



DISCLAIMER AND RULES OF CONDUCT

DISCLAIMER

Any person wishing to enter this Estate and/or make use of its facilities may only do so at their own risk.

The Developer (Midrand Real Estate (Pty) Ltd), the Homeowners Association and registered owners, their agents, employees and appointees shall not be liable for any injury, loss or damage, due to any cause whatsoever including, but without limitation thereto, the negligence of any of the persons or the intentional acts of the persons or the intentional acts of any agents, employees and appointees. Without in any manner derogating from the above, all entrants to the Estate who make use of the roads, or any other facility thereon whether public or private do so at their own risk.

Whilst every effort is made to secure and monitor the Estate, the Developer, HOA and the registered owners, and all their agents, their employees and appointees shall not be deemed to have warranted the safety of any person or property (whether movable or immovable) on the estate.

WARNING

The Estate is enclosed by an electrical fence which could cause death or injury if touched.

Estate Manager:	Estate Manager	082 666 8259
	Home Owners Office	012 652 0053
		012 751 2388
Developer:	Midrand Real Estate (Pty) Ltd	012 652 0101
Managing Agents:	JM Venter Property Services CC (Managing Agent)	012 644 1010
Security Services:	Security Shift Manager	072 952 8903
	Security Control Room	073 697 1990
	Security Contract Manager	083 401 8554
2018 Board Members:	Charles Lloys Ellis	Chairman/Governance
	Sydney Maluleka	Finance
	Justus Jansen van Vuuren	Security
	Charl Homan	Security
	Sandile Xulu	Finance
	Themba Maluleke	Sportsfield
	Sarah Makumbe	Human Resources/Labour Relations/ Staff oversight
	Hannes Lourens	Telecommunications
	Zac Malumedzha	Security IT
	Themba Thukwane	Security
	Mermette Swanepoel	Sectional Title Finances

RULES OF CONDUCT

1 ESTATE RULES

1.1 Introduction

These Rules, which the Directors may change from time to time, have been established in terms of the Articles of Association of the Homeowners Association (HOA). They are binding upon all residents in the Estate, as is any decision taken by the Directors in interpreting these rules. The registered owners of properties are responsible for ensuring that members and their families, tenants, visitors, friends and all their employees abide by the Rules.

1.2 Use of the Streets

The speed limit on all streets is 30 km/h. The use of vehicles and motorbikes with noisy exhaust systems or engines is prohibited. Normal statutory traffic laws are applicable in the Estate.

1.3 Maintenance of Sidewalks

1.3.1 All owners have a responsibility to: -

1.3.1.1 Develop and maintain the area between the road curb and their property boundaries; and

1.3.1.2 Maintain and paint, where necessary, property boundary walling; and

1.3.1.3 Ensure that caravans, washing lines, trailers, boats, wendy houses, tool sheds, mechanical equipment or parts thereof and accommodation for pets are sited out of public view and screened from the street.

1.3.2 No trees, plants or sidewalk lawn may be removed without the permission of the HOA. Planting should not interfere with pedestrian traffic or obscure the vision of motorists.

1.3.3 If owners neglect their sidewalks the HOA will have the right to rectify the neglect and recover the costs from the owner.

1.4 Dogs and Other Animals

1.4.1 All residents have a responsibility to ensure that their dogs and/or animals are not the cause of disturbances during reasonable night time sleeping hours.

1.4.2 Dogs will not be allowed into open areas without the use of a leash

1.4.3 Defecation of pets must be removed by the owner immediately otherwise a removal fee of R150.00 will be charged.

1.4.4 Owners / residents must address complaints of disturbances caused by dogs to the owner or person who provide accommodation to the dogs, the SPCA / SAPS or Metro Police Services.

1.5 Estate Security

1.5.1 In the interest of providing an effective security system, the rules relating to security as laid down by the Directors from time to time shall be adhered to at all times, and residents shall at all times treat the security personnel in a co-operative and patient manner.

1.5.2 Estate security is designed to function as follows: -

1.5.2.1 To provide an access control system. (Residents are responsible for their own safety and protection of their own private property)

1.5.2.2 Access control will be manned 24 hours per day;

1.5.2.3 On application residents will be issued with access cards at a fee determined by the Directors from time to time - the security guard will allow vehicles with access cards access to the Estate;

1.5.2.4 Residents who are not in possession of an electronic access card must sign the Access Control Register every time they wish to enter the Estate

1.5.2.5 Contractors having business in the Estate together with their permanent and temporary workers will be issued with contractor's access cards and contractor's employee access permits. A fee determined by the Directors from time to time is payable in respect of contractor's access cards;

1.5.2.6 If possible, the security centre at the gate should be advised in advance of the pending arrival of visitors, and particulars relating to vehicle registration numbers and property to be visited;

1.5.2.7 At night, the Estate will be patrolled on a random basis by security guards;

1.5.2.8 All residents, tenants, night watchmen, domestic workers and other persons who reside on the Estate must register with the security centre and complete the required data sheets;

1.5.2.9 The perimeter walls and electric fencing serve as a deterrent and detection function and are not guaranteed to prevent a determined attempt at intrusion into the Estate.

