

MONTO ROSSO BODY CORPORATE

CONDUCT RULES

Applicability

1. It shall be the duty of the owner to ensure that the occupier of his section or the visitors, employees, family members and lessee comply with the Conduct Rules.
2. Should any contraventions or damage be caused by any person referred to in (1) above, the owner shall be liable to pay the said damages or the administration fee and penalties incurred.
3. Should any owner fail to pay his levies monthly in advance, the owner shall be liable to pay the said additional charges incurred by the Managing Agent for reminder notices, and detail ledger provided for the attorneys to recover the outstanding debt.

Purpose of the Rules

These Rules have been promulgated in order to promote harmonious and peaceful relations at Monto Rosso as far as possible making it pleasant for all owners and occupants to live there.

1. ANIMALS, REPTILES AND BIRDS

- a) An owner or occupier of a section shall not without the consent in writing of the Trustees, which approval may not be unreasonably withheld, keep any animal, reptile or bird in a section or on the common property. An application to keep an animal must be put to the Trustees in writing prior to the animal being brought onto the property. Only once the Trustees have approved their application in writing may the applicant be permitted to bring the animal onto the property.
- b) When granting such approval, the Trustees may prescribe any reasonable conditions such as "The animal may not cause a noise or disturbance to any other resident of the complex" and "Dogs may not be permitted to roam any part of the common property unless they are on a lead and accompanied by their owner".
- c) The Trustees may withdraw such approval in the event of any breach of any condition prescribed in terms of sub-rule (b).
- d) Owners are obliged to pick up and hygienically dispose of any "faeces" left on the common property by their animal(s). It is prohibited to dispose of any dirty or soiled Cat Litter anywhere on the common property or garden beds. Soiled cat litter must be securely sealed in a plastic bag and placed in the Black Municipal Refuse Bins for disposal.
- e) The following types of dogs will not be permitted:
 - i. Bull Dog, Boerboel, German shepherd, Doberman pinscher, Bullterrier, Rottweiler and Labrador
 - ii. Any dog that is more than 40cm tall (measured from the ground to the center of the back).
- f) No kennels or any other pet shelters will be permitted on any part of the common property or in any area where it will be visible from common or exclusive use areas.
- g) No animals will be permitted in the swimming pool area.
- h) Feeding of wild or stray animals and birds on common property is not permitted.
- i) If Animals, Reptiles and Birds are found to be illegally brought on the complex fines towards removal and contravention of 1a will be levied to the owner of the unit/ apartment.

2. REFUSE DISPOSAL

- a) An owner or occupier of a section shall maintain, in a hygienic and dry condition, all areas in the relevant section or of the common property allocated for refuse disposal. Refuse is to be placed in the areas designated for refuse disposal at each apartment block and nowhere else.
- b) All refuse is to be securely wrapped in refuse bags and discarded in the black refuse bins as provided and, in the case of tins and other containers, completely drained before being placed in the areas allocated for refuse disposal.
- c) Black Municipal Refuse Bins may not be used for any other purpose than storage of refuse.

- d) No building rubble or any soil or ground of whatever nature may be disposed of into the Black Municipal Refuse Bins.
- e) An owner or occupier shall not dispose any refuse that the municipality will not remove, such as building rubble and large boxes. Any broken glass, crockery or similar household item must be safely and securely wrapped before placing in the Black Municipal Refuse Bins.
- f) An owner or occupier shall not allow any refuse (including boxes) of whatever nature to remain or being disposed of in the passage, walkway, staircase, balcony or any other part of the common property, except in Black Municipal Refuse Bins.

3. VEHICLES

The Monto Rosso Body Corporate specifically prohibits the parking of any visitors' vehicles inside residential area of the complex. Provision for visitors parking is separate and clearly defined outside the entrance to the complex, any unauthorized vehicles in terms of the Sectional Title Act, may be towed away at the risk and expense of the owner of that vehicle.

- a) No owner or occupier shall park or stand any vehicle upon the common property (including all grassed areas), or permit or allow any vehicle to be parked or stored in the common property (including visitors parking), without the consent of the Trustees in writing.
- b) The Trustees may have it removed or towed away, at the risk and expense of the owner of the vehicle, any vehicle parked, and standing or abandoned on the common property (including visitors parking) without the Trustees consent.
- c) Owners and occupiers of the sections shall ensure that their vehicles and the vehicles of their visitors and guests do not drip oil or brake fluid on the common property or in any other way deface the common property. The Body Corporate reserves the right to implement the cleaning of any oil stained parking bay at the expense of the bay owner and debit the cost to the bay owner's Levy Account.
- d) No owner or occupier shall be permitted to dismantle or affect repairs to any vehicle on any portion of the common property (including visitors) and exclusive use areas or in a section.
- e) No trucks, trailers, caravans or boats will be permitted inside the complex or in the visitors parking area without the written consent of the Trustees.
- f) The Visitors Parking Area is specifically and strictly for the parking of vehicles belonging to Visitors to the complex. It is not a facility or a right for the parking of additional vehicles belonging to any owner or occupier resident on the complex.
- g) Fines are levied to apartment owners accounts should any of the above rules be broken.

