

#### **Revision 1 MARCH 2024**

In terms of paragraph 11.9 of the Memorandum of Incorporation of Monaghan Farm, the Board of Directors is empowered to levy additional contributions upon specific members for services provided. In terms of paragraph 16.1.3 of the Memorandum of Incorporation of Monaghan Farm, the Board of Directors is empowered to impose a system of penalties for the enforcement of any of the Estate Rules, the amounts of penalties to be stipulated in the Regulations determined by the Board of Directors. In respect of these powers, herewith the Monaghan Farm Fees, Charges and Penalty Structure.

	IISTRATION: FEES, RENTAL AND SERVICE CHARGES	Fee amount or Penalty amount
1)	Aesthetics Committee plan submission,	
	adjudication, and inspection fees	
	**All Aesthetics Committee fees are to be paid	
	directly to the service provider. **	
Ple	ase request banking details and booking reference	
via	mac@monaghanfarm.co.za .	
a)	Home inspections: as a requirement to issue a levy clearance certificate.	R 1 000.00 upfront payment, per inspection.
b)	Landscape plan submission.	R 575.00 upfront payment, per submission.
c)	Renovations: Small Additions  Non council submissions  e.g., Fencing, play area equipment, braai area, driveways, PV panels/solar, aircon/evaporative cooling, cctv, lighting(exterior), other/ all external elements not shown on MAC approved plans.	R 500.00 upfront payment, per submission.
d)	Renovations: Additions max 100m² Requiring submission to council / regulatory authority.  e.g., Pools, Carports, additions & alterations (enclosed/roofed areas)	**Budget around <b>R 8 500.00</b> for the total submission process. Please pay per individual submission only.**
	Submission 1 - concept Submission 2 - concept/ design development Submission 3 - council Submission 4 - amendment landscape plan MAC Sign off / final inspection.	R 3 000 .00 upfront payment, per submission. R 1 500 .00 upfront payment, per submission. R 1 500 .00 upfront payment, per submission. R 1 000 .00 upfront payment, per submission. R 1 500 .00 upfront payment, per submission.
	Additional meetings, 30 min charged at	R 1500 .00 upfront payment, per additional submission.



<ul> <li>a) Renovations exceeding 100m<sup>2</sup> &amp; new build projects.</li> <li>Requiring submission to council / regulatory authority.</li> </ul>	**Budget around <b>R 12 500.00</b> for the total submission process. Please pay per individual submission only.**
Submission 1 - concept Submission 2 - concept/ design development Submission 3 - council Submission 4 - Landscape plan - concept Submission 5 - landscape plan approval Submission 6 - approval of materials Submission 7 - variation orders MAC Sign off / final inspection.  Additional meetings, 30 min charged at	R 3 000 .00 upfront payment, per submission. R 1 500 .00 upfront payment, per submission. R 1 500 .00 upfront payment, per submission. R 1 000 .00 upfront payment, per submission. R 1 000 .00 upfront payment, per submission. R 1 500 .00 upfront payment, per submission. R 1500 .00 upfront payment, per additional submission.
<ol> <li>Access cards         Annual renewal required.     </li> <li>Please note: all access cards will expire month end         February of each year.     </li> </ol>	
<ul> <li>a) Residents access cards (where biometrics have failed)</li> </ul>	R 500 per card / lost card replacement
<ul> <li>b) Cyclist card (granting access for cyclists via the emergency exit gate situated: The Other Side)</li> </ul>	R 218 per card / lost card replacement
c) Domestic staff (access cards)	R 218 per card / lost card replacement
3) Administration Fees  a) Late payment fee automatically levied where levies are not paid in full and funds do not reflect in the company's bank account by close of business on the 7 <sup>th</sup> of each month.	R350 per month.
<ul> <li>Reminder notice fee</li> <li>Per notice issued in accordance with the</li> <li>MFHOA debtors' policy</li> </ul>	R300 per month
<ul> <li>Failure to subscribe to the direct debit payment method to settle monthly levies and sundry charges as applicable.</li> </ul>	R300 per month
4) Building / Contractors Deposit (refundable)	



