INSTRUCTION AND NOTES

1. ANSWER ALL QUESTIONS.
2. MARKS ARE ALLOCATED TO EACH QUESTION.
3. EACH QUESTION TO BE ANSWERED ON A NEW PAGE
4. THIS IS A CLOSED BOOK TEST.
5. THIS EXAMINATION COUNTS 60% TOWARDS THE FINAL MARK FOR THIS MODULE
6. CALCULATORS ARE NOT NECESSARY BUT ARE PERMITTED IF THE STUDENT WISH TO USE CALCULATORS TO EXPAND ON AN EXPLANATION.
7. TOTAL NUMBER OF QUESTIONS:
QUESTION 1 (15 MARKS)

1.1 Discuss the Common Law concept of “Huur Gaat Voor Koop” (10)
1.2 Explain what you understand by the “landlord’s tacit hypothec” (5)

QUESTION 2 (9 MARKS)

Discuss in detail compensation for improvements made to immovable property by a :

2.1 Lawful Occupier
2.2 Occupier in Good Faith
2.3 Occupier in Bad Faith

QUESTION 3 (16 MARKS)

Explain the following concepts:

3.1 Freehold Title
3.2 Sectional Title
3.3 Shareblock Schemes
3.4 Group Housing

QUESTION 4 (20 MARKS)

4.1 Briefly name and explain three different types of Joint Ownership over immovable property (6)

4.2 Explain the rights and duties of co-owners of immovable property (10)

4.3 Explain the concept of undivided shares as it relates to immovable property (4)
QUESTION 5 (10 MARKS)

S 25(3) of the constitution of South Africa mentions five factors that must be taken cognizance of in determining compensation. Discuss

QUESTION 6 (10 MARKS)

List the aims and objectives of the Municipality Property Rates Act 6 of 2004.

QUESTION 7 (20 MARKS)

Discuss the following managerial organs of a Sectional Title Scheme:

7.1 Body Corporate, Trustees and General Meeting (10)

7.2 Managing Agent (5)

7.3 Administrator (5)