

HOUSE RULES

Rules for the Control and Management of the Sectional Title Building known as MARANEL and land Erf 8942 Haarlem Street, Strand, on which the building is located.

1. MANAGEMENT RULES

Appendix 8 promulgated under Section 35 (2) (a) of the Sectional Titles Act, 1986, the Management Rules, attached hereto, and any amendments thereof.

2. RULES OF CONDUCT

Appendix 9 promulgated under Article 35 (2) (b) of the Sectional Titles Act, 1986, known as the Rules of Conduct, attached hereto, and any amendments thereof.

3. EXPROPRIATION

(i) If at any time the whole or any part or any rights in the common property are expropriated, each of the owners shall be deemed to have appointed the Trustees to be their duly authorised agent and representative.

(a) to negotiate and settle in connection with compensation payable to him and to appoint attorneys, advocates and experts for that purpose and

(b) to give and receive on behalf of the owner a valid waiver in respect of any compensation paid.

(ii) Any valid compensation received by the trustees on behalf of the owner in terms of sub-rule (i) shall be paid to the owners in accordance with their participation quota unless a owner notify the trustees before such compensation being so divided that he believes that such a distribution would be unfair, in which case it will be divided; either

(a) in accordance with a scheme approved by a unanimous decision

Or

(b) in accordance with a scheme approved by an arbitrator.

(iii) For the purposes of this rule an arbitrator means a practicing senior advocate at the Cape Bar nominated by the trustees. The trustees shall nominate the arbitrator within three (3) weeks after being asked by any owner to do so.

- (iv) If the whole or any part or any rights in the common property are expropriated, any owner may refer the wording of a scheme as mentioned in sub-rule (ii) for arbitration in terms of the Arbitration Act, subject to the provision of this rule.
- (v) During the wording of a scheme as referred to in sub-rule (ii) the owners and arbitrator should consider the quantum of damages suffered by each owner as a result of the expropriation, and if the exclusive rights of any particular owner or owners to use the common property are affected by the expropriation, the scheme must provide for the allocation to such owner or owners the exclusive use of a different part of the common property for the same purpose if reasonably practical.

4. PETS

No reptiles, dogs, cats or any other animals are allowed in units and on the grounds. Birds are limited to two and must be kept in suitable cages and may not be a nuisance to neighbours.

5. REFUSE REMOVAL AND REFUSE

An owner or occupier is responsible to place its own waste (domestic and other) in the designated bins as defined by the Trustees. Presently garbage must be placed in municipal refuse containers stored in the garbage room adjacent to the motorized gate.

Residents should ensure that before refuse is placed in the container, it is well wrapped and in the case of tins and other containers, free of moisture.

An owner or occupier may not litter or allow any littering on the common property, including cigarette butts, food scraps or other rubbish. This prohibition includes the dumping of household garbage at a location other than that indicated by the Trustees.

6. PARKING

No person may park in an area not assigned or belonging to him/her, except on the thirteen (13) demarcated parking bays if he/she arranged and paid for the use of the parking bay.

7. STRUCTURAL CHANGES

An owner may not effect structural changes to his unit without the prior written approval of the Body Corporate (Trustees). Prior written permission must be obtained for all repairs and renovations on a form obtainable from the caretaker and it must state the period the repairs and renovations will take. All repairs and renovations must be completed before the final date agreed on. No repairs and alterations may be made AFTER the approved period, unless written permission was first obtained from the Trustees of the Body Corporate.

8. CARAVANS AND TRAILERS

Caravans and Trailers may only be stored in a garage or on a parking bay which is the property of the owner.

9. TV ANTENNAS

No antennas (TV, satellite dishes, radio, etc.) may be installed on the outside of the building. With prior permission of the Trustees antennas and dishes may be installed against the staircase.

10. LEVIES

Levies are payable in advance on the first day of each month; levies received after the 7th day of a month bears interest at 2% per month or part of a month.

11. HAWKERS AND VAGRANTS

Hawkers and vagrants create a safety risk to residents. The presence of such persons should be immediately reported to the caretaker.

12. WATER CONSUMPTION

No water hoses may be used by residents. Vehicles may be washed with at the most 1 (ONE) bucket of water.

13. OVERCROWDING

An owner of an apartment, whether he occupies it or not, will ensure that at all times not more than the number of persons as stated below live permanently in the apartment:

- Unit of 57m² - (single apartment) - 2 persons
- Unit of 73m² - (one bedroom) - 3 persons
- Unit of 87m² - (two bedrooms) - 5 persons

A person shall be deemed to be a permanent resident if he / she regularly stay overnight in the apartment. If the prior written consent of the Trustees were obtained an owner is allowed to allow more permanent residents on a temporary basis under such conditions as the Trustees in their sole discretion, may prescribe. Such permission shall under no circumstances be considered as a precedent.

14. PENALTY CLAUSE

- 14.1 If an owner/partner/resident violates a section of the Sectional Titles Act, Regulations or House Rules (other than a House rule where a spot fine is prescribed) and continue for longer than 14 days after the Body Corporate notified the owner in writing, the owner is guilty of an offense and liable to the Body Corporate to a fine of two hundred rand per day or part of a day for each day or part of a day the offense continues after the expiration of the fourteen days written notice. The owner may request an Internal Hearing before the expiry of the 14 day period.

