



A Guide to

**SECTIONAL TITLE^{IN}
SOUTH AFRICA**

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Introduction

In South Africa, many people live in blocks of flats or complexes that are governed by the Sectional Titles Act 95 of 1986 and the more recent Sectional Titles Schemes Management Act 8 of 2011 (the Sectional Titles Schemes Management Act has been signed by the President but has not come into effect yet). Both of these laws provide important rights, protections and responsibilities for people involved in a sectional title scheme.

Being an owner in a sectional title scheme differs from freehold title and ordinary home ownership. This is because sectional title schemes involve communal living. As a result, there are a number of obligations that go with sectional title ownership. Ownership in a sectional title scheme also has some additional costs.

The law relating to sectional title schemes can be quite confusing. This guide tries to provide a brief description and explanation of the main legal issues that those involved in sectional title schemes should be aware of.

This guide is structured in two sections. The **first section** deals with a number of key questions that are commonly raised by people involved in sectional title schemes. The answers provided are meant to assist sectional title owners, trustees and body corporates to better understand the legal rules that apply to sectional title schemes.

The **second section** lays out how certain disputes and challenges that come up in sectional title schemes should be dealt with.

Section 1

Sectional title schemes: roles and responsibilities



1.1 What is a sectional title scheme?

A residential sectional title scheme refers to the situation where owners individually own “sections” of a building or group of buildings, for example townhouse units in a complex or apartments in a block of flats. A section refers to the space between the four walls, including the windows, doors, ceiling and floor.

1.2 What does a sectional title owner actually own?

A sectional title owner owns a “unit” in the sectional title scheme. A unit consists of a section (such as a flat or townhouse) and an undivided share (or percentage) of the common property i.e. areas that are shared and used by everyone. Some parts of the common property can also be designated as exclusive use areas, which means that just one owner or group of owners can use them (for example, parking bays or private garden areas).

1.3 What is the common property?

All the parts of the sectional title scheme that are not part of sections are referred to as the common property. The common property includes spaces which everyone may use, like the gardens, the driveways, roads, corridors, staircases, lifts, recreational facilities, the entrance area and the outside of the building. Sectional title owners own their section as well as an undivided share (or percentage) of the common property. The body corporate controls the common property.

1.4 What are exclusive use areas?

There are also areas on the property that may only be used by a specific owner or owners, for example, a private garden area or a parking bay. These are called exclusive use areas because these parts of the building are only for use by specific owners. Exclusive use areas are subject to the rules and regulations of the sectional title scheme.

1.5 What is a body corporate?

A body corporate is a legal entity made up of all the owners in the sectional title scheme. The body corporate exists to represent the owners and manage and control the building/complex by making sure that its financial, administrative and physical needs are taken care of.

Every owner of a unit in a sectional title scheme is a member of the body corporate. This happens automatically when you become an owner. As a result, membership of the body corporate is compulsory (you cannot refuse to be a member of the body corporate). An owner continues to be a member until they sell their unit to someone else or die.

The body corporate has to meet at least once a year at an annual general meeting (AGM).

1.6 How is a body corporate established?

When a developer builds a complex or block of flats, they will open a Sectional Title Register on the day that the first unit is transferred to the first owner. Once there are enough owners, the developer will call the first general meeting to formally establish the body corporate.

1.7 What is an annual general meeting (AGM)?

An AGM is a meeting held once a year by the body corporate (all the owners), trustees and managing agent. This meeting is held so that the trustees and managing agent can report on important issues. It also allows the body corporate to make important decisions. The AGM must be held within four months of the end of each financial year, unless the owners or trustees decide otherwise at a general meeting. The financial year runs from the first day of March to the last day of February. A quorum (certain percentage of all the owners in the scheme) must be present before the AGM can commence, and this depends on the number of units in a complex.



What should be discussed at the AGM?

