

BOARD NOTICE 2 OF 2018
NATIONAL HOME BUILDERS REGISTRATION COUNCIL

INVITATION FOR PUBLIC COMMENT ON THE DRAFT OWNER BUILDER EXEMPTION APPLICATION FORM IN TERMS OF THE HOUSING CONSUMERS PROTECTION MEASURES ACT NO. 95 OF 1998

The National Home Builders Registration Council hereby in terms of section 7 read together with section 29(1) of the Housing Consumers Protection Measures Act No. 95 of 1998 (The Act) publish for public comment and information the draft exemption application form prescribed by section 29(1) of the Act as set out in the Schedule hereto.

Members of the public are invited to submit written comments or inputs on the draft exemption application form not later than 30 (thirty) days from the date of publication of this notice to the following addresses:

By Post to:

**The CEO
The National Home Builders Registration Council
P.O Box X 461
Randburg
2125**

Or

Hand Deliver to:

**Joe Slovo House
5 Leeuwkop Road
Sunninghill
Johannesburg
2191**

Or

By E-Mail: juliam@nhbrc.org.za

Any other enquiries raised in connection with the notice may be directed to Julia Motapola at Tel: 011 317 0000.

Comments received after the closing date will not be considered.



Ms. Julieka Bayat

Acting Chairperson of Council

Date: _____



HEAD OFFICE
Tel: +27 11 317 0000
Fax: +27 11 317 0105
Toll Free No: 0800 200 824
Fraud Hotline: 0800 203 698

PHYSICAL ADDRESS
 Joe Slovo House
 5 Leeuwkop Road
 Sunninghill, Johannesburg

POSTAL ADDRESS
 P. O. Box 481
 Randburg, 2125
 Docex 96 Randburg



ASSURING QUALITY HOMES

| | | | | | | | | | | | | | | | | | | | |
|------|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|
| DATE | | | | | | | | | | | | | | | | | | | |
|------|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|

APPLICATION FORM AND AFFIDAVIT

MADE IN TERMS OF SECTION 29(1) OF THE HOUSING CONSUMER PROTECTION
 MEASURES ACT 95 OF 1998

To be completed in block letters and must be legible.

| APPLICANT DETAILS | | | | | | | | | | APPLICANT'S SPOUSE DETAILS (only required if married in community of property OR out of community of property with the accrual system) | | | | | | | | | |
|-----------------------|--|--|--|--|--|--|--|--|--|---|--|--|--|--|--|--|--|--|--|
| ID No. | | | | | | | | | | ID No. | | | | | | | | | |
| Full Name and Surname | | | | | | | | | | Full Name and Surname | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| Tel | | | | | | | | | | Tel | | | | | | | | | |
| Mobile | | | | | | | | | | Mobile | | | | | | | | | |
| Email | | | | | | | | | | Email | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

| PROPERTY DETAILS (PROPERTY EXEMPTION BEING APPLIED FOR) | |
|---|--|
| Street Address | |
| | |
| | |
| | |
| Stand No. | |
| Township | |
| Province | |

The applicant/s being the owner(s) of the property listed above, hereby applies/apply in terms of section 10A of the of the Housing Consumers Protection Measures Act No. 95 of 1998 (hereinafter referred to as



HEAD OFFICE
Tel: +27 11 317 0000
Fax: +27 11 317 0105
Toll Free No: 0800 200 824
Fraud Hotline: 0800 203 698

PHYSICAL ADDRESS
 Joe Slovo House
 5 Leeuwkop Road
 Sunninghill, Johannesburg

POSTAL ADDRESS
 P. O. Box 461
 Randburg, 2125
 Docex 96 Randburg



ASSURING QUALITY HOMES

"the Act") to be classified as an owner builder as defined in section 1 of the Act and be granted exemption from the requirements of the Act as provided for in section 29 of the Act.

