

Unlimited



Townhouses



SPECIALISTS IN BODY CORPORATE MANAGEMENT, TOWNHOUSE SALES AND RENTALS

MORNINGSIDE VILLAGE BODY CORPORATE – ABRIDGED RULES

These abridged rules are extracts from the information booklet and the registered rules of the body corporate and are merely a guide to draw your immediate attention to certain basic rules of the complex. It is the responsibility of the owner to familiarise himself with the detailed rules of the body corporate and to ensure that the occupants and visitors to his unit abide by the rules at all times. Information Booklets may be obtained from the managing agent or viewed on the web site of Unlimited Townhouses www.uth.co.za

ALTERATIONS, ADDITIONS, EXTERNAL FIXTURES: Not allowed without the prior written approval of the body corporate. This includes, amongst other items: DSTV DISHES, TV AERIALS, ENCLOSURE OF PATIOS, SECURITY GATES & BURGLAR GUARDS, TRELIDOODS, AIR-CONDITIONING UNITS, AWNINGS, EXTERIOR DECORATIONS, GLAZING OF WINDOWS

HOUSEHOLD REFUSE DISPOSAL PROCEDURES – as directed by the trustees

PETS – Not allowed except if expressly permitted in writing by the trustees

PARKING OF VEHICLES – only in demarcated bays as allocated the unit. Offending vehicles towed away.

BALCONIES, PATIOS & GARDENS – No open fire braai's. Nothing to be stored or placed on these areas, which, in the discretion of the trustees, is aesthetically displeasing or undesirable when viewed from the outside of the section.

USE OF SWIMMING POOLS – Persons using the pool must wear recognized swimming costumes. Fully clothed persons may not use the pools. Disorderly conduct is not permitted. No breakables allowed.

- No alcohol / drinking permitted in the parking & pool areas
- Music being played from cars of owners / tenants entering, needs to be turned right down

TRAILERS – Trailers to be parked in the demarcated "Trailer" parking bays.

SIGNS & NOTICES – May not be placed anywhere on the building or on the street verge

FIREWORKS – Strictly not allowed. **A fine of R500** to be imposed on the registered owner of the unit

WASHING LINES – Occupants may not erect their own washing lines, nor hang any washing or laundry or any other items on any part of the building or the common property so as to be visible from outside the buildings or from any other sections.

DISORDERLY CONDUCT OF WHATSOEVER NATURE – Not permitted in the Section or upon any part of the common property nor any act, matter or thing which shall constitute or cause a nuisance or any inconvenience to any other owner or occupier of the buildings or member of the Body Corporate. Letting agent and the registered owner to remove occupants immediately in the case of blatant disregard of the rules or face severe penalties being imposed on the levy account of the owner.

NUMBER OF OCCUPANTS - the maximum number of persons that shall be entitled to occupy any section of the Scheme shall be two persons per bedroom

SILENCE - Must be maintained between 23h00 and 06h00 every day. Radios, musical instruments, record players, television receivers, etc must be used in such a manner as not to be an annoyance to others.

BY ORDER OF THE BOARD OF TRUSTEES

February 2008

Tenant's behaviour is the responsibility of the owner of the unit - remember this if you decide to rent-out your unit.

Every owner is a member of the Body Corporate - play your part in making your scheme the success that you and the owners would like.

For Owners:

An owner, who is aggrieved by a fellow owner's misconduct in his section or on the common property or by his failure to obey the Rules of the scheme, would have to resort to common-law for remedies.

Never forget - you are part of a community. Would you be happy to have a neighbour like YOU?

5. CONDUCT RULES AND REGULATIONS

As can be seen from the explanations on Sectional Title living, rules and Regulations are a necessity so that everyone can live happily and harmoniously within the complex.

The following House Rules and Regulations for MORNINGSIDE 103 are the amplifications of the registered rules, and are enforced so that everyone's rights and privileges are protected.

