

WHAT HAPPENS IF PARTIES DO NOT ADHERE TO THE RULING OF THE TRIBUNAL?

- A decision by the Tribunal is considered to be an order of a magistrate's court made in terms of the Magistrates' Court Act, 1944.
- Any person who fails to act in accordance with Section 16 (i.e. fails to attend a hearing without sufficient cause, who refuses to be under oath, or refuses to make available any document in his/her ownership, who intends to betray the Tribunal or makes false statements that violate any rule of law. Section 16 states that this person who fails to abide by the above mentioned will be guilty of an offence and liable. Offenders will be fined or imprisoned not exceeding two years, or both fine and imprisonment.

WAT GEBEUR INDIEN PARTYE NIE AAN 'N BESLISSING VAN DIE TRIBUNAAL GEHOOR GEE NIE?

- 'n Beslissing van die Tribunaal word geag 'n bevel van 'n landdroshof, geneem ingevolge die Wet op Landdroshowe (1944), te wees.
- Enige persoon wat versuim om aan artikel 16 gehoor te gee (m.a.w. versuim om 'n verhoor by te woon sonder voldoende gronde, wat weier om ingesweer te word, wat weier om enige dokument of voorwerp in sy besit voor te lê, wat poog om die Tribunaal te mislei, wat met opset vals verklarings maak, wat enige regulasie oortree), sal skuldig wees aan 'n oortreding en by skuldigbevinding strafbaar wees met 'n boete of gevangenisstraf van hoogstens twee jaar, of met sowel 'n boete as gevangenisstraf.

KUYA KWENZEKA NTONI XA NGABA LA MAQELA ACHAPHAZELEKAYO ENGAHLANGABEZANI NOMMISELO WEQUMRHU?

- Ummiselo weQumrhu uthathwa njengomyalelo enkundla kamantyi owenziwe ngokwemiqathango yomthetho oyiMagistrates' Court Act, 1994.
- Nawuphi na umntu osilelayo ukuhlangabezana neCandelo 16, (osileleyo nasekuyeni kwinkundla yovavanyo ngaphandle kwesizathu esivakalayo, owalayo ukufungiswa, owalayo ukukhupha nawaphi na amaxwebhu afunekayo okanye izinto ezikuye, ojonge ukuqhatha iQumrhu, owenza iingxelo zobuxoki ngeenjongo, owaphula nawuphi na ummiselo), uya kubekwa ubutyala aze ajongane nokugwetywa ohlwaywe okanye avellewe isithuba esingedlulanga kwiminyaka emibini, okanye azifumane zombini ezo zinto.

WHERE DO YOU APPLY IF YOU NEED ASSISTANCE FROM THE TRIBUNAL

The Western Cape Rental Housing Tribunal
Private Bag X9083
CAPE TOWN
8000

Tel: 086 010 6166
Fax: 021 483-2060

PHYSICAL ADDRESS
Department of Local Government and Housing
Ground Floor
27 Wale Street
CAPE TOWN
www.capegateway.gov.za/housing

WAAR OM AANSOEK TE DOEN INDIEN U BYSTAND VAN DIE TRIBUNAAL BENODIG

Die Wes-Kaapse Huurbehuisingstribunaal
Privaatsak X9083
KAAPSTAD
8000

Tel: 086 010 6166
Faks: 021 483-2060

STRAATADRES:
Departement van Plaaslike Regering en Behuising
Grondverdieping
Waalstraat 27
KAAPSTAD
www.capegateway.gov.za/housing

USIFAKA PHI ISICELO SOKUFUNA UNCEDO LWEQLI QUMRHU?

