A.C.E.
 Architect, Civil & Structural Engineer
 Cost & Planning Consultant
 Interior Designer

PERIT
 9/11, Triq Santa Marija,
 Tarkien TXM1700
 (+356) 79 061 754
 (+356) 21 80 36 71
 avallonealister@pentavallone.com

Table for materials:

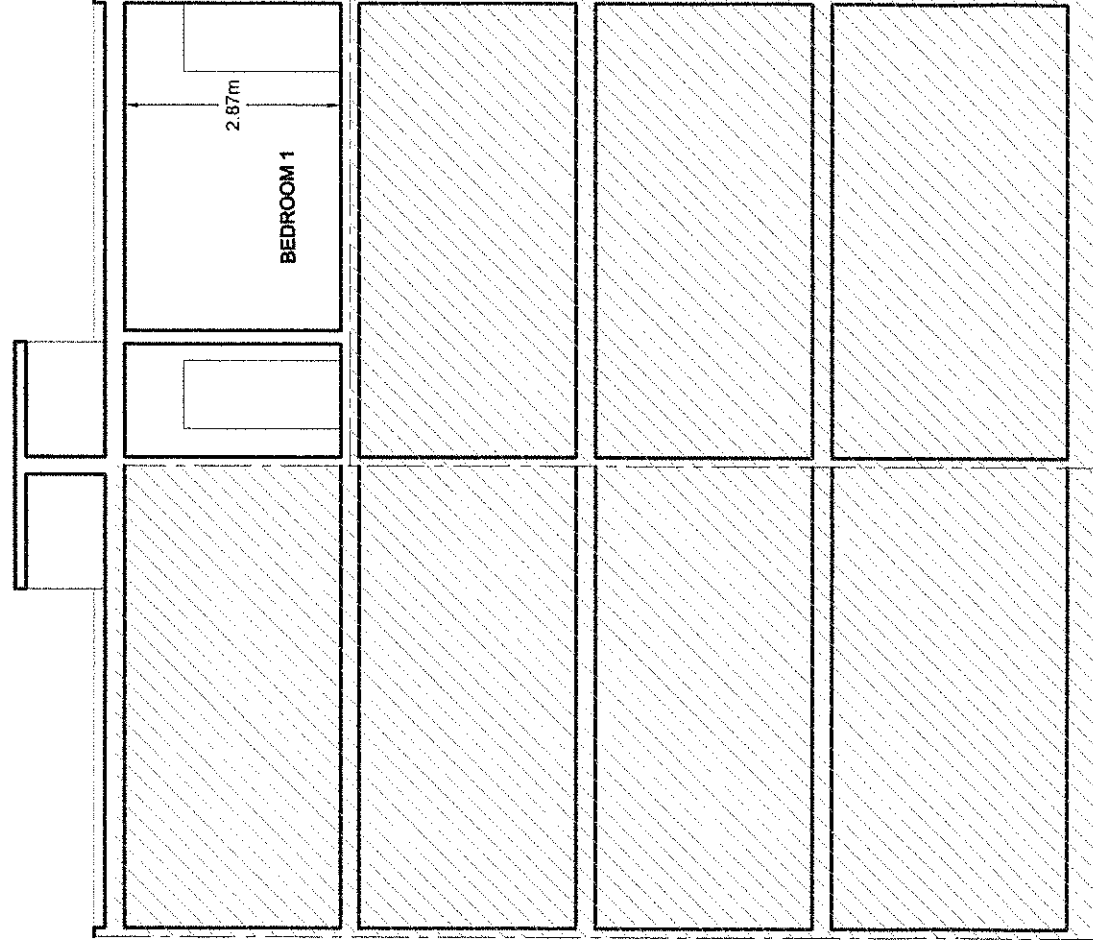
- 1 - Rendered and Painted Masonry Work
- 2 - Black Aluminium Balcony Railing
- 3 - Painted Steel Door
- 4 - Glazed Apertures.

▨	THIRD PARTY
▨	PROPERTY



EXISTING ELEVATION

SCALE 1:100



EXISTING SECTION A-A

SCALE 1:100

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All dimensions are in millimeters (mm) unless otherwise stated.