4. DAMAGE ALTERATIONS OR ADDITIONS TO THE COMMON PROPERTY

- a) An owner or occupier of a section shall not alter, add to, mark, paint, drive nails or screws or the like into, or otherwise damage any part of the common property without first obtaining the written consent of the Trustees. Such consent may be used as a precedent for similar alterations / additions in the future.
- b) Notwithstanding sub-rule (a), an owner or person authorised by him, may install:
 - I. Any locking device, safety gate, burglar bars or other safety device for the protection of his section; or
 - II. Any screen or other device to prevent the entry of animals or insects provided that the Trustees have first approved in writing the nature and design of the device and the manner of its installation.
- c) No air-conditioning unit may be fitted to any part of the common property without the written consent of the Trustees. The trustees have the right to prescribe how and where the unit should be installed.
- d) Fines are levied to apartment owners accounts should any of the above rules be broken.

5. APPEARANCE FROM THE OUTSIDE

- a) The owner or occupier of a section used for residential purposes shall not place or do anything on any part of the common property, including balconies, patios, stoeps and gardens which, in the discretion of the Trustees, is aesthetically displeasing or undesirable when viewed from the outside of the section. Balconies and windowsills may not be used as storage space (e.g.: Beds, cupboards, furniture, wreaths/ wind shields etc.)

- b) It is a requirement that all windows and glass sliding doors are fitted with curtains or blinds within a period of 30 days after taking occupancy of any unit on the complex”.
- c) Fines are levied to apartment owners accounts should any of the above rules be broken.

6. SIGNS AND NOTICES

- a) No owner or occupier of a section, used for residential purposes, shall place any sign, notice, billboard or advertisement of any kind whatsoever on any part of the common property or of a section, so as to be visible from outside the section, without the written consent of the Trustees first having being obtained.
- b) Fines are levied to apartment owners accounts should any of the above rules be broken.

7. LITTERING

- a) No owner or occupant of a section may deposit or throw any rubbish (including dirt, cigarette butts, food scraps or any other litter whatsoever) onto any part of the common property, nor may he/ she allow any other person to do so.
- b) An Owner or occupier shall remove all items when clearing his post-box and shall dispose of any unwanted items.
- c) Fines are levied to apartment owners accounts should any of the above rules be broken.

8. LAUNDRY

- a) An owner or occupier of a section shall not, without the consent in writing of the Trustees, erect his own washing lines, nor hang any washing or laundry or any other items on any part of the building or the common property so as to be visible from outside the buildings or from any other sections. No laundry will be permitted to be hung on balconies.
- b) Drying areas have been provided for the hanging of laundry. All Laundry must be taken down as soon as possible after it has dried so that other occupants may have their turn at using the washing lines.
- c) No laundry may be left outside overnight.
- d) It is prohibited to use and occupy the designated Laundry Yard Area belonging to any block other than the Laundry Yard Area attached to the block in which an owner or occupier resides.
- e) Fines are levied to apartment owners accounts should any of the above rules be broken.

9. STORAGE OF INFLAMMATORY MATERIAL AND OTHER DANGEROUS ACTS

- a) An owner or occupier shall not store any material, or do or permit or allow to be done any other dangerous acts in the buildings or on the common property which will or may increase the rate of the premium payable by the Body Corporate on any current Insurance Policy applicable to the Scheme.
- b) No open or otherwise WOOD fires may be made on any balcony or any area of common ground except at the communal Braais/ Braai Area. A Webber type braai using only Charcoal or a Gas Braai is permitted in front of an individual unit. Any smoke damage caused to the exterior walls of the buildings will be rectified at the cost of the unit owner where the damage occurs.
- c) The Trustees shall have the power to arrange for the summary removal of any offending items and to impose fines until removal.
- d) Fines are levied to apartment owners accounts should any of the above rules be broken.

10. LETTING OF UNITS

- a) All tenants of Units and any other person granted rights of occupancy by any owner of the relevant Unit are obliged to comply strictly with the terms of these conduct Rules, notwithstanding provisions to the contrary contained in any lease or grant of rights of occupancy. The owner who lets out the relevant Unit or grants rights of occupancy of whatever nature whether personally or through an agent will nevertheless be personally responsible for ensuring that the relevant tenants or occupants, as the case may be, are made aware of the provisions of these Conduct Rules.
- b) The Trustees shall have the power, in their absolute discretion, to take steps to protect the interests of the Body Corporate and to impose fines and take any other necessary steps against either the relevant owner or the tenant or occupant, as the case may be.

