

DRAKENSBERG BODY CORPORATE
Reg. No.: 190/2003
Domicilium: Merville Property Administrators CC

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CONDUCT RULES

*[Section 10 (2)(b) of the Sectional Titles Schemes Management Act No 11 of 2011]
For the Use and Enjoyment of the Sections and Common Property of*

DRAKENSBERG BODY CORPORATE

SECTIONAL TITLE SCHEME
SS NO 161 / 1991

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CONDUCT RULES

[Section 10 (2)(b) of the Sectional Titles Schemes Management Act No 11 of 2011]

PRELIMINARY

A. APPLICABILITY

- 1) These Conduct Rules, the provisions of the Management Rule 30, and of Section 13 of the Sectional Titles Schemes Management Act, No 8 of 2011, as amended from time to time, are applicable to and binding upon the trustees, the manager (if so contracted), the managing agent (if so contracted), and all owners, tenants (lessees), and other occupiers of sections.
- 2) It shall be the responsibility of an owner to ensure compliance with these Rules by the tenant (lessee) or the occupier of this section, including, his or their employees and contractors, visitors (guests) and family members.
- 3) An owner is strictly liable for payment in respect of any damages caused by and for any penalty imposed on him or any person referred to in sub-rule (2).

B. INTERPRETATION

- 1) The clause headings are for convenient reference and shall be disregarded in construing these Rules.
- 2) Unless the context clearly indicates a contrary intention:-
 - a) The singular shall include the plural and *vice versa*; and
 - b) A reference to any one gender shall include the other genders; and
 - c) A reference to natural persons includes juristic persons, trusts and partnerships and *vice versa*.
- 3) Words and expressions defined in the Sectional Titles Schemes Management Act No. 8 of 2011, and annexures attached thereto, shall in all Rules, unless inconsistent with the context, bear the meaning assigned to such words and expressions in the Act and annexures thereto.
- 4) When any number of days is prescribed in these Rules, the same shall be reckoned exclusively of the first and inclusively of the last day unless the last day falls on a Saturday, Sunday or proclaimed public holiday in the Republic of South Africa, in which event the last day shall be the next succeeding day which is not a Saturday, Sunday proclaimed public holiday.

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5) Where numbers are expressed in words and in numerals in these Rules, the words, shall prevail if there is any conflict between the two.

C. DIRECTIVES

- 1) The trustees may from time to time issue Directives in connection with any Conduct Rule.
- 2) The Directives shall not be in conflict with any Management or Conduct Rule.
- 3) The Directives shall provide direction as to the practical application of a Conduct Rule. The trustees may through their Directives regulate, guide and clarify practical matters pertaining to a Conduct Rule. The trustees are not authorized to create further Conduct Rules through their issuing of Directives.

D. GUIDELINES

- 1) The trustees may from time to time prepare and revise Guidelines in respect of alterations or additions referred to in Conduct Rule 4. The Guidelines may contain specifications and sketch plans as to the nature, design, material, colour, and manner of installation required in respect of alterations or additions to ensure uniformity of construction.
- 2) Unless the existing Guidelines were approved by the members by ordinary resolution majority at the meeting at which these Conduct Rules were adopted, the Guidelines shall be so adopted at any subsequent annual or special general meeting.
- 3) Any amendments proposed by the trustees shall be tabled at a general meeting for consideration and approved by the members by ordinary majority vote, with or without amendment.
- 4) The Guidelines shall, by virtue of these Conduct Rules, be binding upon owners and occupiers and shall be strictly adhered to by them.

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1. ANIMALS, INSECTS, REPTILES AND BIRDS (PETS)

- 1) Strictly no pets allowed
- 2). An owner or occupier suffering from a disability and who reasonable requires a guide, hearing or assistance dog must be considered to have the trustees' consents to keep that animal in a section and to accompany it on the common property.

2. REFUSE DISPOSAL

- 1) An owner or occupier of a section shall:-
 - a) ensure that before refuse is placed in a refuse bins designated and provided, such refuse must be securely wrapped in a suitable strong refuse bag, and in the case of tins and other containers, completely drained, before it is placed in such refuse bag and such receptacle; and
 - b) **No refuse bags are to be left on any part of the common property including outside the front doors of the various units;**
 - c) ensure that in disposing of refuse, the tenant shall not adversely affect the health, hygiene or comfort of the owners or occupiers of other sections.
- 2) No kitchen refuse, food waste, fats or waste of any kind may be thrown or washed down kitchen drainpipes. Occupants shall be responsible for clearing blocked drains, servicing their sections, as well as, the costs as associated therewith.
- 3) An owner or occupier of a section shall comply with any other Directives issued by the trustees regarding refuse disposal.