1.6 Private Security

- 1.6.1 Residents/Owners are welcome to employ private security companies should they wish to do so; this however in no way excludes them from membership obligations as members of the Thatchfield HOA. Residents/Owners are also to please note, that all private security is the responsibility of the Resident/Owner.
- 1.6.2 Residents/Owners must ensure that no more than 2 (two) security boards are placed on the perimeter walls of the Erf. The HOA will remove, and dispose of any excess boards.
- 1.6.3 Electric fencing is permitted on boundary walls with your adjoining neighbours, provided that it complies with the following:
 - 1.6.3.1 Approval must be given in writing by your neighbours for the installation.
 - 1.6.3.2 The wires of the fence must be at least 1.8m above the ground at any point, on both sides.
 - 1.6.3.3 The wires may not encroach onto the neighbours' property.
 - 1.6.3.4 Appropriate warning signs must be placed on the fence every 15 metres.

1.7 Letting and Reselling Property

The following rules shall be applicable to the reselling/letting of property in the Estate: -

- 1.7.1 The seller/lessor of property must ensure that their estate agent registers with the Homeowners Association by submitting the prescribed application form prior to commencing with any selling/letting activity.
- 1.7.2 The seller/lessor of property must ensure that his or her estate agent makes the Rules of Conduct for the Estate available to any prospective buyer/tenant.
- 1.7.3 Estate Agents must operate on a "By Appointment" basis and must personally accompany prospective buyers/tenants;
- 1.7.4 If properties are to be on show over weekends, agents must advise the Estate Manager of the details of the property before 12H00 on the Thursday prior to the show weekend. The onus will be on the agent to ensure that information provided is correct. The Estate Manager will advise each agent of the number of pointer boards which may be erected on the sidewalk on that weekend in respect of each property. This signage can only be erected after 12H00 on a Friday and must be removed by sunset on the Sunday. Failing to adhere to this the Estate Manager will remove and impound the boards and impose a penalty payable by the agent before the boards can be returned.
- 1.7.5 It is the responsibility of owners to ensure that no more than three "for sale" or "to let" boards be erected on the property offered.
- 1.7.6 Once properties are sold boards must be removed within two weeks.
- 1.7.7 Boards not removed will be removed by the HOA, and disposed of.

1.8 Levies

1.8.1 Levies

1.8.1.1 Due Date

All levies are due and payable in advance on the first day of each calendar month.

1.8.1.2 Interest on Accounts in Arrear

Interest will be raised on all accounts in arrear at an interest rate determined by the Directors from time to time.

1.8.1.3 Penalty charge for letters of Demand

The Directors may levy a penalty for the issuing of letters of demand at a rate determined by the Board from time to time.

1.8.1.4 Handing over of Accounts in Arrear

The Directors may hand levy accounts that are outstanding over to an attorney for collection. All costs as a result thereof, shall be recoverable from the applicable member, calculated on the attorney and own client scale.

1.8.1.5 Temporary Disabling of Access Cards

The Directors can approve the temporary disabling of all access cards registered to an Erf if the levies payable by an owner are in arrears. Such card holder will only be allowed access to the Estate after completion and signing of the Access Control Register. Cards will be enabled by the Estate Manager 24 hours after proof has been provided that the full outstanding account has been settled.

1.8.2 Amendments to the Conduct Rules

The Directors can amend or add to the conduct rules from time to time.

1.8.3 Continued Contravention of a Rule

The Directors reserve the right to take any action they deem fit in the event of a continued contravention of a rule. Such action can include rectification by the HOA, the cost of which will be charged to the transgressor, or the imposition of a fine and subsequent legal action or the withholding of clearance certificates. Legal costs incurred by the HOA in respect of any legal steps taken against an owner to remedy a breach will be for the account of that owner.

- 1.8.4 Interference with the Electric System or Perimeter Wall
No large trees, shrubs and/or any plant may be planted against or in close proximity of the perimeter wall so as to interfere with the proper functioning of the security and/or security system. Any plant which interferes with the security or security system can be removed by the HOA, or the HOA can order the removal thereof. No unauthorised person may interfere with the electric security fence which is located on the top of the perimeter wall. The security fence should be considered dangerous at all times. The perimeter wall and electric fence are the property of the HOA, and no resident or owner is entitled to damage, paint or change the wall or fence, notwithstanding the fact that they may be erected on his/her property.
- 1.8.5 Disturbances
- 1.8.5.1 The volume of music or the playing of musical instruments, and the holding of parties, by owners/residents or domestic staff must be limited to a level which will not cause a disturbance to neighbours, and must cease at 22:00 on Sunday–Thursday, and at 24:00 on Fridays and Saturdays. After these times noise must not be audible outside the residence.
- 1.8.5.2 Owners/members must address complaints of disturbances to the person causing such disturbances, the municipality or SAPS.
Any noise above 6, 5 decibels is considered a disturbance.
- 1.8.6 Address
It is the responsibility of owners to ensure that the Homeowners Association have their correct residential and postal address. The Homeowners Association must be informed immediately of any change of address.

