

# Eviction and Rental Claims: A Practical Guide

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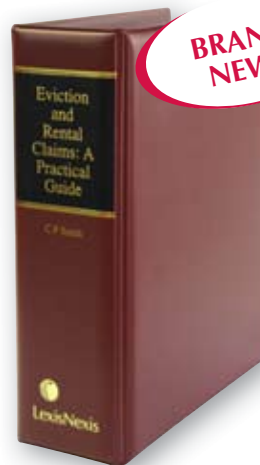
**The essential guide for Property Law practitioners and those litigating in the field of Property Law**

*Eviction and Rental Claims: A Practical Guide* is the first work to deal specifically with eviction procedures and rental claims in respect of commercial, residential and farm land with special reference to the effect of the Constitution on land rights. It combines the various measures practically to define and explain the common law and statutory measures that govern the law of eviction and rental claims.

Each type of procedure is dealt with separately and the various forms of eviction as provided for in different Statutes are distinguished, discussed and precedents are provided. The work contains the full text of the relevant Statutes, Regulations and Rules of the Land Claims Court.

**Topics covered include:**

- Common law principles
- Constitutional inroads
- Prevention of Illegal Evictions from & Unlawful Occupation of Land Act (PIE)
- The relationship between PIE and ESTA
- Extension of Security of Tenure Act (ESTA)
- Land Reform (Labour Tenants) Act
- The rent
- The landlord's tacit hypothec
- Common remedies and defences
- The defence that the lessor has not mitigated his damages
- Huur gaat voor koop
- The defence of unlawfulness
- The defence that the rent is undetermined
- The defence of prescription
- Preference of rent on insolvency
- The Rental Housing Act
- Miscellaneous eviction and rental claims-related measures.



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