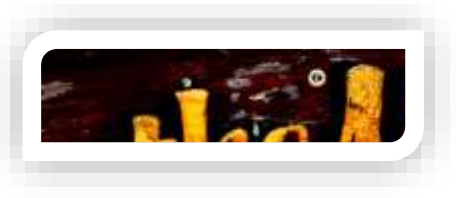


**HOME OWNERS ASSOCIATION
APPROVED AGENT AGREEMENT**



EFFECTIVE DATE: 1 JUNE 2016



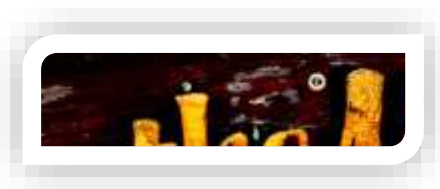


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SECTION 1: UNDERTAKING

I, (Full Names and Surname of Agency owner or managing agent)
(Agent)

On behalf of **(Agency)**

SECTION 2: CONTACT DETAILS: AGENCY

Table 1: Agency Contact Details:

	Description	Detail
1	Agency Address	
2	www address	
3	Registration details of Agency membership of EAAB (Estate Agency Affairs Board)	
4	Agency EAAB Fidelity Fund Certificate (date of expiry and number) *	_____ / _____
5	Name of Agency owner or managing agent	
6	Contact details of Agency owner or managing agent	
7	ID number of Agency owner or managing agent	
8	Assigned Office Telephone Number	
9	Mobile Telephone Number:	
10	E-Mail address	

* Please attached a certified copy with the original application.

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Table 2: Approved Agent Contact Detail (max 2 / agency):

	Description	Detail
1	Name of Agent # 1: (Selling)	
2	ID number of assigned agent *	
3	Office Telephone Number	
4	Cellular Telephone Number:	
5	E-Mail address	
6	Make of Vehicle	
7	Vehicle registration no	
8	Colour of Vehicle	

* Please attached a certified copy with the original application.

Table 3: Approved Agent Contact Detail (max 2 / agency):

	Description	Detail
1	Name of Agent # 2: (Letting)	
2	ID number of assigned agent *	
3	Office Telephone Number	
4	Cellular Telephone Number:	
5	E-Mail address	
6	Make of Vehicle	
7	Vehicle registration no	
8	Colour of Vehicle	

* Please attached a certified copy with the original application.



SECTION 3: ROLES AND RESPONSIBILITIES

A: Agents Responsibilities

1. I undertake to adhere to and comply with the EAAB (Estate Agency Affairs Board) Code of Conduct.
2. I am in possession of Memorandum of Incorporation, The Meadows HOA Rules and Regulations and Design Rules (The Meadows HOA).
3. I confirm that I understand all the aforementioned rules and I hereby undertake to explain the contents thereof to all purchasers/tenants.
4. I undertake to at all times personally accompany prospective purchasers/tenants.
5. I undertake to provide and explain to all owners / tenants placed by me / my Agency, The Meadows HOA rules.
6. I undertake to inform the Managing Agent in writing, within 30 calendar days of the date of signature of this Agreement that the undertaking, as contemplated in clause 1 to 5 above will be fully complied with.
7. I understand that prospective clients that enter this estate under my care, to pass through security, they must have with them the following without which, access will be denied:
 - a. Valid ID document (which will be scanned by security),
 - b. Valid vehicle license disk (which will be scanned by security),
 - c. ERF number that they will be visiting or the Agency allocated ERF number.

B: Tenants

1. I undertake to conduct a thorough background check of each prospective tenant, using as a minimum the Tenant Profile Network (TPN), prior to signing a Lease Agreement with such tenant, the objective being to highlight to the owner any particular findings I may find specifically with regards credit worthiness, and / or blacklisting.
2. I undertake not to sign a lease agreement with any prospective tenant which, as a result of the information obtained as contemplated in the clause above, could be regarded as a potential risk in complying with The Meadows HOA Rules.
3. Upon signing a Lease Agreement with such tenant, to complete and submit to the Managing Agents Appendix B & C as attached to this agreement.