- c) An owner shall notify the Managing Agent of any change of residential address, postal address, telephone number and e-mail in writing or via e-mail.
- d) It is the owner's responsibility to ensure that the levy statement is being received at the correct address.
- e) An owner, who concludes a lease agreement in respect of his unit, shall within 30 days inform the managing agent of the names and contact details of the lessee.

11. ERADICATION OF PESTS

- a) An owner shall keep his section free of white ants, borer and other wood destroying insects and to this end shall permit the Trustees, the Managing Agent, and their duly authorised agents or employees, to enter upon his section from time to time for the purpose of inspecting the section and taking such action as may be reasonably necessary to eradicate any such pests. The cost of the inspection, eradicating any such pests as may be found within the section, replacement of any woodwork or other material forming part of such section, which may be damaged by any such pests, shall be borne by the owner of the section concerned.

12. TELEVISION AERIALS & SATELLITE DISHES

- a) No owner or occupant may attach any television antenna/ any other antennas or dishes (as used for Internet connections) to the buildings or to the relevant Section in such a way as to be visible from outside without the prior written consent of the Trustees.
- b) The Trustees shall have the power to arrange for the summary removal of any satellite dish, television antennas or internet antennas or dishes erected contrary to these Rules and to impose fines or take steps necessary in terms of these Rules.
- c) It is recorded that the existing satellite dishes and television antennas are common property and that installations, repairs, maintenance to them are to be arranged through the Managing Agents and not by owners or occupiers themselves. Owners or occupants who arrange repairs or maintenance contrary to these Rules will be personally liable for damages suffered by the Body Corporate as a result of such actions
- d) DSTV satellite reception at the complex is a Centralised System: Any owner or occupier wishing to be connected to the centralised system is required to contact the managing agent to arrange for this to be done by the approved and designated contractor, the cost of which will be for the applicant's expense and debited to the unit owners levy account.

13. ALIENATION AND USE OF GARAGES AND OCCUPATION OF UNITS

- a) Garages may be used only for the purpose of storing vehicles or other inanimate items and may not, under any circumstances, be used for accommodation or business of any kind. The Trustees will, in their discretion, be entitled to take action for the eviction of persons using the garages for accommodation or business contrary to this Rule and any owner or occupier who used the relevant garage contrary to this Rule will be liable for costs on the scale of attorney and own client as well as, in the Trustees' discretion, a fine.
- b) No more than two persons (including children over the age of 13 years) per bedroom shall be allowed to occupy the Units at any one time and if there are more occupants, the Trustees will be entitled, in their discretion, to sue for the eviction of the excess occupants, in which event the owner or occupier, as the case may be will be liable for costs on the scale of attorney and own client, as well as imposing a fine.
- c) It is prohibited to sell a Garage Unit/ Second Parking Bay to any person or persons who are not a registered owner of a unit on the complex.

14. SUPERVISION OF CHILDREN AND DAMAGE TO COMMON PROPERTY

- a) Owners and occupiers shall, at all times be personally responsible to supervise the behaviour of their children at the Scheme and shall be personally liable for any damage to common property or the property of other owners or occupiers as a result of the conduct of such children. Children shall not be allowed anywhere on the common property or anywhere else where the lives of such children or anyone else would be in danger or where they could suffer injury as a result of their presence there. The Trustees shall in their discretion, be entitled to take steps for removal of children or others who violate this Rule and the relevant

owner or occupier shall be liable for all costs on the scale of attorney and own client. The Trustees may also, in their discretion, impose a fine.

- b) Occupants must ensure that they, their visitors / guests, their children and the children of their visitors / guests do not damage any part of the common property or any other resident's property or the pool and garden areas. No tampering of any Body Corporate equipment including but not limited to the gate, pool equipment, post boxes, lights, vehicles, taps, plants, hose pipes, etc. will be permitted at any time.

15. LEVIES

- a) Levies are due and payable on the first day of each and every month.
- b) Should levies not be received by The Managing Agent by the 7th day of each and every month, a reminder letter will be sent to the defaulting member. An administrative fee will be charged to the defaulting member for sending this letter. Should payment not be received by the 15th day of the month, The Managing Agent will hand the defaulting member over to the Body Corporate's attorneys who will send out a letter of demand. All further correspondence between the Body Corporate and the defaulting member will, at this point, go through the Body Corporate's attorney and not through the managing agent or the trustees. Should the defaulting member still not have paid his levies, together with the new month's levies, by the 7th day of the new month, the attorney will automatically issue summons on the defaulting member and will use whatever legal remedy is necessary to collect the outstanding levies together with any legal costs and interest.
- c) Interest per annum will be charged on all overdue levies that are more than 30 days in arrears.

