

BODY CORPORATE OF WYNWOOD - CONDUCT RULES

Section 35 (2) (b) of the SECTIONAL TITLES ACT, 1986, outlines the rules for the control, management and administration, use and enjoyment of the sections and the common property. Annexure 9 of the Government Gazette No. 11245 of April 1988 gives an outline of Conduct Rules.

The Wynwood Body Corporate Conduct Rules were framed by the Board of Trustees in accordance with Rule 26 (3) of the Wynwood Rules governing the controlling Body.

I. NUMBER OF PERSONS PERMITTED PER FLAT: according to these rules only two (2) persons are permitted to reside in a bachelor flat, three (3) persons in a one bedroom flat, and five (5) persons in a two-bedroom flat. (There are no 1 ½ or 2 ½ bedroom flats in Wynwood. Partitioning of a room does not change the number of registered rooms) A nominal fee will be collected for insurance, water and lift usage from residents who accommodate overnight visitors in excess of the permitted number of persons as stated above. No more than two (2) extra persons per unit will be permitted to sleep over at night for less than 1 week.

No "hot-bunking" will be permitted. In other words, over-night visitors may not be "substituted" for flat mates who are "away" or "on night shift". For example, where there are three (3) persons resident in a one bedroom flat a sleepover fee will be charged for any overnight visitor(s), even if one of the residents is away for the night.

Casual visitors during the day should be limited according to the size of the flat, i.e. bachelor - no more than four (4); one bedroom - no more than six (6); and two bedroom - no more than eight (8) visitors at one time up to 22h00 (10 p.m.) when the security gate at Diakonia Avenue entrance will be locked.

Resident owners and tenants must inform the supervisor, in writing, of the names and personal details of all occupants living in the flat, and any changes must be reported immediately.

All visitors are required to sign the visitors access control register. Where residents intend having overnight visitors, they have to provide full details regarding the visitor(s) on the form available from the supervisor. Upon arrival of the visitor(s) the residents must sign the overnight visitor's book. No overnight visitors will be permitted where it will result in overcrowding. Where a fee is payable in terms of paragraph I, **this must be paid in advance**, failing which an additional penalty is payable.

2. NOISE DISTURBANCE: Residents must be considerate towards their neighbours, and keep radio, TV's, sound systems and voices to an acceptable level inside their flat and in corridors at all times. If your neighbour can hear your music or TV inside their flat, it is too loud. No noise will be permitted between 22h00 and 06h00.

3. NO FURNITURE MAY BE MOVED either in or out of the building without prior arrangements being made with the Supervisor. Appropriate moving times and charges for the use of the lift are set from time to time.

4. REFUSE may only be placed on the fire escape stairs landing between 06h00 and 08h00 – Mondays to Saturdays - not overnight please, as this attracts vermin (rats). Only household refuse should be placed on the landings in a securely tied waterproof plastic bag. The resident should take large cartons and other bulky items to the refuse bins on the ground floor. The owner or his workmen must remove rubble from the premises. Fireworks, cigarette ends, fruit peels, water etc. must not be thrown out of the windows or over the corridor walls.

NO FEEDING OF CATS AND BIRDS FROM THE WINDOW OR IN THE CORRIDORS PERMITTED.

5. LAUNDRY must not be displayed near windows or in corridors. No **hi-foam powder** must be used, as it causes flooding of toilets in flats on the lower levels. **Do not carry dripping laundry baskets** along corridors, in the lifts and foyer as it may cause persons to slip and injure themselves.

6. FOYERS AND LIFTS are the first impression visitors or estate agents and their clients get when entering the building. Please do not litter or congregate in the foyers; keep your voice down and do not engage the reception staff in lengthy conversations. Smoking is strictly forbidden in foyer and lifts.

An adult must accompany children under 12 years of age in the lifts.

