



Simply the Best

Newmark Residential Estate NPC, 195 Dawie St,
Silver Lakes Road, Hazeldean. 0081.
Postnet Suite 251, Private Bag X37
Lynnwood Ridge. 0040.

Estate Manager:

estate.manager@newmark.co.za

Tel: 012 809 1502

admin@newmark.co.za

Tel: 012 809 2126

www.newmark.co.za

REGISTRATION OF ESTATE AGENTS AT NEWMARK RESIDENTIAL ESTATE

**THIS AGREEMENT IS CONCLUDED BETWEEN
THE NEWMARK HOME OWNERS ASSOCIATION HEREIN REPRESENTED BY THE ESTATE MANAGER**

AND

.....
(Full Names and Surname as well as EAAB Registration Number)

INTRODUCTION

1. The aim of this agreement is to enable both parties to function optimally in the best interest of both the Newmark Home Owners Association (NHOA) and the applicable Registered Estate Agent, also referred to in this document as the Agent.
2. It is agreed by both parties that:
 - 2.1 The management of the Estate has the task to manage, safeguard and promote Newmark Estate in the best interest of all members of the NHOA.
 - 2.2 The Registered Estate Agent has the task to market properties on behalf of members of the NHOA within the guidelines contained in this agreement and to promote Newmark Estate in any reasonable way.
 - 2.3 On initial and annual registration Agents must submit the following documents in order to acquire a Newmark access card:
 - 2.3.1 An original ID document, and**
 - 2.3.2 A copy of a valid EAAB Fidelity Fund Certificate.**

RULES APPLICABLE TO ALL AGENTS

RULES REGARDING ADVERTISING AND MARKETING

1. Written approval from Tshwane Metro must be submitted before any marketing material may be displayed on the Silver Lakes Road pavements facing the Estate. Failing such proof, the NHOA retains the right to remove such material at the cost of the Agent and the Agent acknowledges that they will have no claim against the NHOA resulting directly or indirectly from such action.

Directors: D Smuts -Steenkamp (Finance) E Clarke (Communication) S Suprakas (Safety) D Vounatsos
(Aesthetics) Trys Nel (Security) G Mnguni (Governance)

Reg No. 2006/028105/08

2. No advertising material of any kind shall be distributed at the main gate, less so by the guards on behalf of any Agent.
3. Show days. Newmark acknowledges the fact that Agents have the freedom to arrange and present specific “show days” of property in Newmark Estate. The following rules are applicable:
 - 3.1 The application for a show day containing the detail planning has to be submitted to the Estate Manager in writing at least 5 (five) working days prior to the event to enable the Estate Manager to finalise approval from the Board of Directors.
 - 3.2 While a certain amount of liberty will be allowed the following are non-negotiable:
 - 3.2.1 All approved advertising material has to be removed from the Estate by 18:00 on the day of the show.
 - 3.2.2 All potential buyers have to be escorted from the main gate to the property and back to the main gate – this is and shall remain the responsibility of the Agent who applied for the show day.
 - 3.2.3 The privacy and peace of resident neighbours should at all times be considered. This entails all such matters as noise pollution, parking of vehicles, etc.
 - 3.2.4 Whenever the security personnel request an agent to stop with any activity at the show house or at the entrance to the Estate, such an activity has to be discontinued with immediate effect. Any misconduct in this regard shall lead to the cancellation of the registration of the Agent with immediate effect.

RULES REGARDING ACCESS CONTROL

4. Access cards are to be purchased from the Office at a **non-returnable fee of R200.00**. The Agent must be able to show the card at the gate and whist inside the Estate, to any Estate official requesting the Agent’s identification. Access cards are not transferable. A lost card will be replaced only after a penalty of R2 000.00 was paid to the NHOA. If any misuse of an access card is discovered, such card will be cancelled immediately and the issuing of a penalty of R2 000.00 becomes applicable at the sole discretion of the Estate Manager.
5. In the Estate Agents may only operate on an “appointment” basis.
6. Agents and their clients may only enter the Estate to conduct their business during the following hours:
 - 6.1 Normal working days between 08:00 and 18:00.
 - 6.2 Saturdays, Sundays and Official Public Holidays between 10:00 and 18:00.
7. Agents must meet prospective buyers at the main gate of the Estate – whether by appointment or not – escort them physically to the property/ properties, and escort them back to the main gate. Kindly note:
 - 7.1 Only licenced vehicles, driven by licenced drivers, will be allowed to enter.
 - 7.2 No potential buyer shall be allowed to roam around in the Estate unescorted.
 - 7.3 Visits to occupied dwellings may only be done after positive approval by the resident/owner.
8. Under no circumstances shall keys or documents of any kind be left at the main gate for any length of time by anyone. Neither the NHOA nor the Estate Manager will entertain any claims from any source in this regard.

