

QUICKLAW

ANSWERS YOUR QUESTIONS

LANDLORD / TENANT PROBLEMS

Are you having problems with your landlord or your tenant over any of the following unfair practices?

- Overcrowding.
- Health matters.
- Unacceptable living conditions.
- Unfair rentals.
- Lack of maintenance.
- The changing of locks.
- Deposits.
- Damage to property.
- Demolitions and conversions.
- Eviction.
- Forced entry and obstruction of entry.
- Intimidation.
- Reconstruction or refurbishment work.
- Nuisances.
- Municipal services.
- Issuing of receipts.
- Tenant's committees.
- Tenant's activities.

If you are having problems regarding any of the above, you may lodge a complaint with the Rental Housing Tribunal concerning the unfair practice.

How do I lodge a complaint?

- Complete the relevant forms available from the Rental Housing Tribunal.
- The Rental Housing Tribunal will investigate the matter and find out if the problem is an unfair practice.

What will the Rental Housing Tribunal do?

They will establish whether the dispute can be resolved through mediation. If not, they will conduct a hearing. The landlord and tenant will be summonsed. Thereafter a ruling will be made that is just and fair.

What will the Tribunal award?

The Tribunal may:

- Make a ruling regarding who pays whose costs.
- Where a mediation agreement has been concluded, make such an agreement a ruling of the Tribunal.
- A ruling by the Tribunal is similar to a Magistrate's Court order.

What should happen from the date that I lodge my complaint to the date of the ruling?

From the date the complaint is lodged with the Tribunal, until the Tribunal has made a ruling on the matter or a period of 3 months has elapsed, whichever is the earlier:

- The landlord may not evict any tenant.

- The tenant must continue to pay the rent.
- The landlord must maintain the property.

Can I go to court instead of using the Rental Housing Tribunal?

Yes, you may go to court to claim arrear rental or for eviction, but only if there is no dispute about an unfair practice.

KEY:

1. EVICTION - to be forced out of your house by a court order
2. NUISANCE - annoying behavior
4. SUMMONSED - a command to do something or appear in a court of law
5. RENTAL HOUSING TRIBUNAL - a board of officials appointed to make a judgment
6. DWELLING - house
7. LESSEE / TENANT - a person renting the property from the owner
8. LESSOR / LANDLORD - a person who rents a room or property out to a tenant

LEGALWISE BRANCHES & TEL NUMBERS

BELLVILLE	021 949-1860
BENONI	011 421-8131
BLOEMFONTEIN	051 447-5262
CAPE TOWN	021 419-6905
CENTRAL SERVICES	011 470-4000
DURBAN	031 306-3800
EAST LONDON	043 722-0811
EMPANGENI	035 772-2182
FLORIDA	011 470-4208
GERMISTON	011 873-4022
HAZYVIEW	013 737-6365
HEAD OFFICE	011 670-4500
JOHANNESBURG	011 836-8422
KEMPTON PARK	011 394-5457
KIMBERLEY	053 832-5964
KING WILLIAM'S TOWN	043 642-1975
KLERKSDORP	018 462-9240
MAFIKENG	018 381-2308
NELSPRUIT	013 755-3290
NEWCASTLE	034 315-5503
PIETERMARITZBURG	033 342-6010
PIETERSBURG	015 297-5844
PINETOWN	031 702-0202
PORT ELIZABETH	041 585-4370
PRETORIA	012 328-6225
QWA-QWA	058 713-0932
RANDBURG	011 787-5059
RANDFONTEIN	011 693-6091
RUSTENBURG	014 594-2082
SECUNDA	017 634-4122
SOWETO	011 984-2722
UITENHAGE	041 922 6551
ULUNDI	035 870-1621
UMTATA	047 532-5911
VANDEBIJLPARK	016 931-2440
VEREENIGING	016 422-1531
WELKOM	057 357-1452
WITBANK	013 656-4290



Legal Power and Protection

QUICKLAW
ANSWERS YOUR QUESTIONS

The QuickLaw Series

- Bail**-Someone I know has been arrested-what should I do?
- Blacklisted**-I have been blacklisted, what should I do?
- Buying a House**-I am buying or selling a house, what should I do?
- Child Access**-I am having problems gaining access to my child after divorce, what should I do?
- Car Accidents**-If I am involved in a car accident and my car is damaged, what should I do?
- Dismissals**-I have been dismissed from work, what should I do?
- Divorce**-I am thinking about getting divorced, what should I do?
- Domestic Violence**-I am a victim of domestic violence, what should I do?
- Domestic Violence**-I have been served with a Protection Order, what should I do?
- Domestic Workers**-What are my rights as a domestic worker?
- Employee Rights**-What are my rights as an employee?
- Evictions**-I am about to be evicted, what should I do?
- Harassment**-I am being harassed at work, what should I do?
- Lease Agreements**-What should I know before I sign a lease agreement?
- Landlord / Tenant Problems**-What are my rights in a Landlord/Tenant dispute?
- Maintenance**-How do I apply for maintenance?
- Neighbours**-I am having problems with my neighbours, what should I do?
- Pregnancy**-What are my rights?
- Retrenchment**-What are my rights?
- Road Accident Fund**-How do I claim for injuries from a car accident?
- Small Claims Court**-Faster and more effective.
- Strikes**-What should I know?
- Unfair Labour Practices**-I am being treated unfairly at work, what should I do?
- Unwed Father**-I am a father of a child born out of wedlock, what are my rights?
- Wills**-Do I need to draw up a Will?
- Workplace Injuries**-What should I do if I am injured at work?

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Landlord / Tenant Problems

WHAT ARE MY RIGHTS IN
A LANDLORD / TENANT
DISPUTE?



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Legal Power and Protection

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Authorised Financial Services Provider