C: Property Owners (sellers)

1. I undertake to inform the property owners that wish to sell their property the need to ensure that the buildings plans are reflective of the property they are selling and that it needs to be approved by the council prior to the conclusion of a sale agreement.
2. I further undertake to inform the property owners that wish to sell their property that in the event that their plans are not up-to-date and approved as per requirement, that this will delay the issue of a clearance certificate which is a requirement for lodgement with each specific transfer.



D: Property Buyers

1. I undertake to provide to The Meadows Managing Agent in writing, on a monthly basis and by no later than the 7th of each month, the information as contained within Annexure B about each tenant / owner with which I have an agreement.
2. I undertake to include a special condition into each sale agreement relating to the Title Deed requirements before transfer takes place, refer to the specific requirements hereto as contained in the Memorandum of Incorporation and The Meadows HOA Rules.
3. I am aware that a clearance certificate is required for lodgement with each specific transfer, which Certificate can be obtained from The Meadows HOA at a cost as may be determined from time to time and which may be varied without notice (see Memorandum of Incorporation for confirmation). This Certificate will be issued on behalf of The Meadows HOA or by The Meadows HOA Managing Agent.
4. The Meadows HOA will only issue the Certificate if:
 - a. Levies have been paid for at least one (1) month in advance; and
 - b. Full details of the purchaser have been furnished to The Meadows HOA Managing Agent.
5. Upon signing a Sale Agreement with a Property Buyer, to complete and submit to the Managing Agents Appendix B & C as attached to this agreement.

E: Accredited Agents

1. Access into the estate to conduct agent's business, will only be permitted to an approved agent, using their specifically allocated access tag, strictly according to the following times and days:
 - a. Monday to Fridays 09:00 to 20:00,
 - b. Saturday 09:00 – 18:00; and
 - c. Sundays 09:00 – 18:00
2. A maximum of 1 (One) agent per agency will be permitted to work in the Estate and only one access tag will be issued per Agency. Only the agent to whom the tag was issued is permitted to use the access tag.
3. Door-to-door canvassing – “cold canvassing” is strictly prohibited as is the act of sending ‘spam’ or ‘unsolicited emails direct to the other homeowners.
4. Once the Agent/Agency is contracted by an owner to assist with the sale/lease of their property, the Agent/Agency may:
 - a. Place a board within the property boundaries, in accordance with municipal, regional and national legislation, and not on the road reserve however parallel to the road.
 - b. The maximum size of the signage may not exceed 600mm x 460mm in landscape format.
 - c. Only one “For Sale” or “To Let” board per Agency may be erected or placed at the property concerned and a maximum of 6 (Six) boards per property are permitted in the Estate.
 - d. Boards which are not in a good condition will be removed and returned to the Agent/Agency by HOA representatives.
 - e. An owner may not place, or permit to be placed, any board, notice, billboard or advertisement of any kind whatsoever on any part of her or his property so that it



is visible from a street or Communal Facility, without the written permission of the HOA.

5. Show Days (by appointment):

- a. Due to a potential breach of security whereby access is gained to the Estate under false pretences via mean of the "OPEN Show House" opportunity, there will be no OPEN Show Houses in the Estate;
- b. To manage this potential security risk, the foregoing principle associated with show days is that the agent concerned will 'park / wait' outside The Meadows security gates and through that process, take in prospective clients to the property in question.
- c. Properties may only be placed for show days on Saturdays and Sundays in accordance with the times listed in clause E1 above. The Meadows HOA representatives will remove boards placed outside the permitted days and times.
- d. If a property is on show on a particular day, the Agent concerned may erect 1 (one) "On Show" board on the sidewalk to the property. The maximum size of "On Show" boards = 600mm X 460mm.
- e. No pointer boards are allowed.

6. When The Sale / Letting Is Concluded:

- a. Agents or owners are required to inform the Estate Manager immediately once a property is sold, i.e.: An offer to purchase or a lease agreement has been signed. (See Appendix B & C)
- b. No further showing of that property will then be allowed on present appointment.
- c. All boards must be removed within seven (7) days after conclusion of an agreement.
- d. This board may be replaced with a "Sold" board, which must be removed after all the conditions of the sale have been met.

