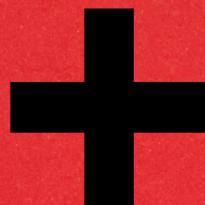


Shared Living

Oct - Dec 2025

Issue 31

**ENJOY RESPONSIBLY
THIS FESTIVE SEASON**



CSOS ENFORCEMENT:
TURNING LEGAL VICTORY INTO
PRACTICAL RESULTS

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SEASON
OPERATING
HOURS ON
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SCAN ME

Accountability, Excellence,
Independence, Integrity

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CSOS
Community Schemes
Ombud Service

Gedeelde Lewe Ukuhlalisana Tsamisana Ho Dulisana Mmoho



VISION: A credible, world class OMBUD SERVICE for community schemes in South Africa.

MISSION: To promote harmonious community schemes by providing regulation, education and accessible dispute resolution services to all relevant stakeholders

VALUES: Accountability, Excellence, Independence, Integrity

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Affordable Reliable Justice

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ACTING CHIEF OMBUD'S FOREWORD



Dear stakeholders,

As 2025 comes to an end, we pause to reflect on a year that has tested our resilience and strengthened our resolve. Despite challenges, the community schemes sector has continued to evolve, driven by innovation and a shared commitment to improving governance and service delivery. Your partnership has been instrumental in this progress, and for that, we extend our deepest appreciation.

I assumed my duties as Interim Chief Ombud on 1 October, fully aware of the concerns expressed by many of our stakeholders regarding leadership transitions and the continuity of the CSOS. Your concerns are valid. We acknowledge the erosion of trust and the pressing need for stability, transparency, and capable leadership. Please be assured that restoring confidence in CSOS and delivering on our mandate remain my highest priorities.

Part of this commitment includes addressing one of the most critical issues raised by our stakeholders, the dispute resolution backlog. We recognise that this has been a recurring concern, and while progress has been made, we know more

must be done. To accelerate turnaround times and improve efficiency, CSOS has enlisted part-time adjudicators to assist in clearing the backlog. This is not just a promise; it is an active, ongoing effort to ensure that every community scheme member receives timely and fair resolution of disputes.

It is against this backdrop of renewal and action that we bring you this edition of SharedLiving. Inside, you will find resources that reflect our drive for improvement and engagement, including the amended Practice Directive, highlights from the 3rd CSOS Annual Indaba, and a festive season toolkit to help you navigate year-end celebrations within community schemes.

At the Indaba, the Honourable

Minister reminded us that while CSOS has successfully amplified its voice and visibility, through brand awareness and stakeholder engagement, visibility must always be matched by quality and efficiency of service. A strong brand is not only defined by recognition but by consistent delivery on its promise. This is the standard we are committed to: translating visibility into tangible results through effective dispute resolution, timely service delivery, and sustained public trust.

As we approach the festive season, let us celebrate responsibly and with consideration for our neighbours. Shared living thrives on mutual respect, harmony, and understanding values that bind us together as vibrant

communities.

For those traveling or taking a well-deserved break, we wish you rest and renewal. Please note that while CSOS will close briefly for the holidays, urgent matters can still be directed to our regional Ombuds; their contact details are included in this magazine.

On behalf of CSOS, I wish you and your loved ones a joyful, peaceful holiday season and a prosperous New Year. I look forward to engaging with you in 2026 as we work together to protect the rights and interests of all who live in community schemes.

**Warm Regards,
Lesiba Seshoka
Acting Chief Ombud**

You don't need a lawyer to solve a dispute. Let's talk.



DECLUTTERING THE RULES

CSOS Issues New Consolidated Practice Directives

What do you do when your home feels cluttered and fragmented? You reorganise, consolidate, and restore harmony. The Community Schemes Ombud Service (CSOS) has recently done just that, only instead of furniture and ornaments, it was the organisation's practice directives that needed tidying up.