2 CONTROL OF BUILDING ACTIVITIES

- 2.1 Legal Status
The rules governing building activities, which are set out below, are rules adopted by the HOA and are therefore binding on all owners. Furthermore, each owner is obliged to ensure that his building contractor ("The Contractor") is made aware of the rules and complies with them. Owners should therefore include the rules in their entirety in any building contract concluded in respect of property on the Estate. **The HOA has the right to suspend any building activity in contravention of any of the rules and accepts no liability whatsoever for any losses sustained by a resident or his contractors as a result thereof.**
- 2.2 Building Rules
- 2.2.1 Building activity is only allowed during the following public time hours:
Normal weekdays 06:00 - 18:00; Saturdays 07:00 - 15:00
Note: No building activity is permitted on Sundays and Public Holidays without special permission, as these days are viewed as private time. Applications for special permission for any building activity during private time should be lodged with the HOA, together with the written approval of all adjacent neighbours, two weeks prior to the required private time activity.
- 2.2.2 During private time, the Contractor will be allowed only one representative per site in the capacity of watchman. Private time is defined from 18:00 to 06:00 weekdays and 15:00 Saturdays to 06:00 the following Monday. Written application must be lodged with the HOA on the prescribed form. The representative must display the required permit, which is obtainable from the HOA at a fee determined by the Directors from time to time. Permission for such a representative on a site will only be considered by the HOA once proper shelter and toilet facilities have been provided by the owner or the contractor on the site.
- 2.2.3 All Contractor workers and/or the sub-contractor workers must enter the Estate in an authorised vehicle and must be issued with an access permit. The Contractor must complete the requisite Estate Access Control Register if not in possession of a valid contractors' access card.
- 2.2.4 The Contractor shall provide facilities for rubbish disposal and ensure that the workers use the facility provided and that the rubbish is removed weekly and not burnt on site. Rubbish not removed on a regular basis will be removed by the HOA and the costs thereof will be recovered at the discretion of the HOA from the owner or/and the contractor.
- 2.2.5 The site is to be kept as clean as possible of building rubble, with regular cleaning taking place during building operations.
- 2.2.6 Where materials off-loaded by a supplier encroach onto the pavement or roadway, these materials must be moved onto the site by the Contractor. No material must be allowed to remain on the roadway or pavement and it is the Contractor's responsibility to clean the roadway of all such materials. The same applies to sand or rubble washed or moved onto the road during building operations. Materials not removed will be removed by the HOA and the costs thereof recovered at the discretion of the HOA from the owner of the stand or/and the contractor.

- 2.2.7 Owners will be held liable for any damages caused by contractors, their vehicles, building activity or suppliers to the roads, manholes, electricity boxes, landscaping etc., including but not limited to sidewalks or any property of the HOA or Council.
- 2.2.8 Deliveries from suppliers must be scheduled in public times.
- 2.2.9 The Contractor shall provide toilet facilities for the workers on the site before commencement of any building activity.
- 2.2.10 If construction takes place adjacent to existing dwellings, the Contractor should make every effort to respect the privacy of the neighbours, and generally to reduce inconvenience as far as possible (for example by discussing with the neighbours the location on site of the night watchman's hut).
- 2.2.11 Should the contractor contravene these rules and fail to remedy such contravention despite demand, the HOA reserves the right forthwith and without notice to suspend any building activity until such contravention has been rectified.
- 2.2.12 The Contractor should undertake to comply with the above rules in addition to any further controls, which may be instituted by the HOA from time to time in the form of a written notification, and to ensure compliance by any sub-contractor employed by the Contractor.
- 2.2.13 The Contractor shall at all times be responsible for the conduct and behaviour of his employees, sub-contractors and visitors and shall take immediate steps to stop any conduct and/or behaviour which the HOA may in its sole discretion deem undesirable.

2.3 Time Limits for Construction

In order to reduce inconvenience to neighbours and unsightliness, construction should proceed without lengthy interruptions, and should in any event be completed within six months from commencement, except in the case of Residential 2 zoned erven.

2.4 Building Deposits

A refundable prescribed building deposit of R5 000.00 shall be paid by each owner to the HOA before commencement of any building activity. The refundable deposit will to be kept in trust for the duration of building operations to cover the costs where the owner or the building contractor or his employees or suppliers:

- 2.4.1 Damage the road, curb, sidewalk or any other portion of the property of the HOA or Council and/or
- 2.4.2 Fails to remove during building operations or on completion thereof, any rubble or building material left on the site, sidewalks and adjoining vacant erven.

Only verifiable actual costs incurred by the HOA will be recovered from a deposit. A standard cash slip, statement or receipt produced by the HOA will serve as prima facie proof of the expenses incurred by the HOA.

Owners are respectfully requested to ensure that building operations are organised so as to minimise the unsightly dumping of material on the sidewalk or the road.

The building deposit or unutilised portion thereof will be refunded, free of interest, within a reasonable time to the owner after receipt of a written request by the HOA on completion of the building construction and when not required to cover the cost of items 2.4.1 and 2.4.2 above.