7. Title Deed:

- a. The title deeds of properties in The Meadows must include a clause that is subject to the conditions of the Memorandum of Incorporation, stating that every person owning a property is a member of the HOA, a Non-Profit Company with members, registered in terms of the Companies Act, 2008. Thus no property shall be transferred unless a Clearance Certificate has been issued by the HOA Managing Agent during office hours and ensures;
 - i. The provision of the Memorandum of Incorporation of the HOA has been complied with and the seller has no outstanding matters with the HOA; and
 - ii. States that no member shall transfer his / her property until a director has certified that the members have fulfilled their financial obligation as at date of issue, and that the prospective purchaser has agreed to become a member.
- b. The prospective purchaser is required to complete and sign an affidavit (with the conveyancer) confirming that the Purchaser acknowledges and confirms that as from the date of transfer the Purchaser will automatically become a member of the HOA and will be bound by the provisions of the Memorandum of Incorporation as well as The Meadows Rules. Also any rules concerning, inter alia, the control, administration, security and maintenance of the assets of the HOA;

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The Purchaser will be obliged monthly to pay a levy to the HOA to pay the budgeted annual expenses of the HOA;

- c. Upon receipt of the financial consideration (electronic transfer, cash or bank guaranteed cheque) and the purchaser's affidavit, a Clearance Certificate is sent to the conveyancer. The conveyancer must immediately after registration advise the Managing Agent of the exact date when transfer has taken place. The HOA is not able to do the final accounting to the outgoing owner of the property until notification is received.
- d. In the case of a property registered in a Close Corporation or company being sold, the Agent must advise the Purchaser to confirm with the respective Managing Agent that the levy account is up to date with no outstanding debt. The Agent must ensure that the new members of a Close Corporation or directors of a company are in possession of the Memorandum of Incorporation, The Meadows HOA rules. These rules can be obtained from the respective Sectional Title Managing Agents or the HOA Managing Agent.

8. Approved Agent:

- a. Approved Agent status is subject to signing an agreement (this document) with the HOA.
- b. The completed agreement must be handed to the Estate Manager accompanied by the following supporting documentation before Approved Agent status will be granted:
 - i. Proof of payment of a once-of non-refundable registration / accreditation fee of R3 000.00 00 (Three Thousand Rand) per agency.
 - ii. Proof of payment of a yearly non-refundable Approved Agent fee of R2 000,00 (Two Thousand Rand) per agent. The fee is payable on a yearly basis, before the last working day in January (1 March to 28 February).
 - iii. A certified copy of the Fidelity Fund Certificate for both the agency and the agent. Should the certificate not be available then the applicant must submit written proof of application for such Fidelity Fund Certificate.
 - iv. A certified copy of the agent's Identity Document.
 - v. 2 passport size colour photographs.

9. Upon granting an Approved Agent status the following benefits will accrue to the agent/agency:

- a. Permission to conduct business in The Meadows Estate.
- b. Free advertising via The Meadows Web Page.
- c. Referrals to prospective sellers/purchasers/tenants
- d. Placement of agent/agency details on an "Approved Agent Board" at the Main Entrance to the Estate.

10. The Meadows HOA Banking Details are:

Description	Details
Account Name:	MidCity Property Services Pty Ltd
Bank:	FNB Cheque Account
Account number:	62304819909
Branch Code:	251445
Branch Name:	Pretoria
Payment Reference:	As indicated on levy statement



11. Managing Agent contact details: MidCity

Description	Details
Name:	Chris Fourie
Telephone:	(012) 456 3400
Email:	chris.fourie@midcity.co.za
Fax:	086 673 9557
Street address:	Midcity Corner
	500 Jorissen Street
	Sunnyside East
	Pretoria, 0001

12. I am aware that should I fail to fully comply with this agreement, and not withstanding any mandate I may have from the owner of a property to sell or lease their property, The Meadows HOA reserves the right to:
- Forthwith prohibit either me and/or my agency to conduct business within the Estate,
 - Have either my and/or my agency's Approved Agent Status revoked,
 - Deny either me and/or my agency access into the Estate for such purposes,
 - Impose such fines as specified in The Meadows Rules as well as the fines specified in this agreement, refer Appendix A and
 - Furthermore, should the aforesaid occur, I will have no right of any recourse against The Meadows HOA or any member thereof.