3. PARKING AND DRIVING OF VEHICLES

- 1) The owner or occupier of a section must not, except in a case of emergency, without the written consent of the trustees, park a vehicle, allow a vehicle to stand or permit a visitor to park or stand a vehicle on any part of the common property other than a parking bay or garage allocated to that section or parking bay allocated for visitors' parking.
- 2) A consent under sub-rule (1) must state the period for which it is given.
- 3) Owners or occupiers shall not:-
 - a) park or cause or to be parked, or stood upon, any vehicle on the common property other than on the demarcated parking bays and subject to the provisions of sub-rules (1) and (2) above.
 - b) drive their vehicles within the common property in any manner that creates a nuisance;
 - c) allow any unlicensed person to drive any vehicle within the common property;

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- d) park or cause or to be parked, or stood upon, any vehicle, including that of visitors, on any area allocated to an owner or occupier of another section without his consent;
 - e) be permitted to dismantle or effect major repairs to any vehicle on any portion of the common property, an exclusive use area or in a section;
 - f) be allowed to reside or sleep in a vehicle, garage or on any part of the common property or an exclusive use area;
 - g) lease a parking bay or garage other than to owners or lawful occupiers of sections.
- 4) Vehicles may not exceed a speed of 20 kilometres per hour on any part of the common property.
 - 5) Vehicles may not be parked in any manner so as to hinder the free flow of traffic within the scheme and access to and egress from parking bays shall not be obstructed. Only one vehicle per parking bay is permitted.
 - 6) Parking on any grass area is prohibited except on dedicated parking bays.
 - 7) Owners and occupiers of sections shall ensure that their vehicles and the vehicles of their employees, contractors, guests and visitors do not drip oil or brake fluid and/or any other fluid of whatever nature on the common property or in any other way deface the common property. If dripping or damage occurs, restoration may be affected by the body corporate at the expense of the owner of the section.
 - 8) Hooters may not be sounded at any time on the common property, except as a warning of imminent danger in the case of an emergency.
 - 9) Damaged vehicles and vehicles that are not in general use, or that are not roadworthy may not be parked within the scheme other than for such short period as may be approved in writing by the trustees.
 - 10) Parking bays shall be kept clean and tidy at all times.
 - 11) **The trustees may cause its wheels to be clamped at the risk and expense of the owner and/or driver of the vehicle, including payment of a release penalty to be determined by the trustees from time to time any vehicle parked, stood or abandoned in contravention of these Rules.**
 - 12) Vehicles parked or entering the scheme are subject to the express condition that it is parked at the owner's risk and responsibility and that no liability shall attach to the body corporate or its agents or any of their employees for any loss or damage of whatsoever nature which owner, or any person claiming through or under him, may suffer in consequence if his vehicle having been parked on the common property.

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4. DAMAGE, ALTERATIONS AND ADDITIONS TO THE COMMON PROPERTY AND STRUCTUAL ALTERATIONS TO THE INTERIOR OF SECTIONS

