



CENTURY VIEW PROPERTY OWNERS ASSOCIATION ("CVPOA")

ESTATE AGENT RULES & REGULATIONS

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The CVPOA Estate Agent Rules and Regulations described below are intended to ensure that the quality of life for the Homeowners and residents within the Century View precinct is not unduly compromised, yet allowing for efficient handling of the sale or rental of properties, subject to the aforementioned protection of the image of the Century View precinct and the lifestyle of the Homeowners and residents.

When an Estate Agent is found to be in breach of the stated CVPOA Estate Agent Rules and Regulations or any other CVPOA Rules and Regulations a penalty will be levied. The extent of the penalty is detailed below the description of each rule and regulation.

The CVPOA reserves the right to make amendments and additions to this document from time to time.

1. Estate Agent Controls and Guidelines

It shall be the responsibility of each Homeowner to ensure that his/her Estate Agent, employees, tenants or occupiers agrees to conform with all controls and criteria specified in this document.

2. Personnel Awareness

It shall be the responsibility of each Homeowner to ensure that his/her Estate Agent, employees, tenants or occupiers are briefed on the contents of the CVPOA Estate Agent Rules and Regulations.

Claiming ignorance of the CVPOA Estate Agent Rules and Regulations by any party will not be accepted as a valid excuse.

3. Presently the CVPOA Estate Agent Rules and Regulations include the following considerations:

3.1 Commencement of Marketing Activity

Description

No marketing activity may commence in respect of any property which forms part of the Century View precinct, without the prior written submission as per the CVPOA Estate Agent Agreement of Annexure A or B, whichever is relevant.

Breach

- (i) All work by the Estate Agent will cease with immediate effect on instruction of the CVPOA, the managing agent, Security or appointees.
- (ii) All marketing material, signage and advertising must be removed from the Century View precinct until such time as correct procedure has been followed and approval has been granted.
- (iii) The Homeowner will be fined R1, 000.00 by the CVPOA.

3.2 Limits of Marketing Activity

Description

All activities relating to marketing in any manner must be confined to within the erf boundary and its immediate verge. This relates to placement of advertising, collateral, etc.

Breach

- (i) All work by the Estate Agent will cease until such time as the material has been moved to within the erf boundary.
- (ii) The Homeowner will be fined R1, 000 .00 per transgression by the CVPOA.

3.3 Advertising Presentation

Description

The Estate Agent will be expected to keep the appearance of the property neat and tidy at all times. The display of advertising is limited to:-

- 1x On Show sign with Local Authority permit affixed, displayed on the verge of the property, as from approval by the CVPOA on the signing of the CVPOA Estate Agent Agreement on the day of the show house
- 1x advertising banner, displayed only on the day of a show house on a Sunday, from 2h00pm to 5h00pm
- 1x string of advertising bunting, displayed only on the day of a show house on a Sunday, from 2h00pm to 5h00pm
- No advertising may be displayed in the windows of properties
- The handing out of A5 marketing sheets by Security at the entrance gate from 10h00am to 5h00pm detailing directions to the property, specifications, etc

Breach

- (i) Should the Estate Agent not comply with the display, the material will be removed by the CVPOA without notice. The Estate Agent will be denied permission to continue marketing until such time as the CVPOA is satisfied that the Estate Agent adheres to the rules
- (ii) Should material be displayed on any property outside of the rules, the Homeowner and Estate Agent will be fined R1, 000. 00 each per day.

3.4 Parking Facilities

Description

The Estate Agent must make adequate provision for the management of traffic at the property. Visitors to the property must not block the road or any other property in any way, or park on the verge of any property.

Breach

- (i) The Estate Agent will be denied permission to continue marketing until such time as the CVPOA is satisfied that the Estate Agent adheres to the rules.
- (ii) Any visitor to the property found contravening any CVPOA Rules and Regulations will be removed by Security from the Century View precinct and banned from re-entry.
- (iii) The Homeowner will be fined R1, 000. 00 per offence by the CVPOA.

3.5 Show House Hours

Description

The Estate Agent and his employees may only be present within the Century View precinct during the following hours:

Monday – Friday	:	No show house is permitted
Saturday	:	No show house is permitted
Sunday	:	2h00pm till 5h00pm with an allowance of ½ hour prior to the show house and ½ hour after show house to set up and remove advertising material
Public Holiday	:	No show house is permitted, unless falling on a Sunday

Should a show house be requested by a Homeowner outside of the above specifications, a written motivation must be presented to the CVPOA at least 10 working days before such date for consideration. It remains at the discretion of the CVPOA to consider such a request and no debate will be entered into..

Breach

- (i) The Estate Agent will be escorted from the Century View precinct by Security.
- (ii) The Homeowner will be fined R1, 000. 00 per offence by the CVPOA.
- (iii) Should the offender refuse to comply with the CVPOA, the managing agent, its appointees or Security's instruction to immediately cease activity and leave the Century View precinct, an additional fine of R5, 000. 00 per offence to the Homeowner and Estate Agent shall be applicable.

3.6 Tenants within Properties

Description

The Homeowner and/or Estate Agent will at all times be responsible for the tenants or occupiers within properties thereby offered. All tenants or occupiers will abide by the CVPOA Constitution and the CVPOA Rules and Regulations. The Homeowner and/or Estate Agent have the responsibility of advising the tenant or occupiers of the CVPOA Constitution and the CVPOA Rules and Regulations.

