



Body Corporates – How to Properly Deliver Notice to Owners, of an Owners' Meeting

Article by Alan Levy, Alan Levy Attorneys Inc.

With the advent of email, the question arises in sectional title schemes, as to the proper way for a Body Corporate to give notice of an owners meeting. Is only emailing the notice to owners sufficient? What does the Sectional Titles Schemes Management Act, 2011 (STSM Act) say? ...

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Understand and Appreciate the Extent and Impact of your Powers – a Lesson and Reminder for Trustees

Article by Fausto Di Palma, Sectional Title Solutions



In Marvel's Spider-Man comic series Uncle Ben teaches Peter Parker that with great power comes great responsibility. This saying has become a cliché in many quarters. But the lesson also rings true for the power that trustees of bodies corporate wield in sectional titles schemes.

In *BAE Estates and Escapes (Pty) Ltd v The Trustees for the time being of the Legacy Body Corporate and Pam Golding Property Management Services (Pty) Ltd*^[1] (the *Legacy* case), Judge Bozalek delivered a judgment which reviewed and set aside a trustee resolution.^[2] It is not the first time, nor will it be the last time, that a trustee resolution is overturned and dismissed by a court.

The trustee resolution in the *Legacy* case, was reviewed and set aside on the basis that it was administrative action, and was unlawful, unreasonable, and not rationally connected to the purpose for which it was taken or to the information before the body corporate.^[3] The judge further held that irrelevant considerations were taken into account or relevant considerations were not taken into account.^[4] Moreover, the trustee resolution was taken in a procedurally unfair manner in that the affected parties were neither heard nor consulted prior to the decision being taken.^[5]

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Are you an owner, trustee, or tenant? This course is for you ...

NAMA Managing Agents, register your Trustees to attend this short course so that they can upskill themselves on Sectional Title Living and the importance of a well-managed scheme.

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Dealing with the finances in a Sectional Title Scheme can often be an unpredictable and daunting task with many factors to be considered in the process. Should a Sectional Title Scheme find themselves in need of financial assistance, it has a handful of choices to choose from. Making the right choice for the Sectional Title Scheme can be a complicated and often difficult choice for the members of the Corporate Body and can often lead to the Body Corporate falling into a Debt Trap ...



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The recent unrest in South Africa has taken a huge toll on many of us, with violence, damage to property, and rioting having had an effect on the country and its population both physically and mentally.

With two "black swan" events in a short period of time, what does it mean for the retail real estate industry, and what can we do to rebuild and prepare for further unforeseeable events?

Upcoming NAMA Events ...

Join NAMA online for a series of live training sessions presented by the CSOS

6 October @ 09:00

Topic: **PAIA Access to Information**

Presenter: Johlene Wasserman, CSOS

20 October 2021 @ 09:00

Topic: **Provide input to other Regulatory Bodies on compliance by Schemes (RBA)**

Presenter: Johlene Waseerman, CSOS

The invitations to register for these free Zoom Presentations will be circulated shortly.



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According to the Collins dictionary the saying "It's better to be safe than sorry", advises someone "to take action in order to avoid possible unpleasant consequences later, even if it seems unnecessary". As old-fashioned and over-used as this saying is, it still holds true today", says ZDFin CEO Michael Schaefer.

"Hopefully, at this stage, the AGM's for a significant portion of all community schemes are in the rear-view mirror and Maintenance Plans have been both done diligently and approved and already underway and in action. If not, the "unpleasant consequences" of the Collins description, may well be in store."



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When leasing a property there are a few things a landlord must do in accordance with the law. A landlord who is obliged by law or in terms expressed or implied terms of the lease provide utilities such as water, electricity, or gas services to a tenant. He must provide these services and not cause a non-supply for any reason while the tenant resides in the dwelling ...



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As a managing agent or a body corporate trustee, you are constantly wrestling with maintenance issues, high material costs, and the struggle to source specialised items ...



With less than three months to be both POPI and PAIA compliant and to avoid your sectional title scheme or homeowners association incurring any fines or penalties before the deadline of 1 July 2021, get in touch with us as soon as possible.

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Have you done a paint project and after a short period of time noticed some crack formation on the plaster with the paint bulging?

When paint projects commence the responsibility is on the contractor to ensure that all moisture-related problem areas are correctly identified. This is also the starting point of any project where moisture is a problem by removing the pain in those areas. this is to allow the moisture content in the walls to escape and for the moisture to drop to 15% or below prior to proceeding with the paint system.



Best Water Meter Types (for all purposes)

Water Utility Solutions experts are often called in to replace water meters. We've seen it all: improperly installed equipment and incorrectly selected meter types are more common than you might think. That's why we've put together this 2 mint read! It will empower homeowners associations, bodies corporate, and trustees with the essential information they need to protect their assets.

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Common Property Generator: A Powerful Investment

Inpower energy experts have noticed a fascinating trend in the energy sector. Bodies Corporate and homeowners associations are increasingly adopting generator solutions to ensure power is always on. We've noticed that the reason for this is much more complex than it may seem ... find out more in our latest expert report.

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NAMA Suggestion Box ...

Thank you to all our members who took the time to participate in our survey. Your honest feedback and suggestions were appreciated. A number of our members indicated that they would like the opportunity to provide topic suggestions for articles and webinars. We have therefore created a suggestion box.

Please click [HERE](#) to submit your suggestion. We would love to hear from you.

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Tel: 012 567 1556
Email: lizbe@nama.org.za
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