MINOR ALTERATIONS

- 1) As far as minor alterations, fixtures or additions are concerned, an owner, lessee or occupier of a section shall not mark, paint, drive nails or screws or the like into, or otherwise damage, or alter, any part of the common property without first obtaining the written consent of the trustees.
- 2) Notwithstanding sub-rule (1), an owner or person authorized by him, may install:-
 - a) any locking device, safety gate burglar bars, or other safety device for the protection of his section; or
 - b) any screen or other device to prevent the entry of animals or insects; provided that the trustees have first approved the nature and design of the device and the manner of its installation.
- 3) An owner or person authorized by him shall not construct, attach to, fix to any part of the exterior of buildings, or place to construct on, or fix to any part of the common property any alterations, fixtures or additions, inclusive of but not limited to radio aerials, television aerials, satellite dishes, solar heating systems, air conditioners, generators, chimneys, canopies, awnings, shade covers, carport covers, steps, braais, gazebo's, wendy houses or similar items without the prior written consent of the trustees, who may attach reasonable conditions to their consent. Architectural Guidelines will be drafted and the trustees reserve the right to make changes from time to time.
- 4) A request for the trustees' consent or approval contemplated in sub-rules (1), (2) or (3), must be made in writing to the trustees and must be accompanied by plans and specifications sufficient to explain the nature, design, shape, size, material, colour and location of the proposed item.
- 5) The trustees' consent for such structures as contemplated in sub-rule (3) may at any time be withdrawn in the event of non-compliance with the imposed conditions. In the event of such withdrawal, the owner is responsible for the immediate removal of the item, at his or her own cost. Should the owner fail to remove such item and any such failure persists for a period of 30 (thirty) days after written notice to remove is given by the trustees or the managing agent on their behalf, the trustees may have same removed at the risk and expense of the owner concerned, who shall have no recourse against the body corporate or its trustees, employees or contractors for any damage resulting therefrom.

STRUCTURAL ALTERATIONS

- 6) Any structural alteration affecting a section and the common property, and alterations to work to plumbing, electrical installations or conduits, may only be carried out after:-
 - a) compliance with all the relevant provisions of the Act and the Rules;
 - b) obtaining the written approval of the local authority, if applicable; and
 - c) obtaining the written consent of the trustees, which may be accompanied by conditions.

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- 7) All structural alterations and alterations to, or repairs of, plumbing, electrical installations or conduits, must be done by qualified persons and the work must comply with the standards required by the local authority.
 - 8) In addition to any other relevant provisions, the following shall apply in respect of any work effected by owners which, in the sole discretion of the trustees, involves structural alterations or additions to a section, including the enclosure of balconies or stoeps, the removal, creation, or modification of a wall or any structural part of the building and any alterations, additions, modifications, improvement or decorative work which affects the exterior appearance of the section:-
 - a) A written application with specifications time frame, and a sketch plan of the proposed alterations must be submitted to the trustees, to obtain their provisional consent.
 - b) The trustees may grant provisional consent, or refuse such consent with reasons being furnished. The consent may also be accompanied by reasonable conditions. The trustees may request that a report by a structural engineer or architect be furnished.
 - c) If provisional consent is given, the owner must proceed to have building plans prepared and approved by the local authority (if required), and which may not deviate from the sketch plan.
 - d) Before final approval the owner must canvass the comments of immediate neighbours, and submit it to the trustees for considerations. When necessary, a resolution must be taken by other owners.
 - e) A copy of the approved building plan, or proof that a building plan is not required, must be submitted to the trustees.
 - f) If considered necessary by the trustees, they may consult an architect, engineer, legal advisor or other professional consultant, regarding the proposed alterations.
 - g) Within 30 (thirty) days of obtaining all the required information and advice, the trustees shall consider the application, reach a reasonable decision, and advise the application of such decision. If refused, reasons must be given. The consent may also be accompanied by reasonable conditions.
 - h) A deposit as determined by the trustees from time to time, shall be payable by the owners, before work may commence. The deposit must be refunded after the completion of the work.

ALL ALTERATIONS

- 10) In respect of all work done at the instance of an owner of a section, the following shall apply:
 - a) The owner shall liaise with the trustees concerning all aspects of the daily building operations, including the security measures applicable, the vehicles to be allowed on the premises and the temporary storage of building material and machinery on the premises. The owner shall furnish the trustees, managing agent or manager with the contact details of all contractors who intend to enter the premises.
 - b) The alterations and fixtures contemplated in this Rule shall comply with the provisions contained in the Guidelines.