7. CHILDREN are not allowed to play in passages, on stairs or in the parking area. Parents must prevent children from jumping in flats and playing with a ball either against any walls or bouncing it off the floor. Continuous loud crying should be stopped as it causes a disturbance to other residents, especially to those who do shift-work.

8. MAJOR REPAIRS AND STRUCTURAL ALTERATIONS, including plumbing and tiling inside a flat may be done within the hours of 07h00 to 17h00 on weekdays and Saturdays from 08h00 to 12h00. Drilling, hammering, sawing or sanding in flats or corridors is strictly prohibited from Saturday noon to Monday 07H00 and on public holidays as well as after 17h00 (5pm) on weeknights. Staff are prohibited from performing private tasks for residents while on duty.

In case of an emergency, the Supervisor or Chairperson must be consulted in order to ensure that the least inconvenience is caused to other residents.

The handyman may perform small maintenance tasks (replace tap washers etc.)

9. ALL PARKING ON THE PREMISES IS RESERVED, and no vehicles may be parked in the parking area except in the allotted parking bays. Oil and brake fluid leaks on the tarmac must be avoided. No major repairs and persistent revving of engines will be permitted in the parking area and loud music from vehicles must be avoided.

The letting of parking bays to outsiders must have prior written approval of Trustees, sub-letting of bays is only permitted after consultation with the Supervisor.

Parking of overnight visitor's vehicles will only be permitted after prior approval has been obtained from the supervisor, and only if there is a suitable vacant bay.

Unauthorized use of any parking bay not allocated to a resident or visitor for use will carry a penalty of R100 for the first incident, and R200 per incident thereafter. This fee is payable by the owner of the unit involved. The body corporate reserves the right to clamp vehicles should the penalty fees not be paid and undertake the removal of unauthorized vehicles stored for long periods of time on the premises.

Only resident's vehicles authorized to park at Wynwood may be washed on the premises. The washing of vehicles is limited to once a week. The use of a hosepipe for the washing of vehicles is prohibited.

10. NO ANIMALS ARE ALLOWED in the building except where written permission has been obtained from the Board of Trustees. Dogs must be kept on a lead whilst on common property. Excessive barking must be curbed as it causes a disturbance to fellow residents. Notwithstanding permission being granted, this could be withdrawn if the above is not adhered to. Visitors are not permitted to bring animals into the building.

11. NO PLANTS are to be placed in the corridors where they may obstruct the fire equipment in an emergency.

12. NO INFLAMMABLE SUBSTANCES allowed inside flats or storerooms. Should residents, through their own negligence, cause fire damage to their and/or other flats they will be held financially responsible for the cost of any resultant repairs. A penalty will be raised should any delegated person have to enter the flat to extinguish the fire.

13. FLOODING AND OTHER WATER PROBLEMS are a serious problem in apartment buildings, and residents should always be vigilant in this regard.

Residents should always ensure that taps are shut tightly, and never leave plugs in basins, baths or sinks when they are out of the flat. Care should be taken defrosting fridges and freezers, by placing newspapers and/or towels on the ground and changing these frequently. Washing machines should not be left to run while residents are away, and their fittings should be checked routinely.

Leaking taps should be recorded in the book that is kept at reception, and washers will be replaced free of charge. Residents should also watch for leaking cisterns (toilets) where water runs continuously into the toilet pan, toilets and geysers that overflow, these incidents should be reported. Any evidence of leaking pipes should be reported. A penalty will be charged to cover water loss where leaks are discovered by Wynwood staff and they have not been reported by residents.

Owners of flats should attend to faulty plumbing expeditiously, and where repairs are unduly delayed, the Trustee will instruct a plumber to carry out the repairs at the owner's expense.

Where possible, Wynwood management will advise residents when planned maintenance will result in the water supply being cut although this is not always possible in emergencies or as a result of outside agencies. Residents should always ensure that taps are closed again when it is obvious that there is an interruption in water supply and should also monitor children and employees in this regard. Owners will be liable for any damage caused by flooding, whether it is to their own flat or to those adjacent or below them, as well as for the water loss.

