



SETTLEMENT AGREEMENT IN TERMS OF SECTION 47 OF THE COMMUNITY SCHEMES OMBUD SERVICE ACT NO 9 OF 2011

Reference Number: CSOS - 762/WC/17

In the matter between:

CASPER STEENKAMP - APPLICANT

And

TRUSTEES OR EXECUTIVE COMMITTEE OF CROYDON ESTATE HOME OWNERS ASSOCIATION –
RESPONDENT

1. SUMMARY OF DISPUTE

The Community Schemes Ombud Service received an application for dispute resolution from Stephen Casper Steenkamp (Applicant) alleging the following against the respondents:

- That the applicant did not agree with how the respondents were dealing with the capital expenditure of the scheme; improvements to common property and not divulging to members of the HOA of the settlement (in value) received from the Developer.
- Thus, the applicant is of the opinion that the Sectional Title Schemes Management Act (STSM Act) must apply to their scheme in order to curb the above.

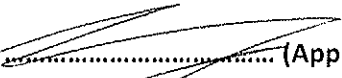
2. SETTLEMENT AGREEMENT

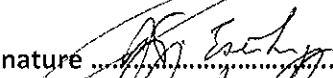
During the Conciliation Hearing held on the 22/03/2018 parties agreed as follows:

- That the parties agree that the STSM Act does not apply to this community scheme (HOA) as it is registered as a common law HOA, however their scheme governance that applies is the Croydon HOA Constitution.
- They have further agreed that as an HOA, the above does not preclude members of the HOA from amending the said Constitution to include certain provisions of the STSM Act for the purpose of

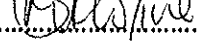
Two handwritten signatures are present at the bottom right of the page. The first signature is in black ink and appears to be 'S. E.'. The second signature is in blue ink and is more stylized, possibly reading 'M. Regel'.

good governance, but this requires the members' resolution (to amend the current Croydon HOA Constitution).

Name: C. STEG-WILIAM Signature  (Applicant) – Date: 22/3/18

Name: J.T. Esterhuizen Signature  (Respondent) - Date: 22/3/18

R D WATSON .  22/3/2018

Confirmed by: Thora Sikholiwe Signature  (Conciliator)

Date: 22.03.2018