



human settlements

Department
Human Settlements
North West Provincial Government
REPUBLIC OF SOUTH AFRICA



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.
- I 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

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DISTRICTS – LOCAL MUNICIPALITIES

NORTH WEST RENTAL HOUSING TRIBUNAL INFORMATION OFFICERS BOJANALA DISTRICT

#	MUNICIPALITY	NAME	SURNAME	CONTACT NUMBER	E-MAIL ADDRESS
1	Kgetleng River LM	Kgomotso	Dichabe	0713908613	Kgomotso89@gmail.com
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DISTRICTS – LOCAL MUNICIPALITIES

NORTH WEST RENTAL HOUSING TRIBUNAL INFORMATION OFFICERS DR KENNETH KAUNDA DISTRICT

#	MUNICIPALITY	NAME	SURNAME	CONTACT NUMBER	E-MAIL ADDRESS
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8	Matlosana LM	Zelda	Gird	0184878372	zgird@klerksdorp.org

DR RUTH SEGOMOTSI MOMPATI DISTRICT

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NGAKA MODIRI MOLEMA DISTRICT

#	MUNICIPALITY	NAME	SURNAME	CONTACT NUMBER	E-MAIL ADDRESS
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