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- c) All doors, including garage doors, security gates, windows, window frames and other external fittings must conform in quality and appearance with similar items generally installed elsewhere in the building or common property.
 - d) The owner accepts responsibility, and shall be liable to the body corporate (or owners, as the case may be), for any damage caused by him or her, his or her workmen, contractors, or any other person, to the common property or to other sections, and indemnifies the body corporate against such damage or any claims arising therefrom.
 - e) The electricity supply of the body corporate may not be used without the specific consent in writing of the trustees, who may assess the costs of such usage for the account of the owner.
 - f) The main water or power supply may not be disconnected and no person may get onto the roof without the prior consent of the trustees.
 - g) Any work done in pursuance of this Rule and involving noise, must be done on weekdays during the hours 08h00 to 17h00, or during the hours 08h00 to 13h00 on Saturdays, but not at all on Sundays or proclaimed public holidays.
 - h) Any work done in pursuance of this Rule must be done with the minimum of discomfort, disturbance, obstruction, and nuisance to other occupiers and must be concluded as expeditiously as possible, within the time frame specified, if any. Any rubble or other building material, tools or equipment shall be removed from the common property or any part of a section as soon as possible or within such reasonable time as determined by the trustees.
 - i) All charges, damages, expenses and penalties raised against the owner in terms of this Rule, are payable upon demand and, if unpaid, trustees may deduct such items from the owner's deposit and/or add the amount to his or her levy account.
 - j) The owner must ensure that his or her workmen and contractors comply with the relevant provisions of this Rule.
- 11) In the event of approval, or a permit or consent being required from any local or other authority for the alteration, improvement, fixture or addition or similar item, such approval, permit or consent must be obtained by the owner before commencement of the alteration, improvement, installation of the fixture, or addition.
- 12) If any work done by or on behalf of an owner in pursuance of the provisions of this Rule results in expenses being incurred by the body corporate, whether it be by obstructing the employees or contractors in the performance of their work, or in any other manner, the owner concerned shall be liable for payment of such expenses, which may be added to his or her levy account.
- 13) Any alteration, improvement, fixture or addition or similar items made or installed by an owner in terms of this Rule shall be maintained by the owner concerned and his or her successor in title, in a state of good repair and in a clean, neat, hygienic and attractive condition, at his or her own expense. If an owner fails to maintain adequately such alteration, improvement, fixture or addition or similar item and any such failure persists for a period of 30 (thirty) days after the giving of written notice to repair or maintain given by

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the trustees or the managing agent on their behalf, the body corporate shall be entitled to remedy the owner's failure and to recover the reasonable cost of doing so from such owner.

- 14) For the purposes of this Rule, the trustees shall have the discretion to decide what constitutes a 'minor alteration,' 'structural alteration' or 'internal alteration' subject to any Directives that may be given by members at a general meeting, by majority vote.
- 15) If an owner (or person authorised by him) effects any work referred to in this Rule without obtaining the trustees' consent, or fails to comply with the imposed conditions, or to conform to the Guidelines or required quality and appearance, or should an owner in any other way contravene any sub-rule, the trustees may request an owner to remove such structure at his or her own cost. Should an owner fail to remove or cause the removal of and/or restitution of any alteration, improvement, fixture or addition and any such failure persists for a period of 30 (thirty) days after written notice given by the trustees, the trustees may effect such removal and/or restitution at the risk and expense of the owner concerned, who shall have no recourse against the body corporate or its trustees, employees or contractors for any damage resulting there from.

5. APPEARANCE FROM THE OUTSIDE AND OBSTRUCTIONS TO THE COMMON PROPERTY

- 1) The owner or occupier of a section shall not place or do anything on any part of the common property, or a section, including but not limited, to patios, court yards and gardens which, in the discretion of the trustees, is aesthetically displeasing or undesirable when viewed from the outside of the section.
- 2) Owners and occupiers shall ensure that sections are provided with adequate curtaining or blinds at all times and within 7 (seven) days of taking occupation. All linings to curtains or blinds, when viewed from outside, must be of neutral colour or white, acceptable to the trustees in their discretion.
- 3) Owners or occupiers, their visitors or guests, may not loiter or leave any obstructions to the free flow of pedestrian or vehicular traffic on any part of the common property.
- 4) Notwithstanding sub-rules (1) and (3) an owner or occupier may, with the prior written consent of the trustees place, store, or leave any object on a part of the common property, or allow or permit it to be so placed, stored, or left.
- 5) The trustees may issue further Directives pertaining to this Rule.

6. SIGNS AND NOTICES

- 1) No owner or occupier of a section shall place any sign, notice, flag, billboard or advertisement of any kind whatsoever on any part of the common property or of a section,

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so as to be visible from outside the section, without the written consent of the trustees first having been obtained.

- 2) The trustees may remove such sign, notice, flag, billboard or advertisement in the event of no written permission having been obtained. Such removal and any repair of common property which may be reasonably required, will be effected at the risk and cost of the owner and such owner and/or occupier shall have no claim against the body corporate or the trustees as a result of their functions performed in terms of this provision.