Kule dilesi yeposi: -

The Western Cape Rental Housing Tribunal
Private Bag X9083
CAPE TOWN
8000

Umnxeba: 086 010 6166
Ifaksi: 021 483-2060

IDILESI YESITALATO
Isebe loRhulumente woMmandla nezeZindlu
27 Wale Street
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Western Cape Rental Housing Tribunal

Wes-Kaapse Huurbehuisingstribunaal

IQumrhu leMicimbi weZindlu zeRente weNtshona Koloni

OBJECTIVES OF THE TRIBUNAL

- To promote stability in the rental housing sector in the Western Cape
- To create mechanisms to deal with disputes in the rental housing sector
- To facilitate, investigate, mediate and conduct hearings to resolve disputes
- To inform landlords and tenants of their rights and obligations should unfair and unlawful practices arise

DOELWITTE VAN DIE TRIBUNAAL

- Om stabiliteit in die huurbehuisingssektor van die Wes-Kaap te bevorder
- Om meganismes vir die hantering van geskille binne hierdie sektor te skep
- Om deur fasilitering, ondersoek, bemiddeling en formele verhore geskille te besleg
- Om verhuurders en huurders in te lig met betrekking tot hul regte en pligte indien onbillike en onwettige praktyke ontstaan

IINJONGO ZEQRHU LEZEZINDLU

- Ukukhuthaza uzinzo kwicandelo lokurenta izindlu eNtshona Koloni
- Ukwenza kubekho indlela enobuchule yokujongana neembambano kwicandelo lokurenta izindlu
- Ukumamela, ukusombulula, ukuphanda nokucombulula iingxaki.
- Ukwazisa abanini-mhlaba kwanabaqeshi ngamalungelo abo kwanemimiselo engafanelekanga nezenzo ezingekho mthethweni ezivelayo

RESPONSIBILITIES OF THE TRIBUNAL

The Rental Housing Tribunal provides a free service to tenants and landlords throughout the Province of the Western Cape. Hearings and mediations are held as close as possible to the point of complaint.

VERANTWOORDELIKHEDE VAN DIE TRIBUNAAL

Die Huurbehuisingstribunaal verskaf 'n gratis diens aan huurders en verhuurders regdeur die Wes-Kaap. Verhore en sittings vir bemiddeling word so naby as moontlik aan die punt van klagte hanteer.

UXANDUVA LWELI QUMRHU

Iqumrhu leMicimbi yezeZindlu zeRente libonelela ngenkonzo esimahla kubaqeshi kwanakubanini-mhlaba kwiPhondo lonke leNtshona Koloni. Iimvavanyo nolamlo ziye ziqhutywe kuthatyathwe isigqibo esithile malunga nesikhalazo eso.

WHICH PROCESS IS FOLLOWED WHEN A COMPLAINT IS LODGED?

- Complaints must be lodged on the complaint form prescribed by the Procedural Regulations, obtainable from the Tribunal.
- The Tribunal will conduct a preliminary investigation to determine whether the complaint relates to a dispute in respect of a matter which may constitute an unfair practice.
- If the complaint does relate to such a dispute, the Tribunal will try to resolve the matter with informal or formal mediation.
- If the parties are unable to reach an agreement, the case will be referred for a ruling at a formal hearing.

WATTER PROSES WORD GEVOLG AS 'N KLAGTE ONTVANG WORD?

- Klagtes moet op die klagtevorm wat in die Prosedureregulasies voorgeskryf is en by die Tribunaal beskikbaar is, ingedien word.
- Die Tribunaal doen 'n voorlopige ondersoek om vas te stel of die klagte betrekking het op 'n geskil ten opsigte van 'n aangeleentheid wat 'n onbillike praktyk kan uitmaak.
- Indien die klagte wel betrekking het op sodanige geskil, poog die Tribunaal eers om die klagte deur informele of formele bemiddeling op te los.
- Indien die partye nie 'n ooreenkoms kan bereik nie, word die saak verwys vir formele verhoor.

YIYIPHI INKQUBO ELANDELWAYO XA ISIKHALAZO SIFAKIWE?