RULES REGARDING INFORMING THE CLIENT

9. On Becoming a Member of the NHOA. The Agent is responsible to inform the buyer of property in Newmark Estate that an owner by law automatically becomes a member of the NHOA and that they will have to sign an agreement confirming the acceptance of the authority of the NHOA as reflected in the following documents:
 - 9.1 Newmark Memorandum of Incorporation. This document is available at Newmark's office.
 - 9.2 The NHOA Rules of Conduct. This document is available on the website www@newmark.co.za. It is important that the client is informed of the Estate's Rules of Conduct as the new owner and their direct dependants will automatically become subject to these Rules. It is of utmost importance that the buyer of a vacant stand is briefed on the Estate's aesthetical and architectural rules before the purchasing contract is signed. It is also recommended that the Agent bring the client to Newmark's office to be briefed on some technical issues in order to prevent unnecessary waste of resources during the planning and construction phases of the new dwelling.
 - 9.3 The Geotechnical Investigation. This document is of utmost importance to all buyers of a vacant stand whose intention it is to improve the property with a new dwelling.
 - 9.4 The NHOA Plans & Construction Handbook for Residential Properties. This handbook contains the rules and regulations applicable to the planning and construction of a new residence and is specifically applicable on the client who intend to develop a vacant stand. Such clients must be advised to meet with the Estate Manager before the planning process commences.
10. New owners and tenants must be brought to Newmark's office to complete administrative documents and to apply for access control.
11. Agents and clients alike must take note of relevant information published on the Estate's website www.newmark.co.za.

ETHICAL ISSUES

12. Agents are seriously requested to refrain from any form of soliciting support from the personnel of the NHOA for purposes of purchasing or selling any property in the Estate. If any such actions are discovered, it will directly endanger the existence of this agreement.
13. Agents may not utilise the information given to them in their capacity as a Registered Estate Agent for any other purpose than what it is intended for.

UNDERTAKING BY THE NHOA

1. The NHOA acknowledges the right of a property owner to choose and appoint an Estate Agent of their choice to sell or let their property.
2. The NHOA acknowledges the right of any Estate Agent to conduct business within the rules and regulations of the Estate.
3. The NHOA and office personnel will treat all Registered Estate Agents in an even-handed manner.
4. To furnish a Registered Estate Agent with as much information about properties on sale as is reasonable. Both parties accept the fact that management will not necessarily be aware of all properties in the market as there is no obligation on members of the NHOA to notify management of same.

CONCLUSION

1. Any transgression of any clause in this agreement by the Registered Estate Agent, to the sole discretion of management, shall lead to the cancellation of the access card and the acceptance by both parties that management shall report the incident to the EAAB. Restoration of being a Registered Estate Agent in Newmark Estate will only be done after consultation/approval by the EAAB.
2. All persons irrespective of the circumstances whatsoever, whether in a public or private capacity and on foot or in a vehicle, entering the Estate or making use of any of the fixed or movable facilities of whatever kind, which include but are not limited to any roads, security barriers, speed bumps, pavements, parking areas, buildings, recreational facilities and communal areas, or any apparatus brought in by the host or his/her guests, will do so entirely at their own risk. The Newmark Homeowners Association, Board of Directors, the registered owners, their agents, employees, and appointees ("the Management") shall not be liable or responsible for any death, injury, direct or indirect loss or damage of any nature whatsoever to any individual or property of such individual, irrespective of the cause of such death, injury, loss, or damage. All persons' indemnity exempts and release the Management from any and all liabilities and claims arising from any cause whatsoever and waive and abandon any and all claims of any nature whatsoever, including the negligence or the intentional act/neglects of any of the above.
3. Amendments. The Newmark Board of Directors retains the freedom to amend the rules reflected in this agreement from time to time. Registered Estate Agents will be notified thereof. Any such amendments will be deemed to be part of this agreement as if it was included in the initial agreement.

Signed at Newmark Estate on this the day of 20.....

THE REGISTERED ESTATE AGENT:

Name of Company:

Contact Particulars: Telephone (Telkom)

Cell

E-mail:

Signature:

ON BEHALF OF NEWMARK HOME OWNERS ASSOCIATION:

The Estate Manager:

BOTH PARTIES TO INITIAL ALL THE PAGES

Directors: D Smuts -Steenkamp (Finance) E Clarke (Communication) S Suprakas (Safety) D Vounatsos
(Aesthetics) Trys Nel (Security) G Mnguni (Governance)

Banking Details:

Newmark Residential Estate

Standard Bank: 202 813 657

Branch Code: 012 445

Email proof of payment: admin@newmark.co.za