

BODY CORPORATE OF ROSEMOD

CONDUCT RULES

The Conduct Rules set out below are binding on all owners and on all persons occupying any section, who in turn are responsible for ensuring that family members, tenants, visitors and servants comply with them.

Happy and satisfying community living is achieved when owners and tenants use and enjoy their sections and the common property in such a manner that they show respect and consideration for the rights of other persons lawfully on the property.

1. RESPONSIBILITIES OF OWNERS AND OCCUPIERS

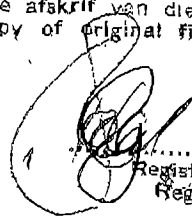

An owner, as defined in the Sectional Titles Act No. 95 of 1986, shall at all times and to the satisfaction of the Trustees, whose decision shall be final and binding:

- (a) Repair and maintain his section as required by the Rules of the Body Corporate.
- (b) Comply with all rules, regulations and directions imposed by the Body Corporate or the Trustees from time to time and which the Trustees may consider reasonably necessary for the control, management and administration of the complex.
- (c) Be responsible for all interior painting of the section, maintenance and unblocking of interior sewer, connections and repairs of whatever nature.
- (d) Ensure that nothing is discharged into the septic system that will affect its efficiency or cause a blockage. Excess cooking fats, carbolic soap, over use of chlorinated disinfectants, bleaches and detergents will upset the system. Costs of unblocking or restoring the efficiency of the septic system must be paid for by the owner concerned.
- (e) Use the section for residential purposes only and not permit any business to be conducted without written permission of the Trustees.
- (f) Ensure that a section is used and occupied only by the owner or his/her legal tenant's immediate family.
- (g) Not permit auctions, sales or exhibitions to be held in the section.
- (h) Not use the section or permit it to be used in such a manner as shall cause a nuisance, disturbance or annoyance to other occupiers or owners or cause or permit disorderly conduct of any nature in the section or on the common property or do or permit any act which may cause a nuisance or inconvenience.

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 Certified a true copy of original filed of record in this
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 Office.
 Akteskantoor
 Deeds Office
 Pretoria/Maritzburg
 Registrateur van Aktes
 Registrar of Deeds

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- (i) Not cause or permit any excessive noise from radios, television sets, musical instruments or the like. Silence must be maintained between 10.00 pm - 6.00 am and 1.00 pm to 3.00 pm. on week days including Saturdays. Complete silence to be maintained on Sundays and Public Holidays.
- (j) When leasing the section or allowing a change in the occupancy thereof, as a condition precedent thereto, obtain from the proposed tenant, lessee or occupier a written undertaking to comply in all respects with these rules for the period of occupation and lodge such undertaking with the Trustees.

2. STATUTORY AND GENERAL

In addition to his/her obligations in terms of Section 44 of the Act, an owner:

- (a) Shall not make alterations which are likely to impair the stability of buildings or the use and enjoyment of other sections, the common property or any exclusive use area.
- (b) Shall not do anything to the section or exclusive use area which is likely to prejudice the harmonious appearance of the building.
- (c) Shall not permit the exclusive use area to be used for any purpose other than that for which it was intended without the written consent of all owners.
- (d) Shall not construct or place any structure or building improvement on the exclusive use area without the prior written consent of the Trustees, which shall not unreasonably be withheld.

ANIMALS, REPTILES AND BIRDS

- (a) An owner or occupier of a section shall not, without the written consent of the Trustees, keep any animal, reptile or bird in a section, the exclusive use area or on the common property, with the exception of Flat 25, who was granted permission to keep an animal prior to these Rules. However, the Trustees may have the right to withdraw such permission and require the animal to be removed permanently from the complex. In the event that the present occupier of Flat 25 vacates the section, or the animal dies, no further permission will be granted to keep an animal in the complex.

4. REFUSE DISPOSAL

- (a) An owner or occupier shall not dispose or permit persons under his/her control or for whom he might reasonably be responsible to dispose rubbish, refuse or any other matter from the section or exclusive use area upon the common property.

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- (b) An owner or occupier shall:
- (i) Maintain, in a hygienic and dry condition a receptacle for refuse within the section or exclusive use area.
 - (ii) Ensure that before refuse is placed in such receptacle it is properly enclosed; broken glass must be adequately wrapped in paper before being placed in the bag.
 - (iii) Ensure that no refuse whatsoever is left in passageways between Friday 10.00 am and Monday 6.00 am and on public holidays.

5. **VEHICLES**

- (a) Owners and occupiers shall ensure that their vehicles and the vehicles of their guests do not drop oil and brake fluid on the common property or in any way deface the common property.
- (b) An owner or occupier shall not be permitted or permit any other person to dismantle or undertake major repairs to any vehicle on any portion of the common property, the exclusive use area or within the section.
- (c) No heavy vehicles with tonnage in excess of one ton gross vehicle weight are allowed on the driveways of the complex, but irrespective of tonnage, furniture removal vans are to be limited to two axle vehicles and without trailers.
- (d) Caravans, trailers and boats may not be parked on common property.
- (e) No persons may be permitted to sleep in a caravan in the complex.
- (f) Each owner or occupier shall be responsible for any claims arising out of injury to persons or damage to property or from whatsoever cause in the complex, whether as a result of the driving of a vehicle negligently or otherwise within the complex by the owner or occupier, member of the family, friends or servants or any other cause and the Body Corporate shall not be liable in respect of any claims of whatsoever nature against which the owners or occupiers hereby indemnify the Body Corporate.