2.5 Architectural Standards and Guidelines

2.5.1 Introduction

2.5.1.1 Submission of plans

All building plans, including plans for the fencing or walling of an erven, additions to, improvements, or the erection of Wendy houses, must be consented to and stamped by the HOA before any plans are submitted to the local authority for approval.

2.5.1.2 Examination Fee

The Board may charge a fee for the examination and approval of building plans. Such fee will be determined by the Board from time to time.

2.5.1.3 File Copy and Approval Stamp

The HOA requires one A2 or larger black and white copy of the plans submitted to be retained for its own records. All plans submitted to the local authority must bear the stamp of approval of the HOA.

2.5.1.4 Approval Process

Plans can be submitted during normal office hours at the offices of the Home Owners Association. Tel: 012 652 0053.

2.5.1.5 Time for Approval

Plans will be attended to within 48 hours of submission.

2.5.2 Architectural and Aesthetic Requirements and Guidelines

2.5.2.1 Minimum sizes of Main Buildings Excluding Outbuildings

Res 1 Single Residence: 100m²

Duet Homes: 75m² per Duet

2.5.2.2 Materials and Structures

- 2.5.2.2.1 Roofing: Only Tile or Thatch roofs will be permitted for all structures including garages and outbuildings. No shade cloth will be permitted.
- 2.5.2.2.2 Car-Ports will only be permitted if there is an existing double garage on the Erf, and under the following conditions:
- 2.5.2.2.2.1 The structure must not be larger than 6m x 6m
- 2.5.2.2.2.2 The structure may have an IBR roof, which must be painted to match the colour of the tiles on the existing house.
- 2.5.2.2.2.3 All rainwater runoff must be accommodated on the owner's property.
- 2.5.2.2.2.4 A 230mm or deeper aluminium fascia made up of 3 x 70mm strips, with spacing similar to those of the Louvre deck awning fascias, must be fitted on all four sides of the structure to screen the roof.
- 2.5.2.2.2.5 Written approval must be obtained from all immediate neighbours, and submitted with the plan for approval.
- 2.5.2.2.2.6 Building plans must be submitted to the H.O.A and city council for approval.
- 2.5.2.2.3 Sun or Louvre deck type PATIO coverings will be allowed under the following conditions:
- 2.5.2.2.3.1 The patio roof must be hidden behind a fascia, and must not be visible from the road or neighbours residences.
- 2.5.2.2.3.2 The structure, including the patio roof, may only be constructed using powder coated aluminium, and the powder coating must match the colour of the roof of the residence it is attached to.
- 2.5.2.2.4 Wendy houses and Tool Sheds will only be allowed under the following conditions:
- 2.5.2.2.4.1 The area of the Wendy house shall not exceed 7.5 Square metres
- 2.5.2.2.4.2 The roof of the Wendy house is to be painted in a colour to match the colour of the roof of the residence.
- 2.5.2.2.4.3 Written approval of the position of the Wendy house must be obtained from all immediate neighbours, and submitted with the plan for approval.
- 2.5.2.2.5 External solar geysers and solar panels
- No external solar geysers are permitted
 - All solar heating systems must have the geyser located out of view inside the roof space.
 - Solar panels are permitted on condition that they are installed to lie flat on the existing roof.
- 2.5.2.2.6 Air conditioning units
- Except with the prior written permission of the T.H.O.A no visible air conditioning apparatus may be installed above the height of the perimeter walls surrounding the property.
- 2.5.2.2.7 Satellite dishes
- Except with the prior written permission of the T.H.O.A no dish with a diameter greater than 1 meter may be erected
 - No dish of any size may be installed higher than the apex of the roof of the dwelling situated on the property.
- 2.5.2.2.8 External paint finishes
Only white or earth tones may be used on all external walls.
- 2.5.2.2.9 Structures not permitted:
- Any temporary structure;
 - Any shade cloth roof or structure;
 - Uncovered corrugated or IBR roofs;
 - Lean to roofs;
 - Pre-cast walling;
 - Split pole fencing;
 - Concrete walls;
 - Un-plastered stock bricks;
 - Razor wire on walls.
- 2.5.2.3 Repetition of plans
No repetition of the same plans on adjoining erven will be allowed if the overall effect creates a row of similar looking houses.
- 2.5.2.4 Street numbers
As of 30th September 2011, all property owners are required to display the street number of their house, not their Erf number, on the exterior of their property so that it is visible and legible from the street which provides access to their property. This is to assist emergency vehicles and municipal officials entering the estate. Numbers should be at least 100mm high.
- 2.5.2.4.1 In the interests of diversity, the board has placed the onus on the property owner

to provide a neat and aesthetically acceptable street number, however the board reserves the right to determine the acceptability of any such numbers or signs, at their sole discretion, and to take all steps as may be required to remedy any signs or numbers they deem unacceptable. This is to ensure the image of the estate is maintained.

2.5.2.4.2 Should any member fail to comply with rule 2.5.2.4 the board may erect the required street number and recover the costs thereof from the member concerned.

