

Request for Approval of Alterations to the Common Property/Exclusive Use Area. NB Page 1 & 2 to be initialed and dated by all parties – Page 3 to be signed and dated by all parties					
Complex Name: _____					
Date:		Unit/Section Number:		Name of Owner(s):	
Description of the alterations carried out, or to be carried out, on Common Property/Exclusive Use Area (Applicant to complete)					
Diagram/Picture of alterations (Applicant to complete)					
Trustees Input / Comments / Other Conditions of Trustee Approval (Trustees to complete)					

Declaration of Understanding

I, the Owner of the Unit / Section referenced herein, request that the trustees consider, examine and provide approval, (where applicable) and within the Body Corporate Conduct Rules, for the alterations/additions, already carried out or planned to be carried out, to the Common Property/Exclusive Use Area ("EUA").

Solver Property Services – Community Schemes Experts

Tel 010 822 2882
Email info@solver.co.za

Head office 1 Kelly Road
Bedfordview 2007

Branch: Gauteng South
47 Faraday Boulevard

Website www.solver.co.za
P.O Box 2720 Bedfordview

I confirm that the alterations will not have any negative impact on the aesthetics of the scheme as a whole. Furthermore, I confirm that, if my neighbors are in view of the alterations, I have informed them, in writing, of my intentions and have received their approval in writing. This documentation is attached hereto / not attached hereto (circle where applicable).

Possible approvals/conditions and/or variations to alterations:

Mechanical installations:

- I confirm that, where any mechanical equipment is installed and the noise generated by the equipment is of such a nature as to cause a disturbance, this will be remedied, if and when so requested by the Board of Trustees. I confirm that the alterations will not induce any noise factor to cause any nuisance.
- I confirm that where any mechanical equipment is installed, I have consulted with an expert in this field and that the alterations were / will be carried out under professional supervision, for which I have received a statement of warranty. This warranty is attached hereto.

Building alterations / extensions / enclosures (In the event that the enclosure **falls on common property**):

- In terms of the Section Titles Act, if an owner of a section proposes to extend the boundaries or floor area of his or her section, he or she shall with the approval of the body corporate, authorised by way of special resolution of its members, cause the land surveyor or architect concerned to submit a draft sectional plan of the extension to the Surveyor-General for approval. Further points to consider:
 - a. In the event that the extension is less than 10%, the following is required: A certificate by a land surveyor or architect stating that there is not a deviation of more than 10% in the participation quota of the relevant section as a result of the extension.
 - b. In the event that the extension is more than 10%, the following is required: A certificate by a conveyance stating that the mortgagee of each section in the scheme has consented to the registration of the sectional plan of the extension of that section.

To start this process, we would need to discuss this with the committee members and call a Special General Meeting with all the owners.

Building alterations / extensions / enclosures (In the event that the enclosure falls **within the lines of his or her section**):

- An owner who wants to enclose a patio which forms part of his/her section needs to submit building plans to the committee members for signature before submitting these plans to the Local Authority for approval. The committee members must consider the "Harmonious Appearance Rule" before deciding whether to sign the owner's building plans or not. This rule states that an owner must not do anything to his section that is likely to prejudice the harmonious appearance of the building. If the committee members are of the opinion that the enclosure will not prejudice the harmonious appearance of the building, then they can sign the plans. If the plans are subsequently approved by the Local Authority, then the owner can proceed accordingly. Please note that, enclosing a patio can affect what is known as the *Floor Area Ratio* or *bulk* of the property as a whole. This is a zoning requirement which determines what percentage of the erf may be covered with habitable building space. If there is no bulk left on the property, the Local Authority will not approve building plans to enclose a balcony.

I further confirm that any service provider to be engaged has provided written and satisfactory confirmation that all and any **Contractors All Risks Insurance** is in place.

I understand that I am solely responsible for the maintenance and cost associated with the alterations and waive all and any responsibility from the Body Corporate in this matter. Should additional insurance be required to cover the alterations, this will be in addition to the Body Corporate insurance, and at my own sole cost.

I confirm that the alterations will not hinder any access to the exclusive use area that is part of the Common Property, and that no health and safety risks will emanate from such alteration.

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I confirm that any damages (of whatever nature) caused as a result of the alterations/additions to the Common Property/Exclusive Use Area remain my responsibility, and I will be solely liable for any costs incurred for failure or damages thereto.

I acknowledge that where any additions or alterations to the common property have been carried out without the prior written consent of the Trustees, such alterations or additions may be turned down, for reasons provided, where after the common property will be restored to its original state, as it existed prior to the alteration or addition at the sole cost of the owner, without any recourse whatsoever against the Body Corporate.

I will ensure that there will be full compliance with any and all by-laws, statutory regulations as well as any other legislative framework. Any cost or adverse implication associated with non-compliance in this regard will be for my sole account.

I further confirm that if the alteration / change hereby applied for involves a swimming pool, fishpond or similar installation or structure, that I will complete any additional application form and comply with any required formalities in that regard.

Lastly, I confirm that the alteration will not affect and / or reduce the available **FAR** (Floor Area Ratio) of the building. If, for any reason whatsoever (whether intentionally or not), the alteration becomes an extension; all and any aspects (together with any/all costs) shall be for the sole account of the owner who will comply with all/any aspects of Section 24 of the Sectional Titles Act 95 of 1986 as amended.

OWNER / CO-OWNER(S) OF SECTION

OWNER / CO-OWNER(S) OF SECTION

DATE

DATE

TRUSTEE 1

TRUSTEE 2

TRUSTEE 3

Approval – For and on behalf of Board of Trustees

DATE

DATE

DATE