

# BRYANSTON HEIGHTS BODY CORPORATE

## HOUSE RULES

Section 35 (2) (b) of the Sectional Titles Act, 1986, outlines the Rules for the control, management, administration, use and enjoyment of the Sections and the common property.

The Annexure 9 of the Government Gazette No. 11245 of April 1988 gives an outline of Conduct Rules.

### 1. CONDITIONS OF OCCUPATION

#### 1.1 Availability of House Rules

On application of any Owner or person having a registered real right in or over a unit, or any person authorised in writing by such Owner or person, the Body Corporate will make any Rules then in force available for inspection to such Owner, person or authorised person.

#### 1.2 New Ownership - Knowledge of House Rules

When purchasing a Residential Apartment in Bryanston Heights, new Owners should be conversant with the Sectional Titles Act, Conduct Rules, conditions of occupation, including the House Rules in force, or any amendments to the Rules.

It is the interest of units and Estate agents, new Owners or Lessees to be aware of the conditions of ownership and occupation.

It is the responsibility of any new Owner to obtain a copy of House Rules prior to occupation of a unit to ensure that Rules are complied with effect from date of occupation.

#### 1.3 Interview Committee

1.3.1 Before obtaining a levy clearance for the registration of any Residential Section unit in Bryanston Heights into any new purchaser's name, all outstanding levy payments must be made.

1.3.2 All tenants must obtain prior to occupation clearance from the Interview Committee comprising of a panel of the Board of Trustees of the Bryanston Heights Body Corporate. Appointments for an interview may be made through the Supervisor of Bryanston Heights.

1.3.3. The terms and conditions of the House Rules shall be deemed to be incorporated in any lease or contract between a Member and an Occupant, and any clause in such lease or Contract which is inconsistent with the Rules from time to time shall be void and of no force or effect.

1.4 Leasing of Flats: Period of Lease

Members shall be entitled to let or lease their flats, desirably for a period not less than six months, provided that the Member shall remain primarily responsible for the occupant's compliance with the House Rules in force, and without prejudice to any other rights which the Body Corporate may have, it shall be entitled, through the board of Trustees to call upon the Member to cause the tenant; if in breach of the Rules, to vacate the flat within a time limit specified in such notice.

1.5 Report on Arrival : New Owners, Lessees, Occupants

All new owners, lessees and all other Occupants must report their arrival to the Supervisor in order that the relevant records may be updated.

2. USAGE OF SECTIONS

2.1 Usage of a section must be in accordance with the Sectional Title Rules.

2.2 Residential flats must be for residential purposes only and no other purpose whatsoever. No business, profession or trade may be conducted on the common property or in a section whatsoever.

2.3 No auction or jumble sales may be held on the common property or in a section.

2.4 No advertisements or soliciting material may be exhibited without the prior consent of the Board of Trustees.

2.5 The number of persons who are permitted to reside in a flat are as follows :

Bachelor Flat	:	2 persons
2 Bedroom Flat	:	4 persons
3 Bedroom Flat	:	6 persons

The above limitation applies to both Owners and Tenants.

3. CHANGING OF HOUSE RULES

The House Rules may be changed from time to time and are equally binding on all Owners and Tenants, and are intended to ensure that the common property is administered to the best advantage, with minimum inconvenience to everyone.

4. COMPLAINTS, REQUESTS, SUGGESTIONS.

- 4.1. All complaints and requests of a general nature affecting the day to day running of the Residence, must be in writing addressed to the trustees or Managing Agents.
- 4.2. The Supervisor will refer all matters, complaints and suggestions to the Chairman for periodic discussion at Meetings of the Board of Trustee,s.
- 4.3. Verbal complaints to the Supervisor should be made only in case of an emergency, and this includes reporting any vandalism.

5. SUPERVISOR.

- 5.1. The Supervisor,s area of responsibility is the COMMON PROPERTY of Bryanston Heights.
- 5.2. The duties of the Supervisor are specified in his job description which may change from time to time by the Board of Trustee,s and includes the supervision of the Body Corporate Staff and the overall supervision of the work carried out by Contractor,s engaged by the Body Corporate.
- 5.3. The Supervisor,s normal hours of work are ;

Monday / Friday	7am to 9.30. 10am to 12 noon. 1pm to 4pm.
Saturday	7am to 10am.