a)	New Build + projects exceeding 150m <sup>2</sup>	R 20,000
b)	All other contract / building works	R 10,000
5) Bu	ilders Yard Rentals	
(availa	able to building contractors only)	
	With office building	R 7, 403,97 per month
·	Without office building	R 4 689, 69 per month
	<b>3</b>	
6) Ge	neral: Sales & Hire	
,	Collection of goods	R 184 per delivery
	Delivery of goods	R 184 per delivery
c)		R 26 per bale
d)		R 65 per bale
e)		R 443
f)		At cost, please enquire.
g)		R 129
	Refuse bin: Black	At cost, please enquire.
i)		At cost, please enquire.
,		R 58
j) k)		
K		R 443 min fee
	time _ call out fee.	
7) Gr	ass cutting and garden refuse collection.	
	Brush cutting	Min service charge of R412 calculated at
a)	(cutting of veld / berms to min 150 mm)	R61-53 per staff member per hour
	(catting of vela / bernis to min 130 min)	Not 35 per stan member per noti
b)	Rake, collection, and removal of veld grass	Min service charge of R412 calculated at
	cuttings	R61-53 per staff member per hour
	cuttings	Not 35 per stan member per noti
c)	Garden refuse collection	Min service charge of R412 calculated at
()	Garden refuse conection	R61-53 per staff member per hour
		Not 35 per stan member per noti
d)	Garden refuse placed in bags and placed for	Collected with household waste at no charge.
u)	collection on refuse collection days.	Conected with household waste at no charge.
	collection on refuse collection days.	
0)	Tractor& tractor equipment hire.	Min charge of R412, thereafter R412 per hour.
e)	Tractor & tractor equipment file.	Will charge of N412, thereafter N412 per flour.
0\ 1 =	au algazanca gartificata	D 2 000 per leve degrapes soutificate issued
8) Le	vy clearance certificate	R 2 000 per levy clearance certificate issued.
I		



9) Photocopy & Printing	
Black & white	
a) A4	R 2.57 per page
1	
b) A3	R 3.85 per page
10) Security Alarms	
a) Monthly alarm monitoring	No charge
b) Home alarm transmitter enabling connection with	At cost, please enquire.
security control room.	
,	
PENALTIES: DOMESTIC ANIMALS	
11) The keeping of an unauthorised animal, as defined	R1 000 instant penalty per animal identified. R1 000
by the pet rules.	per month per unauthorised animal thereafter until
	unauthorised animal is removed.
12) Contravention of pet rules	R2 000 per contravention.
13) Dogs found roaming the estate.	R1 000 per dog and R1 000 per transgression
14) Dans officed	D4 000 may day and D4 000 may beautiful.
14) Dogs off lead	R1 000 per dog and R1 000 per transgression
PENALTIES: TRAFFIC AND PARKING	
15) Not using designated parking area's or	R500 per vehicle per transgression.
16) Parking on gross or gross suples	DECO nonvehicle non transcression
16) Parking on grass or grass swales	R500 per vehicle per transgression.
17) Failing to adhere to traffic signs (e.g., failure to	R500 per transgression
stop at stop street etc)	Nood per transgression
18) Contravening the contractual arrangement how to	
use internal roads - prescribed speed limit of 40 km	
per hour by: -	
a) +5-9 km per hr	R 550 per contravention
b) +10 - 15 km per hr	R1 000 per contravention
c) +16 - 29 km per hr	R1 500 per contravention
d) +30 km per hr	R3 000 per contravention
e) Repeat of any traffic offence within a 90-day	The cooper contravention
period will result in a 100% escalation of the	
penalty amount.	
penalty amount	



