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INTRODUCING RENTAL HOUSING AMENDMENT BILL

- BACKGROUND

- The Bill seeks to address certain implementation problems which have been encountered since the promulgation of the Rental Housing Act, on 1 August 2000



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OBJECTS OF THE BILL

- AMENDMENT OF SECTION 1
 - The def of an “unfair practice” is substituted to widen its ambit.



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- AMENDMENT OF SECTION 4
 - Section 4 is amended to expressly provide for Rental Housing Tribunal rulings regarding the seizure of possessions.
 - Section 4 is also amended to exclude the bona fide visitor. (who is bona fide and who is not)



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• AMENDMENT OF SECTION 5

- Section 5 is amended to clarify aspects pertaining to issuing of receipts by the landlord and to insert a provision dealing with the costs associated with compliance with the provisions of section 5.



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• AMENDMENT OF SECTION 9

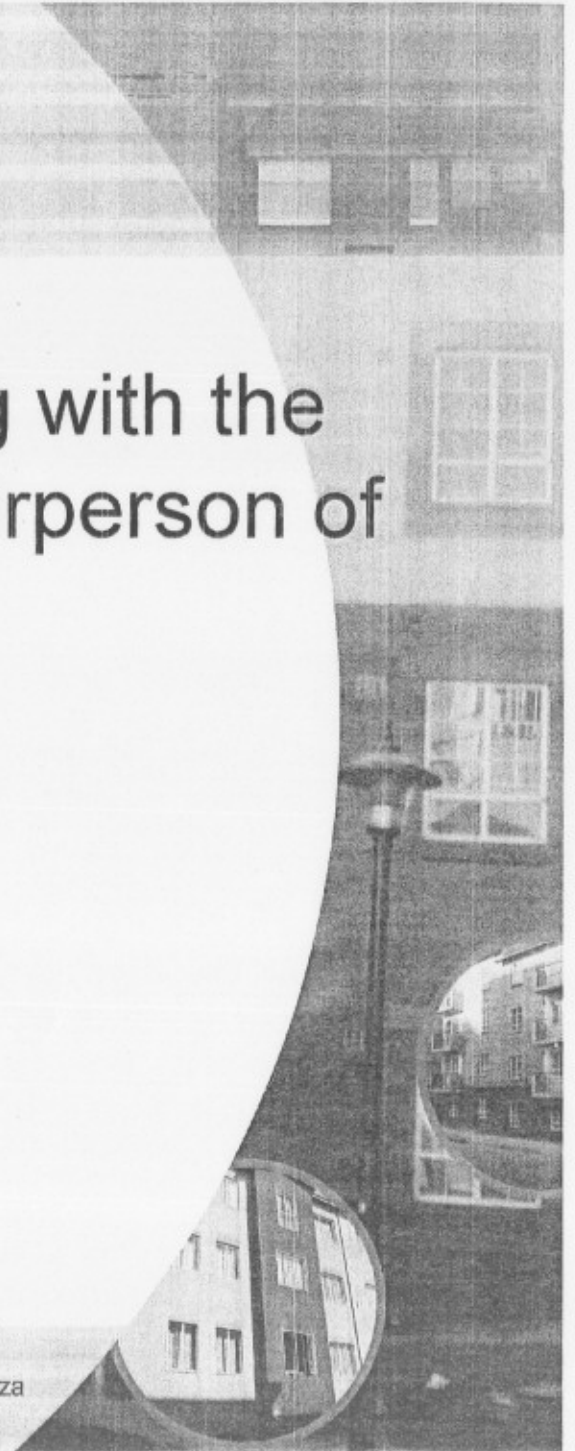
- Provisions pertaining to the composition of the Tribunals, are amended.
- The extension of period for the filling of vacancies from the current 1 month to 3 months.



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- reposition the provision dealing with the appointment of the deputy chairperson of the Tribunal.





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• AMENDMENT OF SECTION 13

- To clarify the jurisdiction of Tribunals in respect of eviction orders.
- To allow Tribunals to make rulings with regard to the compliance with the provisions of the Act.



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- To enable Tribunals to issue spoliation and attachment orders and grant interdicts.
- To provide that the ruling by Tribunals must be deemed and enforced in terms of the Mag Court Act.



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- AMENDMENT OF SECTION 15
 - To empower the Minister to make regulations, where as in the past this power was vested in the MEC'S.
 - The rationale for this amendment is to ensure uniformity throughout the country with regards to the procedures followed by the Tribunals.

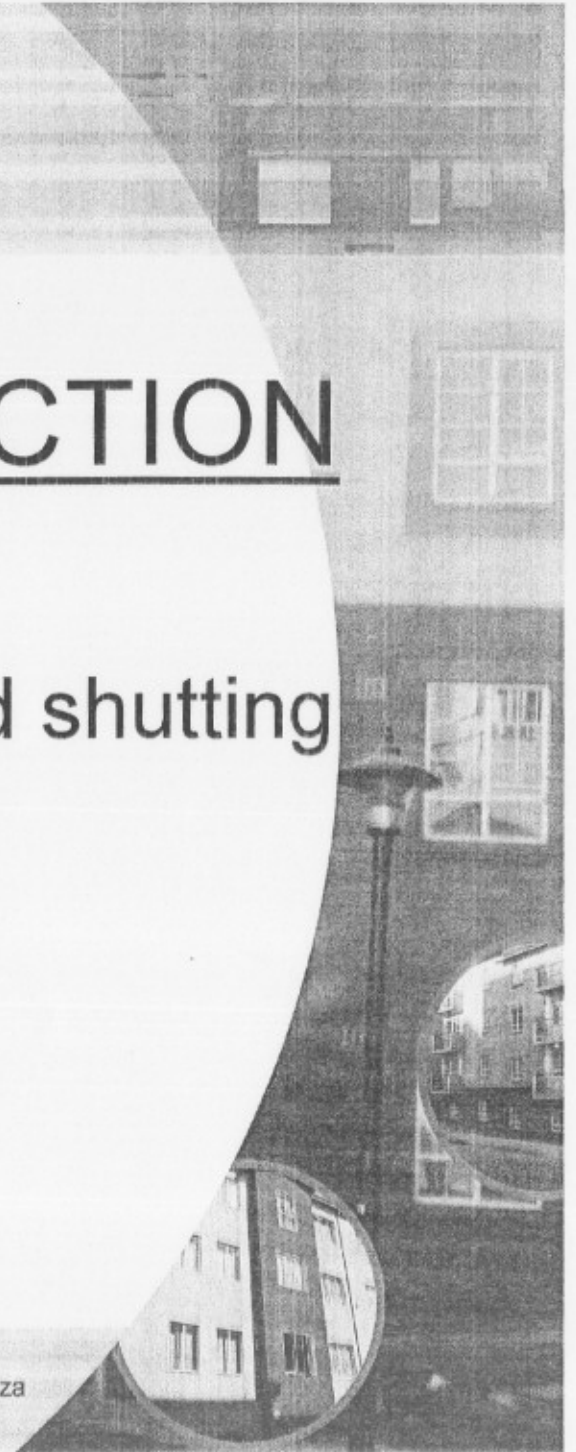


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• AMENDMENT OF SECTION 16

- To make unlawful lock-outs and shutting off of utilities an offence.





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• PERSONS CONSULTED

- Bill published for public comment on 22 December 2006.
- Written comments were received from Provincial Housing Depts, Rental Housing Tribunals, Dept of Justice, Constitutional Development, Banking ASS OF SA, CIVIC RIGHTS ORG'S, INSTITUTE OF ESTATES AND MAG'S COMMISSION

