

# Rules of Conduct

Casablanca

Lucky Bean Crescent

Moreletapark

Pretoria

# Rules of Conduct

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# Rules of Conduct

## 1. Definitions

**Body Corporate:** The Body Corporate, which consists of all the owners of units in the complex, owns and manages the common property via the trustees and other appointed agents. In terms of the Sectional Title Act, the common property includes the gardens inside the garden walls, outside the units, patios of all units, roofs, private driveways and all other areas outside the garden walls up to and including the perimeter fence.

**Trustees:** Responsible for the appointment and management of service providers and contractors, development of policies, procedures, and conduct rules (subject to approval by the Body Corporate) representing the Body Corporate when dealing with other parties that directly affects Casablanca.

The Body Corporate is very strict in enforcing these rules as Casablanca has a good reputation of being a pleasant and peaceful complex to live in. Our rules are within the law and we shall not hesitate to take action against any resident who ignores or breaks any of the rules, by accepting the rules provided to you via e-mail (if one available) and hand delivered, will be taken that you have acknowledged, understood and agreed with the rules stipulated herein.

- a) I have read and been informed about the content.
- b) By receiving, a copy of the Conduct Rules I agree to abide by the Conduct Rules guidelines in Casablanca.
- c) I understand that if I have questions, at any time, regarding the Conduct Rules, I will consult with Trustees.

## 2. Sectional Title Acts

2.1 Your attention to Sectional Titles Act (Act 95 of 1986), Regulation 69: “The provisions of these rules, conduct rules and the duties of the owner in relation to the

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use and occupation of sections and common property shall be binding on the owner of any section, lessee, or other occupant of any section. It shall be the duty of the owner to ensure compliance with the rules by his lessee or occupant, including employees, guests and any member of his family, his lessee, or his occupant.” Please refer to page 19; Index 16 **References** for further familiarization is needed.

- 2.2 Also please note Article 44(1) (d) & (e): “An owner shall use and enjoy the common property in such a manner as not unreasonably to interfere with the use and enjoyment thereof by other owners or other persons lawfully on the premises. An owner shall not use his section or exclusive use area, or permit it to be used, in such a manner or for such purpose as shall cause a nuisance to any occupier of a section.” Please refer to page 19; Index 16 **References** for further familiarization is needed.

Casablanca Body Corporate will not be responsible for any loss, damage, or accident that may occur on the common property including but not limited to common area or in any unit.

## 3. Complex Quiet Times

- 3.1 The Body Corporate designated following times as "complex quiet times" during which residents and their visitors may not cause noise such that it can be clearly heard inside neighbouring units while their doors (but not windows) are closed:

- a) Workday mornings: before 6:00
- b) Weekend and public holiday mornings: before 8:30
- c) Evenings preceding a workday: after 21:30
- d) Evenings on days when the following day is a weekend or public holiday: after 11:00.

## 4. Noise Levels

- 4.1 At any time, the only place where music, radios, hi-fi's, televisions, musical instruments and any other sound producing devices may be played if inside a unit, not the garage, driveways, gardens or swimming pool area. These sound producing

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devices are not to be operated in such a manner that interferes with any resident's enjoyment of his/her section.

- 4.2 Vuvuzelas and whistles are prohibited from being blown within Casablanca.
- 4.3 Power tools may not be used on Saturday afternoons after 13h00, and not at all on Sundays.
- 4.4 Vehicles must have standard quiet silencers, not "free flow", or other types of exhausts that are noisy, if they do; they shall not produce any high level of noise for any rousing or demonstration purposes.
- 4.5 No fireworks may be set off anywhere within Casablanca ever.
- 4.6 No hooting allowed in the complex except to prevent a collision or injury to a person or animal.
- 4.7 Car radios /stereos must be turned down at all times, whether you are driving through the complex or you are parked in a visitors parking bay, in your driveway or in your garage. No one outside of the vehicle, whether the car windows are open or closed, should be able to hear any noise coming from your vehicle.
- 4.8 Residents should properly supervise their children, their children's friends and children of their visitors.
- 4.9 Children shall not cause damage or be a nuisance to any section, or on the common property. Children shall not climb onto walls, gates, or roofs of sections, or on the common property.
- 4.10 Children walking or wandering on driveways must be under adult supervision.
- 4.11 Children are not permitted to use the common property i.e. driveways and roads, as a playground e.g. for ballgames, riding of bicycles, pushbikes, tricycles, roller-skates, skate boards etc. which are all prohibited.