PENALTIES: HOUSKEEPING		
TRANSGRESSION	PENALTY  Raised where a transgression notice has been issued and corrective action is not completed within a specified timeframe.	
19) Walls, window, and door frames – poorly maintained	R1 000 per month 60 Days after transmittal of a written demand in terms of Paragraph 16.1.1 of the Memorandum of Incorporation setting out the breach and R1 000 monthly thereafter until the breach is remedied.	
20) Wall & timber paint/ timber stain fading /flaking and warping	R1 000 per month 60 Days after transmittal of a written demand in terms of Paragraph 16.1.1 of the Memorandum of Incorporation setting out the breach and R1 000 monthly thereafter until the breach is remedied.	
<ul><li>21) Satellite dish</li><li>a) that is not painted the same color upon the surface / wall it is installed.</li></ul>	R1 000 per month 60 Days after transmittal of a written demand in terms of Paragraph 16.1.1 of the Memorandum of Incorporation setting out the breach and R1 000 monthly thereafter until the breach is remedied.	
b) unapproved installation /position	R1 000 per month 60 Days after transmittal of a written demand in terms of Paragraph 16.1.1 of the Memorandum of Incorporation setting out the breach and R1 000 monthly thereafter until the breach is remedied.	
22) Exposed wires/ pipes	R1 000 per month 60 Days after transmittal of a written demand in terms of Paragraph 16.1.1 of the Memorandum of Incorporation setting out the breach and R1 000 monthly thereafter until the breach is remedied.	
23) Berms – that are not establishment & planted	R1 000 per month 60 Days after transmittal of a written demand in terms of Paragraph 16.1.1 of the Memorandum of Incorporation setting out the breach and R1 000 monthly thereafter until the breach is remedied.	
24) Berms – No Dust suppression - e.g., hessian / irrigation	R1 000 per month 60 Days after transmittal of a written demand in terms of Paragraph 16.1.1 of the Memorandum of Incorporation setting out the breach and R1 000 monthly thereafter until the breach is remedied.	



25) Fences - poorly maintained	R1 000 per month 60 Days after transmittal of a written demand in terms of Paragraph 16.1.1 of the Memorandum of Incorporation setting out the breach and R1 000 monthly thereafter until the breach is remedied.
26) Gutters & roof sheeting lifting & buckling	R1 000 per month 60 Days after transmittal of a written demand in terms of Paragraph 16.1.1 of the Memorandum of Incorporation setting out the breach and R1 000 monthly thereafter until the breach is remedied.
27) Roof sheeting, gutters, and water tanks fading/ peeling	R1 000 per month 60 Days after transmittal of a written demand in terms of Paragraph 16.1.1 of the Memorandum of Incorporation setting out the breach and R1 000 monthly thereafter until the breach is remedied.
28) Awnings/ sunscreens/ pergolas – poorly maintained	R1 000 per month 60 Days after transmittal of a written demand in terms of Paragraph 16.1.1 of the Memorandum of Incorporation setting out the breach and R1 000 monthly thereafter until the breach is remedied.
29) Incorrect wall & window frame colour	R2 000 per month 60 Days after transmittal of a written demand in terms of Paragraph 16.1.1 of the Memorandum of Incorporation setting out the breach and R2 000 monthly thereafter until the breach is remedied.
30) Planting of unapproved trees and shrubs	R1 000 per month 60 Days after transmittal of a written demand in terms of Paragraph 16.1.1 of the Memorandum of Incorporation setting out the breach and R1 000 monthly thereafter until the breach is remedied –including an obligation to submit in terms of the Architectural Rules a New Landscape Plan
31) Unapproved Compost heaps (placement)	R1 000 per month 60 Days after transmittal of a written demand in terms of Paragraph 16.1.1 of the Memorandum of Incorporation setting out the breach and R1 000 monthly thereafter until the breach is remedied.
32) Unapproved Sheds	R1 000 per month 60 Days after transmittal of a written demand in terms of Paragraph 16.1.1 of the Memorandum of Incorporation setting out the breach and R1 000 monthly thereafter until the breach is remedied.
33) Unapproved Jungle gyms	R1 000 per month 60 Days after transmittal of a written demand in terms of Paragraph 16.1.1 of the Memorandum of Incorporation setting out