2.6 Land use

- 2.6.1 No owner/member may change the land use right for which his/her dwelling unit has been zoned whether by way of rezoning or by way or consent of the Local Authority or in any other way without the written approval of the HOA
- 2.6.2 The HOA approval will, however, not be required for an application by an owner to obtain Duet rights on a Res 1 erven.
- 2.6.3 No business activity or hobby which causes a nuisance to neighbours or is deemed a nuisance by the HOA may be conducted on a stand. Complaints regarding such activities must be directed to the local authority or metro police.

2.7 Access

- 2.7.1 All owners/members shall only use the designated entrance.
- 2.7.2 Driveways must be kept in a neat and tidy condition at all times. This is the shared responsibility of all the owners residing on the property.
- 2.7.3 All members must ensure that they or their guests do not obstruct the driveways of adjoining properties.

2.8 Maintenance of undeveloped stands and pavements

- 2.8.1 Undeveloped stands must be kept in a neat and tidy condition. Veld grass on stands must be cut before the onset of winter to prevent the risk of fires.
- 2.8.2 Owners/members are responsible for the maintenance of the pavement in front of their stand/unit.
- 2.8.3 If owners/members neglect to undertake the maintenance set out in 2.8.1 and 2.8.2 above it will be done by the HOA at the cost of the owner/member.

2.9 Perimeter wall

- 2.9.1 Owners/members shall take the necessary steps to ensure that the security wall surrounding their phase of Thatchfield Estates is not damaged or removed.
- 2.9.2 No signboards may be fixed to or on top of the security wall/fence surrounding the development and the wall may not be painted.
- 2.9.3 Trees and vegetation must be trimmed so as not to interfere with the electric wires situated on top of the wall.

2.10 Storm water

All lower lying properties must accept the storm water emanating from the higher lying properties. Members may not block the holes created in perimeter walls to accommodate storm water flows.

3 **REFUSE REMOVAL**

Refuse may only be placed on the sidewalk in the council provided refuse bin the morning of the pickup day and the container must be removed within the same day after collection.

If the refuse, for some reason, is not collected the container must be removed onto the residents stand and be placed on the sidewalk the following week.

4 **ACCESS CONTROL**

The entrance to the Estate has been equipped with a computerised access control system for the safety of residents. The co-operation of all residents is needed to ensure the successful operation of the system.

4.1 The Access System

4.1.1 Residents

Residents, as well as **contractors** and **sub-contractors** who would be involved for long periods in the Estate gain access by using of an electronic access card. The system is computerised and the card is simply held against a reader at the entrance or exit point where after the boom opens automatically. Each access card is issued to a specific person and is programmed as such. Access cards are only issued to **residents, contractors and sub-contractors**.

Access cards are not transferable.

4.1.2 Employees

Night watchmen employed by contractors, gardeners and domestics are issued with an access **permit**. A clear photocopy of the applicant's identity document (reduced to 70%) must be provided to the Estate Manager for this purpose.

- 4.1.3 Employees of Contractors
Employees of contractors will only be allowed entry if accompanied by their employee or his duly appointed representative.
- 4.1.4 Short-term contractors
Short-term contractors (three business days) must complete and sign the Access Control Register each time the Estate is entered. The contractor will be issued with a "visitors permit" each time that the Estate is entered and exit will not be granted without the "visitors permit" being returned.
- 4.1.5 Visitors and Delivery Vehicles
Visitors and drivers of delivery vehicles must complete and sign the Access Control Register before access to the Estate can be obtained. The driver of these vehicles will be issued with a "visitor's permit" by the security officer. These permits must be returned to the security officer on leaving the Estate. Should a resident receive a visitor for a longer period than 24 hours security must be notified of the period at the time when the "Visitors card" is issued.
Lost access cards and/or permits must be reported to the Estate Manager at the Estate Office or the Managing Agents immediately, so that they can be cancelled.
- 4.2 Issuing of Access Cards and Permits
Applications for access cards and permits must be handed to the Estate Manager (Estate Office) or the Managing Agents.
- 4.3 Cost of Access Cards and Permits
- 4.3.1 Access Cards
Access cards - R 100.00 each (refund value Nil).
Cardholders must pay R 100.00 for the replacement of lost or damaged cards. Cheques are payable to JM Venter Property Services Trust Account and must accompany the application.
- 4.3.2 Access Permits
The following access permits are issued free of charge: -
Visitors permits.
The following permits must be paid for: -
Laminated Card (Permit) for Employees- R10.00 each (refund value NIL).
- 4.4 Cards and Permits No Longer in Use
Cards and permits, which become redundant, must be returned to the Estate Manager to be deactivated and/or destroyed.
Please note that there is no refund for access cards and permits returned.
- 4.5 Arrivals at The Gate Without an Access Card or Permit
Holders of access cards or permits who arrive at the gate without a card or permit will not be allowed access, without completing the access control register.
- 5 PERIOD OF VALIDITY OF ACCESS CARDS AND PERMITS**
- 5.1 Access cards:
Access cards shall be valid indefinitely, subject to being swiped no less than once every 30 days at your guardhouse as a security measure. Should they not be used within this time period, the HOA shall disable them and only re-enable them upon application to the estate manager. Exceptions will be made in this regard upon application to the estate manager for a longer "no-use" period.
- 5.2 Access permits:
- 5.2.1 Permits for employees expire annually after which a new application must be submitted.
- 5.2.2 Permits which are issued for a specific period expire on the programmed termination date.
- 6 APPLICATION FOR ACCESS CARDS/PERMITS**
Applications must be submitted in writing; the following forms are used for this purpose: -
- 6.1 Residents
Complete "Personal Particulars required for the Register of Owners" form which is obtainable from the Estate office or Managing Agents. Please indicate the number of access cards and/or permits required on this form. Live-in Domestic workers and gardeners, and regular non-residing workers must be in possession of an access permit. Electronic access cards are only available from the Estate Manager.
- 6.2 Contractors and Sub-Contractors
Complete "Contractors Registration Details" form which is obtainable from the Estate office or Managing Agents. Please indicate the quantity of access cards and/or permits required on this form. In the event of a contractor also being the registered owner of a stand, both the abovementioned forms must be completed.