7. LITTERING

- 1) An owner or occupier of a section shall not deposit, throw, or permit or allow to be deposited or thrown, on the common property, any rubbish, including dirt, cigarette butts, food scraps or any other litter whatsoever.
- 2) An owner or occupier shall remove all items when clearing his post-box and shall dispose of any unwanted items in a suitable refuse container.

8. LAUNDRY

- 1) An owner or occupier of a section shall not, without the consent in writing of the trustees, erect his or her own washing lines, nor hang any washing or laundry or any other items in or on windows, patios or stoeps, or on any part of the building or the common property so as to be visible from outside the buildings or from any other section. Washing lines may only be installed within the boundary of the court yard.
- 2) The use of the laundry area is only for the use of owners and residents.
- 3) Washing must be removed from the washing lines the same day as it is hung.

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9. STORAGE OF FLAMMABLE MATERIAL AND OTHER DANGEROUS ACTS

- 1) An owner or occupier shall not keep or store any hazardous material in a section or on the common property, or do or permit or allow to be done, any other dangerous act in the buildings or on the common property which will or may increase the rate of the premium payable by the body corporate on any insurance policy or which would render void any insurance effected over the property.
- 2) Subject to sub-rule (3), the owner or occupier of a section must not, without the trustees' written consent, store a flammable substance in a section or on the common property unless the substance is used or intended for use for domestic purposes.
- 3) Sub-rule (2) above shall does not apply to the storage of fuel or gas in –
 - a) the fuel tank of a vehicle, boat, generator or engine; or
 - b) a fuel tank or gas cylinder kept for domestic purposes.
- 4) No braaing will be allowed on any balcony and or stoep area
- 5) No unsightly articles / items may be stored on the balconies or any part of the stoep area or common property.

10. LETTING AND OCCUPANCY

- 1) All tenants (lessees) of units and other persons granted rights of occupancy by any owner of a unit are obliged to comply with these Conduct Rules, notwithstanding any provision to the contrary contained in, or the absence of provisions, in any lease or any grant of rights of occupancy.
- 2) Within 7 days of entering into a lease agreement, whether in writing or verbal, the owner shall notify the trustees of: -
 - a) the full names, identity numbers and contact telephone numbers and e-mail addresses of the lessee(s) and other occupiers of the section;
 - b) the duration of the agreement;
 - c) the address and telephone number(s) of the owner; and
 - d) confirmation that the lessee(s) and other occupiers have been given a copy of the Conduct Rules and Directives.
- 3) No owner, tenant (lessee) or occupier of a section shall allow more than 2 persons per bedroom to reside in a unit at any one time.
- 4) No owner, tenant (lessee) or occupier of a section shall not allow sub-letting, strict control will be exercised and necessary remedial fines imposed on the owner of the unit.

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5) Notwithstanding sub-rule (3), with the prior written consent of the trustees, which may not be unreasonably withheld, an additional person or persons may be allowed to reside in a section temporarily, but not for a period of more than 14 (fourteen) days at a time and not for an aggregate period of more than 28 (twenty eight) days in any calendar year.

6) **An owner shall notify the manager, managing agent or trustees forthwith in writing of any change of ownership in, or occupation of his section, or any change in membership or shareholding or beneficiaries of any close corporation or company or trust being the registered owner, and of any mortgage of or other dealing in connection with his or her section.**

11. ERADICATION OF PESTS

1) An owner shall keep his section free of ants, mice, rats, cockroaches, crickets as well as white ants, borer and other wood destroying insects ('pests') and to this end shall permit the trustees, the managing agent, and their duly authorised agents or employees, to enter upon his or her section from time to time for the purpose of inspecting the section and taking such action as may be reasonably necessary to eradicate any such pests.

2) The costs of the inspection, eradicating any such pests as may be found within the section, replacement of any woodwork or other material forming part of such section that may be damaged by any such pests shall be borne by the owner of the section concerned.

12. USAGE OF SECTIONS, EXCLUSIVE USE AREAS, COMMON PROPERTY AND RELATED MATTERS

1) Except for a sale in execution of a unit, no auction, or similar sales or exhibitions, shall be held on the common property or in a section, nor may any section be used for any professional, commercial or industrial purpose whatsoever.