Copies of the Management Rules can be obtained from the Managing Agent. It is the responsibility of the owner to ensure full compliance of the complex rules by their tenants. A copy of these rules should be conveniently displayed in any unit that is let. Additional copies are available from the Managing Agent on request.

5.1 PRELIMINARY

The rules contained in this schedule shall not be added to, amended or repealed except by special resolution of the members of the Body Corporate in accordance with the Act.

5.2. IMPROVEMENTS ON OR TO THE COMMON PROPERTY

No duty shall be placed upon any owners in regard to the provision of any improvement or to the common property unless a proposal to make such improvement has been approved by a special resolution at a general

meeting of owners of sections or unless the relevant portion of the common property has in terms of any agreement with the body corporate or of any provision of the rules been reserved for or allocated to the private use of an owner.

5.3 USAGE

No owner shall use any section for any purpose other than for residential purposes.

5.3.1 All owners and occupants of sections shall ensure that their respective activities in and uses of the common property and of the section or any part thereof with all services, facilities and amenities available on the common property shall at all times be conducted and carried out with reasonable and diligent care and with due and proper consideration for the remaining owners and occupants of the Building.

This rule shall likewise apply to guests and servants of owners and/or occupants of section while they are in the buildings and/or the common property.

5.3.2

The owner shall not cause or permit any disorderly conduct of whatsoever nature upon the section or any part of the common property or do or permit any act in or about the same which shall constitute or cause a nuisance or disturbance or any inconvenience to any other owner or occupant of the buildings or members of the body corporate, in the quiet enjoyment of their own premises or which is likely to or in any way may tend to affect detrimentally the benefit, enjoyment rights of occupation or the interests of any other owner or occupant of the Building or member of the body corporate.

5.3.3

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

5.3.4 Maximum Occupancy

Units may be occupied on a permanent basis by a maximum of two persons per bedroom i.e. a maximum of 6 persons per 3 bedrooomed unit. This does not preclude accommodating occasional guests and visitors on a temporary basis not exceeding 30 days in addition to those mentioned above.

5.4 LETTING

- (a) It is the responsibility of the owner of a section to ensure that their tenant, or any other person granted rights of occupancy by the owner, is obliged to comply with these Conduct Rules, notwithstanding any provision to the contrary contained in any lease or any grant of occupancy.
- (b) The owner of a section must provide their tenant with a copy of the conduct rules.
- (c) The owner of a section is responsible for the actions of their tenant.
- (d) An owner of a section is obliged to notify the trustees in writing within 14 days of the date of the conclusion of a lease of their unit of the full names of their tenant and emergency contact telephone numbers of such tenant.
- (e) An administration fee will be charged to the owner's levy account if it is necessary for the trustees to provide the tenant with a copy of the Conduct Rules.

All tenants of units and other persons granted rights of occupancy by any owner of the relevant unit are obliged to comply with these conduct rules, notwithstanding any provision to the contrary contained in any lease of any grant or rights of occupancy.

5.5 ANIMALS

An owner or occupier of a section shall not, without the consent in writing of the trustees, which approval may not be unreasonably withheld, keep any animal, reptile or bird in a section or on the common property.

In no event shall animals be permitted in any of the public portions of the Building or any other part of the common property. In the event of any owner or occupant securing permission to keep or harbour any animal or other pet on the premises, such person shall not allow such animal or any other pet to foul the corridors, entrance or any other part of the common property or otherwise cause a nuisance. The trustees shall have the right

to require any such animal or other pet to be removed permanently from the building where this rule is not observed.

5.6 AIR-CONDITIONING UNITS AND TELEVISION AERIALS

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 the prior written consent of the trustees, who, in giving such 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.

Only split air-conditioning units are to be installed, except for the loft bedrooms, where window air-conditioning units are permitted. All air-conditioning units are to be maintained in a state of good repair and clean condition.

