

ESTATE AGENT'S POLICY

PREAMBLE

It is the right of each Member to dispose of his/her property in the Woodhill Residential Estate in accordance with this Estate Agents Policy and/or Rules of the Woodhill Homeowners Association. The Board of Directors must ensure that such rights can be executed with as little disturbance to other Members as possible.

This policy is formulated to curtail any disturbances and to comply with the Memorandum of Incorporation (MOI) of the Woodhill Homeowners Association.

All Estate agents working in Woodhill Estate need to register with the Association. Registration of agents is required for the protection of homeowners and estate agents need to provide the following documents when registering: Valid FFC certificate, valid identification documents and all necessary PPRA compliance documentation. A Payment of R 800-00 per event/ Transaction will be charged for all new homeowners and / or new tenants for registering all the relevant contact details, updating of security control records, issuing of access control tags, signed Rules & Regulations, and all further administration required

Estate Agent Access to the Estate will be controlled by the owner who issues access codes to the agent per event/ visit. Use of the estate facilities is permitted.

In terms of the Property Practitioners Act, 22 of 2019, no accreditation fees are payable to the Association.

Woodhill Estate reserves the right to inform homeowners of any discrepancy in documentation recorded when estate agents register.

1. ESTATE AGENT AND MEMBER PERMISSIBLE TRANSACTIONS

- 1.1 Members are not obliged in any property transaction of any nature (including leases) to utilize a registered estate agent by the Association.
- 1.2 Estate Agents registration forms are available on Woodhill Estate website

and at the Association's offices.

1.3 Should the member execute his/her own property transaction, the following conditions shall apply:

1.3.1 Such a member may advertise his/her property under the member's personal name, telephone number and email address.

1.3.2 Properties transferred under a Will as part of an estate can be transferred as such without estate agency intervention. If an estate agency is included in the process the Rules herein will apply.

1.3.3 Should a member materially deviate from the permissible transactions, where the security of residents is materially compromised, such a member would be punishable by way of a fine calculated at the discretion of the Chief Executive Officer.

2. ESTATE AGENTS

2.1 The R800 per transaction administration fee will only be processed and considered on payment in full of the fee and prior presentation of proof of the Agency and registration of the Estate Agent.

2.2 The administration transaction fee for estate agencies shall be determined from time to time by the Board.

2.3 The amount of the administration transaction fee will be communicated and invoiced to estate agencies (or to new homeowners / new tenants as directed by the estate agent) by the Association.

3. APPROVAL ADJUDICATION

The Association reserves the right to approve and/or disapprove an application for registration. The non-approval for registration can, among others, be a

result of non-compliance with the registration criteria, previous continuous breach of the Rules and/or any other related matters. All valid reasons for rejection of registration shall be escalated to the PPRA for further intervention.

4. ESTATE AGENTS' CONDITIONS

- 4.1 By operating within Woodhill Residential Estate and Country Club, estate agencies and their estate agents accept the following conditions:
- 4.2 The Woodhill Homeowners Memorandum of Incorporation and Rules. They will familiarize themselves with the MOI and Rules and ensure that purchasers and tenants are informed of the content of these documents.
- 4.3 All estate agents not living on the estate shall adhere to the terms of the Association's access control policy and shall always adhere to such policy.
- 4.4 All estate agents shall submit a copy of any new lease agreement to the Association's offices 14 days prior to the tenant being registered on the security system. The Association has the right to screen tenants but the responsibility rests with the Agent and/or his/her client doing the necessary screening. The Association also has the right to not approve a rental tenant without providing reasons for such non approval.
- 4.5 Properties that have been advertised and sold must be removed from all websites and publications within 30 days after registration.
- 4.6 No electronic, written and/or other advertisement/signboard may claim to represent the Association and/or ignore and/or attach their own interpretation of the Association's Rules.
- 4.7 No Show House boards, For Sale and/or To Let boards, or any other boards, may be erected on Woodhill Estate.
- 4.8 No door-to-door canvassing, advertisements, flyers, or similar material

for property transactions may be delivered to properties within Woodhill Estate.

- 4.9 Estate agents may only operate on a “by appointment” basis with relevant Homeowners.

5. AUCTIONS

- 5.1 The auction of an immovable property in Woodhill Estate is the process of selling immovable property by offering same up for bid, the taking of bids, and then selling same to the highest bidder.
- 5.2 The Association recognizes that the auction process is a commercially acceptable method to sell immovable property.
- 5.3 Forced sales are regarded as sales via a Sheriff of the Court or a Liquidator appointed by the Master of the High Court alternatively by the Court.
- 5.4 Auction Sales in Woodhill Estate will be conducted in an organized and controlled manner and may at no time affect the security or cause inconvenience to other residents.
- 5.5 The Estate Agent’s policy will be applicable to those who wish to conduct a sale by auction, except that the Agent is now an Auctioneer alternatively regarded as an Auctioneer.
- 5.6 The MOI and Rules will be adhered to.
- 5.7 The Auctioneer shall apply for access to Woodhill Estate in terms of the Woodhill Association access control policy and shall always adhere to such policy.
- 5.8 The Auctioneer must ensure that potential bidders are registered with the Chief Executive Officer or his/her appointed representative prior to visiting alternatively inspecting the immovable property. Access will only be granted on proper registration and compliance with the Woodhill access

policy.

- 5.9 Bidders will be accompanied by the accredited Auctioneer or its employee.
- 5.10 One attendance under the supervision of the Auctioneer in conjunction with the Chief Executive Officer or his/her appointed Agent will be allowed to attend the auction. The potential bidders will enter the Estate via the Contractor's gate where they will park their cars on the outside of the estate. The Auctioneer is to ensure that transport is provided for potential bidders.
- 5.11 The auction will take place outside the Woodhill Residential estate in the event of more than twenty participants (potential bidders) unless otherwise authorized by the Chief Executive Officer.

6. Rules for applicants/sheriffs/liquidators who wish to sell immovable properties by auction:

In the event of a forced sale, the Sheriff or Liquidator duly appointed by the Court, or the Master of the High Court will provide proof of his/her appointment and particulars of the forced sale to the Chief Executive Officer or his duly appointed representative. The Sheriff/Liquidator will be regarded as an Auctioneer and shall be exempt from the standard approval process but will conduct the sale in accordance with the Woodhill Rules.

7. BREACH OF CONDITIONS

- 7.1 The Association reserves the right to take steps against any estate agent who breaches any condition of 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 estate agent breach a condition of the agreement, such agent / agency may, after consultation with the Agents Committee:
 - 7.2 Have their estate access summarily cancelled and/or not renewed.

8. AMENDMENT

The Board shall be entitled to vary this policy, or any agreement concluded herein. Notice shall be given to members and such variation may be reviewed/accepted/rejected at the following AGM or SGM.