Scale : 1:100 on A3

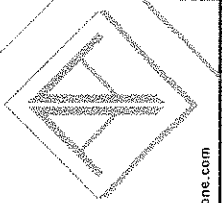
METRES 0 1 2 3 4 5m

Scale: 1:50 on A3 0 1 2 2.5m

Date :	30/03/2022	Drawn By :	N Borg	Checked By :	A. Avallone
no. :		date :	revision details		

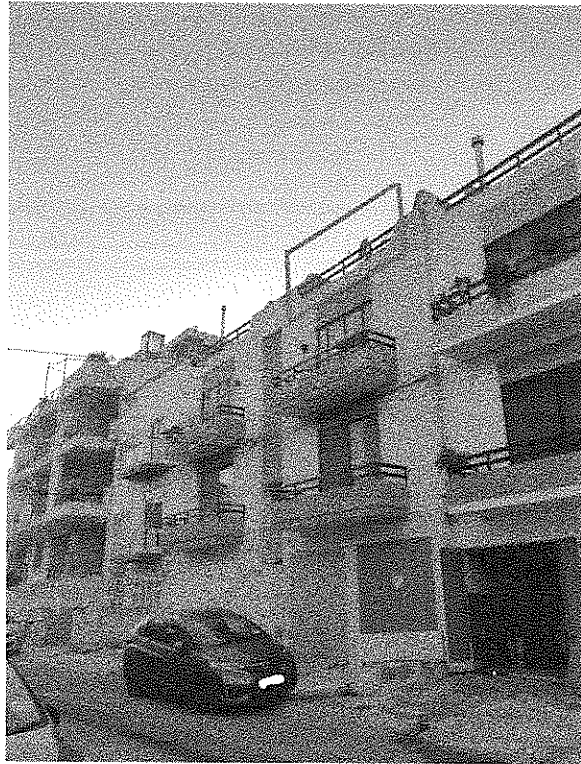
Client :	Qorli Subbasta Nru 30/2021
Job Title :	Survey of Property : Penthouse No. 5, "Castagna House", Triq l-iskal, Marsaskala.
Drawing Title :	Existing Elevation & Section A-A
Code :	QRT/22
Drawing No. :	QRT/22-02-00

AUSTAIR AVALLONE	
B. E. & A. (Hons.), A. & C. E. Architect, Civil & Structural Engineer Cost & Planning Consultant Interior Designer	
PERIT	
9111, Triq Santa Marija, Tarxien TXN1700 (+356) 21 80 38 71 avallonealstair@peritavallone.com	

