



human settlements

MPUMALANGA PROVINCE
REPUBLIC OF SOUTH AFRICA

Building No 6 & 7, No 7 Government Boulevard, Riverside Park, Extension 2
Mbombela, Mpumalanga, Private Bag X11328, Mbombela, 1200
Tel: +27 (13) 766 6088, Fax: +27 (13) 766 8441

Litiko
Lekuhlaliswa Kwebantfu

Departement van
Menslike Nedersittings

UmNyango
Wokuhlaliswa Kwabantu

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HARMONIZING RELATIONS IN THE RENTAL SECTOR

Rental sector is a lucrative market prone to disputes, frail relations between property owners and tenants thus in need of harmonization. This is a sentiment used by Advocate Kwezi Ngwenya from the National Department of Human Settlements during a consultation session on Rental Housing Regulations held this week in Mpumalanga Province. The Department has been meeting with property owners, social housing institutions, members of public to solicit public comments the gazetted amendments. The two sessions in Mpumalanga were held in Govan Mbeki and eMalahleni Local Municipalities.

Alluding to major amendments in the draft regulations Director for Mpumalanga Rental Housing Tribunal: Mr Roy Ledwaba said the regulations merely augments the objectives of the Rental Housing Amendment Act by giving uniformity in the functioning of the Rental Housing Tribunals across provinces. "The regulations revolutionize the rental sector, henceforth as a matter of law all lease agreements must be reduced into writing. The regulations also give guidelines with pro-forma lease agreement which must be complied with", alluded Ledwaba. He added that it will be mandatory that property owners issue receipt to tenant for monthly rental fees received.

The amendments also establish the Rental Housing Tribunal as a forum of first instance in rental disputes. It further introduces novel yet appeals body appointed by the Minister. As experienced with COVID-19 the regulations also proposes rental relief fund that can be accessed by tenants and property owners in periods of distress. In ensuring the involvement of all spheres of government the regulations directs municipalities to establish rental information offices which can also mediate on some lighter issues.

The regulations seem to find solace from both ends of the divide. Bonginkosi Shiba a tenant from Govan Mbeki Local Municipality welcomed the introduction of the rental relief fund. "COVID-19 disaster 'showed us flames' and many people could not afford rental owing to retrenchments, thus the permanent relief fund proviso will come in handy in future distressing situations", said Shiba. On the other end Carel Dirker a property owner from Dirker Enterprises gave a positive reaction with the introduction of the appeals body and the prescribed way of handling the deposits. "These regulations offered more mechanisms in disputes resolutions and it is a great thing", he said.

Those who wish to make comments have until 31 May 2022 to do so. Inputs can be sent to: Rose.Murray@dhs.gov.za or Lisa.Masilo@dhs.gov.za, or by post: The Director General Department of Human Settlements Private Bag x 644 Pretoria 0001 or hand delivery at: The Director-General Department of Human Settlements 260 Justice Mohamed Street. The regulations will come into effect on the 1st of August 2022.

ISSUED BY THE COMMUNICATIONS DIRECTORATE
MPUMALANGA DEPARTMENT OF HUMAN SETTLEMENTS
CONTACT: FREDDY NGOBE – 013 766 6014 / 082 859 4630/ fngobe@mpg.gov.za



