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OFFICIAL MANAGING AGENT FOR THE ELISENHEIM HOME OWNERS ASSOCIATION

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ANNEXURE “K” CIRCULAR X // RULES WITH REGARD TO THE USE OF, UPKEEP, AESTHETICS AND MAINTENANCE OF BUILDINGS

- OCCUPATION OF UNFINISHED HOUSES

Elisenheim is a Lifestyle Estate and every effort should be made to enforce the rules so that our Lifestyle concept is protected and adhered to.

**Rule 5.8 clearly states that “No building may be occupied unless all work is complete or a Temporary Completion Certificate, valid for 3 (three) months has been obtained. Completion of work shall include painting, driveway, and the installation of plumbing, electrical fittings and all items as per the approved plans”**

Please note that you have received the rules when you signed your Purchase Agreement and by that you have declared that you have read the rules and undertook to abide with it.

Upon inspection of your property it is evident that you already occupy your uncompleted house.

You are hereby requested to urgently reply within one week on the following issues:

1. Did you ask for permission to occupy your unfinished house?
2. Did you obtain a Temporary Completion Certificate from the Elisenheim Property Development Company (Trustco) and or the ELISENHEIM OWNERS ASSOCIATION?
3. Do you have a Completion Certificate for your house from the City of Windhoek?
4. What are the reasons for your occupation of the unfinished house?
5. What are the reasons for your house not being completed?

The EPDC (Trustco) and the E.O.A (ELISENHEIM OWNERS ASSOCIATION) has the following legal rights/recourse against Homeowners occupying an unfinished house:

1. To issue an order to immediately vacate the property
2. If good reason exist that a Temporary Completion Order may be issued; in other words you may be given a grace period to stay on in the house; to then negotiate with you a time line to finish your house not exceeding three months.
3. To expect that at least the following work shall be completed within this period:
  - a. Exterior plaster and painting including the roof and the steel work on your veranda in the colour prescribed in the Design Manual
  - b. Fixing of a white garage door as prescribed

- c. Paving of the driveway up to the garage
  - d. Completion of the plumbing and electrical work in your house
- 4. If your commitment to finish your house within the time line agreed is not met, the EPDC may serve upon you a notice to vacate the property immediately until the commitment is completed
- 5. To ask for proof that you have the necessary funds available to finish the agreed upon work
- 6. If you are not financially capable to finish the work the EPDC may give you notice to sell the property

I trust that we can rely upon your co-operation and awaits your prompt reply.

Thank you,

Schalk Kruger Sr

Estate Manager Elisenheim