A DSTV dish may be installed provided the following criteria are met:

- a) One dish per block in a position designated by the trustees
- b) Permission from the trustees of the body corporate needs to be obtained for the wiring of their units to an existing dish
- c) Proof of permission to be supplied to Trustees before installation
- d) Reception to other Units may not be adversely affected

5.7 ALTERATIONS

DOING ALTERATIONS OR ADDITIONS? HOW TO GO ABOUT IT

An owner may make alterations to the interior of the section, but no structural alterations nor alterations to the water, electric conduits or plumbing may be effected without the prior written consent of the trustees and then subject to such conditions as the trustees may impose

An owner may place in the section at his own expense any improvements, additions or fixtures such as mantels, lighting fixtures, refrigerators, cooking ranges, woodwork, paneling, ceilings, doors or decoration which will not cause any damage to the Building, subject always to the condition that the owner shall at all times only use such electrical appliances and

fittings, as shall comply with the electrical wiring of the Building and shall at no stage do anything which is likely to endanger or jeopardize the safety of the Building.

No exterior blinds, awnings or other fittings shall be installed save with the prior written approval of the trustees.

All proposed alterations and/or additions at MORNINGSIDE 103 are required to be approved by the Board of trustees. In the event of proposed construction requiring the approval of the local authority, a copy of the written approval of the Board of Trustees is required to accompany the submission to the local authority.

Steps to follow on how to go about getting your plans approved-

- (a) Any owner wishing to make alterations or additions to his property or exclusive use area must forward his application in writing to the Chairman of the Board of Trustees, and the application must include:
 - Accurate drawings to an appropriate scale, showing all elevational views, a sectional view, full plan view and indicate the positioning on site relation to site boundaries, exclusive use areas, and building lines and incorporating draining and electrical installation.
 - The signatures of the owners of adjoining and other units, which may be affected, must be on these drawings; to indicate their knowledge of the planned alterations and that they have no objections to this proposed change.
- (b) Owners should take into account the rights of their neighbours as well as the existing architectural aesthetics.
- (c) The Board of Trustees will not unduly withhold approval, and where necessary, will seek specialist advice to carry out the authorisation procedure.
- (d) Applications will be processed as quickly as possible and complying with the submission requirement as listed, will make this possible. The applicant may not commence any work prior to receipt of written approval from the Board of Trustees.

(e) The applicant must inform the Board of Trustees before bringing any construction material onto the site. This is necessary to ensure proper storage and control of materials on site.

(f) It is important to note that the rules regarding alterations and additions also apply to any changes made in the owner's exclusive use area including lighting, tiling of floor areas, constructing basins etc. Owners must go through this procedure for any change to the external area of the exclusive use area of their premises.

(g) Please note: Any owner not in good standing, i.e. levies not all paid up, will not be granted permission to proceed with any alterations.

(h) Once alterations or additions have been made, any upkeep or repairs to these are for the unit owner's account and not the responsibility of the Body Corporate.

(i) Rubble removal is the responsibility of the owner/contractor and must be removed within seven (7) days of completion of the work.

No work which causes undue noise may be carried out except between the hours of 7am and 5pm on weekdays and 7am and 12noon on Saturdays. In addition, an owner shall procure that contractors avoid unduly noisy operations between 2pm and 4pm. No work which causes undue noise shall be carried out on Sundays and Public Holidays.

Any extension of the living area of a unit shall be dealt with in accordance with section 24 of the Sectional Titles Act 95 of 1986 or any amendment thereof.

5.8 SUBDIVISION

No owner shall provide or partition any unit or section or any part thereof without first obtaining the prior written approval of the trustees of the body corporate, which in giving such approval may attach such conditions thereto as they in their discretion shall deem fit. In particular, no owner shall in any manner whatsoever embark upon a time-sharing scheme in respect of any unit or part thereof by way of marketing, leasing, selling or in any other form or method of alienation.

