



### HEAVEN! CAPE TOWN CENTURY CITY

On behalf of an old client. 2 bedroom apartment with these magnificent views. 2 bathroom unit with balcony. Open plan design. Complex has its own club house and massive indoor pool. Just what the doctor ordered. An exceptional Cape Town residence. We will put you in touch with the landlord. Call Mike 082 881 4711

### TRUSTEES NEED APPROVAL TO SIGN BIG CONTRACTS

Apart from the normal day to day running of a body corporate and hiring and firing managing agents, Trustees cannot commit a Body Corporate to contracts without first receiving approval of the members of the Body Corporate. Apart from that it is good business practice for trustees to keep owners apprised of what they would like to do. As an owner of a unit, I would like to discuss when and the colours of repainting the building that I own in. For improvements Trustee such as upgrading security, Trustees should get quotations and send them out to all owners telling them what they think should be done and what effect it has on the finances of the body corporate (not just the levy). If anyone objects, then they should call a meeting at which all owners can have their say. They would be able to take urgent emergency decisions like replacing the gates if the original gates had failed completely and could not be economically repairs. But they certainly cannot do luxurious (not necessary) upgrades.

Body Corporates are the property of all the members (unit owners) and trustees have an obligation to act in the best interests of all owners. With large contracts I would suggest that they must consult with owners on what they want to do. For example, one building had trustees that had agreed to install solar energy, which did not work when Centlec was down and all income was paid to the solar provider. This would need details and alternatives to be provided to all owners and for owners to make the decision. For example, the building could have bought a system outright and received the income themselves and decided to buy a system that had batteries so that they did not lose power when Centlec was down!

Care must also be taken that full disclosure is made by trustees. In another incidence trustees tried to push through a new system which did not fairly charge for electricity. Time use is charged by Centlec, but the proposed system had a flat charge which would mean some people subsidising others and would have left the body corporate vulnerable to shortfalls during the Winter tariffs.

# The Landlord

Newsletter for  
Sectional Title  
Trustees & Landlords



July 2020

### 86 year old looking to buy cottage or small townhouse

One of our long term clients is looking for a cottage or townhouse for their 86 year old mother. Should be a ground floor unit without steps. Nice area is important.

You might see this as an opportunity to sell that cottage in your garden too.

Our agent Christine Kabere is contactable at 081 474 2357 if you have something suitable available.

If you need advice about subdividing your erf or duetting your existing home please contact Mike at [mike@platinumglobal.co.za](mailto:mike@platinumglobal.co.za) and we will help you to obtain the highest value for your property.

# Talk Shop

By Platinum Global

## CHANGE DOOR NUMBERS TO UNIT NUMBERS!

Managing agents and Trustees should be aware of the problem of having non-matching door and unit numbers. Recently an owner was debited outstanding water on his unit only to find out that it was not his tenant. The door numbers were being used for owners levy accounts. This is a disaster waiting to happen. Unit numbers must be used as reference numbers though the address can be the door of the building. As it happened the levy certificate was actually issued on the wrong unit and thus the big outstanding water bill was missed. Be safe and use the unit number for owners references as well as tenant reference numbers.

Accounting systems often only allow for six figure reference numbers, but this should not prove a problem. Only where there are very large complexes can this be a problem. For example, Naval View 405 may be unit number 39 so the levy account should be NVL391 but the account might be addressed to the owners at 405 Naval View if it is to be delivered to the unit. The tenants water account could be NVW391 and again delivers to the unit.

Only a few exceedingly large schemes with over 1000 units would have difficulty with the limited reference numbers.

Why do unit/door numbers differ? Blocks of flats traditionally are 101, 102, 201, 202. But in ground level townhouse schemes this was in the past because registration in the deeds office was in numerical order. Nowadays the full numbered plan is used so that the developer can build in any order and the numbers on the doors and unit numbers remain the same. A much saner way of numbering sectional title units which will help avoid confusion.

## TRIM THE TREES!

**Nothing new here but so many people forget. Townhouses are especially vulnerable to damage by overgrown trees. Although gardens may not strictly exclusive use areas, owners are still responsible for keeping them in order. Trees planted too close to walls (or allowed to grow) are a real problem. They may look fine but bump the wall every time the wind blows. The owner in whose garden the tree was planted is responsible for the damage that the tree causes.**

**You need to look at trunks and branches doing damage but also the roots. Some trees have pin wortels (tap roots) and are less likely to cause problem but others have spreading roots that end up in drains and in walls. Wide trunks can easily knock down a wall.**

**Check your garden now before Spring. If it looks like the tree will knock the wall, then it is too big and needs to come out.**

**Trustees would do well to do a walk around their property and see where problems may be coming. They should politely ask the owner to solve the problem by trimming or removing the tree. If there is no cooperation then it is advisable to confirm with that owner that the tree is or is likely to cause damage to the building and ask them to take the tree out failing which they will be responsible for any damaged cause. Trustees must insist that trees that are actual problems come out and should take them out at the body corporates cost if necessary.**

**Ask your friendly nurseryman what are the best trees to plant that won't cause damage.**

## NICER PROPERTIES SELL FASTER

If you want to sell quickly price is a very important factor – estate agents will always take their clients to those properties that feel right on price first. What you need to do is to be at the front of the queue in the mind of the selling agents to get first bite of the cherry.

