Integrity in Property 60 YEARS

PRETOR GROUP

The Owner
Bishops court Body Corporate
69 Augrabies Street
Mooikloof Ridge
Pretoria
Gauteng
0081

07 July 2023

Dear Sir/Madam

RE: MINUTES OF THE ADJOURNED ANNUAL GENERAL MEETING OF BISHOPS COURT BODY CORPORATE

We refer to the Adjourned Annual General Meeting held on Thursday, 22 June 2023 and attach hereto for your information and safekeeping:

- The Minutes of the Meeting;
- The Trustees Resolution re: liability for payment of levies; and
- The Approved Levy Schedule.

Kindly peruse the documents and please take note of an owner's liability in respect of the proceedings at the Annual General Meeting.

We assure you of our best attention at all times.

Yours Faithfully,

Cronje

ANSU-MARIE CRONJE
PORTFOLIO MANAGER

Directors GO von Broembsen BA (LLB) (Managing), DO Weir Bcomm (Hons) CA (SA) (Financial), BN Cowie Bcomm.
Reg No 1960/000260/07 **Vat No** 4920102888 **Registered Debt Collector** Reg No 0037104/09 **Registered with the PPRA**
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MINUTES OF THE ADJOURNED ANNUAL GENERAL MEETING OF BISHOPS COURT BODY CORPORATE HELD ON THURSDAY, 22 JUNE 2023, 18H00 VIA ZOOM WEBINAR

1. CONFIRMATION OF PROXIES, NOMINEES & ISSUING OF VOTING CARDS

Member attendance was as per the attendance register. Proxies were recorded as apologies.

Nominations in the prescribed format were confirmed as received in terms of regulation 7 (2)

Mrs. Ansu-Marie Cronje (Pretor Group) was in attendance.

2. DETERMINATION OF THE QUORUM

Owners of thirteen (13) units, constituting 15.27 % of the complex in value were present, either in person or by proxy, and eligible to vote. This number was sufficient to form a quorum. In terms of Regulation 19, the meeting was declared duly constituted

3. ELECTION OF CHAIRPERSON

Mrs. Ansu-Marie Cronje was elected to assist the current Chairperson, Mr. Andile Mngadi with the meeting and welcomed all members present.

4. CONFIRMATION THAT NOTICE OF THE MEETING WAS GIVEN IN TERMS OF REGULATION 15

The Chairperson confirmed that notice, in terms of Regulation 15 of Annexure 1 of the Sectional Title Schemes Management Act, was given at the Annual General Meeting.

5. APPROVAL OF THE DELIVERY OF GENERAL MEETING NOTICES

The Chairperson tabled for the purposes of delivery of general meeting notices that the notices will be delivered by email to the owners who have provided their email addresses, notwithstanding the provisions of PMR 4(5). For an owner who does not have an email address, the notice will be posted to the postal address provided by the owner.

Owners are requested to ensure that their email addresses and contact details are kept up to date with the Managing agent. An owner can update their own details online via the owner's portal.

The sending of notices was unanimously approved by the meeting.

6. CONFIRMATION OF PREVIOUS MINUTES

The minutes of the Annual General Meeting held on 21st July 2022 were taken as read, approved by the meeting, and signed by the Chairman.

The meeting unanimously approved the previous minutes.

7. TRUSTEES REPORT OF ACTIVITIES & DECISIONS

A verbal report as per the following was delivered by the Chairperson as follows:

The trustees are looking into installing solar lights around the scheme.
The boundary wall was attended to during the past year.
The trustees are also attending to some of the trees.

8. APPROVAL OF INSURANCE

8.1 APPROVAL OF THE INSURANCE SUMMARY OF BENEFITS & REPLACEMENT VALUES OF EACH UNIT

The schedule of replacement values for each unit as tabled, was unanimously approved by the meeting at R10 261.81 per m² per unit.

Any owner/bondholder may at any time increase the replacement value as specified in respect of his/her unit. Provided that such owner shall be liable for payment of the additional insurance premium.

Owners were advised that the sections are covered for all standard finishings, should an owner upgrade his/her unit or erect an approved improvement, an owner may declare non-standard improvements to the insurer, this may include marble tops, solar panels, solar geysers, heat pumps, air conditioning, laminated wooden flooring, thatch roof lapa, wendy houses, carports, garage door motors, alarm systems, etc. Please ensure that all non-standard improvements are declared in order to request the insurer to cover this under the body corporate policy. Please note that if non-standard improvements are not declared it is not insured.

The schedule of the building and all improvements to the common property as tabled were unanimously approved by the meeting.

8.2 DETERMINATION OF THE PUBLIC LIABILITY INSURANCE

The Chairman confirmed that the Body Corporate is currently covered for R50 million rand for Public Liability.

The meeting unanimously approved this amount.