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- 4.12 The complex rules do not override the law, which states that it is illegal for anyone in a city to cause excessive noise any time of the day. In essence, the volume of music, parties etc. must be kept at reasonable levels any time of the day. Please be considerate of your neighbours. This privilege can and will be revoked should it be abused

## 5. Residents

- 5.1 As per the municipal by-laws, a maximum of four persons can be accommodated in two-bedroom unit at any time, and maximum six persons may be accommodated in a three-bedroom unit at any time. Abnormalities other than the stipulated by-laws will be reported to the municipal authorities.
- 5.2 Residents or their visitors may not loiter, drink or misbehave on the common property or cause undue noise within the scheme.

## 6. Access Control and Security

- 6.1 The right of admission to Casablanca, of any person(s), is reserved.
- 6.2 New Residents must report to the caretaker who will provide a Registration form and the Conduct Rules to new residents. The new resident must fill in the Registration form and hand it back to the caretaker.
- 6.3 The procedure for access control for residents and visitors may change as systems are upgraded by the Body Corporate. The caretaker will explain the entry and exit process in operation and the trustees will communicate any changes, when they occur.
- 6.4 The Resident Gate's remote operating mechanism uses code-hopping remotes only. Pre-programmed remotes are the property of the owner of the unit. Should you require more than two remotes you need to motivate in writing to the Trustees why this is the case.

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- 6.5 All requests will be considered based on individual merits.
- 6.6 You cannot go to a security store, buy a remote, and have them program it for you, as it will not work.
- 6.7 You have to use remotes issued by the body corporate.
- 6.8 If your remote is lost or stolen, you are required to report it to the caretaker immediately, so that it is disabled. This is so that no one else can use it to gain access to Casablanca. On disabling the lost or stolen remote, a new remote will be programmed and then issued to you at your own cost, which will be added to your units levy. If you are renting, you need to arrange with the owner to reimburse them.
- 6.9 The Body Corporate will not be held responsible for ex-tenants who do not return the remotes with the unit's keys when they leave Casablanca. This is the owner's responsibility alone.
- 6.10 Visitors must contact the owner or the tenant of the unit to gain access. Do not let in any visitor if you are not sure it is someone you know. Otherwise, it is easy for any criminal to obtain access to the complex.
- 6.11 No vehicle weighing in excess of three, 5 tons may enter the complex. Vehicles larger than 3.5 tons have in the past, damaged under-road pipes.
- 6.12 No tailgating: do not let anyone slip in or out behind you at the gate. Stop and wait for the gate to close before driving off – the gate has been programmed to close quickly after opening. Please ask your visitors to do the same.
- 6.13 Everybody is responsible for security at Casablanca. Please remain vigilant at all times. If in doubt, call the caretaker.

## 7. Furniture Removal

- 7.1 Furniture removal vehicle may not weigh more than 3, 5 tons. Vehicles larger than 3.5 tons have in the past, damaged under-road pipes.

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- 7.2 Any residents who want to move out from the complex must arrange with the caretaker at least one day before the removal. If the vehicle that will remove the furniture will be a commercial vehicle such as a transport company or furniture manufacturer then the name of the company must be provided to the caretaker.
- 7.3 If a furniture removal vehicle wants to enter, the complex the caretaker must be informed to see if the resident of the unit that the vehicle plans to visit has arranged for the removal of furniture (with the correct unit number, date and company and contact number for references).