| | Questionnaire | YES | NO |
|---|---|-----|----|
| 1 | Are you married? If married in community of property or out of community of property with accrual, please ensure that a certified copy of the identity document of your spouse and a certified copy of the marriage certificate of the couple is attached to this form as part of your application. | | |
| 2 | If married out of community of property, please ensure that a certified copy of your pre-nuptial or ante-nuptial contract registered at the Deeds Office is attached to this form as part of your application. | | |
| 3 | I/we understand the implications of the exemption and that my / our home will not be enrolled under the requirements of the Housing Consumers Protection Measures Act No. 95 of 1998. | | |
| 4 | I/we am/are the home owner(s) of the said property as written on page one (1) of this document. (Please ensure that a copy of the deed of transfer / title deed stamped by the Deeds Office is attached to this form as part of your application) | | |
| 5 | I/we shall occupy the property and shall not sell the house within (five) 5 years of being granted exemption. | | |
| 6 | I/we am/are aware that there will be no warranty protection as laid down in the Housing Consumers Protection Measures Act No. 95 of 1998 on the home should the exemption I/we am/are applying for be granted. | | |
| 7 | I/we am/are aware that if the exemption is granted, I/we may not be able to sell the home in future, as the home is not enrolled in terms of section 14(1) of the Act. | | |
| 8 | Will the application be made by a third party on behalf of the Applicant? If yes, please ensure that an executed Power of Attorney signed by the Applicant and a certified copy of the third party's ID are attached to this form as part of your application. | | |
| 9 | Will the Applicant be assisted by another person/s to construct the home? If yes, the Applicant must submit an affidavit containing the name/s of the person/s assisting him/or her together with the certified copy of such person/s ID and a copy of terms and conditions of the agreement entered into. Please note that the said person/s needs to be given Power of Attorney and will have to write the NHBRC Technical Assessment test. | | |

**HEAD OFFICE**

Tel: +27 11 317 0000
Fax: +27 11 317 0105
Toll Free No: 0800 200 824
Fraud Hotline: 0800 203 698

PHYSICAL ADDRESS

Joe Slovo House
 5 Leeuwkop Road
 Sunninghill, Johannesburg

POSTAL ADDRESS

P. O. Box 461
 Randburg, 2125
 Docex 96 Randburg

**ASSURING QUALITY HOMES**

| | | | |
|-----------|---|--|--|
| 10 | I/we will be fully responsible for: - Administering the whole building project and purchasing of all building material - Employing and monitoring artisans and labourers - Quality of materials and workmanship <i>(If the answer to any of the above statements is NO, please attach an explanation to this questionnaire)</i> | | |
| 11 | I/we agree to write the NHBRC Technical Assessment test at an NHBRC office or any other place as designated by the NHBRC. | | |
| 12 | I/we am/are aware that the house that is to be built must comply fully with the technical requirements as per the NHBRC Home Building Manual and National Building Regulations and Standards Act No.103 of 1977 | | |
| 13 | I/we will be receiving progress payments directly from the banking institution that is providing mortgage finance. <i>(If the answer to this statement is NO, please attach explanation to this questionnaire)</i> | | |
| 14 | Has any form of construction on the said property commenced yet? If yes, please ensure that a Competent Person's report confirming the site soil designation in accordance with acceptable industry practice and applicable certificates for completed stages of construction must be attached to this application form. Please also ensure that any additional information or documents relating to the Technical Requirements in line with the National Building Regulations are also attached to the application form. | | |
| 15 | Have you ever applied for an owner builder exemption before? If yes, please submit an affidavit giving details of property in respect of which an exemption was applied for, the date of the application and the outcome of the application. | | |
| 16 | I/we confirm that an NHBRC registered home builder will not be appointed to construct the home on the property applied for in this application. | | |

The applicant/s agree/s to hold harmless, defend and indemnify the Council, from any and all actions, claims, demands, losses, damages, judgments or costs whatsoever by any person in respect of the home.

| | |
|-------------------------------|---|
| | |
| SIGNATURE OF APPLICANT | SIGNATURE OF SPOUSE (only required if married in community of Property) |

**HEAD OFFICE**

Tel: +27 11 317 0000
Fax: +27 11 317 0105
Toll Free No: 0800 200 824
Fraud Hotline: 0800 203 698

PHYSICAL ADDRESS

Joe Slovo House
5 Leeuwkop Road
Sunninghill, Johannesburg

POSTAL ADDRESS

P. O. Box 461
Randburg, 2125
Docex 96 Randburg

**ASSURING QUALITY HOMES****COMMISSIONER OF OATH**

I certify that the deponent/s acknowledges that he/she knows and understands the contents of this affidavit, which affidavit was sworn before me and signed in my presence at _____ on this _____ day of 20____, in accordance with the provision of Regulation R1258 dated 21 July 1972, as amended by Government Notice R1648 dated 19 August 1977 and Government Notice R1428 dated 11 July 1980 and Government Notice R774 dated 23 April 1982 having duly been complied with.

COMMISSIONER OF OATHSNote to Commissioner

Kindly date stamp each page and initial all pages.