6. SANITARY SERVICES.

6.1. Refuse.

Rubbish and refuse may only be left in the dustbins provided on the common property.  
Common property and the garden areas must be kept neat and litter free at all times.  
Each owner or occupier shall provide his/her own container for refuse and shall keep it in a place provided for it in his/her unit.  
Rubbish or bins within the section may not be visible from the common property.

It is a contravention of the Rules of the Body Corporate to place refuse outside flat doors at any time.

7. ACTIVITIES WITHIN SECTIONS

- 7.1 No washing or articles of any kind must be displayed in public view. No other act or disfigurement detrimental to the Building is allowed. Carpets or mats shall not be shaken or dusted outside windows or over passage balconies.
- 7.2 The dangerous practice of throwing objects from flat balconies and windows is strictly forbidden and Residents leave themselves open to prosecution in the event of damage or injury.
- 7.3 No occupant may keep in the premises any materials of a dangerous or explosive nature, the keeping of which contravenes any statute or local regulation or By-Law or constitutes a nuisance to occupants of other portions of the Building, or voids, renders void any insurance effected by the Trustees, or would result in the increase of the rate of such insurance.

8. VEHICLES AND PARKING

- 8.1 Owners and Tenants shall ensure that their vehicles do not drip oil or brake fluid on the common property or in any other way deface the Common Property.
- 8.2 No Owner or Tenant shall 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.
- 8.3 The washing of cars in the undercover parking is prohibited.
- 8.4 Fire and garden hoses may not be used for the purpose of washing vehicles. Residents may only use buckets or other such containers for this purpose.
- 8.5 Only Residents (an Owner or his duly authorised tenant) may park a vehicle on the common property.  
No visitors parking is provided.
- 8.6 Residents may not park in a parking bay which they are not entitled to occupy.
- 8.7 Vehicles may not travel at speeds in excess of 8 kms p/h on any portion of the common property.
- 8.8 Heavy duty vehicles may not be parked on the common property.
- 8.9 Caravans, trailers, boats and the like may not be kept in parking bays without the written permission of the Board of Trustees.

9. USE OF COMMON PROPERTY

Common Property means everything in the building except the inside of your flat.

Residents are requested to observe the normal courtesies expected and to refrain from depositing "junkmail" and other rubbish in the boxes of other residents.

Post boxes in the foyer are to be kept locked at all times to ensure the safety of your mail.

10. NOISE NUISANCE

10.1 No Occupant shall cause or permit such conduct of whatsoever nature upon the premises, whether inside or outside his flat which shall constitute a nuisance or a disturbance to other occupants.

10.2 The use of any radio, television appliance or the playing of musical instruments to the extent that nuisance is caused to others is not permitted. Occupants are reminded that these rules also applies to domestic servants and that they are responsible for ensuring that their domestic keeps to the rules.

10.3 Silence must be maintained between the following hours :  
22h00 and 07h00 on week days and 1400 and 1600 and between 24h00 and 10h00 on Sundays.

10.4 Motor hooters may not be used on the common property.

( ) 11. STRUCTURAL ALTERATIONS

11.1 Under no circumstances may an Owner or other occupant alter or add to structurally or decoratively, externally or internally any portion of this section or any portion of the common property save with the prior consent of the Trustees, and in such event that the cost incurred remain the Owner's responsibility and the not Body Corporate.

11.2 No alteration, addition or construction shall contravene the Sectional Titles Act.

11.3 No major modifications, alterations or additions are allowed to the existing electrical conduct, water or plumbing systems without the prior written consent of the Trustees and then only subject to such conditions as the Trustees may impose.

12. SECTION MAINTENANCE

The Owner shall at all times maintain his section in good, clean and habitable order and condition, and shall be responsible for all the interior painting maintenance inclusive of blockage of sewerage and sanitary equipment and connections and repairs of whatever nature, including repairs to doors and windows.