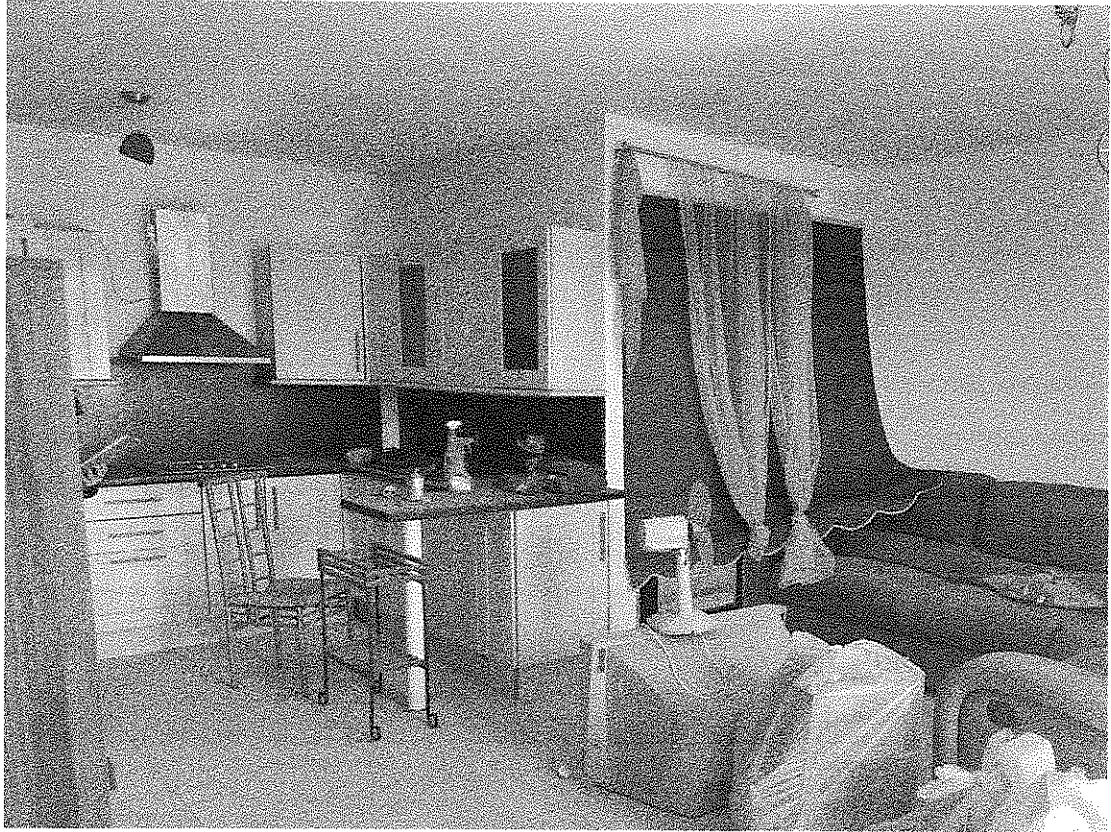


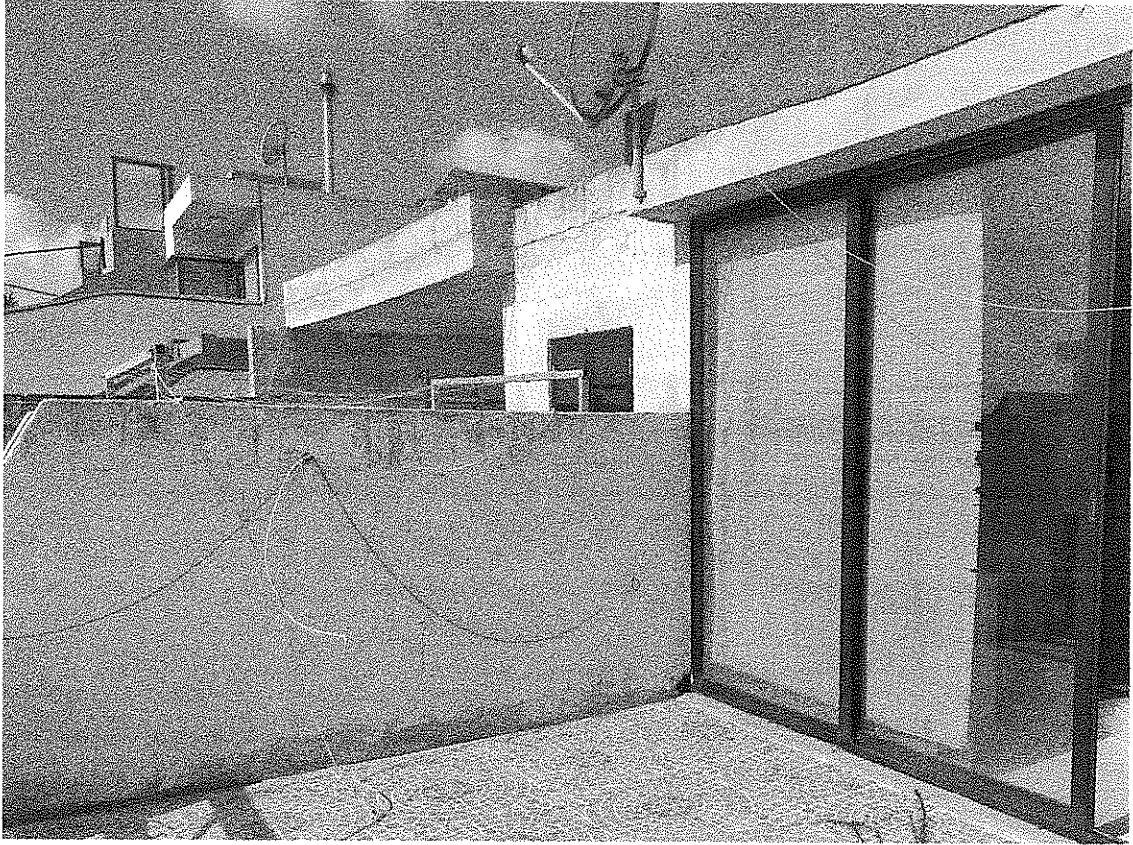
Dok. 'K'

Ritratti tal-Fond :













6 minn 11





Hsarat u/jew Difetti :









