

Business From Home?

There is a rising trend for people to run a business from home due to high petrol prices, overheads and traffic.

Management Rule 86(1) states that: "An owner shall not contravene, or permit the contravention, of any law, by-law, ordinance, proclamation or statutory regulation, or the conditions of any licence, relating to or affecting the occupation of the building or the common property, or the carrying on of business in the building, or so contravene or permit the contravention of the conditions of title applicable to his section or any other section or to his exclusive use area or any other exclusive use area."

Conduct rules clearly state that these properties should only be used for the purpose for which it was intended, thus excluding the running of any business from the property. Residents might argue that they run their business discretely without noise or disturbance, but such business might also cause increase in traffic, taking up of parking space and causing a security risk.

Regulation 44 (1) states that an owner shall not use his section or exclusive use area, or permit it to be used, in such a manner or for such purpose as shall cause a nuisance to an occupier of a section. Nuisance covers sound like dogs barking, loud music and cars hooting etc. A constant stream of clients going to a certain unit could also be a nuisance.

However, legislation is reasonably flexible. An owner should consult with the body corporate first when planning on running a business from home. Most townhouse complexes might prohibit the running of any business from home. Occupations such as hairdressers, manufacturing, motor repairs which might create noise, mess or create an eyesore are usually not suitable to be run from any residential area, let alone townhouse complexes or other gated areas.

An owner can ask permission from all other owners of properties in the complex to run a business from home, but trustees should consider the merits of the application and reach an appropriate decision based on what's the best for other owners in the complex and whether other occupants will be inconvenienced.

Available parking space... who's is it any way?

In many complexes, available parking space is a sensitive issue, often causing heated arguments. Occupants often refrain from using their garages for their vehicles as it's used for storage or they just don't want to take the time in parking it in the garage. As many complexes do not have enough visitor's parking as it is, unauthorised usage thereof, creates great inconvenience.

Rules of Conduct state that no owner or occupant may, without the written permission of the trustees, park or leave a vehicle on communal property or allow a vehicle to be parked or left on the communal property. Trustees are entitled to remove such vehicle at the cost and risk of the owner thereof.

What to do with the extra vehicle? Occupants are not allowed to park in front of their garages, nor permanently park on existing communal parking areas. These open and unmarked parking spaces are meant for visitors' parking or temporary usage of the occupants only. Written application can be submitted to the trustees for additional parking to be allocated to a specific unit.

ANNUAL GENERAL MEETINGS

"AGM-season 2014" has started! All owners are once again invited to attend the complex's Annual General Meeting.

Owners buying into sectional title complexes have a collective responsibility towards the management of the complex they buy into.

The purpose of the AGM's are amongst other issues, the approval with or without amendment of the budget for the ensuing year. It is clear that decisions taken at the AGM have the potential to impact on all owners' finances, so it is in each owner's interest to attend these meetings!

AGM invitations are currently being sent out to owners. Owners who can not attend the meetings, must please complete and forward a proxy (attached to invitation) to the AULA offices, well before the meetings take place.

We hope to see you all at the meetings!

"Too often we underestimate the power of a touch, a smile, a kind word, a listening ear, an honest compliment, or the smallest act of caring, all of which have the potential to turn a life around."

- Leo Buscaglia