

PROPOSED PORTFOLIO COMMITTEE AMENDMENTS

TO

RENTAL HOUSING AMENDMENT BILL

[B56—2013]

CLAUSE 1

1. On page 2, from line 6, to omit the definition of “arbitrary eviction”.
2. On page 2, after line 10, to insert the following paragraph:
 - (a) by the insertion after the definition of “financial institution” of the following definition:

“habitability” refers to a dwelling that is safe and suitable for living in and includes—
 - (a) adequate space;
 - (b) protection from the elements and other threats to health;
 - (c) physical safety of the tenant, the tenant’s household and visitors; and
 - (d) a structurally sound building.

and “habitable” has a corresponding;”;

NEW CLAUSES

1. That the following be the new clauses:

(a) monitor and assess—

(i) the impact of the application of this Act on landlords and tenants, and more specifically the impact on poor and vulnerable tenants; and

(ii) the performance of Tribunals and Rental Housing Information Offices;

(b) develop such relief measures and other social programmes as part of the policy framework on rental housing, referred to in subsection (3) as he or she deems necessary to alleviate hardships that may be suffered by tenants;

(c) develop programmes, directives and guidelines or amend or augment the policy framework on rental housing, referred to in subsection (3) in such a manner as he or she sees fit, to facilitate effective performance by Tribunals and Rental Housing Information Offices; and

(d) annually report to the National Assembly on the promotion of rental housing property as envisaged in sections 2 and 3.

(6) For purposes of subsection (5), the Minister may define criteria based on age, income, or other form or degree of vulnerability that apply to such tenants or group of tenants and amend or augment the policy framework on rental housing, referred to in subsection (3) in such a manner as he or she sees fit.”.

Clause 5

1. On page 4, in line 1, after “possessions”, to insert “searched and”.

2. On page 4, after line 9, to insert the following:

“(9) A tenant may not sublet a dwelling without the consent of the landlord which consent may not be unreasonably withheld.”.

Clause 17

1. On page 10, in line 17, to omit "21", and to substitute "14".
2. On page 10, from line 18, to omit "secretariat of the Tribunal appointed in terms of section 11 (1)", and to substitute "MEC".
3. On page 10, in line 23, to omit "secretariat must appoint", and to substitute "MEC must select".
4. On page 10, in line 26, to omit "secretariat", and to substitute "MEC".
5. On page 10, in line 27, to omit "select", and to substitute "appoint".
6. On page 10, in line 33, to omit "secretariat", and to substitute "MEC".

Clause 19

1. On page 10, in line 40, to omit "2013", and to substitute "2014".
2. On page 10, in line 42, to omit "2013", and to substitute "2014".

Clause 20

1. On page 10, in line 44, to omit "2013", and to substitute "2014".