## **8. Traffic and Parking**

- 8.1 All vehicles must adhere to the speed limit of 20km/h. Be especially on the lookout for pets and children in the driveways and roads.
- 8.2 Only park in your unit's driveway or designated parking bays and ensure that your visitors do the same. Incorrectly, parked vehicles may find their vehicles towed at their cost. If there are more vehicles than parking bays, the extra vehicles must park in the designated visitors parking area.
- 8.3 Do not park in another resident's driveway without his or her permission and do not park another vehicle in.
- 8.4 Doing so will be dealt with severely.
- 8.5 The area in front of the gates must be kept clear to allow easy access for a fire engine or other emergency vehicles.
- 8.6 During weekends and public holidays, from 18:00 of the day prior to a weekend or public holiday, the parking bays in the main driveways are for exclusive use by visitors i.e. do NOT park in visitors parking bays over weekends or public holidays
- 8.7 The number of vehicles kept by a resident in Casablanca may not exceed two in case of single garage units and three in case of double garage units without written permission from the trustees, which will only be granted for a limited period.

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- 8.8 In terms of the Sectional Title Act section 68 (1) (v) residents are not allowed to use any part of their section for another purpose than that for which it is intended unless they have written approval from the trustees. Residents are therefore not allowed to store furniture or other goods in their garages and then park on the common property.
- 8.9 Garages may not be used as a bedroom or games room.
- 8.10 Caravans, motorboats, trailers and any other vehicles shall not be parked on the common property without the written permission of the trustees.
- 8.11 The trustees may grant permission, subject to certain conditions or revoke the permission, by written advice, at any time.

## **9. Installations, Modifications and Construction on the Common Property**

- 9.1 In terms of the Sectional Title Act, the common property includes the gardens inside the garden walls, the outsides of the units, roofs of the units, private driveways and all other areas outside the garden walls up to and including the perimeter fence. The Body Corporate owns and manages the common property via the trustees and other appointed agents.
- 9.2 Owners have to obtain permission if required from the city council for any permanent structure (including structures that require foundations), any permanent roofed structure (e.g. patio roof or carport) or construction work that modifies their section such that it does not reflect the plans registered with the deeds office.
- 9.3 Besides the legal requirement specified above and others laws and regulations that may apply, owners must obtain written approval from the trustees for any changes they make to the outside of their units or the common property (which includes the exclusive use gardens and driveways). This includes, but is not limited to washing lines, burglar bars, security gates, fencing, extra doors and windows, awnings, braai facilities etc.

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- 9.4 Permission is not required for TV antennas and satellite dishes subject to the conditions that a) the installation is done by a company that is certified to do such installations b) that only standard dishes and antennas are allowed and c) the caretaker be consulted about the location of the antenna or dish. Installations should be done to minimise the visibility from the driveway or road (i.e. position dishes as low down as possible and as far away from the driveway as possible). Requests for exceptions must be referred to the trustees.
- 9.5 Air Conditioners can be installed after requesting permission from the trustees. An AC unit must NOT be visible from the road.
- 9.6 Wendy houses may be put up, after requesting permission from the trustees. The general guideline is that the walls should be some shade of brown or beige (treated wood is acceptable) and the roof must be painted the same colour as the roof tiles used in the complex.
- 9.7 Be aware that a wooden structure is a potential fire hazard so refrain from storing flammable material in the Wendy house and place it in a location where a fire cannot spread from it to any building nearby. Make sure that your insurance is still valid and that the insurance company is aware of the existence of the Wendy house.
- 9.8 Fixed awnings can be installed over doors after requesting permission from the trustees. They must be of durable aluminium and painted the same colour as the gutters of the unit and do not exceed two square metres in size.
- 9.9 Owners are allowed with permission of the trustees to cover the sides of a patio with durable canvas roller blinds from an approved installer (No DIY roller blinds will be allowed). The canvas blinds must have clear windows in all the panels. No other method or material will be allowed to cover a patio or part of a patio. Please note that under no circumstances may a patio be used as a dwelling.
- 9.10 The provision of canvas roller blinds is to allow the owner or tenant to enjoy the patio for temporary recreational purpose. It will be the responsibility of the owner to ensure that the canvas blinds are well maintained and in working condition at all time. Only beige colour canvas roller blinds is approved.