2) An owner, lessee or occupier will be responsible for adequate supervision of his or her children, or children of their visitors, and shall foresee that no nuisance is caused or common property damaged and in particular children may not play games in passages, walkways and parking areas.

3) No bicycles, skateboards, roller skates, roller blades, 'quad-bikes', carts, scooters, motorbikes may be used on the common property.

4) The throwing of stones or other solid objects on the common property is prohibited.

5) In the event of damage of whatsoever nature being caused to the common property, including exclusive use areas, by an owner, lessee or occupier or any of their visitors, contractors or employees, the owner will be responsible for the costs of such repair.

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- 6) The body corporate or its agent's representatives or domestic employees shall not be liable or responsible for the receipt or non-receipt and delivery or non-delivery of goods, postal matter or any other property.
 - 7) An owner shall ensure that all pipes and drains in and abutting his section, which services his section only, shall be maintained, cleaned and cleared from time to time and shall forthwith, in the event of the pipes and/or drains becoming obstructed, have same cleared and/or repaired at his expense.
 - 8) An owner, lessee or occupier are prohibited from using, selling, processing any drugs or illegal substances on or from the premises (unit and common property)
 - 9) **Insurance:**
Occupiers of the units are responsible for insuring their own personal effects and cannot hold the Body Corporate / Owners responsible for any damages or loss to their property for any reason what so ever. i.e burglary, water damage, fire etc.

Additional items i.e air conditioners, sprinkler systems, satellite dishes and TV antennas should be specified on the Body Corporate insurance policy if cover is required by the owner. Any additional premium for the items are payable by the owner of the unit, It is the responsibility of the owner to request the managing agent to increase the insured value for their unit to cover additional services.

13. NOISE, DISTURBANCE AND NUISANCE

- 1) The owner or occupier of a section must not create noise likely to interfere with the peaceful enjoyment of another section or another person's peaceful enjoyment of the common property.
- 2) The owner or occupier of a section must not obstruct the lawful use of the common property by any other person.
- 3) No owner, lessee or occupier may permit anything to be done in his or her section, exclusive use area or on the common property, which constitutes a nuisance or an unreasonable invasion of the privacy of the other occupiers of the buildings, or permit or cause any disturbance or allow his or her children or visitors to cause any disturbance which in the opinion of the trustees would constitute a nuisance or an invasion of the right of privacy of other occupiers.
- 4) All television, radio, and other appliances, instruments or apparatus emitting sound, including musical instruments, and noise emanating from people or pets, must be kept at audio levels which are reasonable in the discretion of the trustees. Particularly on Sundays and between the hours of 22h00 and 07h00 on weekdays, 23h00 and 07h00 on Saturdays,

DRAKENSBERG BODY CORPORATE

Reg. No.: 190/2003

Domicilium: Merville Property Administrators CC

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owners and occupiers shall maintain quietness in their sections, exclusive use areas and on the common property.

- 5) No explosives, crackers, fireworks or items of similar nature may at any time be exploded, lit or operated in sections or any part of the common property.
- 6) No firearms may be discharged in a section or any part of the common property, except under such circumstances that would reasonably justify the use of a firearm for self-defence and related purposes.

14. SECURITY, HEALTH AND SAFETY, AND RISK

- 1) Owners and occupiers must at all times ensure that the security and safety of all owners, occupiers and their property are preserved, and in particular must -
 - a) ensure that upon entering or leaving the premises or garage, all security doors and gates and garage doors are properly closed;
 - b) ensure that such doors and gates are never opened for unknown or uninvited persons;
 - c) comply with any further security measures or Directives implemented by the trustees;
 - d) ensure that their guests, visitors, employees and contractors comply with the security measures implemented by the trustees.
- 2) All persons on the common property or using any of its facilities or services are there and do so entirely at their own risk, and no person shall have any claim against the body corporate of whatsoever nature arising from such use, nor for anything which may befall any person during the course of such use, whether caused by human or animal agency, natural phenomena or otherwise. The body corporate shall not be liable for any injury, loss or damage of any description that any person may sustain, physically or to his or her property directly or indirectly, in or about the common property, its amenities or in the individual sections nor for any act done or for any neglect on the part of the body corporate or any of the body corporate employees, agents or contractors.
- 4) In accordance with municipal by-laws no resident is allowed to smoke on the common property or within 10 meters from the building (entrance hall, walk ways) so as to not affect the use and enjoyment of the common property by other residents as prescribed by the Sectional Titles Management Schemes Act.