5.12

CLEANERS

The trustees of the body corporate are specially authorised to employ cleaners to keep all portions of the common property in a proper state of cleanliness and the costs of such employment shall be an administrative expense chargeable to the fund established by the body corporate; provided, however, that nothing herein or elsewhere contained shall be construed as obliging the trustees of the body corporate to maintain the interior of any section in a proper state of cleanliness, such maintenance of the interior of the section being the sole responsibility of each individual section owner who undertakes to keep the interior of his section in such proper state of cleanliness and in a hygienic condition.

5.13

LAUNDRY

The owner shall not allow any of his or her linen or clothing to be hung on the outside of any section or on the common property except in the place specially designated therefore. Carpets and mats shall not be shaken or dusted or beaten over the balconies or through windows. Laundry shall be removed from the drying lines as soon as it is reasonably possible after it has dried.

5.14

DAMAGE TO PROPERTY AND LITTERING

No owner or his guest shall cause or permit any act that might result in damage to or disfigurement of any section or common property or any part thereof.

An owner or occupier of a section shall not deposit, throw, or permit or allow to be deposited or thrown, on the common property any rubbish, including dirt, cigarette butts, food scraps or any other litter whatsoever.

5.15

VEHICLES

No owner or occupier shall park or stand any vehicle upon the common property, or permit or allow any vehicle to be parked or stood upon the common property, without the consent of the trustees in writing.

5.9

ELECTRICITY/WATER

The owner shall make his own arrangements with the Local Authority for the opening of an electric current and water account and for the supply of such current and water consumed in the section.

5.10

REFUSE REMOVAL

- An owner or occupier of a section shall -
- maintain in a hygienic and dry condition, a receptacle for refuse within his section, his exclusive use area or on such part of the common property as may be authorised by the trustees in writing;
- ensure that before refuse is placed in such receptacle it is securely wrapped, or in the case of tins or other containers, completely drained;
- for the purpose of having the refuse collected, place such receptacle within the area and at the times designated by the trustees;
- when the refuse has been collected promptly return such receptacle to his section or other area referred to in paragraph (a)
- no private dirt bins are permitted on the Common Property. This includes the walkways outside your Unit

5.11

INSURANCE

The body corporate shall have no responsibility whatsoever for the insurance of the contents of any particular section, which shall at all times be the sole responsibility of the owner in question.

5.11.1

An owner shall not do or permit to be done in his section or on the common property anything which will or may increase the rate of premium payable by the body corporate over any insurance policy or which may tend to vitiate any such insurance policy.

An owner shall not store or harbour upon the common property or any part thereof or in his section any goods which may vitiate any fire insurance policy held by the body corporate or increase the premium payable in respect of such policy.

5.11.2

An owner shall not do or permit to be done in his section or on the common property anything which will or may increase the rate of premium payable by the body corporate over any insurance policy or which may tend to vitiate any such insurance policy.

- 5.15.2** The trustees may cause to be removed or towed away, at the risk and expense of the owner of the vehicle, any vehicle parked, standing or abandoned on the common property without the consent of the trustees in writing.
- 5.15.3** Owners and occupiers of sections shall ensure that their vehicles, and the vehicles of their visitors and guests, do not drip oil, petrol or brake fluid onto the common property or in any way deface the common property.
- 5.15.4** No owner or occupier 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."
- 5.15.5** Vehicles are to be driven with caution at a maximum speed of 10KM per hour to avoid possible injury to pedestrians or damage to other vehicles and common property.
- 5.15.6** Vehicles may only be parked in bays allocated to the unit and bona fide visitors may only use visitor's bays. Rule 15.2 applies to any vehicles in breach of this rule.
- 5.15.7** Parking of trailers, boats and caravans is not permitted unless the board of trustees gives written permission.
- 5.16** **PARKING BAYS**
- 5.16.1** Each Unit has one parking bay allocated to it. A second parking bay, if available may be rented at a cost of R100.00 per month, to be reviewed annually, if parking space permits.
- 5.16.2** Lost access control disks will be replaced at R50.00 per disk, payable on presentation of disk.
- 5.16.3** The parking of vehicles will only be permitted in the demarcated parking bays.
- 5.16.4** The Body Corporate will not accept responsibility for loss, damage by fire, theft or any other cause, of any property or vehicles that are on the property at any time.
- 5.16.5** Vehicles over 3 tons are not permitted on the driveway.