No Homeowner and/or Estate Agent shall let or otherwise part with the occupation of the property, whether temporary or otherwise, unless:-

- he has included a condition in such Lease Agreement that the CVPOA shall have the right to unilaterally terminate such Lease, without the necessity of reference or notice to himself, when his tenant or occupier has committed a breach either thereunder or in terms of the CVPOA Constitution and/or the CVPOA Rules and Regulations, and after being given due notice by the CVPOA to remedy such breach, has neglected, refused or ignored such notice,
- the prospective tenant or occupier has signed a copy of these Rules as an annexure to the Lease Agreement,
- the CVPOA has received a copy of the signed annexure as part of the CVPOA Estate Agent Agreement.

Breach

- (i) Tenants or occupiers found contravening the CVPOA Constitution and CVPOA Rules and Regulations and given due notice will be escorted from the precinct by Security and not allowed access until such time as the CVPOA is satisfied that the tenants or occupiers will adhere to the rules.
- (ii) The Homeowner will be fined R1, 000. 00 per offence by the CVPOA.
- (iii) Should the offender ignore the CVPOA Constitution and the CVPOA Rules and Regulations, or incur damage to the Century View precinct, landscape vegetation or any other property, the Homeowner and Estate Agent shall be liable for the full repair cost to restore that item to its original state.

3.7 Road Verges

Description

The tenants or occupiers must ensure that the verge in front of the property and gardens of the property is maintained at all times. This includes grassed areas to be regular watered, cut and weeded. Gravelled areas to be kept neat and regularly weeded.

Breach

- (i) The Homeowner will be fined R1, 000 .00 per week for unkept verges and gardens by the CVPOA.
- (ii) The CVPOA will notify the offender living in the property in writing 3 days prior to appointing an independent garden service to restore the property to an acceptable state. The Homeowner will be held financially and legally responsible for the maintenance thereof.

3.8 Security

Description

- (i) The Century View precinct is a secure and controlled environment.
- (ii) The Estate Agent, its employees, tenants or occupiers must at all times adhere to Security personnel and access control.
- (iii) Estate Agents and its personnel must at all times be in possession of an access pass when attending a show house.

Breach

- (i) The Estate Agent and its personnel will be escorted from the Century View precinct by Security.
- (ii) The Homeowner will be fined R1, 000. 00 per offence by the CVPOA.

3.9 Speed Limit and Traffic Signs

Description

For security and safety reasons the speed limit within the Century View precinct is 40 km/h. The Estate Agent and its personnel must at all times adhere to traffic signage and speed limits.

Breach

- (i) The Estate Agent and its personnel will be escorted from the Century View precinct by Security.
- (ii) The Estate Agent will be fined R1, 000. 00 per offence by the CVPOA.
- (iii) Should the offender refuse to comply with the CVPOA, the managing agent, its appointees or Security's instruction to immediately cease speeding and/or disregarding traffic signage, an additional fine of R5, 000. 00 per offence to the Homeowner and Estate Agent shall be applicable.
- (iv) The roads within the Century View precinct belongs to the Local Authority and is controlled under the National Traffic Act, and the offender will be reported to the relevant Local authority Traffic Department for prosecution.

4. Century View logo

Description

No use of the Century View logo may be made in any form whatsoever in any marketing material.

Breach

- (i) The Estate Agent will be fined R1, 000. 00 per offence by the CVPOA.
- (ii) The material will be confiscated by the CVPOA and destroyed.

5. Payment of Fines

Description

All monies owing to the CVPOA must be paid on the first Monday following the fine. Payments may only be made into the bank account of the CVPOA and it remains the responsibility of the Homeowner and/or Estate Agent to supply proof of payment thereof.

The CVPOA bank account details are as follows:

Bank	-	Standard Bank
Branch	-	Bayside
Code	-	022209
Account Number	-	272221228
Account name	-	Century View Property Owners Association
Description	-	Erf number, Name of Homeowner/Estate Agent

Proof of payment must be faxed to 021-551 9589 as soon as possible to allow for processing.

Breach

In the event of failure to pay as per above all sale and rental activity is to cease with immediate effect, the Estate Agent and personnel will be escorted from the Century View precinct by Security and work will only be allowed to commence once the CVPOA is satisfied that the conditions of payment of fines have been met.

6. The Grange

The portion of the Development called The Grange within Century View is recognized as a dedicated retirement village. The purpose of The Grange is to encourage and facilitate an exclusive lifestyle in harmony for retirees and persons of advanced age. It is desirable that only Homeowners and occupiers above the age of 55 reside in properties within The Grange.

7. Estate Agent Agreement

Should an Estate Agent wish to contract with the CVPOA that they accept and agree to abide by the CVPOA Constitution, the CVPOA Estate Agent Rules and Regulations and the CVPOA Rules and Regulations, an annual application may be signed and entered into as per Appendix B of the CVPOA Estate Agent Agreement.

This agreement may be entered into during any time of the calendar year, but must be renewed on an annual basis on the first day of the new financial year, commencing 1 March of every year.

The CVPOA retains the right to at any time terminate this agreement in writing with the relevant Estate Agent should it be found that the CVPOA Rules and Regulations are breached repeatedly.

8. Disclaimer

Any person(s) wishing to enter the Century View precinct do so at their own risk. The CVPOA and the registered Homeowners, the managing agent, Security and appointees shall not be liable for any injury, loss or damage to any person arising from any cause whatsoever including, without limitation thereto, the negligence of any of the above persons or the intentional acts of any managing agent and appointees. Without in any manner derogating from the above, all tenants and visitors to the Century View precinct make use of the roads thereon at their own risk.

While every effort is made to monitor the Century View precinct, the CVPOA and the registered Homeowners, the managing agent, Security and appointees shall not be deemed to have warranted the safety of any person(s) or property (whether movable or immovable) within the Century View precinct.