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- 9.11 Permission must also be obtained from the trustees for patios. The following guidelines exist for patios: The maximum size is 25 square metres. If any area is paved, then paving must be picked up somewhere else in the garden so that the total area of paving is not increased, to maintain rainwater absorption. The roof must be one of the following:
- a) Transparent, colourless “Polycarb”. The “green” type absorbs 50% of the heat and light from the sun but prevents the unit from being dark and cold in winter.
  - b) Corrugated iron, painted the same colour as the roof tiles used in the complex, with at least 25% of the roof area of transparent, colourless Polycarb.
  - c) Louvre deck, with the pillars and gutters painted the same colour as the gutters of the unit and the side panels the same colour as the gutters of the unit.
- 9.12 Burglar bars and safety doors may also be installed, after requesting permission from the trustees. The general guideline is that the colour must be brown or beige. Burglar bars must be on the inside of the window. It is not recommended that burglar bars be installed over the main window because someone may become trapped inside a unit in case of a fire.
- 9.13 Solar Panels may be installed on the tiled roof of a unit but solar geysers may not. Permission required from the Trustees.
- 9.14 Generators may not be used in Casablanca.
- 9.15 Screens attached to gates to provide privacy and prevent animals from slipping out the gates must be neat and painted green or black and must be a steal plate. Chicken wire and shade cloth is not acceptable.
- 9.16 The trustees may remove any object attached to the gates or outside of a unit or wall, they deem to be untidy or inappropriate.

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- 9.17 Process for obtaining approval is to submit a plan/diagram of the proposed modification and a picture or description if applicable (e.g. a picture of a Wendy house from a brochure). An applicant's must also submit written approval from the owners of neighbouring units who can see or be otherwise directly affected by the proposed modification. The request must be submitted to the caretaker pass it on to the trustees for consideration and approval.
- 9.18 Approval granted by the trustees is always subject to the owner complying with the other laws and regulations that may apply and the Body Corporate does not take any responsibility for ensuring or verifying whether the owner is transgressing any law or regulation.
- 9.19 The Body Corporate also takes no responsibility for any injuries, death, damages or any other claim (including but not limited to insurance claims and claims related to injuries, death or damages) that may arise as a result of any change or new item that any person brings about anywhere in the complex even if such change or new item was approved by the trustees.
- 9.20 The insurance of the complex only covers the units as registered at the Deeds Office. Any additions or modifications not registered on the plans are not covered – even if the trustees give permission for such modifications. This means, for instance, that TV aerials hit by lightning are not covered by insurance. It is the owner's responsibility to ensure that his property is sufficiently insured and that the Body Corporate's insurers and the managing agent is informed of any changes or new items on the common property.
- 9.21 Open carports may not be closed with any material what so ever without the written approval of the trustees.
- 9.22 No objects or flower boxes may be placed on the walls of the unit or outside the exclusive use common property.
- 9.23 No owner or tenant is allowed to paint any section of the outside area of his or her unit.

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## 10. Communication and Resolution of Issues

- 10.1 We are a community of approximately 300 people living in close proximity of each other, which can easily lead to a situation where the occupants of one unit disturb their neighbours. The most common problems that arise are loud music, parties, improper parking, roaming cats, barking dogs, and littering. It is the duty of everyone to help maintain a neat and peaceful environment, where all the residents can live together in harmony. Residents should keep in mind that they are held accountable for the actions of their domestic assistants, families, pets, visitors, including damage or violations of rules.
- 10.2 Likewise, owners shall be accountable for the actions of their tenants. Any letting agreement between an owners and tenant(s) must provide for immediate termination if the tenant fails to comply with written warnings or a letter from the attorneys appointed by the managing agent, instructing the tenant to comply with the Conduct Rules, Sectional Title Act or other applicable act, law or bylaw.
- 10.3 Issues related to the inside of your unit (but not the roof and the geyser) is the responsibility of the owner and/or letting agent (if applicable), not the Body Corporate. A list of recommended contractors can be obtained from the managing agent or caretaker, but the Body Corporate does not take any responsibility for the work performed by any contractor or any other party on the owner's Section. A burst geyser is covered by the complex insurance policy (but not any peripheral damage e.g. ceilings, walls). Please contact the caretaker for further information when a geyser bursts.
- 10.4 Any security, or fire related emergency, must be broad under to the attention of the caretaker immediately when discovered. It is the responsibility of the owner or tenant of a unit to immediately, call the Police or Fire Brigade in the case of security or fire emergencies.