	the breach and R1 000 monthly thereafter until
	the breach is remedied.
	R1 000 per month 60 Days after transmittal of a
	written demand in terms of Paragraph 16.1.1 of
34) Unapproved Fences/ temp. fencing & Gates	the Memorandum of Incorporation setting out
	the breach and R1 000 monthly thereafter until
	the breach is remedied.
	R1 000 per month 60 Days after transmittal of a
	written demand in terms of Paragraph 16.1.1 of
35) Unapproved External lighting	the Memorandum of Incorporation setting out
t t	the breach and R1 000 monthly thereafter until
	the breach is remedied.
	R1 000 per month 60 Days after transmittal of a
	written demand in terms of Paragraph 16.1.1 of
36) Unapproved Pot plants/ statues/ structures	the Memorandum of Incorporation setting out
20, 2004   20, 20, 20, 20, 20, 20, 20, 20, 20, 20,	the breach and R1 000 monthly thereafter until
t	the breach is remedied.
	R1 000 per month 60 Days after transmittal of a
	written demand in terms of Paragraph 16.1.1 of
37) Unapproved signage/house nos.	the Memorandum of Incorporation setting out
(Only HOA installed signs permitted)	the breach and R1 000 monthly thereafter until
	the breach is remedied.
	R1 000 per month 60 Days after transmittal of a
	written demand in terms of Paragraph 16.1.1 of
38) Unapproved awnings	the Memorandum of Incorporation setting out
oo, chappiotea amingo	the breach and R1 000 monthly thereafter until
	the breach is remedied.
	R1 000 per month 60 Days after transmittal of a
	written demand in terms of Paragraph 16.1.1 of
39) Exposed heat pumps, pumps not screened from view	the Memorandum of Incorporation setting out
, h	the breach and R1 000 monthly thereafter until
	the breach is remedied.
	R2 000 per month 60 Days after transmittal of a
	written demand in terms of Paragraph 16.1.1 of
40) Unapproved instillation of evaporated Cooling Units,	the Memorandum of Incorporation setting out
Heat Pumps, Solar Panels, and the like	the breach and R2 000 monthly thereafter until
• '	the breach is remedied.
	R1 000 per month 60 Days after transmittal of a
	written demand in terms of Paragraph 16.1.1 of
41) Unapproved Chicken coops	the Memorandum of Incorporation setting out
ti	the breach and R1 000 monthly thereafter until
	the breach is remedied.
	R1 000 per month 60 Days after transmittal of a
42) Unapproved Chimpey couls	written demand in terms of Paragraph 16.1.1 of
42) Unapproved Chimney cowls	• •
	the Memorandum of Incorporation setting out



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	the breach and R1 000 monthly thereafter until
	the breach is remedied.
	R1 000 per month as well as monthly thereafter
	60 Days after transmittal of a written demand in
43) Unapproved Vegetable gardens  44) Exposed washing line  45) Exposed refuse bins  46) Incorrectly stored / exposed garden equipment  47) Visible temporary pools and or trampolines  48) Exposed garages & clutter  49) Exposed caravans & trailers (please make use of a trailer park)	terms of Paragraph 16.1.1 of the Memorandum
	of Incorporation setting out the breach until the
	breach is remedied.
	R1 000 per month 60 Days after transmittal of a
	written demand in terms of Paragraph 16.1.1 of
44) Exposed washing line	the Memorandum of Incorporation setting out
	the breach and R1 000 monthly thereafter until
	the breach is remedied.
	R1 000 per month 60 Days after transmittal of a
	written demand in terms of Paragraph 16.1.1 of
45) Exposed refuse bins	the Memorandum of Incorporation setting out
	the breach and R1 000 monthly thereafter until
	the breach is remedied.
	R1 000 per month 60 Days after transmittal of a
	written demand in terms of Paragraph 16.1.1 of
46) Incorrectly stored / exposed garden equipment	the Memorandum of Incorporation setting out
	the breach and R1 000 monthly thereafter until
46) Incorrectly stored / exposed garden equipment	the breach is remedied.
	R1 000 per month 60 Days after transmittal of a
	written demand in terms of Paragraph 16.1.1 of
47) Visible temporary pools and or trampolines	the Memorandum of Incorporation setting out
, , , , , , , , , , , , , , , , , , , ,	the breach and R1 000 monthly thereafter until
	the breach is remedied.
	R1 000 per month 60 Days after transmittal of a
	written demand in terms of Paragraph 16.1.1 of
48) Exposed garages & clutter	the Memorandum of Incorporation setting out
, ,	the breach and R1 000 monthly thereafter until
	the breach is remedied.
	R1 000 7 Days after transmittal of a written
	demand in terms of Paragraph 16.1.1 of the
• •	Memorandum of Incorporation setting out the
trailer park)	breach. Then R2000 monthly thereafter until th
	breach is remedied.
	R1 000 7 Days after transmittal of a written
	demand in terms of Paragraph 16.1.1 of the
Unsightly garden waste	Memorandum of Incorporation setting out the
20, 2	breach. Then R1000 monthly thereafter until th