Over the years, CSOS had issued numerous directives to guide community schemes. While well-intentioned, they became scattered and cumbersome, leaving stakeholders with a maze of documents to navigate. On **18 July 2025**, CSOS took a bold step forward by issuing its **Consolidated Practice Directives**, merging all previous directives into one streamlined document. This single source now replaces the patchwork of earlier directives, offering clarity, uniformity, and accessibility.

The new directives are not simply a repackaging of old rules; they introduce six important provisions that reshape how community schemes operate. These include urgent applications, condonation applications, applications for consent under the Sectional Titles Schemes Management Act, the appointment of administrators, the appointment of executive agents, and the voluntary submission of governance documents for schemes beyond sectional titles. Together, these provisions reinforce governance and simplify processes, ensuring that stakeholders can focus less on paperwork and more on effective community living.

But CSOS didn't stop at issuing the directives. Recognising the importance of stakeholder understanding, the organisation rolled out a series of workshops and webinars across the country. These sessions unpacked the directives, clarified grey areas, and addressed common misunderstandings. One topic that sparked

debate was the provision on undesirable rules. Some believed the list of undesirable rules was exhaustive, but CSOS clarified that it is a guide, not a closed catalogue. Each rule, whether in a homeowners' association or a sectional title scheme, will be assessed individually, ensuring fairness and flexibility.

The directives also set out practical guidelines for engaging with CSOS in the digital age. The organisation is transitioning to its **CSOS Connect platform**, where all applications and processes will be handled online. Stakeholders are expected to first exhaust internal dispute resolution mechanisms before approaching CSOS, except in urgent cases where interim relief is necessary to prevent irreparable harm. While applications must be submitted in English, CSOS has reaffirmed its commitment to inclusivity, pledging to assist applicants in other official languages to ensure accessible service delivery.

Importantly, the issuance of the Consolidated Practice Directives marks the beginning of a broader journey. CSOS has already embarked on a legislative review process that will reshape the regulatory framework governing community schemes. This review opens the door for stakeholders to contribute meaningfully, helping to shape the future of the industry in ways that reflect the realities of shared living.

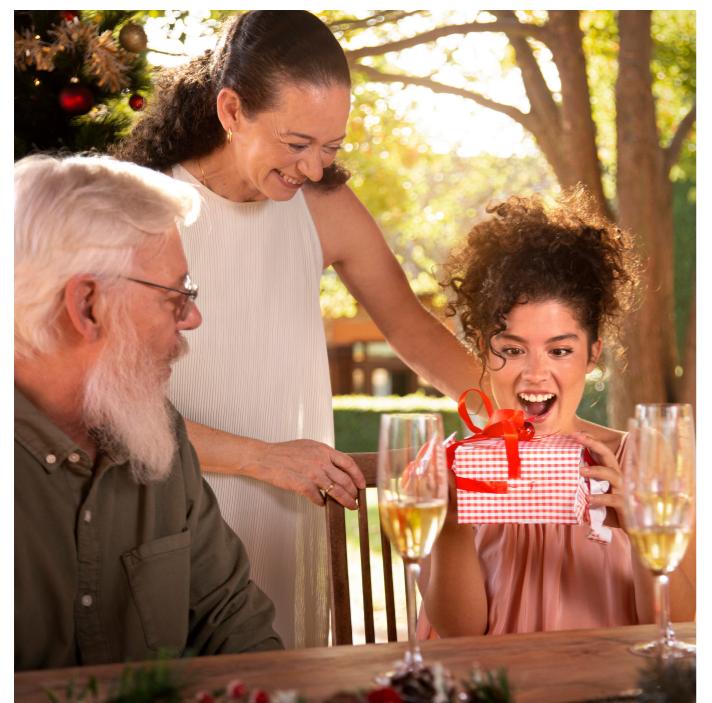
For those who may have missed the workshops, the Consolidated Practice Directives represent more than just a technical update. By consolidating and simplifying its directives, we are making it easier for community schemes to operate fairly, transparently, and effectively," said former Acting Chief Ombud, Ms Kedibone Phetla. "The message is clear: the house has been decluttered, and the path ahead is one of order, accessibility, and

progress." Stakeholders who were unable to attend the sessions can still reach out to training@csos.org.za for guidance and support, and the full Consolidated Practice Directives are available online for reference at [CSOS Practice Directives](#).