SWIMMING POOL AREA

- 5.17** The swimming pool area is for the exclusive use by the residents and a limited number of their guests. Visitors must always be accompanied by the resident/owner/s.
- 5.17.1** The maximum number of guests per unit is two.
- 5.17.2** An adult must accompany children at all times.
- 5.17.3** Glass or other breakable objects will not be allowed into the pool enclosure.
- 5.17.4** Ball games and other games likely to cause inconvenience to other users will not be permitted within the pool enclosure.
- 5.17.5** Music from portable CD/Radio/TV sets will only be permitted in the pool area if the volume is set so as to be heard by the user and not to interfere with the tranquility of the other users of the pool area.
- 5.17.6** All owners/tenants using this recreational area, are requested to keep it litter free.
- 5.17.7** Any damage to the Common Property, within this pool area by any person/s will be charged to the account of the person/s causing said damage.
- 5.17.8** The use of the pool are is restricted to the following hours:
MONDAY to THURSDAY 08H00-22H00
FRIDAY to SUNDAY 06H00-22H00
- 5.17.9** Functions or parties may not be held within the confines of the pool area.
- 5.17.10** **FIRE HOSES**
- 5.18** The use of fire hoses, other than for fire-fighting purposes, is strictly prohibited.
- 5.18.1** The fire hose may not be used to wash vehicles.
- 5.18.2**

- 5.22.3 Children may not play on the driveway.
- 5.23 **BURGLAR GUARDS**
Only white burglar guard gates are permitted for outside the front door of your Unit. The trustees will specify the design.
- 5.23.1 Burglar guards within the confines of your Unit may be of your own choice.
- 5.23.2 The burglar guards are to be maintained in a state of good repair and clean condition.
- 5.24 **VISITORS**
Visitors are the responsibility of the Owners who are responsible for their behaviour and any damage that they may cause.
- 5.24.1 Owners will ensure that their visitors understand and obey the rules and regulations of the Complex.
- 5.25 **PARTIES/FUNCTIONS**
Parties and functions are strictly prohibited on the Common Property.
Private parties within your Unit are to observe the noise levels and be considerate of your neighbours.
- 5.25.1 Owners must ensure that silence is upheld between the hours of 22H00 and 07H00.

5.26 **WRITTEN COMMUNICATION WITH TRUSTEES**

All correspondence with your Trustees is to be in writing and posted in the Body Corporate Post Box, located at the entrance to the complex. The Trustees are not to be disturbed at their respective homes.

5.18.3 A fine of R200.00 will be levied against your account for breach of the above rule.

5.19 **STORAGE OF INFLAMMABLE GOODS**

The storage of inflammable goods such as petrol in containers, paraffin or any other substance likely to cause fire to the property, is prohibited.

5.20 **AUCTION SALES**

The owner or any Executor of an Estate, shall not be entitled to hold an auction sale in the Unit under any circumstances without the prior written consent of the Trustees, which consent shall not be reasonably withheld.

5.21 **CULTURE/RELIGIOUS CEREMONIES**

The holding of Religious or Cultural ceremonies on the Common Property is not permitted. This we ask you to perform in the privacy of your own Unit.

Please note: MORNINGSIDE 103 has a diverse cultural and religious population within the confines of its walls. Communal living is not easy and we need to take cognizance of each other's belief and value systems in order to live harmoniously. For this reason we respectfully request that cultural and religious practices be performed in the privacy of your Unit.

5.22 **GAMES**

5.22.1 No owner shall cause or permit the hitting, striking, throwing or bouncing of balls or other objects within the confines of the Common Property.

5.22.2 An owner/tenant may not allow his/her children to interfere with items that constitute Common Property. This means that interference with plants, signs, fire-hoses etc and the climbing of walls, balustrades and fences are strictly prohibited.