



PROPERTY PRACTITIONER’S REGISTRATION POLICY

All applications for registration to be forwarded to the Estate Manager at

estatemanager@mooikloof-glen.co.za

1. PRE-AMBLE

Residents choose to reside in **MOOIKLOOF GLEN** due to its peaceful, upmarket and secure surroundings. It is therefore the duty of the Board of Directors to ensure that residents’ privacy is protected.

It is however; also the right of each owner/member to dispose of his/her property in MOOIKLOOF GLEN in accordance with this Registration Policy and Conduct Rules of the Homeowners Association. The Board of Directors must ensure that such rights can be executed with as little as possible disturbance to other owners/members.

This policy is formulated in order to curtail any disturbances and to comply with the Memorandum of Association of the MOOIKLOOF GLEN Homeowners Association (“the Association”).

Once accepted as policy, agreements would be concluded with each individual Property Agency or Agent (“Agents”) to ensure compliance with these conditions. The Estate Rules of the Association will thereafter be brought in line with this policy and agreement.

2. PERMISSIBLE TRANSACTIONS

A property transaction in MOOIKLOOF GLEN; be it the sale, purchase or letting of a property, may only be executed by a Registered Agent.

3. TYPES OF REGISTRATION

All Agents who are employed to conclude property transactions in MOOIKLOOF GLEN shall obtain prior registration from the Association. Such registration shall be acquired by completing the attached **APPLICATION FOR REGISTRATION** and providing the necessary support documentation.

The following two types of registration are available:

- a. Private Registration
- b. Public Registration

4. PRIVATE REGISTRATION

OWNER

Should the owner wish to execute his/her own property transaction, and not use an Agent, the following conditions shall apply:

- a. Such an owner shall only advertise the property under its own personal name and telephone number and specifically not be allowed to sell its property through e.g. “Private Property” or any other non-registered agency.
- b. The owner shall notify the Estate Manager and sign for the acceptance of all the conditions relating to a property transaction as embodied in this policy and the Property Practitioner Registration Agreement and undertake to adhere to such conditions. The said conditions shall apply to the homeowner mutatis mutandis.

AGENT

Should the owner appoint an Agent that is not represented by any of the Advertised Registered Property Practitioners, the owner is liable to ensure that such agency applies for registration in terms of this policy prior to the commencement of any marketing action.

The owner shall notify the Estate Manager and invite the Agent to complete the **APPLICATION FOR REGISTRATION** and provide all the required documentation. Once approved, the Agent must register for access to the estate but will not enjoy the benefits afforded to the Advertised Registered Property Practitioner, such as advertising, public show days, website access, etc.

The Private Registration is not transferable to any other owner or stand / erf in the Estate and is only valid for a period of 12 (twelve) months or up to the successful conclusion of the sale, whichever is shorter.

The Agent will need to sign and accept all the conditions relating to a property transaction as embodied in this policy and the Property Practitioner’s Registration Agreement and undertake to adhere to such conditions. The said conditions shall apply to the homeowner mutatis mutandis.

The Agent will need to gain access to the Estate by contacting the owner directly.

In both cases, the following applies:

- c. Nothing in this policy shall preclude the Directors of MOOIKLOOF GLEN Homeowners Association from granting an exception to any owner from compliance with this policy in the case of a forced sale and upon application and on good cause shown.
- d. Should any owner not comply with any of these specific conditions or conditions applicable to the homeowner as a private seller, such an owner would be liable for the payment of 5% (five percent) penalty commission calculated on the selling price.
- e. If an owner endeavors to make use of the services of a non-registered agent, such an owner forfeits its right to sell his/her property privately.

5. PUBLIC REGISTRATION

Agents who wish to have full exposure to the public and wish to be able to advertise, have show days, advertise on the website, and have other benefits are encouraged to apply for Public Registration by completing this application form.

Such Agents will need to comply with and operate as per the rules of the MOOIKLOOF GLEN Homeowners Association and the rules and regulations of the Property Practitioners Regulatory Authority.

Once the registration application has been approved by the Association. The Application for Registration document will be signed by the representative of the Association and a copy made available to the Agent.

Number of Registered Property Practitioners

The number of registered Property Practitioners will be limited to the number of show days that can be accommodated in a month. The Mooikloof Glen HOA may at any time decide to expand this number by written application from an estate agency.

Registration Duration

The registration agreements with Agents will be valid for a period of 12 (twelve) months, expiring at the end of December each year, and shall be renewable, by written application in the prescribed manner by the Agent concerned.

