

# CHL's Terms of Use Policy, FAAN promotions, Jim Smith articles and Ecuadorian law

---

From [REDACTED]

To david at cuencahighlife.com<david\_at\_cuencahighlife\_com\_ihkmjuzpp@simplelogin.co>, jonathan at cuencahighlife.com<jonathan\_at\_cuencahighlife\_com\_nmnmpvd@simplelogin.co>, rebeca at cuencahighlife.com<rebeca\_at\_cuencahighlife\_com\_abcbhxol@simplelogin.co>

Date Monday, December 8th, 2025 at 1:05 PM

---

To the Editorial Staff,

Your refusal to publish my request comment today to Jim Smith (he has no working email on either of his 2 sites to communicate with him directly) has compelled me to write to you one final time to document, in one place, the concern I have raised with Cuenca High Life several times privately, following your own Terms of Use, and which now goes to questioning Cuenca High Life's compliance with both its *own publishing policy* and Ecuadorian law.

On your *Terms of Use and Policies* page, under **Classifieds Policy**, you state that you will publish personal-experience classifieds, but that you "will not include complaints that make legal allegations, such as 'fraud', 'illegal activities', etc." and that such allegations must instead be sent privately to Cuenca High Life so that, if confirmed, "the site managers will remove the offending posts and block similar ones in the future." ([CuencaHighLife](#))

I have never attempted any rebuttal of FAAN's ads and posts knowing the moderators prohibit that. On multiple occasions I have sent you, privately and in detail, documentary evidence regarding serious legal and regulatory concerns surrounding FAAN and its *SuperDogs Sanctuary* project in Tarqui, including:

- Their declaration they are able to build an in-ground swimming pool on parcels in the mountains of Tarqui when the property database shows no municipal water supply. FAAN has never produced well drilling or civil engineering studies for the 2 years since they purchased the land.
- Questions already placed before Ecuador's Servicio de Rentas Internas (SRI) and before the Ministry of Environment and Energy / ARCA, regarding tax, environmental and water-related compliance.
- Evidence of governance irregularities between the board registered in SUIOS and the group of foreign "board members" presented publicly as directing the organization.

Despite having this information on record and despite your own commitment that confirmed allegations would lead you to "remove the offending posts and block similar ones," Cuenca High Life continues to publish and amplify FAAN's fundraising and branding for the *SuperDogs Sanctuary* through repeated classifieds and community posts. Recent examples include, among others:

- "Meet Mafer — One of FAAN's Beloved SuperDogs" (1 December 2025), which actively invites readers to "Support the new FAAN SuperDogs Sanctuary" and links directly to SuperDogsSanctuary.org and FAAN's donation pages. ([CuencaHighLife](#))
- The Thank you image ad that appears on every article and has run for several days. Clicking on it goes to FAAN's new domain superdogssanctuary.org

- "Meet FAAN SuperDog: Daphne" (5 December 2025), which promotes "Ecuador's first modern SuperDogs Sanctuary" as an ongoing project and solicits adoption, sponsorship and donations. ([CuencaHighLife](#))
- Gala and "Hollywood"-themed campaign classifieds published since August, inviting Cuenca High Life readers to fund the building of the same sanctuary in Tarqui. ([CuencaHighLife](#))
- The most egregious: "Dear Cuenca High Life Friends" (21 November 2025), CHL's participation in a cover up of Rosemary and Barry Rein failing to apply for an event permit, a process that allows the canton to perform a thorough audit of the event's purpose for any violations of Acuerdo 0069. Obviously they were informed, incorrectly, that the day before their already sold out event they should post on CHL announcing this gala was really all along their birthday party celebration because Acuerdo 0069 states "family gatherings such as birthdays and weddings don't require a permit". ([CuencaHighLife](#)).

Does that bad act and this look like innocent people to you? Why didn't Rosemary reply with a link to the construction permits that should have formed the basis for the land purchase decision made 2 years ago?

[Post Comment](#)



**Cuenca Perros**

What is it called when you attempt to raise money for a construction project on land in the mountains with an average 45% slope with no water supply, electricity or sewer? Anybody know?

...

[Reply](#)

👍 0 🗨️ 0



**Rosemary Rein** Post Author

It's called working day and night doing better for our dogs and having a heart. You on the otherhand are an anonymous troll with innacurate, outdated AI garbage. PS:You're not anonymous and have been served a cease and desist.