13. AIR-CONDITIONING UNITS AND TELEVISION AERIALS

13.1 No owner shall place or allow to be placed in a section or any part thereof (or any part of the common property which he is entitled to occupy) any air-conditioning equipment or apparatus or television aerial or equipment which requires attachment to the structure of the building, except with prior written consent from the Trustees who in such giving the consent may impose such conditions as to the method of installation type specification, position, colour and removal thereof as they in their absolute discretion shall deem fit.

13.2 When air-conditioning units have been installed on windows, Owners must ensure that no condensation runs onto windows of flats below them.

13.3 Air-conditioning units may not extend beyond the median line of any window.

14. CONTROL OF CHILDREN

14.1 Residents must supervise their children and the children of their visitors so that no damage or nuisance is caused to the Common Property or the property of other occupants.

14.2 Children may not interfere with postboxes, plants, decorations, name plates, fire hose reels and external lights.

14.3 No climbing of walls, trees and fences is allowed. Running and playing in the passages and parking areas is very dangerous and is not permitted. No skateboards are allowed in the passageways or driveways.

14.4 Children are not permitted to play in and around the lifts. Small children may not use the lifts unless accompanied by an adult.

14.5 Ball games are not permitted on the common property.

15. ANIMALS AND PETS

- 15.1 No animals or pets of any kind shall be kept in a section or on the common property of the Body Corporate without the express approval of the Board of Trustees, which permission can be summarily withdrawn at any time.
- 15.2 The Supervisor shall at all times keep a register of approved pets.
- 15.3 Pets are not permitted on the common property unless carried or on a leash. Pets are not permitted to foul the common property and any such fouling shall be removed by the owner concerned.

16. SERVANTS

16.1 No servants may be housed on the property without the prior permission of the Board of Trustees having been obtained. The granting of such permission will be at the sole discretion of the Board of Trustees and permission may be withdrawn at any time upon giving the owner or occupant seven (7) days notice. In such event the Owner or Occupant shall ensure that the servant in question is permanently removed from the property or section in the stipulated period.

16.2 The Trustees may at their sole discretion, require all servants to be registered with the Body Corporate and may require such servants to carry or display documents or identification in the interest of security.

16.3 Residents employing personal servants are responsible for their servant's good behaviour, and must at all times ensure that they adhere strictly to the Rules of the Body Corporate. In particular servants should not :

Loiter on the common property.

Entertain visitors between 21h30 and 08h00.

Store liquor on the property or in a section in excessive quantities.

Behave in a drunken or disorderly fashion.

Allow a property or a section to be overcrowded with visitors.

16.4 Owners and Occupants shall provide all necessary toilet requirements, that is toilet paper, soap, etc. No newspaper may be used in the toilets and toilets must be kept clean at all times.

17. APARTMENT KEYS

- 17.1 All Owners and Tenants are requested to lodge keys for their front door and security gate with the Supervisor.
- 17.2 Owners are advised that should there be damage in obtaining access if the keys are not lodged, all costs will be for the account of the Owner. This is imperative as in the case of an emergency, access to the flat must be obtained.

18. MAKING USE OF BODY CORPORATE STAFF

- 18.1 Staff of the Body Corporate are prohibited from performing private tasks whilst on duty.
- 18.2 No Owner or Tenant may use the services of the Body Corporate staff during their working hours for cleaning of motor vehicles, delivering of newspapers, or to run errands.

19. PLUMBING

- 19.1 It is the Owner/Tenants' responsibility to see that no damage is done to the premises by water overflows (e.g. faulty connections to equipment.)
- 19.2 It is the responsibility of all occupants to keep the drains of their kitchen sinks, baths and handbasins free from obstruction.

20. LEVY PAYMENTS

- 20.1 Levy payments are due and payable in advance on the first day of each month. Should any Section Owner fail to effect payment on the due date or thereafter fail to make payment within seven (7) days, such Owner shall be liable for and pay :
- 20.2 All legal costs, (including costs as between Owner and Client) plus any administrative costs which may be incurred in relation to the recovery of such overdue amount and interest charged thereon.

