

BASSONIA ESTATE HOME OWNERS ASSOCIATION (NPC)
ESTATE AGENTS ACCREDITATION AGREEMENT

Between

Registration/identity number:

(hereinafter the "Agent")
(duly authorised)

And

BASSONIA ESTATEHOME OWNERS ASSOCIATION (NPC)
(hereinafter the "the HOA")

I/we, the undersigned

On behalf of: _____ **"the agent"**

Contact numbers: _____ **(W)**

_____ **(H)**

_____ **(F)**

_____ **(C)**

THE AGENT HEREBY CONFIRMS THAT:

1. It is in possession of the following documents of the HOA:
 - 1.1 Memorandum of Incorporation; and
 - 1.2 The Estate Rules
2. It is aware of and understands the content of the abovementioned and hereby undertakes to:
 - 2.1 Explain the contents thereof to all purchasers and tenants;
 - 2.2 Attach a copy of the above to the deed of sale / lease contract any other contract that will allow transfer or occupation of any property in the Estate.
3. It is aware that a clearance certificate is required for lodgement with each transfer, whether it be the property, shares in a company or a close corporation or any contract that allows for this. The certificate can be obtained from the HOA's duly appointed managing agent.
4. The sale agreement will contain the following clause:
 - 4.1 The purchaser acknowledges that he/she is required upon registration, to become a member of the HOA and agrees to do so subject to the Memorandum of Incorporation.

5. The seller shall be required to ensure that in addition to all other conditions of title and/or subdivision referred to above following conditions of title be inserted in the Deed of Transfer:

- 5.1 "Every owner of the stand, or any subdivision thereof or any interest therein or any unit thereon, shall become and shall remain a Member of the HOA and be subject to its Memorandum of Incorporation until he/she ceases to be an owner as aforesaid.

Neither an *erf* or any sub-division thereof or any interest therein or any *erf* thereon shall be transferred to any person who has not bound himself to the satisfaction of the *HOA* to become a *Member* of the *HOA* and to be bound by the *Estate Rules*.

The owner of the stand or any subdivision thereof or any interest therein or any unit thereon, shall not be entitled to transfer the stand or any subdivision thereof of any interest therein or any unit thereon without a clearance certificate from the HOA that the provision of the Memorandum of Incorporation of the HOA has been complied with."

6. Under no circumstances shall the Agent, acting on behalf of the seller be allowed to misrepresent or allow to be misrepresented the rules and/or conditions of the Estate or the rights attached to a stand. In particular, no false claims are to be made in respect of common property.
7. The Agent agrees to abide by the Estate rules and the provisions of this agreement.

PROCEDURE TO FOLLOW FOR ACCREDITATION:

Estate Agencies wishing to apply for accreditation to operate within the HOA are required to complete the application form and submit this to the Chairman of the Board of Directors for consideration at the first available meeting of the Board of Directors.

1. The Board of Directors will consider the application for Approval and decide whether or not it will permit such accreditation. In the event that the request for accreditation is declined, no correspondence will be entered into nor explanations given by the Board of Directors for declining such application.
2. Approval will only be granted to Estate Agencies that have a valid fidelity fund certificate as issued by the Estate Agency Affairs Board, which certificate together with certified copies of the identity documents of all Agents in its employ must accompany the accreditation application.
3. The Estate Agency seeking accreditation must complete the relevant documentation supplied by the HOA and must nominate their Estate Agent(s) in writing by completing the relevant section of the application for Approval form.
4. The accredited Estate Agency must supply the Estate Management with the details in writing of properties on show no later than 12h00 on a Wednesday preceding the Sunday show day and indicate details of the Agent who will be used, if applicable.
5. The Agent must, at all times, accompany any prospective buyer in and out of the Estate, and normal access control clearance procedures will be applied. This provision shall apply to all multi-listed agents *mutatis mutandis*.
6. An approval fee of R5 000.00 (five thousand Rand) including VAT per annum, per Estate Agency, is required to be paid to the HOA in advance before any business may commence. The annual period runs from 1 March to 28 February each year.
7. No part or pro-rata payments will be accepted during the annual period. Only the full R5 000.00 including VAT will be accepted regardless of the time of year that the Estate Agency becomes accredited.

8. Payment must be made within 30 days of invoice date. The HOA will not release confirmation of accreditation until such time as payment has been received.
9. Only currently accredited Estate Agencies who are appropriately accredited in terms hereof and who have paid all the required fees may operate in the Estate under these procedures.
10. The HOA reserves the right to withdraw, cancel or not to grant the accreditation of an Estate Agency or any individual agent or representative of that Agency, at the discretion of the Board of Directors. This may result from a contravention(s) of the Estate Rules, or for any other reason the Board of Directors believes serious enough to warrant cancellation. Should such a withdrawal occur, the HOA will be under no obligation to refund any part of the accreditation fee paid and no correspondence will be entered into. Furthermore the Estate Agent will be asked to leave the estate with immediate effect.
11. No directional pointer boards are allowed to be placed in the Estate. These will be removed and confiscated by security and the accredited Estate Agent will be liable to pay the penalty set out in the schedule of fines and penalties at B10.
12. Accredited Agents may display one "for sale" board per property subject to the provisions of the Memorandum of Incorporation and no "sold" boards will be permitted.
13. Entry into the Estate will only be through the Main Entrance.
14. This full procedure must be read and complied with in conjunction with the Estate rules which can be obtained from the HOA.
15. The HOA may change these rules from time to time in terms of their powers which the homeowners mandated them to carry out as per the Memorandum of Incorporation.
16. Estate Agents managing properties within the Estate on behalf of Owners, or Owners renting out their own properties, shall be required to register such activity with the HOA.
17. Tenants and Owners shall be required to sign an acceptance of the Estate Rules prior to any access devices being issued to them.
18. Before tenants can take occupation of any property in the Estate such tenant must be registered with the HOA via the Estate Manager and copies of the lease agreement and identity documents of the tenants are to be provided, together with an acknowledgement that the tenant has read the Estate Rules and considers them binding. The HOA shall not provide any new gate opening devices and shall deactivate existing gate opening devices operated by such tenants until such time as the conditions contained in this clause have been met. It is the responsibility of the Owner and Agent to advise the HOA that existing gate opening devices have been handed over to tenants.
19. It is the obligation of the Estate Agent (or the Owner in the case of private sales) to provide the prospective purchaser with a copy of the Estate Rules and obtain an acceptance signature from that purchaser. The HOA shall not provide a clearance certificate until such acceptance is received.
20. Agents may not under any circumstances provide gifts or monetary reward to any member of the Estate staff.

Estate Agent Approval (per annum)	R5 000.00
Resident Private Property Sale Accreditation	R0.00

Signed at _____ on this the ____ day of _____ 20____

THE AGENT

Witnesses:

1. _____

2. _____

Signed at _____ on this the ____ day of _____ 20____

THE HOA

Witnesses:

1. _____

2. _____