...

[Reply](#)

👍 0 🗨️ 0



**Cuenca Perros** Thank you for answering my question. No doubt SRI, UGA, MIES and the Ministry of Environment and Energy will appreciate your public statement.

These are not neutral, third-party discussion posts: they are repeated, editorially formatted classifieds and promotions, presented under the Cuenca High Life brand to an audience explicitly targeted as residents and prospective residents of Ecuador, who are mostly members of the protected class of tercera edad. Your own "Business Promotions" language emphasizes that Cuenca High Life provides terms and conditions up front and clarifies responsibilities for such paid communications. ([CuencaHighLife](#))

As you well know, Cuenca High Life is not operating in a legal vacuum. Ecuadorian law applies to digital media and websites that are produced in, and directed to, audiences in Ecuador, including:

- The **Ley Orgánica de Defensa del Consumidor**, which expressly prohibits “publicidad engañosa o abusiva... que induzcan a error en la elección del bien o servicio que puedan afectar los intereses y derechos del consumidor” (misleading or abusive advertising that misleads consumers and affects their rights). ([elecgalapagos.com.ec](http://elecgalapagos.com.ec))
- The **Ley de Comercio Electrónico, Firmas Electrónicas y Mensajes de Datos**, which recognizes legally significant relationships and contracts formed through electronic messages and platforms directed at the Ecuadorian public. ([Gob](http://Gob))
- The **Ley Orgánica de Comunicación**, which, through the doctrine of *responsabilidad ulterior*, places responsibility on media outlets for contents they assume as their own and for advertising they disseminate, particularly when such content may infringe rights or mislead the public. ([lotaip.eltelegrafo.com.ec](http://lotaip.eltelegrafo.com.ec))

Taken together, these norms mean that a site like Cuenca High Life, which monetizes classifieds and promotions aimed specifically at consumers and donors in Ecuador, cannot simply claim to be a passive bulletin board. Once you are in possession of detailed, documented concerns about the legality and regulatory compliance of a campaign, and once you have adopted an internal policy that promises to act on such allegations, continuing to give that campaign prominent, repeated exposure creates at least three problems:

1. **A policy problem:** it contradicts your own Classifieds Policy, which directs serious allegations to private channels precisely so that you can act on them and, where confirmed, stop running the offending content.
2. **A consumer-protection problem:** it raises the question of whether Cuenca High Life is facilitating advertising that may mislead readers about the nature, feasibility or regulatory status of the project for which their donations and support are solicited.
3. **A media-responsibility problem:** as a de facto media outlet within the scope of the Ley Orgánica de Comunicación, Cuenca High Life is expected to exercise a minimum of diligence in the content it repeatedly endorses to readers—especially when that content asks the public for money in support of a contested project on Ecuadorian soil.

To be clear: the question here is not whether Cuenca High Life agrees with my assessment of FAAN, nor whether you wish to take an editorial position on animal welfare policy in Cuenca. The question is whether, having been put on notice—privately, as you yourselves require—of concrete, documented concerns and of ongoing investigations by Ecuadorian authorities, you consider it compatible with your own Terms of Use and with Ecuadorian law to continue serving as a principal promotional channel for the *SuperDogs Sanctuary* fundraising machine.

At a minimum, consistency with your stated policy would suggest:

- Suspending further promotional classifieds for the FAAN SuperDogs Sanctuary until the relevant authorities (SRI, environmental and municipal) clarify the status of the project; or
- Transparently disclosing to your readers that there are pending complaints and regulatory questions around the project so they can make informed choices, rather than continuing to present the sanctuary as an uncontroversial, purely positive initiative.

Given the above, I am fully prepared to present this information, together with your continued publication of these promotions, to the competent Ecuadorian authorities with jurisdiction over advertising, electronic commerce, and media so they can evaluate Cuenca High Life’s compliance with the applicable legal framework. I have already done so in communication with the canton’s Unidad de Gestion Animal and to SRI, informing them it’s impossible to

question activities published on both GringoPost and your site. Today's refusal to publish my comment to Jim Smith is evidence of a pattern of prohibiting any request for disclosure or clarification of an author's intent.

I use a new email alias to ensure you all receive this email. I expect your usual decision not to reply.

---

134.78 KB    1 embedded image

GP-2025-12-2-RM-comments.png 134.78 KB