"The Consolidated Practice Directives are more than a tidy-up; they are a fresh start. For community schemes across the country, they signal a new era of clarity, efficiency, and shared responsibility" said Phetla.



ENJOY RESPONSIBLY THIS FESTIVE SEASON



The festive season is here, a time of joy, family gatherings, and celebrations. But in community schemes, where neighbours live side by side and share common spaces, it is important to remember that your fun should not come at the expense of someone else's peace. Living responsibly during the holidays means balancing celebration with consideration.

Throwing a party is part of the festive spirit, but where you host it matters. Common property such as gardens, courtyards, parking areas, and patios may be designated as exclusive use areas for specific owners. These rights are granted by the body corporate through management or conduct rules. Using these spaces without clarity or permission can lead to disputes, so before planning your event, check your scheme's rules to

avoid conflict and ensure fair use of shared spaces.

Few things say "celebration" like fireworks, but they can quickly become a nuisance or even a safety hazard. Every homeowners' association or sectional title scheme has its own rules about fireworks, often guided by municipal by-laws. If your scheme allows them, they must be managed responsibly, within applicable framework such as By-Laws. Fireworks can disturb pets, frighten children, and pose fire risks. Enforcement of rules and caution is essential to keep festivities safe for everyone.

Holiday decorations bring cheer but remember that the exterior of sectional title buildings forms part of the common property. Section 13(1)(d) and (e) of the Sectional Titles Schemes Management Act makes it clear that owners must not interfere unreasonably with others' enjoyment of common property or cause a nuisance. Prescribed Conduct Rule 4(1) further prohibits altering or damaging common property without trustee consent. This means you cannot simply nail lights into walls or paint festive murals without approval. Schemes are encouraged to adopt specific conduct rules for decorations to avoid disputes while still allowing festive flair.

From loud music to barking dogs, nuisance is one of the most common complaints during the holidays. But legally, nuisance is more than irritation. In the case of *Vogel v Crewe* (2003), the court defined nuisance as conduct that infringes on a neighbour's health, well-being, or comfort in their home. The test is one of objective reasonableness, does the behaviour unreasonably interfere with others' rights? Noise, smoke, overcrowding, odours, or even invasive plants can qualify if they cross this threshold.

The festive season should be a time of joy, not conflict. By respecting exclusive use rights, managing fireworks responsibly, decorating within the rules, and avoiding nuisance behaviour, residents can ensure harmonious festivities in their schemes. Community living is about shared responsibility, and your celebration should add to the festive spirit, not take away from someone else's peace.

Comply with the law

Register your residential complex with CSOS NOW!



SHARED RESPONSIBILITY, SUSTAINABLE GOVERNANCE: INSIDE THE 3RD CSOS INDABA

When the CSOS convened its 3rd Annual Indaba on 23–24 October 2025 at The Canvas, Riversands (Riversands Incubation Hub), Fourways, the message was unmistakable: sustainable governance in community schemes demands shared responsibility, from trustees and managing agents to residents, policymakers, and the regulator itself.

Under the theme, **“Sustainable Governance: Shared Responsibility as the Cornerstone of Community Schemes,”** the two day gathering brought together government leaders, the CSOS Board, legal experts, managing

agents, scheme representatives and owners to interrogate governance, compliance, dispute resolution, and innovation across South Africa's diverse shared living landscape.

Delivering the keynote, Minister of Human Settlements Thembi Simelane placed transformation and stronger governance at the centre of community scheme reform. She emphasised CSOS's progress and challenged CSOS to accelerate impact, especially in registration, compliance, and accessible dispute resolution. The Minister highlighted that over 38,000 community schemes are registered, more than 70% are compliant, and CSOS reported an 86%

performance rate, while urging a complete national registration database and faster alternative dispute resolution to ease court burdens.