The following issues should be discussed at the AGM:

1. The trustees or managing agent must explain the audited financial statements and the trustees must provide a report which explains the work that they have been doing.
2. The body corporate must discuss and approve the insurance schedules and annual budget (with or without changes).
3. The body corporate should appoint an auditor or accounting officer.
4. The body corporate must decide on the number of trustees for the following year.

5. The body corporate must elect the trustees for the following year. Some or all of the trustees from the previous year could be re-elected, or completely new trustees could be elected.
6. If any member of the body corporate has earlier informed the body corporate that there is some special business to discuss, that can also be done.
7. The body corporate can give directions and set restrictions (limitations) on the powers of the trustees.
8. The body corporate has to decide on the legal address of the body corporate (the *domicilium citandi et executandi*). This is the address where the legal notices of the body corporate will be delivered. If a managing agent is appointed, the legal address would usually be his or her address (to make it easier to manage the scheme).

1.8 How does voting work at AGMs?

Voting at AGMs can take different forms depending on the issue being voted on.

The first form of voting is a normal majority resolution. This means that the vote will be passed if the majority of the sectional title owners (determined by the value of their units or in numbers) vote for a certain resolution. This is the most common way in which the body corporate would vote on issues, for example when the body corporate votes for the trustees to be elected or to pass the annual budget of the sectional title scheme.

There are other forms of voting that are used when deciding whether to change the management rules or conduct rules. You can read more about this later on in this guide.

1.9 What is a special general meeting?

The owners or trustees can also call a special general meeting when specific issues come up that need to be dealt with by the whole body corporate. If an owner wishes to call a special general meeting, they must receive the support of at least 25% of the owners (by participation quota). See 1.19 below for more on participation quotas.

1.10 What are trustees?

At the AGM the body corporate elects a board of trustees. Trustees are owners (or non-owners as long as the majority of trustees are owners) that are elected by the body corporate to manage, administer and make decisions regarding the day-to-day running of the building or complex. Those elected remain trustees from the AGM where they were elected until the next AGM, where a new board of trustees is elected. The trustees must manage the building in terms of any instructions or restrictions (limitations) given by the owners at a general meeting.

1.11 How many trustees should there be?

There should be at least two trustees, but there is no maximum number. Normally, an odd number of trustees would be elected so that a tie could be broken during voting. Otherwise, a chairperson may be elected and they may be empowered to have two votes (so that their vote carries more weight) or to have veto powers (this means that a chairperson can stop or pass a vote on their own). The chairperson should be elected at the first meeting of the board of trustees from among the trustees.

1.12 What are the responsibilities of the trustees?

The trustees have a fiduciary duty towards the body corporate. This means that they are legally responsible for taking care of the property and money, on behalf of the rest of the owners in the body corporate. This would include the control, management and administration of the common property, making sure that owners' sections comply with the rules of the sectional title scheme, and making sure that levies are paid. The trustees may also appoint a managing agent to assist them with the daily running of the building or complex. The Sectional Titles Act says that the trustees must meet at least once every three months.

1.13 What is a managing agent?

The trustees may appoint a managing agent to deal with the daily running of the building. A managing agent may not make any decisions concerning the body corporate or the building without the approval of the trustees.

When choosing a managing agent the trustees should make sure that the agent is a registered estate agent. Proof can be obtained by asking the candidates for a copy of their Fidelity Fund Certificate, which is issued by the Estate Agency Affairs Board (EAAB). This would mean that the body corporate would be covered by the EAAB's Fidelity Fund, which would protect the body corporate from losses arising from theft by the managing agent.

The trustees should also check whether the managing agent is a member of the National Association of Managing Agents of South Africa (NAMA). NAMA is a non-profit company specifically established to increase the efficiency of managing agents, keep members informed of any changes and developments in sectional title, and educate trustees of their role and responsibilities. If the agent is not a member, then the trustees should ask the agent

whether they would be willing to be bound by the rules of NAMA. This is not a legal requirement, but it adds a level of protection for the body corporate.