Apart from price condition is also very important. Two similar properties that are a similar price – well the neater one will sell far more quickly. People are actually prepared to pay more for neat modern properties, and you will achieve your goal of selling far more quickly.

Some of us just lead more orderly and organised lives than others and they do benefit from getting sold quicker and achieving a better price. Even if your home is lived in, it is worth the effort when you selling, to fix it up a bit.

An empty home looks bigger. If your home is full of stull have a spring clean and throw out anything that you are not taking with you when you leave. Clean and reline cupboards, fix the small things, dump the compose heap. Tag the spare tiles to show buyers that you have spares and dump the rest. Whatever is not going with you to your next home get rid of. Give it away.




Clear the garden and plant a few boxes of pansies. The brighter colours around the house and garden the better.

First impressions count. Make the front of your house as attractive as possible. But most of all make sure the price is right from DAY ONE. Rather have 20 buyers competing for your home than sit with it still 12 months down the line.

**PRACTICAL PROPERTY HINTS DURING LOCK DOWN – JULY UPDATE**

<p><b>RUBBISH REMOVAL</b></p> <p>Metro is essentially no longer functioning. They have only about 1/3<sup>rd</sup> of the number of rubbish trucks that they should have. Even some of these are not running because of repairs and punctures. There is a daily schedule sent out by the DA Councillors. Email Cllr Lotriet at <a href="mailto:palotriet@telkomsa.net">palotriet@telkomsa.net</a> to be on the list.</p>	<p><b>PAY OR NOT PAY</b></p> <p>Check with your body corporate managers who has or has not paid their levies and electricity and water accounts. If not what is being done about it?</p>	<p><b>SECURITY</b></p> <p>Keep the security company number handy. Give it out to all residents. It is also useful to have the number of the gate repair contractor in case your gate packs up</p>
<p><b>TREE TRIMMING</b></p>	<p><b>LEVY PAYMENTS</b></p> <p>Discuss with individual owners and make a payment plan but Trustees cannot discount levies. Trustees must set levies to cover all the cost of running the Body Corporate.</p>	<p><b>UPDATING OWNERS AND TENANTS DETAILS</b></p> <p>Useful to do so that you can phone them if their tenants are having late night parties or for burst pipes.</p>
<p>Now is a great time to walk around when there are no leaves on trees and bushes. Much easier to spot the problems. Removal of trees is expensive. This is a great do-it-yourself community project and a good reason for a braai!</p>	<p><b>REPAIRS AND MAINTENANCE</b></p> <p>Is your list of contractor contacts up to date. They may have changed over the year and you need to have the latest information. You might need them at night or over a public holiday.</p>	<p><b>SALES CHECK</b></p> <p>Platinum Global is offering a free self-evaluation on you property.</p>
<p><b>MAINTENANCE CHECK</b></p> <p>What about cleaning gutters of autumn leaves? Clearing drains, Checking the security fencing? Is your electric fence working? Do the security people arrive to investigate when you short out the electric fence. What is the state of your dustbins and do you have enough of them? Has your electrical transformer been serviced this year? Is the track of your automatic gate clear. Do your roses need pruning for the summer? Do all the globes work are there any fittings that need replacing. Are the carport number visible still or do they need repainting? Is your borehole working. Have you changed the code on your cell to gate recently? Are your owners email addresses up to date (send a quick email and see what comes back!</p>	<p>Do you have a list of contractors approved by your insurance company? These contractors work cheaply for the insurance company and you might have to pay the difference if you use your own contractors.</p> <p>Do you have your managing agents after hours number in case of emergency? Do you have a list of all the emergency numbers? Police, Fire, Ambulance? Lives may be lost if you don't.</p> <p>Do you know how to turn off the water in case of a burst pipe and how to use the fire equipment in case of a fire? Do you know which extinguisher to use for which fire?</p>	<p>Just email us your name, building and UNIT (not door) number we will send you back a list of recent sales in your building and area which will allow you to self-estimate the probable selling price of your unit.</p> <p>Even if you don't want to sell it is a nice guide to the value of your property and can be used to check against the proposed selling price that is being suggested by the agent that you have chosen to sell your unit or house.</p> <p>Very easy to read with sales in your building and nearby schemes with prices paid and prices per square meter.</p> <p>If Platinum Global can offer any practical advice on your management problems simply drop me an email at</p> <p><a href="mailto:mike@platinumglobal.co.za">mike@platinumglobal.co.za</a></p>