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- 10.5 Any information, concerns, complaints, or questions needs to be conveyed to the caretaker, trustees, or a contractor must be done in writing. This must be submitted to the caretaker, which will make a copy available to the trustees for discussion at the next trustee meeting. The trustees will investigate and take appropriate action as required. All concerned parties will be informed of the trustee's decision in writing. Please use a subject heading that is descriptive of the content e.g. "Casablanca Security Fence". If a specific unit is involved, enter the unit number as well e.g. "Casablanca 104: Water Leak". This helps the trustees and managing agent to keep track of the hundreds of messages that they receive during the course of the year.
- 10.6 Newsletters, notices and SMS messages about issues in the complex are sent out occasionally, so residents must ensure that the metering company and managing agent have their latest contact details, including cell phone numbers and email addresses.

## 11. Pets

- 11.1 A maximum of two cats or two dogs is allowed per unit, subject to the requirements of the SPCA and size of exclusive use common property. The trustees reserve the right to call in the SPCA to deal with the animals and their owners if they become aware of pets that are being neglected, abandoned, or abused.
- 11.2 Dogs are not allowed to roam free in the complex and dog owners must remove any faeces left by their dogs on the common property immediately. If a free roaming dog cannot be returned to the unit where it belongs for whatever reason, or the dog repeatedly escapes, the trustees will let the SPCA keep the dog at the owner's cost until the owner can be reached and the issue resolved to the satisfaction of the trustees.
- 11.3 Dog faeces in a units exclusive use garden must be removed daily to prevent a health hazard. The gardener or garden services do not remove faeces. If the owners or tenants do not remove the faeces, the trustees will request in writing to the owner or tenant to comply with this. In the event that the owner or tenant does not comply within 15 days, the trustees will request the gardener or garden services to remove the faeces at the owners cost

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- 11.4 Dogs must have full use of the units exclusive use garden area. Adequate shelter and access to water must be provided at all times.
- 11.5 All cats and dogs must be spayed/neutered and the trustees may request proof of this from any pet owner.
- 11.6 All cats and dogs must be vaccinated annually and the trustees may request proof of this from any pet owner. By law, all pets MUST be vaccinated against rabies. Please keep your 'pet passport' handy as spot checks will be done from time to time.
- 11.7 Owners must ensure that they limit the movement of their cats and in the case that a cat becomes a problem to other owners and need to deal with that in an adequate manner. Cats that cause any damage to other residence property or set off alarms will have to repay the cost for the damage or call out of the security company.

## 12. Neatness & Other Arrangements

- 12.1 Refuse/Garbage must be placed in a proper black refuse bag in the refuse bins provided and the bins must be left outside the unit in the driveway on the evening before the collection date. If your bin is not in the driveway when the company is collecting the bins, they will not come back for your bin. Residents must ensure that their refuse bins are returned to their normal storage locations, which must be out of sight of the roads, by that afternoon 18:00 at the latest of the collection date. The trustees will inform all residence of the day of collection of refuse.
- 12.2 Only household refuse may be placed in the refuse bin, no building materials, furniture, appliances etc. are not allowed.
- 12.3 Do not place anything down the toilet in your unit that may cause the sewage pipes to be blocked. This includes sanitary towels. If you cause a blockage, you will be held responsible for all costs to unblock the system.

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- 12.4 Residents are not allowed to put up private signs and notices anywhere in Casablanca. Residents, who want to put up signs at the gate or hand out leaflets, must first obtain permission from the trustees.
- 12.5 General neatness: Do not hang laundry over the garden walls, do not leave garage doors standing open for lengthy periods, and do not let hose pipes hang over walls or run outside the garden fence after you have stopped watering plants or washing cars. Any netting or other material put on patios must be neat or the trustees will have it removed without compensation, rather ask the trustees for approval before installing it.
- 12.6 Fire hydrants are sealed and no one is allowed to tamper with them. If the seal is broken, the Body Corporate is fined and the fine will be passed on to the owner. Residents are also not allowed to use water from fire hydrant taps that are located on common property.
- 12.7 Lights that are automatically switched on by the light sensors in the electricity boxes are the responsibility of the Body Corporate. Please report blown bulbs or broken lights to the caretaker. Light bulbs for outside lights that are switched on manually by the resident are the responsibility of that resident.
- 12.8 No business of whatever nature will be allowed on the common property.
- 12.9 Industrial or commercial business will not be allowed within the complex. Only professional services may be conducted from tenants or owners units.
- 12.10 No auctions or jumble sales will be allowed on any part within the complex.