16. NOISE, CONDUCT AND BEHAVIOUR

- a) All residents are required to have consideration and respect for the other occupants and may not cause or be the cause of unreasonable and excessive noise or loud music at any time.
- b) No noise will be permitted after the hours of 22h00 on weeknights and Sunday nights or 23h59 on Friday and Saturday nights, including the pool area and common braai area.
- c) No cruelty or persecution by any owner or occupier or their visitors / guests to any animal(s) will be permitted within the Monto Rosso complex.
- d) No alcohol or any glass products will be permitted inside the pool area.
- e) Owners or occupants are not permitted to hoot or unreasonably rev their motor vehicles whilst inside the complex or visitors parking.
- f) Fines are levied to apartment owners accounts should any of the above rules be broken.

17. RELATED MATTERS

- a) No owner or occupier of a unit shall be allowed or be involved in illicit activities such as soliciting, drugs, sale of liquor or running a business from the unit or on the common property.
- b) The slaughtering of animals in a section or on the common property is prohibited.
- c) No open fires may be made nearer than 2 meters from any building. All open fire should be made in a suitable container with charcoal only. (I.e. Weber, etc.)
- d) Garage doors should be closed at all times when not in use.

18. EMPLOYEES

- a) No person may request any employee of contractor of the body corporate to perform any task for them during their working hours.
- b) Any employee or contractor appointed by a resident shall abide by the rules and not be allowed to loiter on the property.

19. FIRE FIGHTING EQUIPMENT

- a) No person shall be permitted to tamper with any fire fighting equipment or signage.
- b) It is illegal to use Fire Hoses for the purpose of watering either gardens, walkways, balconies or for the washing of vehicles.
- c) Fines are levied to apartment owners accounts should any of the above rules be broken.

20. GARDENS

- a) No person shall plant creepers, plants, shrubs or trees on the common property without the consent of the trustees.
- b) No person may remove, damage, trim, destroy or cut down any plants, trees, flowers or shrubs inside the complex grounds.

21. REGISTRATION OF CELL NUMBERS

- a) Residents need to supply the Managing Agent with a cell to gate application form that they can request from their office. Only four numbers per unit are allowed. The visitor's gate only operates on the cell to gate system and no other system for access to the complex. The black gate (second) in to the residential area of the complex is operated by the use of a remote only.

22. DOMESTIC WORKERS

- a) No domestic workers will be permitted to sleep in without the written consent of the Trustees.
- b) Owners / occupiers must ensure that their workers do not cause any noise or disturbance to any other residents in any way.

23. POOL AND POOL AREA

- a) Keep the pool areas free of fire arms, glass containers, alcohol and tobacco products.
- b) The owner or lawful occupant of a section who has entered or used the swimming pool area, shall be responsible for ensuring that the pool and the surrounding area is left clean and tidy when he/ she leaves the area.
- c) No child swimming under the age of 13 (thirteen) years of age may be allowed near or in the swimming pool without adult supervision.
- d) The pool gate must be kept closed at all times.
- e) No jumping or rowdy pool games
- f) Excessive noise around the pool area is to be avoided at all times, including rowdy behaviour.
- g) No persons are allowed to operate or alter any of the pool's equipment or controls, except the relevant person or persons designated by the Managing Agents or Trustees to be in control or responsible for this.
- h) No swimming will be permitted after the hours of 22h00 on weeknights and Sunday nights or 23h59 on Friday and Saturday nights.
- i) Residents will at all times be responsible for any damage caused by their guests.
- j) Persons will be expected to be properly clothed at all times.
- k) Any owner or occupier of a section shall ensure that the facilities on the common property, including swimming pool area be used only by the owner and/ or legal occupier of a section, and his guests in the presence of such owner and/or legal occupier and under his/ her supervision.
- l) No dogs allowed in pool area.
- m) Fines are levied to apartment owners accounts should any of the above rules be broken.

24. GENERAL

- a) All matters for the attention of the Trustees must be submitted in writing care of the Managing Agent
- b) All complaints must be put in writing for the attention of the Trustees care of the Managing Agent
- c) Telephonic complaints will not be dealt with unless followed up in writing within seven days.

25. CONTRAVENTION OF RULES

- a) Should any of the conduct or management rules be contravened, the Trustees or Managing Agent may furnish the owner and occupier with a written notice which may be delivered by hand or per e-mail.
- b) If an owner or occupier nevertheless persists with that particular conduct or in the contravention of the rule a fine/ penalty will be imposed.
- c) The trustees may from time to time determine the amount of the penalties.