

Code of conduct for rented housing

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WHAT are regulations governing rented accommodation?

The Rental Housing Act comes from national government. In each province, the Minister of Housing may set up a Rental Housing Tribunal.

In addition to the Rental Housing Act the provincial Minister must tell landlords and tenants about the procedure and also what their rights, duties and obligations are.

This is done by the Minister through regulations. The regulations therefore contain procedures and matters relating to problems or disputes concerning unfair practices.

The Act is like the engine of a bus, the Regulations the body and the Tribunal its wheels.

The Rental Housing Procedures include:

- How the Tribunal must function
- How to file a complaint
- A copy of the complaint form, summons and other forms and certificates to be used are part of the Regulations.
- Duties of the staff and the members of the Tribunal
- How many days are needed to summon a party or a witness.
- What fines or penalties are to be paid, and / or the period of imprisonment when a party ignores

a ruling (judgment of the Tribunal.)

- Mediation and hearing

WHAT IS AN UNFAIR PRACTICE?

Any action, behaviour or conduct by one party that affects the rights of the other party.

Unfair practice may relate to: -

- the changing of locks;
- deposits;
- damage to property;
- demolitions and conversions;
- eviction;
- forced entry and obstruction of entry;
- House Rules, subject to the provisions of the Sectional Titles Act, 1986 (Act No. 95 of 1986), where applicable;
- intimidation;
- issuing of receipts;
- tenants committees;
- municipal services;
- nuisances;
- overcrowding and health matters;
- tenant activities;
- maintenance;
- reconstruction or refurbishment work.

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