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## 13. Gardens, Gardener and Garden Services

- 13.1 The gardener and/or garden services may only receive instructions from the caretaker
- 13.2 The gardener and/or garden services are only responsible for mowing the lawn and cutting the edges in the exclusive use common property.
- 13.3 The gardener or garden services will not remove faeces, toys, hosepipes or any object that restrict the mowing of the lawn in exclusive use areas. If the owners or tenants do not remove these objects, the trustees will request in writing to the owner or tenant to comply with this. In the event that the owner or tenant does not comply within 15 days, the trustees will request the gardener or garden services to remove these objects at the owners cost.
- 13.4 Residents may not request any service from the gardener during working hours. The gardener may only be used during weekends as mutually agreed to between the gardener, tenant, or owner. The trustees and caretaker will not get involved in disputes arising from this agreement.
- 13.5 It is the responsibility of the owner or tenant to inform the caretaker of any plants that may cause damage to property.
- 13.6 The trustees reserve the right to access exclusive use areas of the common property from time to time to deal with problem plants.
- 13.7 When planting shrubs and trees in the exclusive use area of the common property, select plants that do not have aggressive root systems – especially Acacias and White stinkwood (*Celtis Africana*).
- 13.8 Residents who want to make gardens on the common property outside their exclusive use garden walls need to obtain written permission from the trustees. Any approval

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granted is subject to the clause that the gardens are kept in a neat condition and that the resident takes responsibility for watering the plants.

- 13.9 The trustees reserve the right to revoke permission at a later stage for any good reason (e.g. widening the roads to create more parking spaces). Should such a situation arise, the trustees will discuss it with the residents and attempt to come up with a mutually satisfying solution, but the final say remains with the trustees.
- 13.10 Owners and tenants are responsible for their own design and watering of gardens in the exclusive use common areas.

## **14. Domestic workers and private gardeners**

- 14.1 Owners and tenants need to ensure that their domestic workers / private gardeners do not loiter on the premises or stay overnight on any part of the property
- 14.2 No domestic worker / private gardener are allowed to stay on the premises.
- 14.3 Owners and tenants are responsible for the conduct of their domestic workers/private gardeners and must ensure that they comply with the rules of conduct of Casablanca at all time.
- 14.4 No domestic worker/private gardener may interfere with the Casablanca gardener or garden services during official working hours.
- 14.5 All owners and tenants need to provide the details of all domestic workers / private gardeners to the caretaker on the official form provided.
- 14.6 Any domestic workers / private gardeners details not recorded at the caretaker might be refused entrance to the complex.
- 14.7 No domestic worker / private gardener may be in possession of a remote device to get entrance to the property.

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## 15. Complaints and Official Warnings

- 15.1 On receipt of a complaint in writing or email to the caretaker, the issue is thoroughly investigated. Once the facts have been established, the issue is discussed by the trustees, and a decision as to which course of action or sanction needs to be taken is made, after which the trustees will communicate to all parties concerned.
- 15.2 If require a written warning from the trustees may be issued. But if the issue is deemed serious, an official written warning from the managing agency will be issued and the owners levy account will be debited with an administration fee.
- 15.3 Where tenants are concerned, Casablanca has a '(3) three strikes and you are out' policy. On receiving a 3<sup>rd</sup> and FINAL warning, the owner will be requested to evict the tenant. Failing which the Body Corporate will institute legal action at the owners cost.
- 15.4 In the case of an owner constantly contravening the rules, they will be issued with an official written warning from the managing agency each time and their levy account will be debited with an administration fee for each incident. Continued failing to comply with the rules of conduct, the Body Corporate will institute legal action against the owner at the owners cost.

*Once again, we all strive to maintain a harmonious environment at Casablanca and welcome to join us in upholding the same.*

## 16. References

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