1.14 What are the responsibilities of a managing agent?

If a managing agent is appointed, they are generally responsible for:

- Sending out levy statements;
- Collecting levies;
- Doing the bookkeeping;
- Advising the trustees on matters;
- Assisting with maintenance issues.

1.15 What are the responsibilities of sectional title owners?

Owners have a responsibility to maintain and take care of their sections, as well as pay the body corporate levy. Owners should also be aware of and obey the conduct rules of the body corporate (these are rules that everyone living in the complex or building must adhere to).

1.16 What is a levy?

A levy is a monthly payment that all of the owners in the sectional title scheme must pay to the trustees or managing agent (if there is a managing agent). Levies are charged so that the body corporate has enough money to pay for all of the expected expenses for the common property of the building. This would include the expected expenses for maintenance of the common property, administration, the managing agent's fee and, in cases where the water or electricity are measured by a bulk meter, the water/electricity contributions of the owners' specific sections.

The levy may also include a certain amount for expected future expenses. This would be the case where the body corporate may have a big expense in the future that would be too expensive for the owners to pay for when the expense arises e.g. the replacement of a lift.

Levies are usually set for a year, but may be changed in exceptional cases.



Keep records of all the levy payments you make so that you have proof of payment.

1.17 What does the levy include?

Usually, the levies include:

- The rates and taxes owed to the municipality by the scheme (if the sections are not separately billed);
- the water, electricity and repair costs for any electrical installations (for the common property) e.g. a shared boiler;
- insurance for the building or buildings;
- the managing agent fees (if a managing agent is appointed);
- the yearly audit fees;
- security and maintenance costs; and
- any other costs that the body corporate may be responsible for, as determined by the trustees every now and then.

1.18 What is a special levy?

In cases where the body corporate does not have enough money or the body corporate is in debt, the trustees can declare that a special levy must be paid. This is another levy that may be a once off levy or for a set period.

1.19 How are levies calculated?

The trustees must prepare a budget to determine the expected expenses needed for the effective running of the body corporate for the year. This allows the trustees to determine how much income is needed for the body corporate to cover these expenses. The levies are determined to ensure that the body corporate is able to pay for these expenses.

As a result of the way that a sectional title scheme is structured, where an owner only owns a part of the overall complex, there has to be a way to figure out how much of the shared expenses each owner is responsible for. This is why levies are determined by using a participation quota.

To determine the levy payable by each owner in a sectional title scheme the total yearly expenses for the building must be divided by 12 months, and then that figure must be divided according to the size of the unit and the participation quota of the owner. This means that larger units will pay more than smaller units, but the levy per square meter is exactly the same.



What is a participation quota?

A participation quota is an expression of the size of a section in relation to the total size of all of the sections (like a percentage). In terms of the Sectional Titles Act this figure should be expressed as a percentage to four decimal spaces. For example, a section that is 120m² in a scheme with an overall size of 1000m² (i.e. the joint size of all the sections is 1000m²) has a participation quota of 12%. The Sectional Titles Act also states that the proportional quotas should be registered at the Registrar of Deeds.

The participation quota determines:

1. The portion or share of the joint property that is owned by a specific owner;
2. The levies payable by a specific owner;
3. The voting power of the owner in AGMs or other general meetings.

1.20 How does a body corporate calculate how much each of the units owes for services?

There are two kinds of costs that owners need to be aware of:

1. **Communal or common property costs for shared areas:** If no special rules have been made as to how communal costs should be shared among owners, then the costs must be split among the owners according to their participation quotas.
2. **Exclusive use costs:** These are the costs that apply to the units and exclusive use areas of the different owners. There are two ways in which the municipal services could be structured:
 - ▶ In some buildings there are individual meters. This means that the exact amount that each unit uses can be calculated and the managing agent can bill the owner accordingly.
 - ▶ In some buildings there are bulk meters. These meters record the amount of water or electricity used by the entire complex. That shared amount is then divided up among the owners using their participation quotas.

1.21 What kind of rules apply in a sectional title scheme?

Because sectional title schemes are a form of communal or shared living, where lots of people live together in a building or complex, rules need to be made so that people act reasonably and do not negatively impact the living arrangements of others in the building.

