

Keeping the lights on in Sectional Title schemes

With no relief from load shedding and rolling blackouts on the near horizon, an increasing number of Sectional Title (ST) schemes are making plans to install generators, solar panels and other equipment to keep the lights on.

Many are also having to look at additional tanks and booster pumps to secure a steady supply of water when council pumping stations are also affected by load shedding and the mains water supply dries up.

“However,” says Andrew Schaefer, MD of leading national property management company Trafalgar, “trustees must make sure they follow the correct procedures before purchasing such equipment for their schemes. And the first step is usually to explain to owners why considerations regarding noise, fumes and aesthetics mean that the best option for most sectional title schemes is a single large generator (or solar power plant) to serve the whole complex.”

Those owners who think it might be a better idea if each of them had their own portable generator, he says, may need to be reminded that the Sectional Titles Act and rules prohibit owners from doing anything that is likely to be a nuisance to other owners and from making aesthetically displeasing changes to the exterior of their units - and that the trustees are required to uphold these rules, so there is a possibility of serious friction over individual installations.

“In addition, unless owners have an exclusive use area where they can operate their own generator or put their own solar panels, they will each need to get the permission of every other owner in the scheme for their individual installation.”

In most instances, the owners will quickly agree that a single installation is best, but since it will constitute an “improvement to common property”, the trustees will still have to proceed to the next step, which is get their formal go-ahead in terms of the Sectional Titles Act.

“This will need to be a unanimous resolution if the owners feel that the installation would be a luxurious improvement, but only a special or majority resolution if the installation is regarded as a non-luxurious or necessary improvement,” Schaefer says. “And these days, the general feeling seems to be that a generator is a necessary improvement, especially if it is needed to power the lights on the common property and electrically-driven security gates, doors, cameras, fencing and alarm systems.”

Turning to water supplies, he says that many apartment blocks, particularly in Johannesburg, have already experienced problems with very low water pressure and in some cases no water supply at all for several days due to load shedding.

“And since it is really not practical to resolve these problems by means of individual installations, we suggest that any scheme that has experienced them, or expects that they might, should immediately call in an expert to assess what additional water storage tanks and booster pumps their complex may need, and make provision in their next budget – at the latest - for the purchase of this equipment.”

Issued by the Trafalgar Property Group
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