A penalty will also be charged, according to time spent, should Wynwood staff have to assist in mopping up.

14. AIR CONDITIONERS may not extend beyond the median line of any window, and owners must ensure that no condensation runs onto the windows of the flats below them.

15. APARTMENT KEYS for residents' front door and security gate must be lodged with the Supervisor for cases of emergencies like flooding or fire in the absence of the occupant, and for the window cleaner. Keys should not be handed to friends or family members without prior consultation with the Supervisor, as this may cause a breakdown of the security system for all other residents.

16. WINDOWS must be secured before residents leave their flat as sudden weather changes may cause damage to their possessions and to ceilings of the flat below. The cost of repairing broken windows or water damage will be for the defaulter's account. **A penalty will be raised should the Supervisor have to close the windows.**

Only curtains or blinds may be utilized as window coverings for all windows facing on to Diakonia Avenue.

17. STAFF employed by residents must be made aware of the basic Conduct Rules. An extra key for their employee to enter the flat must be lodged with the Supervisor. It is not advisable to allow employees to take the intercom or any other keys home with them in case of loss.

18. COMPLAINTS of a serious nature must be made in writing to the Chairperson. **Complaints** of a general nature should be directed in writing to the Supervisor, who will give the matter immediate attention or pass the letter to the Trustees.

19. INDUCTION for all prospective tenants must be arranged with the Supervisor prior to any signing of the lease.

20. LEVY, PARKING AND SUNDRY PAYMENTS are due and payable in advance on or before the first day of each month. The Managing Agents have been instructed to take appropriate action against owners who continue to be in arrears with their levy payments. Legal action may also be taken against residents who in spite of written warnings continue to flout the Conduct Rules.

21. CALLING OUT A SUPERVISOR OR TRUSTEE outside of office hours will result in a call out fee being charged. Tenants causing a disturbance will be charged a call out fee.

22. NO ALCOHOL CONSUMPTION is permitted in any of the common property areas. This includes the foyer, lifts, stairs, corridors and parking area.

23. Flats may only be used for **RESIDENTIAL PURPOSES**. No business may be operated from any flat.

24. OWNERS/TENANTS not adhering to the Wynwood Conduct Rules will be fined. The first offence carries a penalty of R100, and any further offense a penalty of R200 per incident to unless stated otherwise in these rules.

25. The Body Corporate has **no contract with any tenant**, contracts are solely between owners and their tenants. Owners are therefore responsible for the behaviour and action of their tenant(s). The cost of any fee payable, fines or damages not recovered from the tenants will therefore be recovered from the owner(s) of the respective unit, who may take any necessary action against their tenant(s).

Lodged with the Registrar of Deeds – Pietermaritzburg – 15 / 10 / 2014

Chairman
Wynwood Body Corporate

FEES AND PENALTIES

The following charges, fees and penalties are effective from 1 April 2019:

1. SURCHARGES AND SLEEPOVER FEES (Rule 1)

1.1 Where any additional persons are permanently resident, over and above the approved number of persons per flat, and only with prior written approval, **a surcharge of R200 per month** or part thereof, payable in advance, and **R150 per person if under ten years of age.**

1.2 For sleepovers **R50 per person per night, regardless of age.**

1.3 During the July and December school holidays only, parents with school children who do not normally reside with them may have them visit at a special rate of R150 per child per month or part thereof, regardless of age, provided that the Supervisor is notified in writing and such fees are paid in advance. Failure to do so will result in normal sleepover fees being charged.

THERE MAY NEVER BE MORE THAN 2 PERSONS (INCLUDING CHILDREN) IN A ONE-BEDROOM FLAT, AND NO MORE THAN SIX PEOPLE IN A TWO-BEDROOM FLAT.