HOUSE RENOVATIONS & BUILDING CONTRACTORS PENALTY STRUCTURE		
TRANSGRESSION	PENALTY CHARGES WITH EFFECT JAN 2021	
51) Spillage of hydrocarbons	R2 500 per incident & rehab costs	
52) Drip trays not being used under vehicles, trucks, TLB,	R1 500	
generators and any hydrocarbon machinery.		
53) Indigenous plants of any description may not be moved	R10 000 (Tree)	
from the stand without approval of the ECO. (NEW	R 1 000 (Other)	
BUILDS ONLY)		
54) Construction rubble shall always be placed in a Skip and	R2 000(No container)	
covered. Skips must be emptied on a regular basis.	R 500 (Not covered)	
	R1 000 (Not being emptied)	
55) Encroaching onto adjacent stands or works exceeding	R2 000	
50% of the development pocket of the site.		
56) Not using appropriate trays for cleaning equipment	R1000 per incident	
e.g., paint brushes, Rhyno Lite and the like.		
57) No concrete, cement, or other building materials to be		
stored, mixed, or prepared on roadways, kerbs,	R2 000 per incident	
pavements or outside of the 50% development pocket.	· ·	
Spillage of cement or concrete on the roadways.	R 3000 per incident & Rehab/ clean-up costs	
58) Non - compliance of Health & Safety regulations in any	R2 000 per incident	
manner identified.		
NB: Following Non-Compliance with any Health and		
Safety Regulations, work will need to cease		
immediately on written demand by Monaghan Farm in		
terms of its entitlement in terms of paragraph 16.1.2 of		
its Memorandum of Incorporation. The building site will		
remain closed until breach(es) is/are remedied to the		
satisfaction of Monaghan Farm and any Statutory		
Investigations and/or Inspections are completed.		
59) Trucks –		
Exceeding the below restriction in any manner:		
a) 6m² tipper trucks only permitted.	R10 000 per transgression identified	
b) Fixed chassis vehicle only		
c) No articulated machinery permitted.		
d) Brick loads limited must be limited to 6000		
bricks.		
60) Failure to submit to security search/security protocol	ACCESS TO SITE OR MONAGHAN FARM ESTATE REVOKED.	
61) Development pocket to be screened off on all sides		
with 80% density black shade cloth, at 1,4m height, for		
the duration of building operations.		
Not using appropriate:		
a) Y stands,		



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<ul><li>b) 110m corner posts and stays.</li><li>c) 3 strand wire.</li></ul>	R1 000 per week of the offence until the breach is remedied.
Failure to keep site hoarding and fencing in good order, free of holes / damage. Where fences are removed and not property reinstated	R 2000 per offence and thereafter R 500 per day until the breach is remedied.
Failure maintain and ensure a lockable gate is provided at each building site.	R 2000 per offence and thereafter R 500 per day until the breach is remedied.
NB: Following Non-Compliance work will need to cease on written demand as Monaghan Farm is entitled in terms of paragraph 16.1.2 of its Memorandum of Incorporation, and site will be closed until breach(es) is/are remedied to the satisfaction of Monaghan Farm.	
62) Making fires on any part of the stand or in the builder's yard or causing a veld fire on site or within the estate.	R 10 000 per incident
63) Contractors allowing their staff to move to and from the Builder's Yard on foot.	R10 000 per incident together with an additional R500 per person as an additional penalty charge
64) All Vehicles are to be parked within the development pocket of a Stand / Erf.	
Vehicles parked on tar roads require written permission from the estate manager.	
Vehicles not correctly parked (per above)	R1 000 penalty per vehicle.
65) Driving a vehicle in/on any area not part of development pocket or existing roads.	R1 000 per incident
Permission may be obtained from the estate manager.	
66) Undertaking construction outside of the allowed times. (6h30-18h00)	R2 500 per hour
67) Any other contravention of the EMP or rules and regulations not mentioned above.	R1 000 or such amount of penalty as the Board of Monaghan Farm may resolve upon in their sole and absolute discretion
68) Damage to Curbs.	R2000.00 plus cost of repair or replacement.
69) Damage to Swales.	R2000.00 plus cost of repair or replacement.
70) Damage to roads.	R2000.00 plus cost of repair or replacement.