There are two sets of rules that apply in a sectional title scheme. The first are management rules that apply to the trustees, and the second set of rules are conduct rules that apply to all the owners or tenants living in the building.

1.22 What are management rules?

These rules describe the powers and responsibilities of the trustees and deal with the ways that the trustees manage the body corporate. The management rules (which can be found in Annexure 8 of the Sectional Titles Act) are prescribed for all bodies corporate and can only be changed by a unanimous resolution of the body corporate (this means that all the members of the body corporate must agree to the changes).

1.23 What are the conduct rules?

These rules determine the behaviour of the owners/tenants living in the scheme. The conduct rules try to ensure that owners/tenants who live in the complex do not use their sections or the common property in ways that negatively affect other owners or tenants' rights to enjoy their own sections or the common property.

The trustees have a duty (as representatives of the body corporate) to enforce the conduct rules. The conduct rules can be found in Annexure 9 of the Sectional Titles Act. These rules can be applied as they are provided for in the Sectional Titles Act or the members of

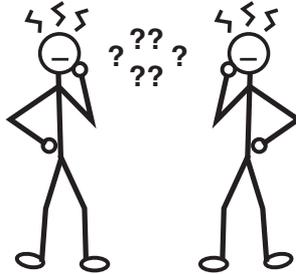
the body corporate could decide to change these rules at a general meeting if they pass a special resolution (this means that at least 75% of the members must agree to the change – this is in terms of numbers and participation quota).

Some examples of issues that are determined in the conduct rules are:

- Insurance payments
- Vehicles
- Laundry
- Noise
- Use of communal areas or activities on the common property
- Security
- Supervision of children and pets
- Tenants or visitors.

Section 2

Dealing with disputes and challenges arising from sectional title schemes



2.1 What can an owner do if they can't pay their levies?

The Sectional Titles Act does not provide for debt relief or debt restructuring. As a result, if an owner is struggling to pay their levies it is important for them to speak to the trustees about this issue. Often the owner and trustees can informally work out a payment plan.

However, if an owner would not be able to pay the levies for a long period of time, the owner should consider selling or renting out the unit so that they do not fall into more debt.

2.2 What can the body corporate do about owners who are not paying their levies?

An owner who has not paid their levies (has fallen into arrears) may not vote at general meetings (except for special or unanimous resolutions).

If the owner fails to pay levies, the trustees (representing the body

corporate) could instruct an attorney to write a letter of demand for the unpaid levies. If the owner still refuses to pay levies, the trustees can sue to recover the unpaid amounts in either the Magistrates' Court (usually when the arrears are less than R300 000) or the High Court (usually when the arrears are more than R300 000). This could mean that the trustees would instruct a lawyer to attach and sell the owner's unit to recover the levies still owed.

The trustees do not become the owners of the unit if it is attached, rather it is sold at an auction and any money owed to the body corporate is paid over to it before the unit is registered in the name of the new owner.

2.3 Can the body corporate evict tenants for non-payment of levies?

The body corporate cannot evict tenants (i.e. people who are renting) from a unit because of non-payment of levies or if they break the conduct rules. This is because there is no legal relationship between the tenants and the body corporate. There is, however, a relationship between the owner and the body corporate. An owner is directly responsible for making sure that the tenants that are renting from them follow the conduct rules, and the body corporate can hold owners responsible if they do not do so.

2.4 What if owners do not obey the conduct rules?

Depending on whether owners or tenants are not following the rules, different things can be done. In either case, the first step is to ask the trustees or managing agent to write a letter to the owner or tenant to obey the rules. This letter should set out the problem and how the owner or tenant can rectify it.

If an owner is not obeying the rules (and if the conduct rules allow for it) they can be fined. In extreme cases you can also approach

a lawyer and ask them to write a letter telling the owner to obey the rules. If the owner still disregards the rules, the trustees can implement arbitration.