Any registration granted at any other time would be for such portion of that year as remains and that agreement shall expire at the end of December each year.

Registration Adjudication

The MOOIKLOOF GLEN Homeowners Association reserves the right to approve and/or not to approve an application for registration. The non-approval of an application can inter alia be a result of non-compliance with the registration criteria, previous continuous breach of the agreement, and/or any other related matter.

1. MOOIKLOOF GLEN HOA COMMITMENTS

MOOIKLOOF GLEN Homeowners Association commits itself to take reasonable steps to provide the following service to Public Registered Agents:

- a. The provision of all the Association’s required forms for the conclusion of a property transaction upon request.
- b. The provision of stand/street maps.
- c. Assurance that the Association and managing agent will endeavor to issue clearance certificates within 10 (ten) working days, provided information/documents and payments are on hand.
- d. Ensure that individual homeowners selling their own property adhere to all applicable rules as stipulated in the Conduct Rules for Property Practitioners and the enforcement of the applicable penalties as stipulated in the rules hereof in case of non-compliance with such rules and specifically not to issue a clearance certificate unless the penalty commission as stipulated in the rules has been paid

or guaranteed.

- e. Ensure that only registered agents market and sell properties in MOOIKLOOF GLEN.
- f. Make available a list of all the registered Agents available to the homeowners on the MOOIKLOOF GLEN website.
- g. Make available at no additional cost to the Agents a single document in the form of an addendum of all procedures, rules and regulations applicable to buyers, sellers and tenants to be included in the sale- and lease agreements.
- h. Provide one show day a month that will be for the exclusive use of the Agent and
- i. Ensure that all registered Agents are treated on an equal basis for all purposes.

2. PRACTITIONERS CONDITIONS

By signing the registration agreement, Agents accept the following conditions:

- a. The MOOIKLOOF GLEN Homeowners Association’s Articles of Association and Estate Rules will be adhered to.
- b. Inclusion of all procedures, rules and regulations in sale and lease agreements.
- c. Specific attention will be paid by Agents in respect of the access control policy of the Association and due notification will be given to the Association of property transactions, including, without limitation thereto, the letting of property.
- d. All Agents shall apply individually for access to MOOIKLOOF GLEN in terms of the Association access control policy and shall adhere to such policy at all times.
- e. Agents will not be allowed to display “For Sale” or “Sold” or “To Let” or any other sign in the estate itself; and
- f. Only Public Registered Agents will be allowed on their allocated show day to set up a kiosk/display area at the entrance of the estate in accordance with an agreed format presented to and approved by the MOOIKLOOF GLEN Homeowners Association.

3. ADVERTISEMENTS / SIGNBOARDS

Agents will be required to adhere to all conditions relating to the erection of advertisements/ signboards, which will be embodied in detail in the agreement, and will, inter alia, include the following:

- a. No electronic and/or written and/or other advertisement/signboard may claim to represent the MOOIKLOOF GLEN Homeowners Association and/or ignore and/or attach their own interpretation of the Association’s Rules.
- b. Ignorance of the by-laws/rules of the Tshwane Town Council in respect of signboards on public roads at MOOIKLOOF GLEN will jeopardize the existence of the agreement. Copies of such by-laws/rules can be obtained from the Tshwane Town Council.
- c. Show house boards are only allowed on the allocated show day from 08.00 until 19.00. No other for sale and/or to let boards, except show house boards for Public Registered Agents on the allocated show day, are allowed within 100 meters of the entrances, except in cases of forced sales (sequestrations and liquidations) as permitted in the agreement.
- d. No door-to-door canvassing, advertisements, flyers, or similar material for property transactions may be delivered to properties within MOOIKLOOF GLEN.
- e. Door-to-door canvassing for property transactions is not permitted and Agents may only operate on a “by appointment” basis; and
- f. Auctions in MOOIKLOOF GLEN – No registered Agent may conduct any sales through an auctioneer.

4. PROPERTY PRACTITIONER'S REGISTRATION PROCESS AND SECURITY RULES

❖ Conditions relating to all visitors:

- ❖ The conditions stipulated below will apply to all visitors.
- ❖ Registered Property Practitioners, their prospective buyers, sellers, and all property-related personnel must enter the estate via the Visitors' Entrance.
- ❖ The Agent may only use one vehicle to visit and transact within the estate at a time.
- ❖ The driver of the visiting vehicle will have to present a valid, genuine and original driving license in English - as is required by South African Law to drive such a vehicle. Access to the estate will be granted if the driver can produce an original expired South African driver’s license and a receipt of renewal not older than six (6) months.
- ❖ The vehicle's registration disk must be valid, genuine and original.
- ❖ The visitor’s driver’s license and vehicle registration must be valid to allow entry to the Estate.

