

BOARD NOTICES • RAADSKENNISGEWINGS

BOARD NOTICE 174 OF 2018**NATIONAL HOME BUILDERS REGISTRATION COUNCIL****THE HOUSING CONSUMERS PROTECTION MEASURES ACT, 1998 (ACT NO. 95 OF 1998)****OWNER BUILDER EXEMPTION APPLICATION FORM**

The National Home Builders Registration Council has under section 7 read together with section 29(1) of the Housing Consumers Protection Measures Act No. 95 of 1998 (The Act) made the Owner Builder Exemption Application Form in the Schedule.



Mr. Enoch Godongwana

Chairperson of Council

Schedule

OWNER BUILDER APPLICATION FORM AND AFFIDAVIT

FOR OFFICE USE

MADE IN TERMS OF SECTION 29(1) OF THE HOUSING
CONSUMERS 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)											
For Demographic Purposes Only												For Demographic Purposes Only											
African		Coloured		Indian		White		Other (Specify)				African		Coloured		Indian		White		Other (Specify)			
Male			Female				Military Veteran	Yes	No			Male			Female				Military Veteran	Yes	No		
Disabled	Yes	No		Youth (18-35 years)	Yes	No						Disabled	Yes	No		Youth (18-35 years)	Yes	No					
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	
Erf No. / Stand No.	
Township	
Province	

The applicant/s being the owners(s) of the property listed above, hereby applies/apply in terms of section 10A of the Housing Consumers Protection Measures Act No. 95 of 1998 (hereinafter referred to as "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 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. <i>(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)</i>		
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/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.		
10	I/we be fully responsible for: <ul style="list-style-type: none"> - 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 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)

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 OATHS

NOTE TO COMMISSIONER

Kindly date stamp each page and initial all pages.