71) Encroaching onto road reserve or servitudes.	R5 000
72) Damage to any Township Services or services	R3 000 plus cost of repair or
infrastructure such as, but not limited to water, water	replacement.
meters, sewer, electrical or telecoms and the like.	
73) Failure to report to Monaghan Farm Management any	R5 000 plus cost as per 68 – 72 of this schedule.
damage caused, whether wilful or not.	
74) Tampering with any of the Township Services or	R5 000 per incident
services, including, but not limited to forcing open	
water meters.	
75) Principal contractors leaving site before subcontractors.	R10 000 per incident
76) Overloading vehicles with building materials.	R1 500 per incident
77) Overloading vehicles with staff,	R1 500 per incident
( e.g Hanging out of open tailgate.)	
78) Littering from stationery or moving vehicles.	R1 500 per incident
79) Not using a portable chemical toilet on site or failure to	R2 000 per incident
provide sufficient toilets as prescribed	
80) Please ensure that all variation orders, <b>AS-Builds</b> etc	R15 000 per incident
are approved by MAC before work can commenced.	
NB: Any unapproved construction will be liable for a	
penalty and may risk having to be demolish.	
81) (a) Smoking of Cigarettes within 10 meters of the	R500 per incident
Contractors Airlock gate.	
82) Lack of builder's yard & development pocket	R750 per week until remedied.
maintenance/housekeeping.	
83) Builders yard containers/huts within the builders yard	R750 per week until remedied.
not painted grey.	
84) Any Expired Internal or Regulatory Documentation for	R1000 per week until remedied
example – expired letter of good standing / Other	
regulatory certification that may have expired etc.	
(Site shall be closed after 30 days on written demand	
in terms of Monaghan Farm's entitlement in terms of	
paragraph 16.1.2 of its Memorandum of	
Incorporation)	
85) Disposal of building material at a non-authorized refuse	R5 000 per incident.
site.	
86) Not erecting builder's board within 14 days of breaking	R500 per day until remedied
ground.	
The site shall be closed on day 21 on written demand	
in terms of Monaghan Farm's entitlement in terms of	
paragraph 16.1.2 of its Memorandum of Incorporation	
until rectified.	
87) Any vehicle for delivery/contract work found driving	R2 000 per incident.
around the estate canvassing work opportunities	
88) On repeat offence-Where the CEO/Estate Manager has	
pointed out a contravention of the rules and the	



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contractor has not remedied the situation within 48 hours a 100% an escalation of the penalty will be applied, and the Contractor may be locked out of	
Monaghan Farm Estate on written notification in terms of Monaghan Farm's entitlement in terms of paragraph	
16.1.2 of its Memorandum of Incorporation.	
89) Cement trucks found dropping off cement along the	R7 500 per incident.
outside of Monaghan Farm.	
90) Failure to permanently have available on-site Council	R1 000 per incident.
approved plans, MAC approved plans, MAC approved	
variation orders and approved landscape plan.	
91) Staff/contractors not in uniform.	R1 000 per person.
92) Connecting to the HOA sewer system prior to a flush	R15 000 per incident.
inspection	

#### **BUILDING PENALTY**

93) Delay in completion of Building works applicable till 30 September 2023	Failure to complete a building within 21 months
	from date of commencement of building works,
	will accrue a monthly building penalty levy equal to
	a double monthly standard levy up to and including
	36 months from date of commencement of
	building works.

