



human settlements

Department
Human Settlements
North West Provincial Government
REPUBLIC OF SOUTH AFRICA



RENTAL AGREEMENT

THIS AGREEMENT MADE this _____ day of _____

BETWEEN:

(Name)

hereinafter called _____
SOR

(Street Address and _____
Box where applicable)

(Community)

Number(s))

AND

North West Rental Housing Tribunal

NORTH WEST RENTAL HOUSING TRIBUNAL

What is the Rental Housing Tribunal?

It is an independent body, appointed by the MEC in terms of the Rental Housing Act, **Act 50 of 1999, as amended**, to resolve disputes between landowners and tenants in rental residential dwellings. It is a dedicated body that is established to provide free, effective, and efficient services to resolve disputes.

What are the powers of the Rental Housing Tribunal?

- Determine jurisdiction.
- It can summon and/or subpoena a landowner or tenant to a hearing or mediation.
- It may conduct physical/in-person or virtual hearings.
- It can issue mandatory or prohibitory interdicts that require a tenant or landowner to comply with any part of the Rental Housing Act.
- Its ruling has the same power as a judgment of the Magistrate Court.
- It can impose a fine and or judgement.
- It can make determinations for fair rentals.
- It can issue spoliation orders, etc.

Who may lodge a complaint and how?

Any tenant or landowner or group of tenants or landowners or interest group/s may lodge a complaint to the Rental Housing Tribunal.

The complainant fills in a prescribed form, which can be requested from rht@nwpg.gov.za and or downloaded from the North West Department of Human Settlements website and or obtained from Rental Housing Information Officers at Local Municipalities.

The complainant form can be submitted in the following ways:

- e-mail to rht@nwpg.gov.za
- Physically deliver at the Rental Housing Tribunal Office or the Rental Housing Information Office of Local Municipalities.

NORTH WEST RENTAL HOUSING TRIBUNAL

What are some of the matters that the Rental Housing Tribunal can deal with?

- Illegal lockouts or illegal disconnection of services such as water and electricity.
- Failure to refund a deposit.
- Property damage.
- Failure to pay rental and or other services as per the lease agreement.
- Illegal evictions, but the Rental Housing Tribunal does not have the jurisdiction to hear applications for eviction orders.
- Force entry.
- Non-compliance with house rules.
- Harassment and intimidation.
- Failure to issue receipts.
- Unlawful seizure of the property/goods of tenants.
- Prohibiting the establishment of a tenant committee and tenant activities.
- Termination of municipal services.
- Causing a nuisance.
- Overcrowding and causing health hazards.
- Exploitative rentals and determination of fair rentals.
- Lack of maintenance and repairs.
- Discrimination by landowners against prospective tenants.

Do parties pay any fees?

No, there are no costs involved for either party from the time the complaint is lodged to the end of mediation or hearing. However, where there is no compliance with the ruling of the Rental Housing Tribunal, there are Sheriff costs incurred to enforce the ruling.

Does the Rental Housing Act apply to a business or commercial property?

No.

Does the Rental Housing Act apply to all residential dwellings?

Yes, it applies to all dwellings used for residential housing purposes, irrespective of who the owner/landowner is.

NORTH WEST RENTAL HOUSING TRIBUNAL

What is a dwelling?

A dwelling includes any house, hostel room, hut, shack, flat, apartment, room, outbuilding, garage, or similar structure a landowner leases to a tenant to live in for residential purposes.

What are the rights of tenants?

- Not to have his/her person searched.
- Not to have his/her property searched.
- Not have his/her possession/s seized without an order of the court.
- Privacy.

What are the obligations of a tenant?

- Pay rent when due and payable under a lease agreement.
- Ensure that premises are occupied principally for residential purposes. Keep the premises reasonably clean and tidy.
- Notify the landowner, as soon as possible after discovery, of any damages to the premises or any need for repairs and maintenance. Notify the landowner of the termination of the tenancy as per the lease agreement.
- When vacating the premises, remove all goods from the premises, leave the premises in a reasonably clear and tidy condition, remove all rubbish, return the landowner/s keys and security keys/cards, leave the premises in the condition in it was found with fair wear and tear expected, and ensure that no item provided by the landowner is removed.

What are the rights of landowners?

- Prompt regular payment of all rental and other charges in terms of the lease agreement.
- Recover unpaid rental and other amount/s that are due after obtaining a ruling from the Rental Housing Tribunal or a court order.
- Terminate the lease agreement on grounds that do not constitute an unfair practice and are specified in the lease agreement.
- Upon termination of the lease, receive the property back in a good state and repossess the property after an order has been obtained.
- Claim compensation for damages caused to the property.

NORTH WEST RENTAL HOUSING TRIBUNAL

What are the obligations of the landowner?

- Provide a tenant with a lease agreement.
- Provide premises that are reasonably clean and tidy and maintain the premises.
- Comply with all the requirements concerning buildings, health, safety, and any other legislation that applies to buildings and health and safe environments.
- Provide adequate access to services such as water, waste removal, and electricity.
- Take all reasonable steps to ensure that the landowner and none of the landowner's other tenants cause any interference with reasonable peace, comfort, or privacy in the use of the premises.