SECTION 4: ACKNOWLEDGEMENT AND UNDERTAKING

I acknowledge that The Meadows HOA Rules are subject to amendment from time to time, and I hereby undertake to abide by any amendment to the aforementioned rules, which I acknowledge always supercede the existing rules.

Date of Agreement: _____/20____

Agent Signature _____

Agency Principal Signature _____

HOA Chairperson/Vice Chairperson Signature _____

Second BOD Signature: _____

HOA Acceptance letting/or sale (circle applicability)

Date: _____



APPENDIX A: SPECIFIC FINES

SPECIFIC FINES (IN ADDITION TO THE HOA FINES) APPLICABLE TO AGENTS

	CONTRAVENTION	FIRST CONTRAVENTION	SECOND CONTRAVENTION	THIRD CONTRAVENTION
1	For Sale” or “To Let” boards left in	Written Warning	R250,00 fine	R500,00 fine
2	Not personally accompanying	R250,00 fine	R500,00 fine	Revoking of Approved Status
3	Not supplying tenant information to the estate office by due date	R250,00 fine	R500,00 fine	Revoking of Approved Status
4	Not informing the Estate Manager 5 working days before registration	R250,00 fine	R500,00 fine	R750,00 fine
5	Not providing tenants with a current copy of the The Meadows Rules and respective HOA rules	R500,00 fine	R750,00 fine	Revoking of Approved Status
6	Not explaining to tenants the The Meadows Rules and respective HOA rules	R500,00 fine	R750,00 fine	Revoking of Approved Status
7	Working in the Estate outside the permitted times	R250,00 fine	R500,00 fine	Revoking of Approved Status
8	Not complying with the EAAB Code Conduct	Report agent or agency to the EAAB and IEASA	Report agent or agency to the EAAB and IEASA	Report agent or agency to the EAAB and IEASA



APPENDIX B: UNDERTAKING BY ESTATE AGENT WITH REGARDS THE PLACEMENT OF A TENANT OR PROSPECTFUL SALE OF A PROPERTY.

I, (Full Names and Surname) (**Agent**)

On behalf of (**Agency**)

Agent's Contact Details:

I confirm that I have complied with the requirements HOME OWNERS ASSOCIATION APPROVED AGENT AGREEMENT by ensuring the following:

For tenants:

That I have:

1. Provided and explained to all tenants placed by me / my Agency, Memorandum of Incorporation, The Meadows HOA rules namely the Rules and Regulations and Design Rules.
2. I have undertaken a thorough background check of each prospective tenant, using as a minimum the Tenant Profile Network (TPN), prior to signing the Lease Agreement with such tenant.

For property sellers:

That I have:

1. Informed that the HOA BOD does not permit 'Open Days' or 'Show houses'.
2. Explained to them the need to ensure that the building plans that they have in their possession must be reflective of the property built as is.
3. That in the event that the property in question does not have 'as built' drawings, that it is the responsibility of the seller to ensure that the building as being sold complies with the local town council requirements.

For property buyers:

That I have:

1. Provided and explained to all tenants placed by me / my Agency, The Meadows HOA rules namely the Rules and Regulations and Design Rules.



APPENDIX C: MONTHLY REPORT

**MONTHLY REPORT
 DUE BY 7 OF THE MONTH**

REF #	SURNAME	FIRST NAME	ERF	ADDRESS	CONTACT NUMBER	EMAIL ADDRESS	DATE OF MOVE	Check Box RESIDENTS		Check Box TENANTS	
								OLD	NEW	OLD	NEW
								1			
2											
3											
4											
5											
6											
7											

AGENCY NAME: _____

AGENT NAME: _____

DATE OF REPORT: _____