## THE MARKET

	<p><b>BAINSVLEI – SUPER FLAT</b> <b>43 SQ M 1 BEDROOM DELIGHT</b></p> <p>Just an exceptional flat. Modern, bright, north facing sunny unit.</p> <p>One bedroom, open plan kitchen with built in oven.</p> <p>Light wood matching cupboard. Something to do you proud. In well run and financed body corporate.</p> <p>Call Christine 081 474 2357</p>
	<p><b>WILLOWS ONE BEDROOM</b></p> <p>Spacious one bedroom ground floor flat in a convenient better part of Willows. Open plan kitchen. Own parking bay.</p> <p>Professionally managed building with solid finances - Platinum Global are the managing agents. Great student accommodation.</p> <p>Call Christine 081 474 2357</p>
<p><b>Too Late for Photo!</b></p>	<p><b>3 FLAT UNIT – BACHELOR, ONE + ONE BEDROOM</b></p> <p>Unusual combination unit in small building. Purchase is one unit – a one bedroom unit, a big bachelor unit and a big one bedroom unit. First floor old press offices. Exceptionally good price R760,000 for all three units as one. Currently fully let in a building that is well managed and has good finances. Well situated for centre city and walking distance of every government building.</p> <p>Call Mike 082 881 4711</p>
	<p><b>TO RENT – CAPE TOWN – 1 BEDROOM R15,000 PM</b></p> <p>Stunning one bedroom flat in Val de Vie in Polo Village Paarl.</p> <p>This spacious 68 sq m unit over looks the polo fields and comes fully equipped. Vale de Vie is the ultimate place to stay with its own club house, sauna, and indoor pool. On site or close by, are cycling, horse riding, walking just about everything. All this and within a few minutes of your favourite wine farm. What a wonderful place to stay.</p> <p>Call Mike 082 881 4711</p>



## Sectional Title body corporates, and Covid-19

10 July 2020 | [Corlia van Zyl](#)

*“I live in a small sectional title scheme and am on the body corporate. We have tried to comply as much as possible with the Covid-19 regulations but am unsure about what we may or may not do in this time. Is it possible to get some guidance in regard?”*

As South Africans we must all comply with the relevant Disaster Management Regulations (“Regulations”) to stop the spread of the Covid-19 virus. This includes sectional title schemes, which as small communities, must also comply with these Regulations.

In general, sectional titles have quickly acclimatized and implemented the necessary precautionary measures at their schemes with signage, access control etc. What is more difficult to address is how body corporates should continue their functions in the light of social distancing, how sectional title communities should use common property, and even how body corporates should deal with owners that cannot pay levies due to salary cuts.

To answer these questions, one must look at the Community Schemes Ombud Service (CSOS) and their latest issued directive called the Covid-19 Directive, published on 27 March 2020 read together with amendments to the Directive published on 21 April 2020. In these Directives, the following guidance is given to how sectional title schemes should deal with some of these issues during the Covid pandemic:

In relation to meetings to be held by the scheme, the Practice Management Rules of the Sectional Title Schemes Management Act provides that meetings may be held via telephone or other electronic communication platforms such as Skype, Zoom, Microsoft Teams and so forth. Voting may also take place via round robin. The Directives confirm that this is acceptable and that meetings should be conducted in this manner and not in person, taking into account accessibility of participants and the ability of the chair to identify each participant.

In relation to the use of the common property, which includes areas such as common driveways or essential areas such as laundry rooms and refuse removal areas. The Directives advise that these areas may only be used as far as it is necessary and/or essential. The Directives also require that the Trustees of the scheme create a list of essential common property areas in the scheme with which residents will have to comply, including adhering to the Disaster Management Regulations such as that residents and workers must wear masks, sanitize frequently used surfaces and that a safe distance is kept at all times when the common property is used.

The Directives further state that the Trustees may implement any other measures that they deem fit to make sure that residents comply with the Regulations and that it is not necessary for the CSOS to approve these measures as far as they relate to the Regulations and are fair and of general application to all residents and do not prejudice to any person in the scheme.

A complex aspect relates to the finances of the scheme and the payment of levies taking into account the impact of the pandemic on the economy and by implication also the finances of the scheme, is the ability of many owners to pay their levies due to loss of work, salary cuts etc. What remains vital is for owners to pay their monthly levies as a failure to do so will impact on the ability of the body corporate to attend to its obligations such as paying the insurance of the buildings, paying utility bills (where applicable), paying staff or contractors, paying for maintenance etc. This principle does not preclude the body corporate from taking measures to lighten the burden for owners during this time. The body corporate may for example by way of a resolution by its Trustees decide to waive or reduce interest on arrear-levies during the lock down time. The Trustees could also resolve not to take legal action against an owner until for instance the lockdown is lifted. Such concessions can be limited to owners who have been up to date with their levies prior to the lockdown but fell in arrears during the lockdown.

If there are other aspects that you are still unsure about in respect of your sectional title scheme, it may be prudent to contact your local property advisor and discuss options and guidance on how to deal with each aspect.