15. EMPLOYEES

- 1) Owners, lessees and occupiers of sections may not request employees of the body corporate to perform any task for them during their working hours.

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- 2) Owners, lessees and occupiers may not interfere with body corporate employees in the performance of their duties and must give their full co-operation to such employees.
 - 3) An owner, lessee or occupier shall be responsible for the conduct of their own employees, and for any persons visiting his or her employees.
 - 4) Owners, lessees or occupiers shall ensure that their employees comply with the Conduct Rules and Directives.

16. IMPOSITION OF FINES

- 1) If the conduct of an owner or an occupier of a section or his visitors or guests constitutes a nuisance in the opinion of the trustees, or if an owner, occupier or visitor contravenes, breaches, disobeys or disregards a Management or Conduct Rule, the trustees may furnish the owner with a written notice (letter of first warning) which may in the discretion of the trustees be delivered by hand, registered post, facsimile or e-mail.
- 2) If the owner or occupier nevertheless persists in that particular conduct or in the contravention of that particular Rule, the trustees may furnish the owner with a written notice (letter of final warning), which may in the discretion of the trustees be delivered by hand, registered post, facsimile or e-mail.
- 3) If the breach of conduct rule persists, the trustees may impose an *initial penalty* for the third offence and a *subsequent penalty* for every similar offence thereafter.
- 4) Any fine imposed in terms of sub-rule (3), may be added to the contribution, which an owner is obliged to pay in terms of section 3(1) of the Act and claimed by the trustees as part of the monthly instalments payable by the owner.
- 5) The members of the body corporate may by an ordinary majority vote determine the amounts of the *initial* and *subsequent* penalties at the same meeting that this rule is adopted. Notwithstanding the aforementioned the body corporate may by an ordinary majority vote, at any general meeting, from time to time, determine the amount of the *initial* and *subsequent* penalties.
- 6) **The imposition of a fine on any owner does not affect the right of the body corporate to obtain an appropriate resolution by the CSOS.**
- (7) **Internal dispute resolution prior the referral to the CSOS:**
 - 7.1 **Owner must in writing defend actions on dispute to the trustees within 7 days of the letter received; The Trustees will take under review and reply to the owner**

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7.2 Trustee meeting will be held with the transgressing owner

7.3 Should (7.1 and 7.2) fail to resolve will the matter be referred to CSOS

17. FIRE SAFETY EQUIPMENT

- 1) Fire safety equipment is only to be used in cases of emergencies for extinguishing fires or in a fire practice drill organised by the trustees.

18. COMPLAINTS

- 1) All complaints are to be submitted in writing to the trustees in writing who shall investigate the matter and notify the owner or occupier in writing of the outcome thereof. **No verbal complaints will be dealt with;**
- 2) The trustees may issue Directives, from time to time, as to where complaints may be sent or delivered to.

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19. RELAXATION OF RULES

- 1) No indulgence or relaxation in the application of these Conduct Rules, shall constitute a waiver or consent, or prevent the enforcement thereof by the trustees.

20. PAYMENT OF LEVIES AND CREDIT CONTROL PROCEDURE

- 1) Levies are due and payable on the first day of each and every month.
- 2) Should levies not be received by the Managing Agent by the 7th day of each month, a reminder letter will be sent to the defaulting member. An administration fee will be charged to the defaulting member for sending the letter.

Should payment not be received by the 15th day of the month, the Managing agent will hand the defaulting member over to the Body Corporate attorneys who will send a letter of demand. All further correspondence between the Body Corporate and the defaulting member will, at this point, go through the Body Corporate attorney and not through the Trustees or managing agent.

The Trustees may refer the defaulting owner to the CSOS.

Should the defaulting member still not pay levies, together with the new month's levy by the 7th day of the new month, the attorney will automatically issue summons on the defaulting member and will use whatever legal remedy is necessary to collect the outstanding levies together with any legal costs and interest.

- 3) **Interest can be charged at the discretion of the trustees in terms of Management Rule 21(3) © subject to a maximum of 24 % per annum capitalized monthly in arrear (provided that the interest rate must not exceed the maximum rate of interest payable per annum under the National Credit Act (2005) Act No 34 of 2005.**