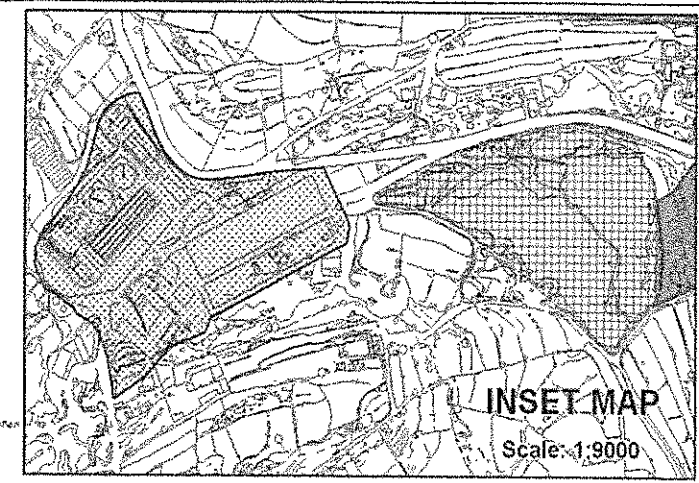
11 minn 11

SOUTH MALTA LOCAL PLAN



L-Awtorita' ta' Malta Dwar l-Ambjent u l-Ippjanar

Malta Environment & Planning Authority



- Key**
- Limits to Development
 - Scheme Alignment
 - Urban Conservation Area - SMCO 01
 - Road Alignment Change - SMMS 07
 - ▨ Residential Area - SMHO 02, SMSE 04
 - ▩ Residential Priority Area - SMHO 02
 - ▧ Educational Facilities - SMMS 10, SMSE 03
 - Area Safeguarded for Expansion of School - SMMS 10
 - ▨ National Park - SMIA 13
 - ▩ Green Area - SMSE 04
 - ▧ Public Urban Open Space - SMSE 04, SMMS 02
 - ▨ Church / Chapel
 - ▨ Heritage Sites - SMMS 13
 - ▧ Entertainment Priority Area - SMMS 01, SMMS 13, SMTO 01
 - ▨ Tourism Development Subject to a Development Brief - SMMS 15
 - ▨ Local Centre - SMCM 02
 - ▨ Yacht Marina / Maritime Related Uses (Use Class 10a) - SMMS 04
 - ▨ Social and Community Facility - SMSE 04
 - ▨ Sports Facilities - SMMS 03, SMMS 04 (Ex- National Swimming Pool Site)
 - Footpath - SMMS 06
 - Site to be developed as per Policy SMMS 14

- INSET MAP**
- ▨ Waste Management Facility - SMMS 12
 - ▨ Recreational Area - SMMS 09

Perit Alistar Avallone B.E.A. (Hons.) A.&C.E.
 Address: Santa Marija, Tarxien, TXN 1700
 Tel: +356 21480 3871
 Fax: +356 217906 1754
 E-mail: avallonealistan@gmail.com

Marsascala - North

Policy Map

Scale: 1:7000	Date: July 2006	Map: MS 1
INDICATIVE ONLY Not to be used for measurement or direct interpretation Maps to be used in conjunction with Policy Document.		



SOUTH MALTA LOCAL PLAN



L-Awtorita' ta' Malta Dwar l-Ambjent u l-ippjanar
Malta Environment & Planning Authority

Key

- - - Limits to Development
- Scheme Alignment
- Urban Conservation Area
- [Pattern] Bungalow - 1 floor plus semi-basement
- [Pattern] Villa Area - 2 floors plus semi-basement
- [Pattern] 2 floors
- [Pattern] 2 floors plus basement
- [Pattern] 2 floors plus semi-basement
- [Pattern] 2 floors plus recessed 3rd floor
- [Pattern] 3 floors plus basement - Subject to Policy SMCO 01
- [Pattern] 3 floors plus semi-basement
- [Pattern] 4 floors
- [Pattern] 4 floors plus semi-basement
- [Pattern] Not to exceed existing height
- [Pattern] As per policies SMMS 03, SMMS 10, SMMS 14 & SMMS 15

Perit Aialone AVALONE B.E.&A. (Hons.) A.C.C.E.
 Address: 9, Triq Santa Marija, Tarxien, TXN 1700
 Tel: (+356) 2180 3671
 Mob: (+356) 7988 1754
 Email: aialoneairstair@gmail.com

Remarks:
 The relevant height restriction shall not be applicable to mandatory green spaces, urban open spaces, courtyards, front or back gardens or other open spaces ancillary to urban development.

Marsascala Building Heights

Scale: 1:6500 Date: July 2006 Map: MS 3

INDICATIVE ONLY
 Not to be used for measurement or direct interpretation
 Maps to be used in conjunction with Policy Document.