- ❖ The application for a security card will be made in writing to the Estate Manager, accompanied by the Property Practitioners Application for Registration and all related certificates.
- ❖ The cost of issuing a security card is R170.00 (one hundred and seventy rand) which must be paid in cash to Fidelity Security Services at the time of processing.
- ❖ The cost to re-issue a security card is R50.00 (fifty rand).
- ❖ All Property Practitioners will be requested to undergo a Criminal Record & Background Screening test.
 - The test is conducted by Fidelity Security Services and initial results are usually made available within 48 hours.
 - The cost of this test is included in the card charge.
 - The HOA may, within its sole discretion, refuse to issue a security card based on the outcome of such a test. The individual’s refusal to grant permission for such a test to be conducted may include refusal of any access to the estate for the individual concerned.
 - The cost of a replacement security card is R50.00 (fifty Rands).

5. BREACH OF CONDITIONS

Provision will be made in the agreement that the Association will reserve its rights to take steps against any registered Agent that breaches any condition of the contract, this policy, the estate rules, or any other directive, rule or law applicable to such estate agent or such transaction. It is therefore accepted that should any registered Agent breach a condition of the contract, such agent/agency may after consultation with the Board of Directors:

- a. Have their registration summarily cancelled and/or not renewed; and
- b. Forfeit any other sums paid for that year.

6. AMENDMENT

The Directors of the Association shall be entitled to vary this policy, or any agreement concluded hereunder.

7. PRINCIPLE

It is an underlying principle of this policy that there may not be discrimination against Agents as service providers to the extent that limiting procedures, rules and regulations must be equally applicable to all other service providers with reference to their applicable policies regarding the rendering of services in MOOIKLOOF GLEN.



**MOOIKLOOF GLEN HOMEOWNERS ASSOCIATION
APPLICATION FOR REGISTRATION**

1. Application for (tick appropriate box):

- Private Registration
- Public Registration

2. Applicant Details

Entity’s name

Company/CC Registration number.....

Date agency was established.....

Date registered with the PPRA.....

Branch of agency applying.....

Telephone number..... Email address.....

Name of owner/manager for agency’s office/branch.....

3. Personal Details

Agent’s name.....

If the candidate agent, who will assist the candidate.....

ID number.....

Employer.....

Date employed.....

Date registered with the PPRA (If applicable)

Cellphone number

E-mail address

4. Intention and experience

Motivation for application

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Description of experience in selling property

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Description of experience of selling property in the MOOIKLOOF GLEN Area

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Outline your scale of fees and any onerous terms and conditions contained in your agreement.

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Provide a copy of your offer to purchase agreement and any other supporting documentation.

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Provide information on what value-add you can bring to MOOIKLOOF GLEN and its owners.

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5. Advertising for Registered Applicants

Advertising for Registered Applicants is to complete the following:

Description of the proposed kiosk/display area at the entrance of the Estate to be provided and approved by the Association prior to a show day.

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Provide information and examples of how you intend to market the properties that are entrusted to you to sell.

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Provide information on proposed regulations with respect to advertising on the website and newspapers, specifically with respect to listings of the same property by more than one agent.

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6. Supporting documentation

Copies of the following must accompany the application:

- Certificate to commence business of the Company/Close Corporation.
- Company’s Estate Agency Affairs Board registration certificate.
- Agent’s Estate Agency Affairs Board registration certificate.
- Agent’s ID document.

7. Notes

This application must be completed by and for each Agent to work in MOOIKLOOF GLEN, including owners who may wish to sell their properties privately.

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8. Agreement

We, the undersigned, herewith confirm that we have received, read, understand, and will follow the PROPERTY PRACTITIONER’S POLICY for MOOIKLOOF GLEN and comply with the rules of the Association and rules and regulations of the Property Practitioner Regulatory Authority.

Signed at..... **On**

..... **Date**.....

(On behalf of the agency, duly authorized)

..... **Date**.....

Applying Agent

MOOIKLOOF GLEN HOMEOWNERS ASSOCIATION

This application is approved on the following conditions:

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..... **Date**.....

(On behalf of MOOIKLOOF GLEN, duly authorized)

This application is not approved.

..... **Date**.....

(On behalf of MOOIKLOOF GLEN, duly authorized)