2. LIFT CHARGES (Rule 3)

For furniture or other heavy goods (building materials, heavy bags, etc), moving in or out:

2.1 Mondays to Fridays between 08:00 and 16:00 R100

2.2 Saturdays between 08:00 and 12:00 R150

2.3 Single items, e.g. a bed or fridge only R50

2.4 At any other time, only with special approval R200

2.5 No moving of any items; big bags, TV, microwave etc. at any time after 4pm (16h00)

Please note the following:

The above charges are for the first two hours or less, thereafter the charge will be R100 per additional hour or part thereof. The lift must not be overloaded – maximum weight 800 kg. Care must be taken not to damage the door closers by opening the doors too wide. Furniture removals may only be done with prior approval of the Supervisor, at least 24 hours in advance. Over busy periods, particularly month-ends, a timeslot will be arranged with the resident, and if the resident does not utilise this period, the fee will be forfeited. A new timeslot will be negotiated, depending on other users, and a new fee will have to be paid. All lift charges must be paid in advance.

3. CALLING OUT THE SUPERVISOR OR A TRUSTEE (Rule 20)

Weekdays between 17:00 to 07:00 R100

Weekends or Public Holidays (starting at 17:00 the previous day)
07:00 to 22:00 R100

22:00 to 07:00 R150

Note:

There will be no charge for reporting an emergency fire, flooding, lift malfunction or disturbance in the building. Residents will be charged a call-out fee when they or their visitors cause a disturbance. Call-out fees are payable in advance. The Supervisor or Trustee may refuse a call-out for a personal emergency (e.g. lost keys) if there are any outstanding charges in respect of the flat concerned.

4. PARKING (Rule 9)

4.1 Monthly parking is R 250 per month for open parking and R300 for covered parking, payable in advance.

4.2 Casual parking is R30 per night or day, payable in advance.

4.3 Unauthorised parking R50 per night or day, or part thereof.

4.4 Illegal parking where the wheels of a vehicle have been clamped for illegal parking, a fine of R200.00 will be imposed. Where such fine is not paid within 24 hours, the vehicle will be towed away at the owners' expense and re-clamped until such time as the tow-charges and fine are paid.

5. DSTV

Wynwood has a communal satellite system for DSTV. No individual satellite dishes will be permitted. A once-off fee of R450 will be charged, before installation, towards maintenance of the system.

6. FINES AND PENALTIES (Rule 25) after one written warning:

6.1 Late payment of parking, sleepovers, etc R10

6.2 Unauthorised or frequent washing of vehicles R50

6.3 Laundry in windows, passages and balconies R50

6.4 Excessive noise from flats, corridors and vehicles R50

6.5 Consumption of alcohol on common property R50

6.6 Repeated offences - more each time R20

6.7 Staff cleaning up after flooding, etc. As determined by circumstances

6.8 Water loss, due to negligence - As determined by circumstances

6.9 Any other form of misconduct - As determined by the Trustees

7. RENOVATIONS (Rule 8)

Owners who have major alterations done to their flats will be asked to pay a deposit of R200 prior to commencement of work. This amount will be refunded only if passages, lifts and other common property areas have been cleaned up

either by themselves or the workmen during and after completion of the renovations and if no damage was done to common property areas.

8. FIRE AND FLOODING (Rules 12 and 15)

Where damage is caused by fire or flood as a result of negligence or default by an owner or tenant, such owner or tenant shall be responsible, over and above making good any and all damage caused, for the following:

- Call-out of the Supervisor, Trustee and/or Fire Warden
- Labour charges of R20 per hour or part thereof for each staff member required to assist with clearing up – private rates may not be negotiated with the staff members concerned
- The replacement cost of materials used, e.g. fire-extinguishers, water, cleaning materials, etc
- The cost of the fire brigade, if applicable

9. WINDOWS (Rule 16)

If it is necessary for staff to enter a flat during a storm to secure windows a charge of R10.00 will be levied.

CHAIRMAN: BODY CORPORATE

27th September 2019