2.5 What if tenants do not obey the conduct rules?

If tenants are disobeying the conduct rules, the trustees should get in touch with the owner of the unit and get the owner to deal with the situation. An owner can include a requirement to adhere to the conduct rules in a tenant's lease agreement. This would mean that a tenant would have to follow the conduct rules or risk breaching (breaking) their lease.

Remember that an owner is at all times responsible for the actions of their tenants, visitors, family or contractors. As a result, the trustees may take legal action against the owner if the tenant continues to break the conduct rules of the body corporate. This may lead to the tenant having their lease cancelled and having an eviction application brought against them by the owner of the unit.

2.6 What if there are disputes in sectional title schemes?

Sometimes there are disputes between sectional title owners, the body corporate and/or the trustees. If this is the case, there are different ways to resolve a dispute. Disputes can be resolved through negotiation, mediation, arbitration or by going to court. Some forms of dispute resolution can be informal (e.g. negotiations, where people informally sit down and talk about an issue), and others can be formal (e.g. certain types of arbitration, where lawyers could be present and a formal process has to be followed).

Usually people in sectional title disagreements will try to negotiate or mediate first, before moving on to arbitration or going to court; however, it is not compulsory to follow these steps.

This situation is set to change when the Community Schemes

Ombud Service Act 9 of 2011 comes into effect. This Act would allow sectional title owners to apply to the Community Schemes Ombud in their province to have a dispute resolved by mediation (“conciliation”) or arbitration (“adjudication”) at a fee. The fee is still to be determined, but the Act states that anyone can ask for a discount of the fee or for the dispute to be resolved for free. The Community Schemes Ombud will be able to resolve disputes about financial issues (e.g. levy issues and insurance policy issues), issues arising from people disobeying the scheme rules, issues about body corporate or trustee meetings, and issues about managing agents.



Negotiation

Negotiation is a form of alternative dispute resolution (ADR) that takes place directly between the parties involved in the disagreement. When negotiating the parties sit down with each other and try to come to an agreement that satisfies everyone’s needs. This could mean that the parties might have to compromise on certain issues.



Mediation

Mediation is a form of ADR in which a neutral third party helps the parties to reach agreement or negotiate a settlement out of court. A mediator facilitates this process, which is normally voluntary. A mediator may charge a fee to mediate a dispute, but that can be negotiated with them. Mediation is usually not legally binding, but it is a good idea for the parties to put the mediated agreement in writing and sign it.



Arbitration

Anyone can ask for the disagreement to be arbitrated instead of having to go to court. Arbitration is a form of ADR where parties to a dispute refer it to one or more persons to review the evidence and impose a decision that is legally binding and enforceable. There are different types of arbitration, ranging from informal to formal.

Formal arbitration, as provided for in the Sectional Titles Act, would include:

- *Serving (delivering) a first notice of the dispute to the other person. This is a notice that informs the other person that you want to go to arbitration and explains the disagreement.*
- *You also have to inform the trustees and managing agent that you have informed the other person.*
- *You must then wait 14 days for a reply. If no reply is received, any of the parties can demand that arbitration go ahead.*
- *Serving a second notice of dispute and suggesting two or three suitably qualified and neutral persons as arbitrators. Any neutral person can be an arbitrator, but it is a good idea to get an arbitrator who is qualified in sectional title issues.*
- *You must then wait another 3 days for a reply. If there is a reply (or even if there is not a reply) you can approach the Office of the Chief Registrar of Deeds in Pretoria, who has the power to appoint an arbitrator to deal with sectional title disputes and will help both parties through the arbitration process.*

From 2 May 2013, the Chief Registrar of Deeds charges a fee of R500 to appoint an arbitrator. See the Resources section at the end of this guide for the contact details of the Deeds Office. Once the Community Schemes Ombud Service Act comes into effect, sectional title owners will not be able to approach the Chief Registrar of Deeds for arbitration.