“Despite operational pressures and a complex environment, this performance demonstrates what can be achieved when an organisation is united by purpose and driven by results” the Minister further said in her keynote speech.

From sectional title bodies corporate and homeowners' associations to retirement villages and mixed use, South Africa's community scheme ecosystem has expanded rapidly. That growth has raised



the stakes for transparent governance, clear rules, financial discipline, and fair dispute resolution, all of which sit squarely within CSOS's mandate.

Those priorities were echoed throughout the programme: governance documentation and compliance, CSOS adjudication and review processes, levy collection and financial sustainability, POPIA/PAIA implications, and CSOS Connect (including the imperative that schemes be properly registered on the platform). Breakaway sessions

enabled interactive dialogue with officials and practitioners, a design choice praised by participants for encouraging candid Question & Answer and case based learning.

Key voices across the two days included CSOS leadership and Board members, with Chairperson Ms. Busisiwe Nzo highlighting governance excellence, inclusivity, and transparency. External experts added nuance on case law, adjudication reviews, and practical directives, while provincial ombuds and executive managing agents

weighed in on implementation realities in schemes nationwide.

Three takeaways:

1. Registration is non-negotiable. With 38,000+ schemes already on the register, CSOS is driving toward full visibility of the sector; unregistered schemes present a governance risk.

2. Alternative dispute resolution (ADR). The Indaba reinforced ADR frameworks as essential to resolving disputes faster and

more affordably than formal litigation.

3. Performance and accountability are improving. The 86% performance noted in Minister Simelane's address signals momentum at CSOS; the target is 100% through stronger compliance, faster adjudication process, and consistent education.

Inside the Breakouts, if plenaries set the agenda, breakout sessions and panels surfaced the operational realities:

- POPIA & PAIA in Schemes: How do bodies corporate manage personal data, access requests, and privacy

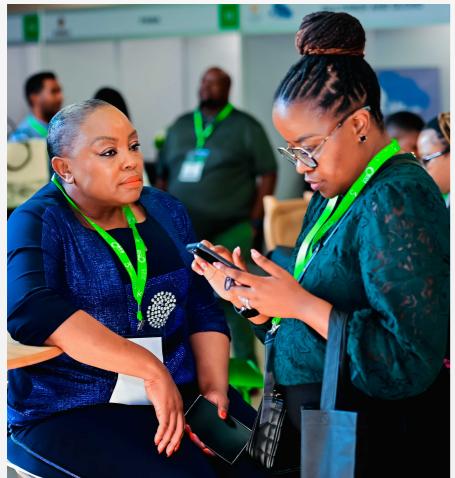
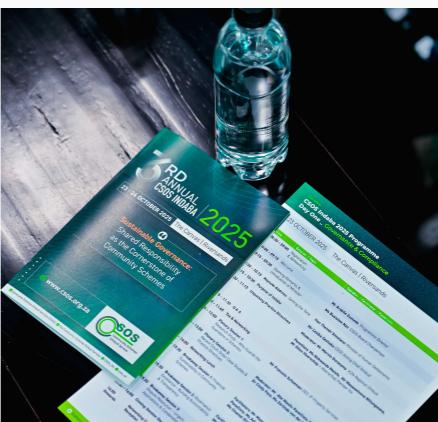
risks without stalling core operations? Experts unpacked lawful processing, records management, and transparency obligations tailored to scheme contexts.

- Adjudication Reviews & Appeals: Practitioners discussed how to navigate CSOS orders, seek reviews, and align scheme rules with practice directives, including the newly consolidated guidance.
- Levy Collection & Financial Sustainability: Panels examined arrears management, disconnection cases, and equitable enforcement, with legal case studies illustrating how procedural fairness prevents

costly disputes.

- CSOS Connect & Registration: Officials stressed mandatory registration, accurate annual returns, and the benefits of digital tracking for adjudication and compliance, a foundation for evidence based governance.