8.3 DETERMINATION OF FIDELITY COVER

In accordance with the requirements of the Sectional Titles Schemes Management (STSMA) and CSOS regulations, the Chairman confirmed that the Body Corporate is covered for the amount of R1 682 154.00 for Fidelity Cover, this amount meeting the requirements of the CSOS regulations. Calculated as follows:

Total of investments & reserve funds	R1 317 201.79
25% of the admin funds	R407 738.75
Total to be covered	**R1 724 940.54**

The meeting unanimously approved the amount of R1 724 940.54 for the Fidelity Cover

9. CONSIDERATION OF THE AUDITED FINANCIAL STATEMENTS

The Audited Financial Statements for the year ending 31 January 2023 were tabled.

After discussion, the Annual Financial Statements were considered and accepted by the meeting.

10. APPROVAL OF THE:

10.1 MAINTENANCE, REPAIR & REPLACEMENT PLAN & REPORT

The maintenance, Repair and Replacement Plan of the capital items for the next ten years & Trustees' Report of the extent to which the approved maintenance, repair and replacement plan has been implemented was tabled for approval.

The Plan & Report as tabled was unanimously approved by the meeting.

10.2 WALL MAINTENANCE

Mr. Andile Mngadi informed the owners that the trustees did obtain quotations for the walls that need to be done. It was mentioned that only the walls that are dividing each unit will be done.

The trustees will consult with the different service providers that have sent their quotations. A Circular will then be sent to all owners informing them of the start date of the project and when the units walls will be attended to.

The boundary walls were maintained the previous year as mentioned by Mr. Julian Laker.

10.3 PROPOSED ESTIMATE OF INCOME & EXPENDITURE FOR THE ADMINISTRATIVE FUND

An estimate of income and expenditure of the operating expenses for the ensuing year was tabled for discussion.

The estimated expenses were set at R1 677 593.00 and approved by the meeting.

The administrative fund budget was unanimously approved by the meeting.

10.4 PROPOSED ESTIMATE OF INCOME & EXPENDITURE FOR THE RESERVE FUND

An estimate of income and expenditure to fund the maintenance, repair and replacement of the common property assets was tabled for discussion.

A provision of R450 000.00 was raised and R623 060.00 expensed for projects for the financial year.

This amount meets the minimum requirements of the Act.
The reserve fund budget was unanimously approved by the meeting.

10.5 LEVY INCREASE FOR THE YEAR

It was resolved that the administrative levy will increase with 2.63% and the reserve fund levy will increase with 48.61% as per the interim budget committed on the 1st of February 2023 by the previous trustees.

With a net combined increase of 9.99% as per the budget tabled.

10.6 LEVY PAYMENT IN ADVANCE

It is confirmed that the levies as accepted under the estimate of income and expenditure are payable monthly in advance, on or before the 1st day of each month, and are payable in the same amounts and payable in the same installments until the date of the next Annual General Meeting unless the Trustees prescribe otherwise in terms of the relevant prescribed management rule.

10.7 ARREAR LEVY: ACTION TAKEN

Trustees are authorised, and authorise the managing agent on their behalf, to take all necessary steps, including legal action and the sequestration of the owners, to ensure that the Body Corporate receives levies and other monies due to it. The Trustees resolve that the current interest rate is set at 1.5% per month, (equating to 18% per annum) which interest shall be calculated daily and capitalized monthly on all amounts outstanding including*, inter alia*, debt collection charges at the beginning of each month when levies are payable, but is subject to change from time to time in accordance with the provisions of any limitations or requirements imposed by the applicable Legislation.

The Body Corporate acknowledges that not all legal fees are recoverable from the defaulting owner where legal action is taken and that there could be significant under-recovery where fees are taxed. The Body Corporate bears the responsibility for the payment of legal fees and disbursements. The Body Corporate further acknowledges that, where an attorney follows up on the administration of an insolvent estate subsequent to the granting of a sequestration order, such fees and disbursements are not recoverable and are a cost to be carried by the Body Corporate.

10.8 ALLOCATION OF PAYMENTS

Any payment made by an owner to the Body Corporate will be allocated first to the overdue debt which is the most recent in time and only thereafter allocated to the older debt. Only once all overdue debt has been paid will it be allocated to the current amounts due.

10.9 DISPUTE RESOLUTION PROCESS: THAT APPLIES IN RESPECT OF DISPUTED CONTRIBUTIONS & CHARGES 25 (1)(D)

Any dispute lodged in respect of contributions/charges raised against a member account must be directed in writing to the trustees for their consideration. A member who is dissatisfied with the trustee's decision is entitled to refer the dispute to the Ombud Service in terms of CSOS Act 9 of 2011.

11. APPOINTMENT OF AUDITOR

Venter de Jager was not re-appointed as Auditor for the ensuing year. The owners requested Pretor to obtain three quotations and submit to the trustees to approve an auditor for the new financial year.