21. LIFTS

Only the service lift may be used for large and heavy furniture and other objects which may scratch or otherwise damage the floor, walls, ceiling or doors of the lift.



22. SWIMMING POOL AND POOL AREA

- 22.1 Guests of Residents may only use the pool if accompanied by the Resident. Discretion must be used by the residents with the number of guests in order to avoid monopolising the pool. The Board of Trustees reserve the right to restrict the use of the facilities by visitors.
- 22.2 Common courtesy and regard for the rights of others are essential for the full enjoyment of these facilities by all. Residents are responsible for the behaviour of their guests. It is expected that everybody uses common sense regarding safety and cleanliness.
- 22.3 Children under the age of 8 years must be actively supervised by a person over 16 years of age.
- 22.4 No glass objects or bottles are permitted in the pool area.
- 22.5 No pets are permitted in the pool area.
- 22.6 The only entrance to the pool area is through the gates provided. Gates must be kept closed at all times.
- 22.7 Unduly loud noise is not permitted.
- 22.8 The pool may only be used between :
  - 16h00 and 20h00 week days.
  - 10h00 to 20h00 Saturdays and Sundays.
- 22.9 No braais are permitted in the pool area or on any of the common property of Bryanston Heights.
- 22.10 No ball games are permitted in the pool area.
- 22.11 Consumption of alcoholic beverages in the pool area is prohibited.

23. GARDENING AND PLANTS

No plants may be planted or potted and placed by occupants on the common property without the consent of the Board of Trustees. All gardening shall be done by the persons authorised by the Board of Trustees, unless specifically otherwise agreed.

24. INTRODUCTION OF THE NEW SECURITY SYSTEM TO BRYANSTON HEIGHTS

It has been necessary to revamp the access security to Bryanston Heights due to an increased spate of criminal and/or illegal activities occurring. The implementation of the new system will be completed by 18 December 1988. This entails namely :

- 24.1 Every legal Owner/Tenant must furnish the Supervisor's office with a copy (photostat) of his/her I.D. document. Refer to notices displayed and letters submitted previously.
- 24.2 The new scanner access discs will only be issued on proof of identity and flat number. Only one scanner disc per legal Owner/Tenant will be issued at the Supervisor's office. Hours to be displayed at the Supervisor's office.
- 24.3 For your information, the new scanner allows legal Owners/Tenants access in and out through separate demarcated cubicles allocated in the front entrance to Bryanston Heights. The scanner's discs are also connected to a computer for the monitoring of purposes. Once scanned in it must be scanned out before scanning in again. Visitors will have a separate demarcated access.
- 24.4 The cost of the new access scanner is R75,00. This is a deposit for your scanner, and on the return of your scanner you will be given your full R75,00 back.
- 24.5 Lost/stolen or mislaid scanner discs must be reported to the Supervisor so it can be cleared from the scanner computer rendering it non functional. Only then will another scanner disc be re-issued at the full replacement cost of R75,00.
- 24.6 Only 4 visitors are allowed to visit residents living in a 3 bedroom flat.  
Only 3 visitors to a 2 bedroom flat.  
Only 2 visitors to a bachelor flat.

PLEASE NOTE: Visitors are not allowed to enter the building between 22h00 and 10h00.  
All visitors must leave the building by 24h00.

Entrance to the building by visitors will no longer be accessed by tenants/owners from their flat intercom.

Owners/Tenants may only grant them permission via the Security.

24.6 (continued)

The security has been given full authority and final say as to whether they may enter the building or not.

(e.g. When a visitor arrives and is granted permission by the resident to enter the building, but security finds that the visitor will not be allowed to enter the building and the resident will be asked to come down and speak to the visitor outside the building.)

Visitors are obliged to sign the Visitors Book "in" and "out".

On arrival all visitors are to leave their I.D. book and are to collect it from security on leaving the building. Owners and Tenants are responsible for their visitors behaviour and also for the collection of their I.D's.

FINALLY : For the system to operate effectively and efficiently we appeal to all Owners/Tenants to give us their full co-operation on this important matter.

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