



This is an HOA. A what?!

Article by Zerlinda van der Merwe
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I find that there is so much information readily available regarding sectional title schemes, but when it comes to homeowners' associations (HOA's), including master homeowners' associations (MHOA's), property owners' associations (POA's) and security enclaves, information on this type of community scheme is not as freely available or relevant. When doing a Google search, I normally get directed to condominiums in Florida, USA! This article will aim to give you a better understanding of HOA's in SA, but it must be remembered that each HOA is unique in that it has its own governance documentation, which has been prepared to meet its specific requirements.

Let's kick this article off with the question of what is an HOA?

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Scheme Rules – Meaning of Irreconcilable Rules

Article by Quintin Badenhorst
EY Stuart Incorporated

Have certain scheme rules under previous legislation regulating Sectional Titles automatically changed on the commencement date of the Sectional Titles Schemes Management Act of 2011?

Various amendments have been made to the legislation regulating sectional title schemes, the latest being, the Sectional Titles Schemes Management Act ("ST SMA"). The most notable change in its provisions is the extensive change to the contents of the scheme rules.

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New NAMA Membership Category

Community Scheme Membership for Trustees/Excom/Directors and Owners of Community Schemes (Sectional Title, Home Owner's Association and Life Rights) managed by NAMA Full Members.

If your Managing Agent is a NAMA Member and you would also like to receive the benefits of NAMA membership then please register your Community Scheme and become a **NAMA Community Scheme Member**.

Managing Agents are encouraged to register their Community Schemes to benefit from the online Sectional Title Living Course and NAMA's webinars on topical sectional title matters.

[Click HERE to download the Membership PROSPECTUS ...](#)

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In 2021 ...

Sectional Title Living Online Course for Sectional Title Owners, Tenants and Trustees ...

We will be rolling out an online training course in sectional title living. Managing Agents are encouraged to register their schemes as Community Scheme Members and to motivate the residents of their respective schemes to enrol for this training course. The course will be presented in collaboration with **Enterprises at the University of Pretoria** and is specifically aimed at the sectional title owner, sectional title tenant and trustees. All study material will be online for attendees to complete in their own time. The content will be easy to understand and manage. Narrated PowerPoints and short tutorials will support all reading material. Being a NAMA Community Scheme Member will enable you to access NAMA's webinars on topical matters relating to sectional title ownership which are presented by leaders in the industry. Further details will soon be released so that we can take steps in improving and advancing sectional title living.



Course in Community Schemes Management for Portfolio Managers ...

NAMA will also be rolling out a 3-year course through **Enterprises at the University of Pretoria**. This course is aimed at Community Scheme Portfolio Managers or anyone who would like to pursue a career in this field. The course will be titled Programme in Community Schemes Management, levels 1, 2 and 3. On completing each level, the Portfolio Manager will receive a designation. On completing level 1, the Portfolio Manager will receive the designation of Community Schemes Portfolio Manager, on completing level 2 the designation of Senior Community Schemes Portfolio Manager will be awarded, and when level 3 is completed the Portfolio Manager will receive the designation of Professional Community Schemes Portfolio Manager.

We look forward to an exciting journey with **Enterprises at the University of Pretoria** and the opportunity to provide high-quality education on the topic of Community Schemes.

More information will be communicated in February 2021!

NAMA National Golf Day | 29 January 2021

President Cyril Ramaphosa announced on 11 January 2021 that South Africa will remain under an adjusted coronavirus (COVID-19) Alert Level 3 lockdown until 15 February 2021.

NAMA has therefore decided to postpone our National Charity Golf Day which was scheduled for the 29th January 2021. A new date for the golf day will be communicated in due course.

You are welcome to send an email to lizbe@nama.org.za for any further information. We thank you for your understanding.





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South Africa's current low-interest rate climate could have a positive effect on the property sector.

The economy saw business and consumer confidence hit historic lows, but with lockdown levels easing and the South African Reserve Bank (SARB) cutting interest rates by 300 basis points (bps) since the start of the year, there is now a spark of optimism ...

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Traditionally, the development of risk management plans is tailored to address assessed and quantified risks. There is however always the "the unknown factor". Enter the COVID-19 pandemic. Of course, we have faced localised pandemics before, but never one on such a globally synchronous scale, thanks to global travel and trade. It propelled the entire world into uncharted territory as mass economic and travel lockdowns ...



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Funding initiatives that aim to ease the financial strain on our Community Scheme clients.

Amid challenging and uncertain financial times, there is a great need for businesses to deliver value. Times have been tough for many in South Africa, even before COVID-19 hit the country hard. Most people's finances have been negatively impacted ...

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Let's have a look at the importance of preventative maintenance on your property.

In circumstances where a general paint system has been applied on a building and you have received a warrantee certificate, it does not automatically mean that you would only be required to repaint the building after the specific duration period ...



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Stratafin offers clients, such as trustees and directors, real cash flow solutions to restore their financial balance and, ultimately, their peace of mind.

What this means is that Stratafin purchases historical arrear levies (or debt) at an agreed rate from the trustees of Bodies Corporate ...



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Property owners are required by law to ensure that the property is legally fit for sale, and before the transfer can take place, the transfer attorney must be in possession of the relevant Certificate of Compliance (COCs). In the case of the sectional title schemes, however, although the individual units are bought and sold the common property is often overlooked and falls under the radar in terms of electrical compliance certification ...



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Entrepreneurs solve problems, which is why Michael Schaefer has been a busy man since he launched ZDFin at the height of the Covid lockdown.

“The business has been phenomenally received,” says Schaefer, “mostly because it answers the dire need for specialist finance for schemes, be they sectional title bodies corporate, homeowners’ associations or share block companies.”

Schaefer was previously a director and shareholder at Trafalgar, the country’s biggest residential property administration company, started by his father over 50 years ago. His move to establish ZDFin was in part motivated by the 2016 Sectional Titles Schemes Management Act.



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When property owners don’t pay their levies, it places undue pressure on the community scheme ...

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