- 14.2 If the owner/partner/resident request an Internal Hearing the Trustees will convene a meeting and the Owner/ Partner/Resident will be invited to attend. Notice of the meeting to the Owner/ Partner/Resident will be sent at least fourteen (14) days before the hearing. At the hearing, the owner/partner/resident (if applicable) will be given the opportunity to:
- (a) state his or her case;
 - (b) to present evidence, including calling witnesses to prove his or her case.
 - (c) cross-examine any witnesses called on behalf of the Body Corporate;
 - (d) inspect any relevant documents.
- 14.3 After the owner/partner/resident (if applicable) were given the opportunity to state his or her case, the Trustees may, by way of a Trustee decision confirm the owner's fine, amend or waive it. If a owner/partner/resident does not attend the meeting and he or she did not approach the Trustees with a request to postpone the meeting the Trustees may in their discretion proceed with the meeting and the penalty may be confirmed in his/her absence.
- 14.4 Any penalty/fine imposed under sub-rule (1) is not paid within fourteen (14) days after the owner/partner/resident was notified of the imposition of the fine, such fine will be added to the levy statement which the owner is required to pay in terms of Section 37 (1) of the Act. The Trustees will thus claim the outstanding fine as part of the monthly levy of the owner.
- 14.5 At a General Meeting the members of the body corporate may by a simple majority vote, from time to time determine the monetary value of the fines to be levied.
15. No barbeque fires or any other fire is allowed on the balconies.
16. No children are allowed to play in the hallways, walkways, driveways, or anywhere on the common property.
17. The walls of balconies and porches, windows or doors leading to the balconies and porches may not be used as washing lines to dry any item.

18. NOISE

No loud music, shouting, screaming etc that cause a disturbance to the residents of the complex are allowed. Residents must ensure that after 22h00 music, TV and other audio can not be heard outside their units. Music etc may not be played before 08h00. Furthermore, after 22h00 residents and their visitors may not “party” on the balconies of units and thus create a nuisance.

A fine of R200 for each transgression will be imposed on owners/partners/resident that violates the above mentioned rule. Owners are responsible for the actions of their tenants/persons who they allow to use / enter their unit and are therefore responsible for the payment of the fine. The penalty/fine can be added to the Levy Account as provided for in Rule 14.4.

19. No repairs and renovations (e.g.; drilling, sawing, hammering, etc.) are allowed before 07h30 and after 18h00 Monday to Friday and 07h30 to 13h00 on Saturdays. No construction/repair activities will be performed on a Sunday.

20. AUTHORISED VEHICLES ON PREMISES

Only vehicles of owners/partners /residents parked in garages/parking places will be allowed on the premises. Parking is awarded to owners/partners/residents in consultation with the Caretaker/Trustees and at a monthly charge as determined by the Trustees. These vehicles will be identifiable with a Maranel disk. All other vehicles and vehicles of persons who failed to settle their monthly parking fee will be regarded as unauthorised. The Caretaker will wheel clamp such vehicles; the wheel clamp will be removed upon payment of a fine of R250 per unauthorised parking/entry.

21. NO PARKING ON YELLOW OR RED LINES

Parking on or along yellow or red lines are prohibited. Such vehicles may be wheel clamped; the clamp will be removed after payment of a R250 fine.

22. CODE OF CONDUCT FOR THE USE OF MOTORIZED GATE

Owners/partners/residents that are authorised to park their vehicles inside the grounds of Maranel will ensure that the gate is fully closed before they proceed to Haarlem Street or into the complex. Furthermore, the owners /partners/residents will ensure that only authorised vehicles with the Maranel identification disk will enter or leave the premises when they operate the gate; No pedestrians/vagrants shall be allowed to enter the premises of Maranel via the gate.

Owners/partners/residents who use the gate take responsibility for the people they allow on the Maranel premises by ensuring that the gate is closed behind them before proceeding on their journey.

Owners/partners/residents who do not comply with the above procedures will be fined with R250 per violation of the rule. Owners are responsible for the actions of their tenants/persons who they allow on the premises and are therefore responsible for the payment of the fine. The fine will be added to the Levy Account of the owner as provided for in Rule 14.4.

23. SECURITY CODES: FRONT DOORS

No owner/partner/resident (including relatives of owners/residents) may provide the security codes of the two front doors to any person not resident in Maranel thus enabling the person to gain access to the premises on their own accord.

Furthermore, owners/partners/residents will not allow non-residents to enter the foyer when they use the security code to gain access to Maranel. The non-residents must also not see the code used to unlock the door.

A fine of R250 per violation will be imposed on owners/partners/residents who do not obey the rules and who provide the codes to visitors, employees, contractors, etc.

Owners are responsible for the actions of their tenants/persons allowed to enter the premises and are therefore responsible for the payment of the fine. The fine may be added to the levy account of the owner as provided for in Rule 14.4.

**APPROVED BY THE MEMBERS AT THE ANNUAL GENERAL MEETING
HELD ON 29 SEPTEMBER 2012.**

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CHAIRMAN OF THE TRUSTEES
OF MARANEL BODY CORPORATE

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TRUSTEE OF MARANEL BODY CORPORATE