7 PRECONDITIONS TO BE A CARD OR PERMIT HOLDER

Access cards or permits can only be issued to residents/contractors whose financial liabilities towards the HOA have been met in full. Levies and building deposits must be paid up to date before access cards/permits can be issued.

The access cards/permits of persons who fall in arrear with these payments will be disabled until their accounts have been settled. The only alternative way that these persons could obtain access to the Estate is by completing and signing the Access Control Register. This Rule is an instruction from the Board and the Security Officers at the entrance have no discretion on this.

The identification documents of all applicants must be available for inspection by the Estate Manager.

No access card/permit can be issued to a person without a valid identification document.

8 GENERATORS

8.1 Installation of portable generators

The installation of all portable generators shall be carried out by a fully qualified electrician and in accordance with the electrical contractors' association of South Africa (ecasa) document "guidelines for the safe use of portable generators on utilities' networks". The electrician is required to supply the member and/or contractor with a certificate confirming that the installation is safe and complies in all respects with the ecasa document referred to above. A copy of the electrician's certificate is to be deposited with the T.H.O.A by the building owner and/or contractor.

8.2 Portable generators – existing installations

The requirements of rule 8.1 above are retrospective and apply to all existing installations. Members and/or contractors must have such installations inspected by a qualified electrician. THE T.H.O.A is to be supplied with a copy of the electrician's certificate.

8.3 Portable generators – noise emissions

All portable generators in both new and existing installations shall have a maximum noise emission measured at a point 3 meters away from the generator with sans 10103, table 2 – acceptable rating levels for noise in districts. A copy of this document can be made available at the estate office. Noise level as rated by the world health organisation shall be no greater than 55-60 dba (decibels).

8.4 Positioning of generators

All portable generators are to be positioned within or close to the member's house, and must take the position of the neighbour's living and sleeping areas into consideration.

8.5 No portable generator may be operated after 22h00.

9 GENERAL

9.1 Fireworks

No fireworks are permitted anywhere within Thatchfield except on the golf course or playing field and then only on special occasions with the prior written approval of both the T.H.O.A and the City of Tshwane.

9.2 Slaughtering of animals

No animals may be slaughtered on any property within Thatchfield.

9.3 Tags for pets

All members must ensure that their animals have identification tags on their collars reflecting their owners name and telephone number.

9.4 Advertising boards

No advertising boards of any nature may be affixed to or painted on walls or on any goods offered for sale.

9.5 Washing

Washing must not be hung over first floor balcony railings. All washing including blankets, carpets etc. must be screened off and must not be visible from the street or from neighbouring properties.

9.6 Children at play

All children walking or playing in our parks or along pavements must be under the direct supervision of an adult.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'C. Lloyds Ellis', with a stylized, cursive script.

CHARLES LLOYDS ELLIS
CHAIRMAN
THATCHFIELD HOMEOWNERS ASSOCIATION

Updated 15 Sept 2015 / RES DTF 165/2015

Addendum to Thatchfield Home Owners' Association Rules and Regulations

Penalty structure

Notes:

In all instances, penalties may be applied to both the transgressor and the responsible homeowner who takes responsibility for the activities of his/her spouse / partner, children, guests, visitors, employees, workers and/or contractors.

If a transgression not included in this addendum occurs, a suitable penalty may be imposed as per a Board decision or a decision by the Estate Manager.

1 Traffic

1.1 General driving

Offence	Penalty			
	1st	2nd	3rd	Further
Not obeying regulatory street signs	Written Warning	R100	Increase per repeated incident by R100 per incident to a maximum of R1 000 per incident	

1.2 Motorbikes, quads and motorcars making excessive noise and/or revving, spinning wheels, hooting, etc.

	Offence			
	1st	2nd	3rd	Further
As above	Written Warning	R100	R200	R500

1.3 Riding motorcycles or quads without helmets

	Offence			
	1st	2nd	3rd	Further
As above	Written Warning	R200	R400	R1000

1.4 Riding off-road motorcycles or off-road quads within the estate

	Offence			
	1st	2nd	3rd	Further
As above	Written Warning	R100	R200	R500

- Minimum penalties charged by the Tshwane Metropolitan Municipality will be applied if the transgression exceeds Thatchfield's indicative penalties structures.
- All offences in Section 1 above may be handed to the relevant authorities for further action.
- The HOA and the Board of Directors reserve the right to appointed qualified officials to attend to speeding violations within the estate.