6. **DAMAGE, ALTERATIONS OR ADDITIONS TO THE COMMON PROPERTY**

- (a) An owner or occupier shall not mark, paint, drive nails or screws or the like into or damage or alter any part of the common property (which includes the exterior of all sections) without first obtaining the written authority of the Trustees.

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7. APPEARANCE FROM OUTSIDE

- (a) An owner or occupier shall not place or allow to be placed in the section any air conditioning equipment, television aerial, satellite dish or any other equipment which requires attachment to the external structure of the building except with prior written consent of the Trustees. In giving consent the Trustees may impose such conditions as to the method of installation, type, specification, colour, position or removal as they in their discretion deem fit.
- (b) An owner or occupier may not make any alterations or additions to or repaint the exterior of the section of the common property walls or any portion of the section which is visible from the exterior thereof.
- (c) An owner or occupier may not erect or cause to be erected any sign, structure or device on the exterior of his/her section or on the common property which may be visible from other sections or the common property without written permission of the Trustees.
- (d) Curtains and linings hung in windows visible from Musgrave Road must be clean and in a good state of repair at all times.
- (e) Owners or occupiers wishing to have a pot plant outside their front door in order to enhance the appearance of the passageways, are to ensure that the plants are in a healthy condition, free from disease and of attractive appearance. The number of plants are restricted to maximum of two plants per flat. The Trustees will request the removal of the plants in case of non-compliance with the above.

9. LITTERING

- (a) An owner or occupier of a section or any member of their family, visitors or employees shall not deposit, throw or permit or allow to be deposited or thrown on the common property, any rubbish.
- (b) An owner or occupier of a section shall be responsible to ensure that his/her exclusive use area which is visible from the common property or other sections is maintained in a tidy, clean and acceptable condition to the satisfaction of the Trustees.

10. LAUNDRY

- (a) An owner or occupier of a section shall not, without the written consent of the Trustees erect his/her own washing lines, nor hang washing or laundry or any other items on any part of the building or the exclusive use area or the common property so as to be visible from outside the buildings or from any other section. Laundry is hung out at the sole risk of the owner.

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11. LETTING OUT OF UNITS

All tenants of sections and other persons granted rights of occupancy by an owner of a section are obliged to comply with these Conduct Rules, notwithstanding any provisions to the contrary contained in any lease or any grant of rights of occupancy, and it shall be the owner's responsibility to ensure compliance.

12. ERADICATION OF PESTS

- (a) An owner shall keep his/her section free from white ants, borer and other wood destroying insects and to this end shall permit the Trustees, the Managing Agent or their duly authorised agents or employees to enter the section from time to time for the purpose of inspecting the section and taking such action as may be reasonably necessary to eradicate such pests. The cost of the inspection, eradicating any such pests as may be found in the section, replacement of woodwork or other material which may be damaged by such pests shall be borne by the owner.

13. CHILDREN

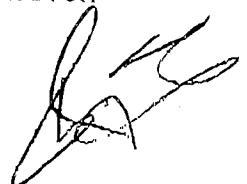
- (a) Each owner or occupier is responsible for the supervision of his/her children and any visiting children. All children playing on the common property are to be under supervision at all times.

14. DOMESTIC STAFF

- (a) The owner or occupier shall be responsible for his/her domestic staff and for any person who may be visiting them, whether legally or illegally. He shall ensure that his staff does not do anything which may constitute a nuisance or annoyance to any other staff or residents and that his staff use the staff facilities only for the purpose for which they are intended.
- (b) Maids rooms are to be rented out only to staff working in the complex.

15. ENFORCEMENT OF RULES

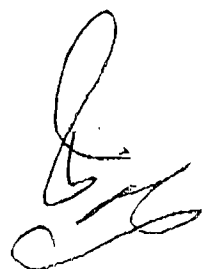
- (a) In the event of any dispute as to the interpretation of these Rules or the enforcement of any breach thereof, the decision of the majority of the Trustees shall be final and binding on all parties concerned in the dispute.
- (b) The Body Corporate or the Trustees may, in special circumstances, grant a relaxation of these Rules in writing and signed by the Chairman, which relaxation shall be subject to such conditions as may be imposed and for such period as may be stipulated and which shall be subject to withdrawal at any time by the Body Corporate or the Trustees at their discretion without ascribing any reasons therefor.



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- (c) These Rules shall be binding on the individual owners of sections and shall also bind the Body Corporate on the one hand and all owners on the other.
- (d) If, as a result of a breach by an owner of these Rules or any other obligation of the owner, the Body Corporate or the Trustees instructs a firm of attorneys, the defaulting owner shall be liable for all costs and charges of whatsoever nature on an attorney and client scale incurred by the Body Corporate or the Trustees as a result thereof.
- (e) Should any owner fail to observe any of these obligations in terms of these Rules, or the Act, or fail to execute any necessary repair or renovation to his section and persist in such failure for a period of 7 (seven) days after receipt of a written notice from the Trustees requiring him to remedy the same, the Trustees shall, without prejudice and in addition to all other rights available to them, be entitled to enforce such obligations or execute such repairs or renovations and recover the cost thereof, together with interest thereon at the prime rate from the defaulting owner.



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