

1. WHAT IS THE RENTAL HOUSING TRIBUNAL?

The KwaZulu-Rental Housing Tribunal is an independent body established by the MEC, in terms of section 7 of the Rental Housing Act (Act no. 50 of 1999), to resolve disputes between Tenants and Landlords arising out of unfair practices in residential dwellings throughout the province.

There are five members comprising of the Chairperson, Deputy Chairperson and three members who are appointed by the MEC i.t.o. sec 9(1) and two alternate members appointed by the MEC i.t.o. sec 9(3) The term of office of the member of the Tribunal is a period not exceeding three (3) years and members may be re-appointed for a further period not exceeding three (3) years.

2. POWERS & FUNCTIONS OF THE TRIBUNAL

In terms of the Rental Housing Act (Act No. 50 of 1999) and the regulations thereof, the Rental Housing Tribunal has power to:-

- Receive complaints lodged by either Tenants or Landlords.
- Conduct Mediations or Hearings to resolve disputes between Tenants and Landlords.
- Rule that any person must comply with provision of the regulations relating to unfair practices.
- Refer a matter for a investigation to the relevant competent body or local authority where it would appear that the provisions of any law have been or being contravened.
- Make any ruling that is just and fair to terminate any unfair practice, including, without detracting from the generality of the foregoing to discontinue:-
 - Overcrowding
 - Unacceptable living conditions
 - Exploitative rentals
 - Lack of maintenance

3. SERVICES PROVIDED

- Receipt and investigation of complaints.
- Resolution of disputes through mediation or hearing.
- Education programmes to Tenants and Landlords with regards to their rights and obligations.
- Provisions of advice and information with regards to lease agreements.

4. UNFAIR PRACTICES

Unfair Practices refers to any conduct unreasonably violating the rights or interests of a Tenant or Landlord and may, amongst other things, relate to:-

- The changing of locks
- Deposits
- Damage to property
- Demolitions and conversions

- Eviction
- Forced entry and obstruction of entry
- House rules, subject to the provisions of the Sectional title Act, 1986 (Act no. 95 of 1886) where applicable
- Intimidation
- Issuing of receipts
- Tenants committees
- Municipal services
- Nuisance
- Overcrowding and health matters
- Tenants activities
- Maintenance
- Reconstruction and refurbishment work

5. WHO CAN LODGE A COMPLAINT?

Tenants, Landlords, Institutions, Bodies Corporate, Tenant's Associations and property managing agents who either reside manage own such residential rental property within the kwaZulu-Natal Province.

6. HOW TO LODGE A COMPLAINT

Complaints lodged with the Tribunal must be in writing on the prescribed Tribunal complaint Form. Complaints may be lodged as follows:-

- By mail to the offices of the Tribunal
- By facsimile to the offices the Tribunal, Confirmation of successful transmission if proof of receipt of the complaint
- At the relevant Rental Information Office within the jurisdiction of the Local Authority (Municipality) in which the dwelling is situated
- At the offices of the Tribunal

A complaint is deemed to be lodged on the date upon which the Tribunal receives the complaint.

7. UNFAIR DISCRIMINATION

In advertising a dwelling for purpose of leasing it, or in negotiating with prospective tenants, or during the term of the lease, a landlord may not unfairly discriminate against prospective tenants, or the member of such tenant's household or the bona fide visitors of such tenant on one or more grounds including:-

- Race
- Age
- Ethnic or social origin
- Gender
- Disability
- Colour
- Sex
- Religion
- Language and
- Pregnancy
- Conscience
- Birth
- Martial status
- Belief; Culture
- Sexual orientation

8. TENANT'S RIGHTS

The Tenants rights as against the Landlord include his or her right not to have:-

- His or her person or home searched
- His or her property searched
- His or her possessions seized, except in terms of law of general application and having first obtained an order of court or
- The privacy of his or her communications infringed

9. LANDLORD'S RIGHTS

The Landlord's rights as against the Tenant include his or her right to:-

- Prompt and regular payment of a rental or any charges that may be payable in terms of the lease.
- Recover unpaid rental or any other amount that is due and payable after obtaining a ruling by the Tribunal or an order of a court of law.
- Terminate the lease in respect of rental housing property on the grounds that do not constitute an unfair practice and are specified in the lease.
- On termination of the lease to:-
 - receive the rental housing property in a good state of repair, save for fair wear and tear; and
 - repossess rental-housing property having first obtained an order of court; and
 - claim compensation for damages to the rental housing property or any other improvements on the land on which the dwelling is situated, if any, caused by the tenant, a member of the tenant's household or a visitor of the tenant.

MUNICIPALITIES CONTACT DETAILS

1. UMDONI- 039 974 1156	20. ENDUMENI- 034 212 2121
2. UMZUMBE- 039 972 0005	21. NQUTHU- 034 271 6100/61
3. IMPENDLE- 033 996 0771	22. ABAQULUSI- 034 982 2133
4. UBUHLEBEZWE- 039 834 7700	23. ULUNDI- 035 874 5157/5203
5. UMZIMKHULU- 039 259 5023	24. UPHONGOLO- 034 413 1223
6. GREATER KOKSTAD- 039 797 6600	25. EDUMBE- 034 995 1650
7. MKHAMBATHINI- 031 785 9300	26. MTHONJANENI- 035 450 2082
8. UMGENI- 033 239 9200	27. MTUBATUBA- 035 550 0069/6416
9. MPOFANA- 033 263 1221	28. JOZINI- 035 575 1292
10. UMVOTI- 033 413 9204	29. MANDENI- 032 456 8200
11. MSINGA- 033 493 0761/2	30. KWADUKUZA- 032 437 5057/6
12. OKHAHLAMBA- 036 448 8000	31. NKANDLA- 035 833 2049/63
13. ALFRED DUMA- 036 637 2231	32. RAY NKONYENI- 039 688 2000
14. MAPHUMULO- 032 481 4500	33. MSUNDUZI- 033 392 2284
15. NDWEDWE- 032 532 5061	34. MSHWATHI- 033 815 2249
16. UMUZIWABANTU- 039 433 1205	35. uMHLABUYALINGANA- 035 592 0665
17. NEWCASTLE- 034 328 3300	36. NONGOMA- 035 831 7500
18. BIG 5 HLABISA- 035 838 8500/ 035 562 0040	37. DANNHAUSER- 034 621 2666
19. EMADLANGENI- 034 331 3041	38. CITY OF uMHLATHUZE- 035 907 5486
	39. uMFOLOZI- 035 580 4963/1421

KwaZulu-Natal RENTAL HOUSING TRIBUNAL

Human settlements
Department:
Human Settlements
PROVINCE OF KWAZULU-NATAL

OUR CONTACT DETAILS

Physical Address
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9th Floor Eagle Building (Murchies Passage)

Postal Address
Private Bag 454367, Durban, 4000

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031 372 1800 or 031 372 1806 / 1803 / 1804
Fax: 031 372 1831 or 031 372 1816 / 1822

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