



## Property Services Team

Legal Update

28 April 2020

*Our Cox Yeats Property Services Team is committed to keeping you informed on developing legal issues.*

### **LOCKDOWN LEVEL 4: THE DEEDS OFFICE AND ANCILLARY SERVICES**

South Africa is expected to move from a Level 5 to a Level 4 lockdown as of 1 May 2020. Level 4 makes provision for limited economic activity and the easing of some movement. Under Level 4, only essential government and administration services may operate. Included in the list of Level 4 essential government services are the deeds offices.

We welcome the news that the deeds registries are likely to commence operation during Level 4, albeit at approximately 30% capacity. However, we still await clarity on the exact basis on which it will commence operation and the potential delays that will be experienced until full operational capacity has been reached and the inevitable backlogs have worked their way through the system. We are liaising with the Registrar of Deeds regularly and will provide you with an update as soon as we receive confirmation of the process going forward.

Whilst we await confirmation of the opening of the deeds office, we have engaged with Government's Covid-19 Taskforce and various cabinet ministers on behalf of the KZN conveyancing fraternity and the property sector as a whole.

The opening up of the deeds office will only be productive if other role players are also classified as level 4. We have submitted that the following ought to be classified as essential services under Level 4 and therefore to be permitted to commence operation on 1 May:

1. Municipalities – issuing of rates figures and rates clearance certificates;
2. Office of Surveyor General – approval of SG plans and diagrams;
3. Bodies Corporate and Home Owners' Associations – issuing of levy clearance certificates and consents;
4. SARS – provision of transfer duty receipts;

5. Master's Offices – operations should be extended to include issuing of letters of executorship and endorsement of powers of attorney to pass transfer;
6. Electricians, entomologists and gas installers - carrying out surveys and repairs required to enable the issue of electrical, entomology and gas conformity certificates;
7. Valuations – carrying out of property valuations by bank valuers for purposes of Transfer Duty and mortgage bonds;
8. Courier services – to enable the delivery of documents to correspondent attorneys both provincially and inter-provincially.

We will continue to engage with the relevant role-players to establish ways to safely and quickly restore economic activity in the property sector and will keep you advised of all new developments as they unfold.

Should you wish to let us have your comments on any of the issues raised or any other issue that you believe needs to be addressed, or should you require any specific information or advice, please do not hesitate to contact a member of our Cox Yeats Property Team.

**For more information about our Property Law practice and services, please contact:**



**Robin Westley**  
Partner  
Tel: 031 536 8522  
Cell: 082 412 9609  
Email:  
[westley@coxyeats.co.za](mailto:westley@coxyeats.co.za)



**Carol McDonald**  
Partner  
Tel: 031 536 85315  
Cell: 079 151 7979  
Email:  
[cmcdonald@coxyeats.co.za](mailto:cmcdonald@coxyeats.co.za)



**Kim Edwards**  
Partner  
Tel: 031 536 8519  
Cell: 072 466 1111  
Email:  
[kedwards@coxyeats.co.za](mailto:kedwards@coxyeats.co.za)



**Thabo Vilakazi**  
Partner  
Tel: 031 536 8523  
Cell: 079 820 7082  
Email:  
[tvilakazi@coxyeats.co.za](mailto:tvilakazi@coxyeats.co.za)



**Roger Green**  
Consultant  
Tel: 031 536 8521  
Cell: 082 574 3711  
Email:  
[rgreen@coxyeats.co.za](mailto:rgreen@coxyeats.co.za)



**Tina Halstead**  
Partner  
Tel: 031 536 8534  
Cell: 082 454  
2424  
Email:  
[thalstead@coxyeats.co.za](mailto:thalstead@coxyeats.co.za)



**Lazelle Paola**  
Partner  
Tel: 031 536 8550  
Cell: 082 454  
2428  
Email:  
[lpaola@coxyeats.co.za](mailto:lpaola@coxyeats.co.za)



**Nicholas Cura**  
Associate  
Tel: 031 536 8553  
Cell: 084 522 7008  
Email:  
[ncura@coxyeats.co.za](mailto:ncura@coxyeats.co.za)



**Carina Eriksson**  
Associate  
Tel: 031 536 8577  
Cell: 082 557 9528  
Email:  
[ceriksson@coxyeats.co.za](mailto:ceriksson@coxyeats.co.za)



Visit us at: [www.coxyeats.co.za](http://www.coxyeats.co.za)

**DURBAN OFFICE:**

**Tel:** 031 536 8500 | **Fax:** 031 536 8088 | **Address:** Ncondo Chambers, Vuna Close, Umhlanga Ridge, Durban, 4320

**JOHANNESBURG OFFICE:**

**Tel:** 010 0155 800 | **Address:** 4 Sandown Valley Crescent, Sandton, 2196



If you have received this Legal Update in error, or wish to unsubscribe from the mailing list, please click [here](#).

**Disclaimer:** *The information contained herein is for general guidance only and is not intended as legal advice. Should readers require legal advice on any relevant issue, they are requested to consult a Cox Yeats professional.*