

Short notes on:

BUILDING OR RENOVATING YOUR HOME - NOTE THE NEW PROPERTY LAWS PLANNED

Introduction

There has been a steady move towards a property industry that is more consumer-focused and offers consumers more protection. This is evident through the introduction of new legislation relating to property and building that has either been proposed or has already taken effect. Therefore, if you are the owner of a construction-related business or simply just someone that wants to build or renovate your home, it is crucial to be attentive to the Housing Consumer Bill.

What is the Housing Consumer Bill (“Bill”)?

The Housing Consumer Bill was initially introduced by the Minister of Human Settlements, Water and Sanitation towards the end of 2019. The Bill aims to restructure and regulate processes to ensure the protection of consumers within the home building sector. There are significant changes presented in this Bill, including but not limited to the repeal of the current Housing Consumers Protection Measures Act 95 of 1998.

A few of the changes introduced by the Bill are the expansion of what is defined as a “home” or a “builder”, the extension of cover against structural defects and roof leaks to include repairs, renovations and alterations in addition to construction, as well as the imposition of the requirement that all building plans be submitted to a municipality and that builders are registered with the National Home Builders Registration Council.

The Possible Impact of this Bill

The Bill extends the timeframes for cover against structural defects resulting from any construction, repairs, renovations or alterations. These time frames have been changed from when the consumer takes occupation and will now start from when construction takes place. Additionally, the claim

period has been extended from three years to five years and the penalties and fines imposed will be increased from R25 000.00 to R1million for non-compliance with the proposed Act. The changes proposed in this Bill will significantly impact the property industry and all its stakeholders, such as construction companies, builders, independent contractors, and even individuals making alterations to their own homes through their own labour.

Conclusion

In conclusion, it is crucial to know how this newly proposed legislation will affect you and how to conduct your affairs accordingly to avoid financial loss or any legal issues. Therefore, consult with a legal professional before entering into any building contract to put measures in place to make sure you comply with the law and protect yourself and your interests.

Contact an attorney at SchoemanLaw for your legal needs!