12. TRUSTEES

12.1 DETERMINATION OF NUMBER

The number of trustees was determined as five (5) persons.

12.2 ELECTION OF TRUSTEES

The following persons were nominated and elected as Trustees for the ensuing year:

Mr. Andile Mngadi	Unit 02 Chairperson
Mr. Zibuse Kunene	Unit 37 Security and communication
Ms. Tinny Mgabile	Unit 02 Gardens
Mr. Barend Lombard	Unit 63 Maintenance
Ms. Rethabile Shongwe	Unit 23 Finance

13. RESTRICTIONS/DIRECTIONS IN TERMS OF SECTION 7 (1)

- Should a vacancy occur on the Board of Trustees at any time, the Trustees are to make every effort to fill the vacancy as soon as possible. An email is to be sent to all owners in this regard.
- The Trustees are to operate within the admin budget.
- The Trustees may not incur an expense exceeding R30 000.00 on any one project, outside of the budget, without consulting with the Body Corporate.
- The Trustees must obtain more than one quotation for any maintenance project over R5,000.00 for emergencies.
- Owners may attend any Trustees' meeting, on request.

- Any complaints, queries or requests for alteration to common property should be directed to the Trustees via the Managing Agent, in writing.
- For any project above R15K, the Trustees are to obtain at least 3 quotes. The contractor should be chosen based on value for money.
- Trustees are to have a meeting with the HOA regarding the solar panels to be installed while waiting for the rules to be approved by the Ombudsman.
- Trustees to approve a new auditor for the next financial year.

14. CONFIRMATION OF THE SUBMISSION OF AMENDMENTS, SUBSTITUTIONS ADDITIONS OR REPEAL OF RULES ADOPTED BY THE BODY CORPORATE TO THE CHIEF OMBUD

The rules were circulated to all members giving them 30 days' time for feedback on the rules. The rules were then sent via registered post and also send via the AGM notice.

Due to the adjourned AGM, only 15.27% of all members were present, either in person or by proxy, and eligible to vote.

The meeting resolved to approve the tabled Conduct Rules.

In terms of the Sectional Title Schemes Management Act, a special resolution is passed if approved by 75% of the owners present in person or proxy in number, however, if the value for these owners calculates to less than 50% of the total value of all the members, then regulation 20 (9) must be implemented.

In terms of the Sectional Titles Schemes Management Act 8 of 2011; Regulation 20 (9) stipulates as follows:

9) If a special resolution is passed at a general meeting by members holding less than 50 percent of the value of all members' votes-

(a) the Body Corporate must not take any action to implement that resolution for one week after the meeting unless the Trustees resolve that there are reasonable grounds to believe that immediate action is necessary to ensure safety or prevent significant loss or damage to the scheme; and

(b) within seven days from the resolution referred to in sub-rule 9 (a), members holding at least 25 percent of the total votes of all members in value may, by written and signed request delivered to the Body Corporate, require that the Body Corporate hold a Special General Meeting to reconsider the resolution.

If a demand referred to in sub-rule (9 (b) is delivered to the Body Corporate, the Trustees must not implement the resolution unless –

(a) It is again passed by special resolution; or
(b) A quorum is not present within 30 minutes of the time set for the meeting.

This regulation states that the Body Corporate must not take any action to implement the resolution for one week after the meeting. 25% of the owners in value of the total members, thus have seven days in which to demand by means of a written signed request, that the Body Corporate call a meeting to reconsider the resolution.

If a demand is received, the Body Corporate must then call another meeting and pass the resolution again by special resolution or if no quorum is present after 30 minutes, the resolution is automatically passed.

All owners are therefore given the opportunity to call for a Special General Meeting as described above. If no such request has been received within 7 days from the date of this notice, the resolution will be deemed as being passed, and the Conduct Rules will be submitted to the Ombud Service for approval and registration in terms of CSOS Act 9 of 2011.

The owners gave direction to the trustees to have a meeting with the Board of Directors of Mooikloof Ridge HOA to ask if the owners can proceed to install Solars, while waiting for the Ombudsman to approve the rules.

15. APPOINTMENT OF PUBLIC OFFICER

The meeting confirmed the appointment of Pretor Group (Pty) Ltd represented by Donald Weir as the Public Officer for Bishops Court Body Corporate.

The Appointment of a Public Officer was unanimously approved.

16. DETERMINATION OF *DOMICILIUM CITANDI ET EXECUTANDI*

The *domicilium citandi et executandi* was determined as:

The Body Corporate Bishops Court	
c/o Pretor Group (Pty) Ltd	
River Falls Office Park	
262 Rose Avenue	Private Bag X115
DORINGKLOOF	CENTURION
0157	0046

17. CLOSING

There being no further matters under discussion, the Chairperson thanked the members for having attended and closed the meeting at 20h08.

Signed on this _______________ day of ____________________________ 20_____

_______________________________**CHAIRMAN**