#### **TAKE NOTE THAT** the penalty provision below will come into effect **1 October 2023.**

94) Delay in completion of Building works applicable from 1 October 2023	Failure to complete a building within 21 months
_ spp colorer _ colorer	from date of commencement of building works,
	will accrue a monthly building penalty levy equal to
	a double monthly standard levy up to and including



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36 months from date of commencement of
building works
Building levy penalties for non-completion of
building works and levies will be charged as follows
in term of this clause:
1.Months 21 to 36 = a monthly double levy
building penalty;
2.Months 37 to 48 = a monthly triple levy building
penalty;
3. Months 49 onwards, a monthly building penalty
as resolved by the Board of Monaghan Farm NPC
or a monthly quadruple levy building penalty until
works are completed as per the Rules and
Regulations of Monaghan Farm NPC.

# RESOLUTION ADOPTED AT ANNUAL GENERAL MEETING 17 SEPTEMBER 2022 IN RESPECT OF DELAY IN COMPLETION OF BUILDING WORKS PENALTY

**WHEREAS** the Board wishes to apply a further punitive penalty for any delay in commencement and / or the completion of building works.

**AND WHEREAS** Article 11.13 of the MOI empowers the Board to impose penalty levies on Members who have failed to comply with the Title Deed obligation to build as prescribed by the Title Deed



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Conditions read with the Rules of MFHOA which penalty levies shall be payable in addition to the levies normally applicable to the stand owned by a Homeowner.

**AND WHEREAS** Homeowners and/or Developers should be mindful of the strict building regulations entrenched for the greater benefit of the Members and Monaghan Farm as a whole.

IT IS RESOLVED THAT over and above the obligations against a Homeowner entrenched in paragraph

F of the Title Deed conditions relating to the commencement of building works, a further punitive

penalty will be included in the Monaghan Farm NPC Penalty Schedule which states the following:

Failure to complete a building within 21 months from date of commencement of building works, will

accrue a monthly building penalty levy equal to a double monthly standard levy up to and including

36 months from date of commencement of building works.

A monthly building penalty levy equal to a triple monthly standard levy will be imposed for incomplete works between the months of 37 and up to and including the 48<sup>th</sup> month from date of commencement of building works.

A monthly building penalty levy as resolved by the Board of Monaghan Farm NPC will be imposed for incomplete works from month 49 from date of commencement of building works until works are complete as per the Rules and Regulations of Monaghan Farm NPC.

Consequently, building levy penalties for non-completion of building works and levies will be charged as follows in term of this clause:

- 1. Months 21 to 36 = a monthly double levy building penalty;
- 2. Months 37 to 48 = a monthly triple levy building penalty;
- 3. Months 49 onwards, a monthly building penalty as resolved by the Board of Monaghan Farm NPC **or** a monthly quadruple levy building penalty until works are completed as per the Rules and Regulations of Monaghan Farm NPC.



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TAKE NOTE THAT this resolution and penalty provisions will only come into effect 1 October 2023.

#### Schedule: version control.

1-03-2022	Final	Published to website and portal.  SCHEDULE OF FEES, CHARGES AND PENALTIES NOTICE OF AVAILABILITY Ref No: 29/01/2021-792
02-2022	Amendment Procedures	Budget review process: Increment recommended by Fincom to Board of Directors. Increment principles adopted at Board meeting 1 February 2022 Final Schedule verified by Directors assigned to Fincom 8 February 2022
02-03-2022	Final	Published to website and portal.  SCHEDULE OF FEES, CHARGES AND PENALTIES NOTICE OF AVAILABILITY  Ref No: 02/03/2022 – 963
3-10-2022	FINAL	Published to website and portal.  SCHEDULE OF FEES, CHARGES AND PENALTIES NOTICE OF AVAILABILITY  Ref No: 03/10/2022 – 873
11-04-2023	Final	Published to website and portal.  SCHEDULE OF FEES, CHARGES AND PENALTIES NOTICE OF AVAILABILITY  Ref No: 11/04/2023 – 1098
14-02-2024	Final	Adopted by way of Board resolution along with MFHOA Budget and levy increase as of 1 March 2024