2 Vandalism / damage

- 2.1 Vandalism includes, but is not limited to defacing buildings, walls, roads, street signs or breaking or removing sprayers, piping, cables or damaging plants, kerbs or paths.

	Offence			
	1st	2nd	3rd	Further
As above	R100	R200	R400	Increase by R200 per incident to R1000
Plus all repair and/or rehabilitation costs				

- a. All offences in section 2 above may be handed to the relevant authorities for further action.

3. Security

- 3.1 Security includes, but is not limited to wilfully ignoring / circumventing access and security procedures or ignoring appointed officials.

	Offence			
	1st	2nd	3rd	Further
As above	R100	R200	R400	R1000

- 3.2 Abusing or assaulting guards (verbally or physically)

	Offence			
	1st	2nd	3rd	Further
As above	R500	R1000	R1500	R2000

- a. All offences in section 3.2 above may be handed to the relevant local authorities for further action.

4. Animals

- 4.1 Roaming pets or pets not on leashes

	Offence			
	1 st	2nd	3rd	Further
As above	R100	R200	R400	R1000

- 4.2 Excrement not removed

	Offence			
	1st	2nd	3rd	Further
As above	Written warning	R100	R200	Increase by R200 per incident to R1000

- 4.3 Cats. Refers to cats entering other residential properties other than his/her own as well as damage caused by cats to other resident's properties

	Offence			
	1st	2nd	3rd	Further
As above	R100	R200	R400	Increase by R200 per incident to R1000

- a. The HOA and mandated security officers reserves the right to remove animals to the pound should repetitive infringements occur. This refers to all infringement under section 5.

5. Contractors

5.1 Prohibited activities performed during private time or outside of times permitted by the rules of conduct

	Offence			
	1st	2nd	3rd	Further
As above	R200	R500	R1000	R2000

5.2 Noise pollution

	Offence			
	1st	2nd	3rd	Further
As above	R200	R500	R1000	R2000

6. Creating nuisance or disturbing the peace

	Offence			
	1st	2nd	3rd	Further
As above	R200	R500	R1000	R2000

- Residents must take note that disturbances can be reported during any time of the day if deemed a nuisance.
- Residents should contact local authorities and inform the security control room of the complaint for record purposes

7. Rubble and Littering

	Offence			
	1st	2nd	3rd	Further
As above	R100	R200	R400	Increase by R200 per incident to R1000

- Lacking house numbers. If owner/resident do not comply with written warning, the penalty will increase as indicated every 1st working day of the following month to a maximum of R500 per month

	Offence			
	1st	2nd	3rd	Further
As above	Written Warning	R100	R200	R500

- Erecting of any non-approved structures (Wendy houses, carports, louvre decks and/or patio coverings) as per registered rules of conduct of Thatchfield Estate. If owner/resident do not comply with written warning, the penalty will increase as indicated every 1st working day of the following month to a maximum of R500 per month, this applies but are not limited to all structures mentioned in the rules of conduct of Thatchfield Estate

	Offence			
	1st	2nd	3rd	Further
As above	Written Warning	R100	R200	R500

10. Dumping of rubble and refuse bags on sidewalks

	Offence			
	1st	2nd	3rd	Further
As above	R100	R200	R400	Increase by R200 per incident to R1000

11. Untidy and dirty building sites, sidewalks and undeveloped stands, this includes driveways and gardens

	Offence			
	1st	2nd	3rd	Further
As above	R100	R200	R400	Increase by R200 per incident to R1000

- a. Note that the above penalty is over and above the amount charged by the appointed external contractor to clean the stand as requested by the HOA. The penalty will be levied monthly.
- b. Offences 9 – 11 above may be handed to relevant authorities and attract additional penalties.

12. Late payment on levies due to the HOA

	Offence			
	1st	2nd	3rd	Further
	Unpaid after 30 Days			
As above	R150	R150	R150	R150 for each month in arrear

- a. Accounts in arrear after 60 days may be handed to an attorney for collection. Penalties will cease once handed over but all legal cost will be for the member's account.
- b. All access cards issued against a stand of which the levies are in arrear for 60 days and more may be deactivated and residents will be treated as visitors. This applies to the tenant of the owner who is in arrears. Once the levies are paid in full, the access cards will be activated within 24 working hours.

13. **FAILURE TO COMPLY WITH THE RULES**

13.1 Failure by an owner to comply with any provisions of any rules may result in:

- a call for an explanation and / or an apology; and / or
- a reprimand and a request to comply; and / or
- imposing a penalty (which shall be deemed to be a part of the levy due by the owner); and / or
- the withdrawal of any previously given consent applicable to the particular matter; and / or
- an order to pay for damages resulting from non-compliance with any rule; and / or
- an application to the Courts for the enforcement of the rule/s.