2.7 What can owners or tenants do if they think the trustees are not doing their jobs properly?

The owners can request the trustees call a special general meeting to vote off the old trustees and vote in new trustees. In addition to this, trustees can be “fired” if they are found guilty of fraud, become insolvent (or bankrupt), are grossly negligent or are of unsound mind (which has to be judged by a court).

If the trustees do not want to arrange the meeting, then the owners will have to get 25% of all of the registered owners to request the meeting, which constitutes a quorum and allows people to vote for new trustees.

2.8 What can the owners or tenants do if they think the managing agent is not doing their job properly?

The trustees appoint the managing agent and also have the power to terminate the managing agent. Should an owner wish to terminate the current managing agent, they must approach the trustees and explain why they think the managing agent should be fired. An agent may be dismissed if they breach the contract in some way, or if the agent is declared bankrupt, found guilty of fraud or is found to be grossly negligent.

If the trustees fail to respond, the owner can apply to the High Court for an order to appoint an administrator.

2.9 What is an administrator?

An administrator is a legal representative appointed by a court to take responsibility for bankrupt or mismanaged sectional title schemes. They are brought in to fix the scheme by restructuring debt collection, ensuring maintenance and generally administering and managing the scheme.

2.10 What powers does an administrator have?

If the court agrees to appoint an administrator, the administrator is given full power over the body corporate and its finances, and effectively takes over the duties of the trustees. This means that an administrator would be able to dismiss the current managing agent if they thought that the managing agent was mismanaging the scheme. The administrator would also be able to call a special meeting for the body corporate to appoint new trustees.

2.11 When can an administrator be appointed?

If sectional title schemes are suffering from financial problems or mismanagement, the trustees or owners can apply to the High Court to appoint an administrator.

Appointing an administrator is an extreme measure because it takes the power away from the owners and trustees who own and live in the scheme. Because of this, the court would need to be shown very good reasons why it is necessary to appoint an administrator.

Courts would usually appoint an administrator if it can be proven that the sectional title scheme was mismanaged or is in financial difficulty. So it would have to be proven that the trustees could not perform their duties appropriately and that the owners would suffer substantial prejudice if an administrator was not appointed (this means that the owners would be disadvantaged or a lot worse off if an administrator were not appointed).

An administrator can be appointed for a fixed period of time on conditions set by the court.



Conflict around the appointment of administrators

Because the administrator is given the powers and responsibilities of the trustees and has a duty to the body corporate (the legal entity) and not necessarily to the individual owners, this may lead to some unpopular decisions being made in order to get the sectional title scheme back on track. For example, a special levy might be raised, which some owners might not be able to afford. If this is the case it is important to speak to the administrator about the issues that may arise.

2.12 Are there any dangers in an administrator being appointed?

Yes and no. Administrators are specialised in making sure that the sectional title scheme functions well, is financially secure and well-maintained. They will do everything they can to make sure that it is well managed and debt-free. People should therefore try to co-operate with administrators, so that they may achieve this objective.

However, in doing this the administrator could put up special levies, which may be unaffordable for some owners. If the administrator cannot sort out the debt of the sectional title scheme, the units may have to be sold to cover the debt owed by the body corporate. This could mean that owners could lose their units or eviction proceedings may be brought against them.

Once the Sectional Titles Schemes Management Act becomes operative the negative impact of this legal situation will be softened by section 15(1)(c), which states that owners who have paid their levies may not be held liable for a portion of the body corporate's debt.

2.13 What can be done if services to the sectional title scheme are cut because of non-payment?

The trustees can charge a special levy to cover the amount of money owed for the municipal debt. The trustees can also negotiate payment arrangements with the municipality or service providers to ensure that the services are reconnected as soon as possible.

2.14 What can the trustees do if the billing of the municipality seems inaccurate or excessive?

The trustees can ask the municipality or service providers to reconcile the actual account (check whether the amount charged is the correct amount used) or could get an independent company to assist with the correction of the account.