With momentum from the 2025 Indaba, CSOS's next chapter will hinge on shared responsibility: government policy and oversight, trustee professionalism, resident participation, and managing agent accountability. And the Minister's challenge to elevate performance, where governance is not a compliance tick box but a living practice.



CASE CLOSED

AVOID CASES BEING CLOSED ON YOU: FESTIVE SEASON ETIQUETTE FOR SECTIONAL TITLE LIVING



December is a time for laughter, music, and family gatherings. But in a sectional title scheme, the festive cheer can quickly turn into a formal complaint if rules are ignored. Every year, trustees and managing agents deal with disputes over noise, visitor parking, and even fireworks. These cases often end up at CSOS for adjudication, earning a spot in our **“Case Closed”** archives.

This year let's flip the script, avoid having a case closed on you by celebrating responsibly.

Here's what the law says and how you can keep the peace while enjoying the season.

Under the Sectional Titles Schemes Management Act, the Prescribed Conduct Rules set clear expectations for behaviour:

- Rule 7(1):** Owners and occupiers must not create noise that interferes with another person's peaceful enjoyment of their home.
- Rule 7(3):** You are responsible for your visitors'

behaviour—if they disturb others, you could face a complaint.

In short: loud music, fireworks, or disruptive parking can all lead to disputes. And remember, the festive season doesn't suspend these rules.

Real Risks: What Happens if You Ignore the Rules

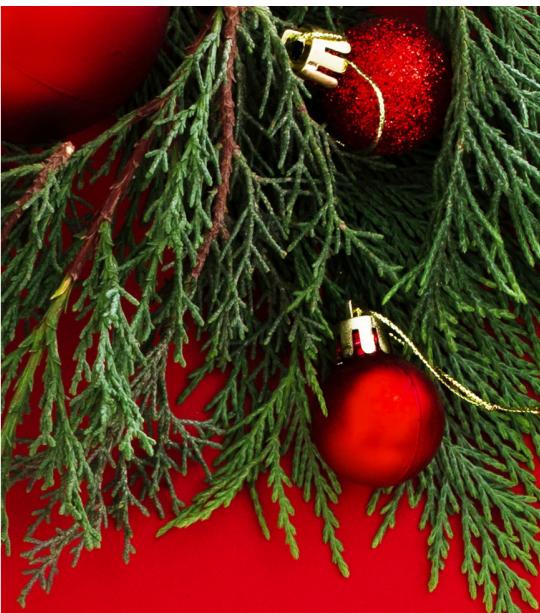
- Formal Complaints:** Neighbours can lodge complaints with trustees or managing agents.

- Fines and Penalties:** Schemes may impose fines for repeated breaches.
- CSOS Adjudication:** Persistent offenders' risk formal dispute resolution, which can result in enforceable orders—and legal costs.
- Fireworks? Think Twice:** They often violate municipal by-laws and disturb pets and residents.
- Parking Discipline:** Use allocated bays or designated visitor parking, never block access or park on common property.

Your Festive Season Survival Guide

- Keep Noise Reasonable:** Enjoy music and laughter, but respect quiet hours (according to your scheme's rules).
- Manage Visitors:** Inform guests about parking rules and noise expectations.
- Communicate Early:** If you are hosting a gathering, consider notifying neighbours and trustees.

Following these simple steps, you can keep the festive spirit alive, without ending up in a “Case Closed” headline. Celebrate responsibly, respect your community, and make this season joyful for everyone.



OFFICE CLOSURE NOTICE

The CSOS offices will be closed for the holidays from Friday, 19 December 2025 at 12:00pm to Monday, 05 January 2026 at 8:00am.

If you have any urgent matters, please contact the Regional Ombuds on the following numbers:

- KwaZulu-Natal, Free State, Mpumalanga:**
Mr. Mervin Dorasamy
(063 684 7740)
- Gauteng, Limpopo, North West:**
Mr. Abram Masilo
(066 302 9517)
- Western Cape, Eastern Cape, Northern Cape:**
Ms. Maletsatsi Wotini
(066 302 9492)

We wish you a happy and peaceful festive season