13.2 The actions to be taken and the penalties to be imposed for breaches or contraventions of the rules

shall be entirely at the discretion of the Board of Directors (BOD) who shall take due regard of the nature, circumstances and severity of each misdemeanour, breach or non-compliance.

- 13.3 Should any owner be aggrieved by any decision made by the BOD they may, within 7 days of the fining, lodge an appeal to the Board of Directors via the Managing Agent giving their reasons for such an appeal.
- 13.4 When residents or owners appeal, such appeal will be heard by an independent body as appointed by the BOD.
- 13.5 Fines imposed for the breach of or non-compliance with the rules shall be deemed a debt to the HOA and form part of the levy due by the owner.

14. **DEBT COLLECTION POLICY**

14.1 **PREAMBLE**

Thatchfield Homeowners Association NPC (HOA) is incorporated as a non-profit company. The operational expenses of the Homeowners Association are financed by way of levies which the HOA collects from its members.

In terms of the provisions of The Company's Act, Act 71 of 2008 and the Memorandum of Incorporation of the HOA the board of directors is obliged to compile and approve a budget for the company, annually before commencement of the financial year.

The budget must be presented to the members at the first annual general meeting following the approval by the board.

The board is equally obliged to determine the levy amounts payable by each member to finance the budgeted expenditure. This information is conveyed to owners by way of a general notice.

In terms of the MOI levies are payable monthly in advance on the first day of each calendar month. Under normal conditions the monthly levy payable by each member remains unchanged for the duration of a financial year.

Reminders are furnished to members by way of a monthly account which is compiled and dispatched at the latter part of the previous month, payable on the first of the following month.

In terms of the same statutory documents mentioned above the board is mandated to also raise a special levy when need be to finance any unexpected expenditure occurring during a financial year. The special levy is then charged to the levy account and members are obliged to pay the special levy. Arrears on special levies are considered as a normal outstanding debt and are dealt with in the same manner as normal levies.

However, there are members who do not comply timeously with their financial obligations.

This behaviour necessitates framing a policy document on arrear debt collection.

In terms of the conditions of Title of their units/stands owners are obliged to make the levy payments as prescribed by the MOI, and as imposed by the board due to their obligatory membership of the Homeowners Association.

14.2 **ARREAR DEBT COLLECTION POLICY**

The board of directors approved that procedures and mechanisms be implemented with effect from 1 July 2015 to collect all monies due and payable to the HOA arising from levies, special levies, damages, penalties, interest or any other amounts owing to the HOA according to statutory jurisdictions granted to it, as follows:

See overleaf/

**DEBT COLLECTION FEES
AMENDMENTS WITH EFFECT FROM 1 MARCH 2016**

ABBREVIATIONS:

DCA - Debt Collectors Act, Act 114 of 1998
HOA - Thatchfield Homeowners Association NPC
MOI - Memorandum of Incorporation of the HOA

	ACTION DAYS	PENALTY / CHARGE	ITEM	JURISDICTION
a)	8 days in arrears	10%	Late charge	DCA
b)	15 days in arrears	R2.85	SMS Notification	DCA
c)	20 days in arrears	R20.52	Telephone call	DCA
d)	30 days in arrears	R150.00	Penalty	RULES
e)	30 days in arrears	R20.52	Warning letter	DCA
	30 days in arrears	15%	Interest	MOI
	35 days in arrears	R2.85	SMS Notification	DCA
	40 days in arrears	R20.52	Telephone call	DCA
f)	45 days in arrears	R20.52	Final warning letter	DCA
	After 45 days in arrears	R20.52	Telephone call	DCA
	After 45 days in arrears	R2.85	SMS Notification	DCA
g)	60 days in arrears	R150.00	Disconnection letter: Access cards	RULES
	90 days	Attorney	Handing over to Attorneys	MOI
		Fees	Owner pays legal costs	
h)	Intermediate / Interval	R20.52	Telephone call	DCA
	Intermediate / Interval	R2.85	SMS Notification	DCA
	Intermediate / Interval	R20.52	Letter	DCA
	10% of instalment		Debt settlement agreement	DCA

**NB! OWNERS ARE OBLIDGED TO ENSURE THAT THE MANAGING AGENTS ARE
INFORMED OF ANY CHANGE TO THEIR CONTACT DETAIL**

NOTES:

- i) Notifications are not necessarily done exactly on the day mentioned above but could overlap for a few days and the actions are not executed simultaneously, but as circumstances require;
- ii) Charges for ordinary letters, e-mails or faxes are R20.52 each;
- iii) Charges for electronic notifications (sms) are limited to 10 per month;
- iv) The total amount to be recovered from a debtor in terms of DCA amounts to the capital amount or R870.00, whichever is the lesser;
- v) All the above costs are subject to amendments by either the DCA or members in meeting;
- vi) All collection costs except charges originating from Rules/MOI would be retained by the Debt Collectors Company.

Kind regards



Charles Lloyds Ellis

CHAIRMAN: BOARD OF DIRECTORS