Base Maps - 1988 Survey Sheets
 Copyright Mapping Unit, Malta Environment & Planning Authority

PA Case Details

Planning Application Case Details

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Application Status (Does not reflect any appeal decisions on the case)

Case Status	This application has been approved by Planning Board / Commission.
--------------------	--

Application Details

Case Number:	PA/06661/04
---------------------	-------------

Location of development:	Fairwinds, Triq L-Iskal, Marsascala
---------------------------------	-------------------------------------

Description of works:	To sanction as built internal layout and elevation and construction of washrooms at roof level.
------------------------------	---

Applicant:	Mr Chris Agius
-------------------	----------------

Architect:	Perit Mr. Joseph Zerafa Boffa
-------------------	-------------------------------

Reception date:	22 November 2004
------------------------	------------------

Initial Processing


Validation Date:	02 December 2004
-------------------------	------------------


Target Date:	12 May 2005
---------------------	-------------


Application Type:	Full development permission
--------------------------	-----------------------------


Case Category:	Within Development Zone
-----------------------	-------------------------

Publication

Site Notice Image:	
Publication Date:	24 December 2004
Representation Expiry Date:	08 January 2005

Recommendation	
Recommended Decision:	Refuse Permission
Case Officer Report:	 Purchase Case Officer Report
Report Last Updated:	11 April 2005

Decision	
Decision:	Grant Permission
Decision Date:	28 April 2005
Decision posted date:	15 June 2005
Decision Notice:	 Purchase Decision Notice

Further Information	
Board Minutes:	 View Board Minutes

PA Case Details

Planning Application Case Details

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Application Status (Does not reflect any appeal decisions on the case)

Case Status	This application has been approved by Planning Board / Commission.
--------------------	--

Application Details

Case Number:	PA/02804/07
---------------------	-------------

Location of development:	Fairwinds, Triq L-Iskal, Marsascala
---------------------------------	-------------------------------------

Description of works:	To construct two penthouses instead of approved washrooms and alterations and additions.
------------------------------	--

Applicant:	Mr Chris Agius
-------------------	----------------

Architect:	Perit Mr. Joseph Zerafa Boffa
-------------------	-------------------------------

Reception date:	25 April 2007
------------------------	---------------

Initial Processing

Validation Date:	31 May 2007
-------------------------	-------------

Target Date:	30 September 2007
---------------------	-------------------

Application Type:	Full development permission
--------------------------	-----------------------------

Case Category:	Within Development Zone
-----------------------	-------------------------

Publication

Site Notice Image:



Publication Date: 23 June 2007

Representation Expiry Date: 08 July 2007

Recommendation

Recommended Decision: Grant Permission

Case Officer Report:



[Purchase Case Officer Report](#)

Report Last Updated: 13 July 2007

Decision

Decision: Grant Permission

Decision Date: 20 September 2007

Decision posted date: 14 February 2008

Decision Notice:



[Purchase Decision Notice](#)

Further Information

Board Minutes:



[View Board Minutes](#)

CTB Case Details

EDPA Article 91 Schedule 8 Category B

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Application Details

Case Number:	CTB/01529/13
Reception date:	27 August 2013
Applicant:	Mr. Steffen Mallinowski
Architect:	Alessandra Fiott
Location of Infringement:	No. 5, 'Castagna House', Triq L-Iskal, Marsascala, Malta
Description of Infringement:	Request for concession re size of internal yard and internal clear floor to ceiling height in line with LN52/13.

Perit Alistair Avallone BE&A(Hons.), A&CE			
9/11, Triq Santa Marija, Tarxien TXN1700			
VAT MT 2028 6026	7906 1754	avallonealistair@peritavallone.com	
ATTI TAS-SUBBASTA 30/2021			
FL-ISMJJET	HSBC Bank Malta plc vs Steffen Mallinowski		
DRITT	RATA (€)	NUMRU	TOTAL (€)
Valutazzjoni – Suq miftuh	Tariff K para 6(b)	340,000	1,028.85
Opinjoniġiet – Punti Trattati	116.47		0.00
Opinjoniġiet – Danni/Kumpens	232.94		0.00
Stima ta' Xogholiġiet	0.05		0.00
Stima ta' Xogholiġiet	0.02		0.00
TOTAL DRITTIJJET			1,028.85
SPEJJEZ	RATA (€)	NUMRU	TOTAL (€)
Access	32.00	3	96.00
Seduti	24.00	1	24.00
Pjanta A4	58.23		0.00
Pjanta A3	116.47	5	582.35
Pjanta A2	232.94		0.00
Pjanta A1	465.88		0.00
Trasport	6.99	1	6.99
Typing Relazzjoni	0.70	20	14.00
Kopji	0.23	12	2.76
Ritratti	1.40	23	32.20
Traskrizzjoni Verbali	0.70		0.00
Notifiki	1.16	2	2.32
Posta Registrata (Rcevuta annessa)	2.80	1	2.80
Xiri ta' Land Registry Site Plan (Rcevuta annessa)	6.00	1	6.00
TOTAL SPEJJEZ			760.62
TOTAL DRITT U SPEJJEZ			1,789.47