- Izikhalazo kufuneka zifakwe ngefomu yezikhalazo elungiselelwe ukwenjenjalo yiProcedural Regulations, ezifumaneka kweli Qumrhu.
- Eli Qumrhu liya kuqhuba uphando kuqala ukuze libone ukuba ngaba isikhalazo eso siyahambelana na nembambano . ngokubhekiselele kumcimbi ongathathwa njengesenzo esingafanelekanga.
- Ukuba ngaba isikhalazo siyahambelana nembambano leyo, iQumrhu liya kuzama ukuyisombulula loo ngxaki ngolamlo olucwangcisiweyo nokuba lolungacwangciswanga.
- Ukuba ngaba la maqela omabini afika kwisivumelwano esithile, ityala elo liya kugqithiselwa kwintlanganisiso esemthethweni ukuze igqibe ngalo.

WHO MAY LODGE A COMPLAINT?

Any tenant or landlord or group of tenants or landlords or interest group in the Western Cape may lodge complaints to the Western Cape Rental Housing Tribunal.

WIE MAG 'N KLAGTE INDIEN?

Enige huurder of verhuurder of groep huurders of verhuurders of belangegroep binne die Wes-Kaap mag klagtes by die Wes-Kaapse Huurbehuisingstribunaal indien.

NGUBANI OMELE UKUFAKA ISIKHALAZO?

Nawuphi na umqeshi okanye umnini-mhlaba okanye iqela labaqeshi okanye elabanini-mhlaba nokuba liqela liliphi na iqela elichaphazelekayo eNtshona Koloni lingasifaka isimangalo kwiQumrhu leMicimbi yeZindlu zeRente leNtshona Koloni.

WHAT ARE THE RIGHTS OF THE LANDLORDS AND TENANTS?

A tenant has the right to:

- Not have his/her person or residence searched
- Not have his/her property searched
- Not have his/her possessions seized without an order of the court
- Privacy of communication

A landlord has the right to:

- Prompt and regular payment
- Recover debt after an order of court has been obtained
- Terminate a lease on grounds not deemed unfair

- and as specified in the lease agreement
- Upon termination of a lease, receive the property back in good state and repossess the property after an order of court has been obtained
- Claim compensation for damages/improvements

WAT IS DIE REGTE VAN VERHUURDERS EN HUURDERS?

'n Huurder se regte sluit in:

- Dat sy/haar persoon of woning nie deursoek mag word nie
- Dat sy/haar eiendom nie deursoek mag word nie
- Dat daar nie op sy/haar besittings sonder 'n hofbevel beslag gelê mag word nie
- Privaatheid van kommunikasie

'n Verhuurder se regte sluit in:

- Tydige en gereelde betalings
- Om skuld te verhaal na 'n hofbevel verkry is
- Om 'n huurkontrak te kanselleer op gronde wat nie as onbillik beskou word nie en in die huurkontrak gespesifiseer is
- Om by beëindiging van die huurkontrak, die huureiendom in 'n goeie toestand terug te ontvang en om die eiendom terug te neem na verkryging van 'n hofbevel
- Om vergoeding te eis vir skade/verbeterings

NGAWAPHI AMALUNGELO OMNINI-MHLABA NAWOMQESHI?

Umqeshi unelungelo kwezi zinto:

- Angasetshwa, yena nendawo ahlala kuyo
- Ingasetshwa impahla yakhe
- Zingakhutshwa iimpahla zakhe ngaphandle komyalelo wenkundla yamatyala
- Unelungelo kunxibelelwano olulolwakhe

Umnini-mhlaba unelungelo kwezi zinto:

- Ukufumana intlawulo qho ngexesha elifanelekileyo
- Ukuhlawulela ityala emva kokufumana umyalelo wenkundla
- Ukurhoxisa uqeshiso xa kukho ukungahambi ngendlela nangokwesivumelwano eso sokuqeshiselana
- Sakuba sirhoxisiwe isivumelwano sokuqeshisa, ayifumane indawo yakhe isekwimo eyiyo aze emva kokufumana umyalelo wenkundla
- Ukwenza ibango lembuyekezo kwizinto ezonakeleyo kwanophuculo