



## human settlements

Department:  
Human Settlements  
**PROVINCE OF KWAZULU-NATAL**

# KZN RENTAL HOUSING TRIBUNAL

## “HAVING PROBLEM WITH YOUR LANDLORD OR YOUR TENANT”

THE KWAZULU-NATAL RENTAL HOUSING TRIBUNAL IS AN INDEPENDENT STATUTORY 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.**

THE PRIMARY FUNCTION OF THE TRIBUNAL IS TO PROMOTE STABILITY IN THE RENTAL HOUSING SECTOR BY RESOLVING DISPUTES THAT ARISE BETWEEN TENANTS AND LANDLORDS IN RESIDENTIAL DWELLINGS (FLATS, HOUSES, SHACKS, BACKROOMS/OUTBUILDINGS, APARTMENTS, HOSTEL ROOMS, ETC).

THE SERVICES OF THE RENTAL HOUSING TRIBUNAL ARE AVAILABLE THROUGHOUT THE PROVINCE, AT **NO COST** TO PARTIES TO THE DISPUTE AND THERE IS **NO NEED TO INVOLVE ATTORNEYS.** THE TRIBUNAL IS TASKED WITH RESPONSIBILITIES TO EDUCATE, PROVIDE INFORMATION AND ADVISE TENANTS AND LANDLORDS WITH REGARDS TO THEIR RIGHTS AND OBLIGATIONS.

### **THE 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 is vested (assigned) with rights and obligations to.

- Receive complaints lodged by either Tenants or Landlords
- Conduct Mediation or Hearings to resolve disputes between Tenants and Landlords.
- Rule that any person must comply with a provision of the regulations relating to unfair practices.
- Make any ruling that is just and fair to terminate any unfair practice, including, without detracting from the generality of the foregoing, a ruling to discontinue-
  - Overcrowding
  - unacceptable living conditions

- exploitative rentals
- lack of maintenance
- Refer a matter for investigation to the relevant competent body or local authority where it would appear that the provisions of any law have been or are being contravened.

### **SERVICES PROVIDED BY THE TRIBUNAL**

- 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
- Provision of advice and information with regard to lease agreements

### **UNFAIR PRACTICES PREVALENT IN THE RENTAL HOUSING SECTOR**

Unfair Practice refers to any act or omission by a landlord or tenant in contravention of this Act or a practice prescribed as practice unreasonably prejudicing the rights or interests of a Tenants or Landlord. May, amongst other things, relate to-

- The changing of locks
- Deposits
- Non-Payment of Rental
- Maintenance to property
- Damage to property
- Forced entry and obstruction of entry(illegal lockout)
- Eviction
- Disconnection of services
- Illegal attachment of goods
- Demolitions and conversions
- House rules, subject to the provisions of the Sectional Titles Act, 1986 (Act No. 95 of 1986), where applicable
- Intimidation
- Issuing of receipts
- Tenants committees
- Municipal services
- Nuisances
- Overcrowding and health matters
- Tenant activities
- Reconstruction and refurbishment work

### **WHO IS ELIGIBLE TO LODGE A COMPLAINT?**

Tenants, Landlords, Institutions, Bodies Corporate, Tenant's Associations and Property Managing Agents who either reside, manage or own such Residential Rental Property within the KwaZulu-Natal Province.

### **HOW A COMPLAINT LODGED**

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

- By mail to the offices of the Tribunal
- By facsimile to the office of the Tribunal, confirmation of successful transmission is proof of receipt of the complaint
- At the relevant Information Office within the jurisdiction of the local authority 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.

**"DO NOT SUFFER IN SILENCE. ENJOY THE PROTECTION OF THE LAW.**

**[CONTACT YOUR LOCAL INFORMATION OFFICE OR OUR MAIN OFFICE](#)**

**Municipal Information Office: Old Municipal Building (10 Broadway St)  
Ms. S. Hadebe / Mr. M. Mtembu  
036448 1023  
[slindile.hadebe@okhahlamba.gov.za](mailto:slindile.hadebe@okhahlamba.gov.za)  
[musamtembo@gmail.com](mailto:musamtembo@gmail.com)**

**OR**

**Physical Address: 9<sup>th</sup> Floor Eagle Building (Murchies Passage),  
353-363 Dr. Pixley ka Seme (West Street),  
DURBAN, 4001**

**Postal Address : Private Bag x54328, DURBAN, 4000**

**Tel. No. : 031 372 1800/3/4/6**

**Fax : 031 372 1831/16/28**

**Email : [info.rht@kzndhs.gov.za](mailto:info.rht@kzndhs.gov.za)**