CONTACT DETAILS

Provincial Office *rht@nwpg.gov.za*
Ms Hildegarde du Plessis *0183883863/5*
Ms Mmathapelo Mosadi *0605373334*
Mr Obakeng Moseki *0769024928*
Mr Jonathan Jood *0729440686*

DISTRICTS – LOCAL MUNICIPALITIES

NORTH WEST RENTAL HOUSING TRIBUNAL INFORMATION OFFICERS BOJANALA DISTRICT

#	MUNICIPALITY	NAME	SURNAME	CONTACT NUMBER	E-MAIL ADDRESS
1	<i>Kgetleng River LM</i>	<i>Kgomotso</i>	<i>Dichabe</i>	<i>0713908613</i>	<i>Kgomotso89@gmail.com</i>
2	<i>Madibeng LM</i>	<i>Dorothy</i>	<i>Masilo</i>	<i>0826336664</i>	<i>dorothymasilo@madibeng.gov.za</i>
3	<i>Moretele LM</i>	<i>Andrew</i>	<i>Baloyi</i>	<i>0724339676</i>	<i>baloyikhwara@gmail.com</i>
4	<i>Moses Kotane LM</i>	<i>Keke</i>	<i>Mokoka</i>	<i>0647653700</i>	<i>Kekeluv62@gmail.com</i>
5	<i>Rustenburg LM</i>	<i>Refiloe</i>	<i>Bogosi</i>	<i>0145903100</i>	<i>rbogosi@rustenburg.gov.za</i>

NORTH WEST RENTAL HOUSING TRIBUNAL

DISTRICTS – LOCAL MUNICIPALITIES

NORTH WEST RENTAL HOUSING TRIBUNAL INFORMATION OFFICERS DR KENNETH KAUNDA DISTRICT

#	MUNICIPALITY	NAME	SURNAME	CONTACT NUMBER	E-MAIL ADDRESS
6	JB Marks LM	Betsie	Mncube	0728415954	betsiem@jbmmarks.gov.za
7	Maquassi Hills LM	Kedineetse	Lebitso	0717887874	joycekedineetse@gmail.com
8	Matlosana LM	Zelda	Gird	0184878372	zgird@klerksdorp.org

DR RUTH SEGOMOTSI MOMPATI DISTRICT

#	MUNICIPALITY	NAME	SURNAME	CONTACT NUMBER	E-MAIL ADDRESS
9	Greater Taung LM	Beauty	Tlholagae	0736967789	tlholagaeb@gtlm.gov.za
10	Kagisano Molopo LM	Florance	Moshwang	0766206686	moshwangf@gmail.com
11	Lekwa Teemane LM	Katlego	Maseko	0820756768	katmaseko9@gmail.com
12	Mamusa LM	Mpho	Botake	0732211951	botakemi@gmail.com
13	Naledi LM	Neo	Mokomele	0722196078	Mokomele.neo@gmail.com

NGAKA MODIRI MOLEMA DISTRICT

#	MUNICIPALITY	NAME	SURNAME	CONTACT NUMBER	E-MAIL ADDRESS
14	Ditsobotla LM	Elizabeth	Kgaje	0829364008	kgaje66@gmail.com
15	Mahikeng LM	Lerato	Mthini	0833625362	leratomthini@gmail.com
16	Ramotshere Moiloa LM	Ronald	Seswane	0764279399	ronaldkagiso6@gmail.com
17	Ratlou LM	Emily	Lesolle	0824165460	Emily@ratlou.gov.za
18	Tswaing LM	Jerry	Bogopa	0721298207	oujaybogopa@gmail.com





STATUTORY BODIES

3366 Besemmer Str Telkom Building
Industrial Site Mahikeng, 2745
Private Bag X 2145, Mmabatho,2735
Tel: +27 (18) 388 4824/5

NWDC Cnr, University & Provident Drive
Private Bag X 2145, Mmabatho,2735
Tel: +27 (18) 388 4913

2nd Floor West Wing, University Drive
Garona Building
Private Bag X 2145, Mmabatho,2735
Tel: +27 (18) 388 4824/5

COMPLAINT FORM FOR THE RENTAL HOUSING TRIBUNAL

Lodging a Rental Housing Complaint in terms of the Rental Housing Act, Act 50 of 1999

For official use:

Date received			Case number	RT/	
Case Manager					
Mode of receipt <i>(tick only one)</i>	Walk-in	E-mail	Telephone	Referral	
District			Location in district		

PARTICULARS OF THE COMPLAINANT – *the person who is lodging the complaint*

Are you the ... *(please tick the appropriate box):*

Tenant	Landlord	Agent	Caretaker	Association	Tenant Committee
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Are you ... *(please tick the appropriate box):*

Male	Female	Prefer not to say
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Personal details of the complainant *(please complete all applicable fields in full):*

Full names	Surname
Identity number	Passport number
Telephone number	Alternative telephone number
E-mail address	Forwarding address
Physical address	Postal address



PARTICULARS OF THE RESPONDENT – the person/s who you are complaining about

Is the person/s you complain about the ... *(please tick the appropriate box)*:

