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OFFICIAL MANAGING AGENT FOR THE ELISENHEIM HOME OWNERS ASSOCIATION

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25 November 2014

Dear member,

## **CIRCULAR 4 - LEVIES PAYABLE & ARREARS**

### **1) Levies**

We have had communication from members about the validity of levies charged. We refer you to the Elisenheim Charter that was mailed to all members on 22 August 2014 to inform members of the basis on which levies were introduced on 1 June 2014. For ease of reference we attach the "Elisenheim Charter" as Appendix 1 and request that members read the section that deals with levies.

The EOA will not entertain further communication regarding the validity of the levies.

The levies introduced on 1 June 2014 were as follows:

- |                              |   |  |
|------------------------------|---|--|
| a) Residential Erven         | = | N\$660-00  |
| b) Business Erven            | = | N\$660-00  |
| c) General Residential Erven | = | N\$160-00 - Calculated on a bulk of 1 unit per 100sq meter |

At the EOA Annual General meeting on 14 October 2014 the Board of Representatives for Phase 1 approved the budget that was tabled and in accordance with the budget the levies were reviewed as follows – effective 1 November 2014:

- |                              |   |  |
|------------------------------|---|--|
| a) Residential Erven         | = | N\$460-00  |
| b) Business Erven            | = | N\$460-00  |
| c) General Residential Erven | = | N\$185-00 - Calculated on a bulk of 1 unit per 100sq meter |

It is with concern that we note that the arrear levies amount to N\$1,5 million and that to date the developer has financed the shortfall in levies, resulting in an even higher loan account that will have to be reimbursed to EPDC by the EOA.

## 2) Arrear Levies

The Trustees have informed EON Property Services that the collection of arrears is a priority and we have been instructed to start with the collection of arrears without further delay in terms of the collection of arrear levies policy.

### a) Interest on arrears

Members are referred to the Articles of Association – Article 6.14:

*Members shall be liable for and shall pay interest on any debt due to the ASSOCIATION (including but not limited to any arrear levies of whatsoever nature), such interest to be calculated monthly in advance at the **Prime Rate plus 2 (two percent)** per month from the due date, to the date of actual payment, both days included.*

- i) With effect **1 January 2015** members will be charged interest on arrear levies, meaning that interest will be charged on all arrear accounts from the date of the invoice to the date of payment – see table below. (Kindly keep in mind that this is an exception and act of good will by the Trustees as interest should have been calculated from September 2014.)

Date Invoice	Interest date Charge	Amount	Days	Interest Rate	Interest charge on 1 January 2014
01-Jun-14	01-Jan-15	660.00	214.00	11.75%	45.47
01-Jul-14	01-Jan-15	660.00	184.00	11.75%	39.09
01-Aug-14	01-Jan-15	660.00	153.00	11.75%	32.51
01-Sep-14	01-Jan-15	660.00	122.00	11.75%	25.92
01-Oct-14	01-Jan-15	660.00	92.00	11.75%	19.55
01-Nov-14	01-Jan-15	460.00	61.00	11.75%	9.03
01-Dec-14	01-Jan-15	460.00	31.00	11.75%	4.59
Total Charge on 1 January 2015					176.16

### b) Arrear Levy Policy

We attach the arrear levy collection policy as Appendix 2.

In essence:

Arrears are addressed with members as soon as the bank account is reconciled with the member accounts. This will be approximately on the 7<sup>th</sup>, but not later than the 13<sup>th</sup> of every month.

- (1) The first letter of demand will be mailed to members that are in arrears by the 14<sup>th</sup> of every month. The letter will be a friendly request for members to scrutinize their statement of account to see if all their payments appear on the account. There will be no charge for the 1<sup>st</sup> letter.
- (2) Members that were issued with a 1<sup>st</sup> letter of demand in the previous month and remain outstanding with two months levies on the 14<sup>th</sup> of the second month are issued with a 2<sup>nd</sup> letter of demand. The administration charge for the issue of the letter will be N\$60-00 (Plus VAT) and will be charged to the member's levy account.
- (3) Members that were issued with a 2<sup>nd</sup> letter of demand in the previous month and remain outstanding with three months levies on the 14<sup>th</sup> of the third month are issued with a notice that the account was handed over for collection. The administration charge for the issue of the letter is N\$60-00 (Plus VAT) and a further charge of N\$100-00 (Plus VAT) for preparation of handing over documents and for delivering the documents to the attorneys. The charges and will be charged to the member's levy account.

#### c) Members that are in arrears

As mentioned, it has become important that we collect all arrear levies and in this regard members that are in arrears are informed:

- i) Our 1<sup>st</sup> letter of demand will be issued immediately
- ii) Members that remain outstanding on 14 December 2014 will be issued with the 2<sup>nd</sup> letter of demand and the charges mentioned will be charged to the levy account of the members
- iii) Members that remain outstanding on 14 January 2015 will be issued with the 3<sup>rd</sup> letter of demand to inform them that the account has been handed over for collection. The charges mentioned will be charged to the levy account of the member.

We kindly request that members pay their levies in order to assist the EOA to create a lifestyle that is the envy of all Windhoek residents

Kind Regards

EON Property Services  
On behalf of the Elisenheim Owners Association