

WHY THE TRIBUNAL?

- The tribunal is vested with certain rights and obligations in terms of the Rental Housing Act 1999 No. 50 and the Regulations therefore to:
 - Receive complaints lodged by either landlords or tenants
 - Resolve disputes between tenants and landlords
 - Appoint mediators
 - Conduct hearings

VISION

The Mpumalanga Rental Housing Tribunal Programme strives to promote stability in the rental sector by resolving disputes between landlords and tenants that arise due to unfair practice.

MISSION

- Promote stability in the residential rental housing sector in Mpumalanga.
- To lay down general principles governing conflict resolution in the Rental Housing Sector.
- To protect landlords and tenants against unfair and unlawful practices.
- To provide education for landlords and tenants with regards to their rights and obligations.
- To provide accessible mechanisms to landlords and tenants for dispute resolution.

COMPOSITION OF THE TRIBUNAL

In terms of Section 9 of the Rental Housing Act, 50 -1999, Tribunal members are appointed by the MEC and consist of no less than five (5) members plus two (2) alternative members.

The chairperson and members of the Tribunal must be appointed only after:

The MEC has through the media and notice in the Gazette invited nominations of persons as candidates for the respective positions on the Tribunal.

The MEC has consulted with the relevant standing or Portfolio Committee of the Provincial Legislature which is responsible for housing matters in the Province. Tribunal Members must be appointed for a period of not exceeding three (3) years.

Any person whose term of office as a member has expired may be re-appointed by the MEC for an additional period not exceeding three (3) years.

SERVICES OFFERED

- The Rental Tribunal provides its services freely and caters for Mpumalanga tenants and landlords.
- Receipt and investigation of complaints.
- Resolution of disputes through mediation and hearing.
- Provision of advice and information with regards to lease agreement.

ISSUES THAT ARE DEALT WITH BY THE TRIBUNAL, INCLUDE THE FOLLOWING:

- Deposit
- Lease
- Right and duties of the land-lords and tenants
- Non-payment of rental
- Exploitative rentals
- Condition, use and maintenance
- Utility services
- Damage to property
- Eviction and lockout
- House rules
- Intimidation
- Issuing of receipts maintenance
- Overcrowding and health matter

WHO IS ELIGIBLE?

Residents, institutions and property management agencies within the Mpumalanga Province who either own or manage a rented property or rent such a property or rent such a property.

LODGING A COMPLAINT

Complaints lodged with the Tribunal must be in writing and must be in the prescribed form appearing in Schedule 1 of the regulations.

COMPLAINANTS MUST BE LODGED AS FOLLOWS:

- By mail to the offices of the Tribunal.
- At the relevant Rental Housing Information Office within the jurisdiction of the local authority in which the dwelling is situated.
- At the office of the Tribunal or by facsimile and confirmation of successful transmission be used as proof of receipt of the complaint.

RELATIONSHIP BETWEEN TENANTS AND LANDLORDS GENERAL PROVISIONS

- A landlord may not discriminate against a tenant during a lease or when negotiating for a lease on grounds of:
 - Colour
 - Race
 - Gender
 - Sexual orientation
 - Marital Status
 - Religion
 - Age
 - Disability
 - Culture etc.



TENANTS RIGHTS

- The tenants rights as against the landlord include his or her rights not to have:
- His or her person or home searched without a court order.
- His or her property searched without a court order.
- His or her possession seized (except where there is a valid court order).
- Have the privacy of his or her communication infringed.

This rights above also apply to his family members and his or her visitors.

LANDLORDS RIGHTS

The landlord's against the tenants include his or her right to:

- Prompt payment of rental or any other charges payable in terms of the lease.
- Recovery of unpaid rent after obtaining a ruling by the court or Tribunal.
- Terminate lease or grounds that do not constitute an unfair practice and are specified in the lease.
- Receive the rented premises in good state.

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RENTAL HOUSING TRIBUNAL