Tenant	Landlord	Agent	Caretaker	Association	Tenant Committee
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Personal details of the respondent *(please complete all applicable fields in full)*:

Full names	Surname
Identity number	Passport number
Telephone number	Alternative telephone number
E-mail address	Alternative e-mail address
Physical address	Postal address

PARTICULARS OF THE PROPERTY IN DISPUTE

Describe the property *(please tick the appropriate description of the property in dispute)*:

House	Flat	Room	Garage	Hostel	Wendy house
Shack	Other <i>(please specify other)</i>				

The property in dispute is ... *(please tick the appropriate box)*:

Private	Student accommodation	Social Housing	Community Residential Unit
Other <i>(please specify other)</i>			

What is the physical address for the property in dispute?

PARTICULARS OF THE COMPLAINT

Has this complaint been submitted before? *(please tick yes or no)*

Yes	No
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If yes, case number: RT/.....

If yes, where was it submitted before? *(please tick the appropriate box)*:

Rental Housing Tribunal	Magistrates Court	Regional Court	Small Claims Court
Other <i>(please specify other)</i>			

What is the main/primary complaint about? (please tick the appropriate box):

Lockout from the property	
Seizure of goods	
Short notice to vacate	
Failure to accept notice to vacate	
Illegal eviction	
Failure to pay rent	
Failure to refund the deposit	
Increase rental amount without notice	
Excessive increase in rental amount	
Default on rental arrear payment	
Unilateral changes to lease agreement	
Lease agreement termination	
No copy of the lease agreement	
Other <i>(please specify other)</i>	

Failure to pay municipal services	
Failure to provide municipal services	
Disconnection of municipal services	
Damages to the property by the tenant	
Damages to the property by the landlord	
Lack of or non-maintenance	
Health hazards	
Unacceptable living conditions	
Overcrowding	
Sub-letting	
Non-issue of receipts	
Unlawful entry	
Nuisance	
Other <i>(please specify other)</i>	

Do you want the property to be inspected? (please tick yes or no)

Yes	No
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Describe the complaint in full:

PARTICULARS OF THE LEASE AGREEMENT

Is there a written lease agreement? *(please tick yes or no)*

Yes	No
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If yes (please complete all applicable fields in full):

Date signed	The number of years it is valid	Names of parties who signed
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If no (please complete all applicable fields in full):

Describe how and when the verbal agreement was concluded	Names of parties who concluded the agreement
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PARTICULARS OF THE RENT

Provide all applicable details of the rental amounts (please complete all applicable fields in full):

Monthly rental amount agreement R	By which date must the rent be paid per agreement		
How much deposit was paid? R			
How is rent paid/received every month?	Bank	Cash	Other <i>(please specify other)</i>
Is electricity included in the rent?	Included in the rent: R	Prepaid – tenant pays additional	Other <i>(please specify other)</i>
Is water included in the rent?	Included in the rent: R	Prepaid – tenant pays additional	Other <i>(please specify other)</i>
Is the levy (for estates) included in the rent?	Included in the rent: R	Tenant pays additional: R	Other <i>(please specify other)</i>
Additional rental amounts? <i>(please specify in detail and cost)</i>		Additional rental amounts? <i>(please specify in detail and cost)</i>	
Additional rental amounts? <i>(please specify in detail and cost)</i>		Additional rental amounts? <i>(please specify in detail and cost)</i>	

For rental arrears (please complete all applicable fields in full):

How much rent is in arrears? R	How many months does the rental arrears equate to?	
Is there interest to be charged on the rental arrears?	Yes	No
If yes, what is the interest amount? R		

DECLARATION

I, (full name/s and surname)
with identity number solemnly declare that the information supplied in this Complaint Form is true and correct to the best of my knowledge. I accept that should any information supplied by me be found false, the Rental Housing Tribunal can nullify my complaint. I understand that if I want to withdraw my complaint, I should do so in writing to the North West Department of Human Settlements. I consent that the North West Department of Human Settlements may share, collect, use, distribute, and process my personal information to find a resolution to my complaint.

I confirm that I have read and understood the declaration.

Full name/s of the complainant

Signature of the complainant

Date

LIST OF DOCUMENTS THAT MUST BE ATTACHED

Please tick that you have attached the following documents:

Copy of your identity document/passport	
Lease agreement	
Rental payment receipt	
Letters/emails (that are applicable)	
Notice to terminate the lease agreement	
Other (please specify other)	

Photos	
Notice to vacate the property	
Municipal services payment receipt	
Notice to increase the rental amount	
Requests (any request) in writing	
Other (please specify other)	

SUBMISSION OF THIS COMPLAINT FORM

Please submit this form as follows:

Physical delivery	E-mail delivery
Department of Human Settlements Office 3, Ground Floor, NWDC Building, Mmabatho North West Province	rht@nwpg.gov.za
Telephone contact for enquiries	
Ms HH du Plessis – 0183883863/5 Mr DJ Jood – 0605373200 Ms MG Mosadi – 0605373334 Mr OA Moseki – 0787105536	