2.15 Who is responsible for blocked sewers in sectional title buildings?

In terms of the Sectional Titles Act, if the sewer pipe is part of an owner's section it is the owner's responsibility to fix, unless the pipe serves a number of sections of the sectional title scheme, then it is the responsibility of the body corporate to maintain the pipes. If the pipe falls outside a specific section (on the common property) the body corporate must maintain and repair it even if it only serves a specific owner's section.

2.16 What can be done if a sectional title owner has abandoned their property?

If the owner cannot be contacted for some time, legal action should be undertaken by the trustees (on behalf of the body corporate) to recover any outstanding levies. The trustees could apply to court to have the property attached and sold at auction. This means that the owner would lose his property and it would be sold to a new owner.

2.17 What can be done if people live in a unit unlawfully?

If there are unlawful occupiers (these are people who do not have the consent of the owner to stay in the unit or who have remained in the unit after their lease has been cancelled or terminated) living in a unit, then eviction proceedings can be instituted by the owner of the unit. An owner cannot evict a person without a court order. A court would only grant an eviction order if it is sure that the eviction would be “just and equitable” in the circumstances.

2.18 What can owners or trustees do if the building is bankrupt or owes substantial amounts of money?

When bodies corporate are created, they should usually start off on a clean slate and would not have any debt.

If the body corporate begins to get into debt and struggles to pay its debts or expenses, the trustees should notify the owners of the situation and may raise a special levy to make sure that the body corporate can pay its debts.

If this does not rectify the situation, the trustees can apply to the High Court to appoint an administrator to help the body corporate get back on its feet.

If a creditor of the body corporate (a person that the body corporate owes money to) goes to court and gets a judgment against the body corporate, and the body corporate cannot pay the creditor, then the creditor can hold the members of the body corporate (owners of the units) liable according to their shares in the sectional title scheme. This is the case even if an owner has paid their levies the whole time. If they cannot pay, the creditor may attach their unit and sell it in auction to recover the money owed to it. This means that the owners could lose their units if they do not pay their share of the debt.

Once the Sectional Titles Schemes Management Act comes into effect, section 15(1)(c) of the Act will provide some protection to owners who can prove that they have paid their levies. The Act provides that if an owner has paid their levies, they cannot be held liable with the other owners.

Useful organisations and online resources

Organisations

Office of the Chief Registrar of Deeds

The Chief Registrar of Deeds can appoint an arbitrator to help resolve a sectional title dispute. The Chief Registrar of Deeds can be contacted at:

Office of the Chief Registrar of Deeds
Rentmeester Building
Bosman Street
Pretoria 0002

Tel: (012) 338 7000

Fax: (012) 338 7027

National Association of Managing Agents (NAMA)

You can read more about the National Association of Managing Agents (NAMA) on their website: <http://www.namasa.co.za>. Also available is a list of all registered NAMA members in Gauteng and throughout the country.

PO Box 6121
Cresta
Johannesburg 2118

Tel: (011) 795 2344

Fax: 0866 714 772

Cell: 072 267 8082

Email: namacentral@namasa.co.za

Online resources

Sectional Titles Act 95 of 1986 (and prescribed Management and Conduct Rules)

http://www.paddocks.co.za/images/PDFs/sectional_titles_act_and_prescribed_rules.pdf

Sectional Titles Schemes Management Act 8 of 2011 (this Act has been signed by the President but has not come into effect yet)

<http://www.info.gov.za/view/DownloadFileAction?id=147401>

Community Schemes Ombud Service Act 9 of 2011 (this Act has been signed by the President but has not come into effect yet)

<http://www.info.gov.za/view/DownloadFileAction?id=147402>

Sectional Titles Act: Regulations (1 June 1988)

<http://csg.dla.gov.za/reg9586.htm>

Sectional Titles Act: Amendment of Regulations (2011)

http://www.paddocks.co.za/images/PDFs/st_amendments_to_regulations_oct_2011.pdf

Sectional Titles Act: Amendment of Regulations (14 March 2013)

<http://www.info.gov.za/view/DownloadFileAction?id=186167>

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