

# M.C. MONTHLY



The newsletter with a difference

Feb/Mar 2015

## MCADEMY

## ARE YOU A SPECTATOR OR A COMPETITOR?

**V**oorspoedige 2015 en mag elkeen se jaar wees soos AB de Villiers se kolffbeurt teen die Wes Indies op Wanderers was. Fenomenaal, fantasties en die beste ooit!

Ekl glo dat h mens se geluk en sukses hang tot h baie groot mate van jou eie ingesteldheid en harde werk af. Uit die aard van die saak leef ons almal onder groot genade en seën, maar daar rus 'n verpligting op ons elkeen om deurentyd ons beste te gee.

Soos baie van ons kliënte weet het ons gedurende 2014 h nuwe kantoor reg langs ons huidige kantoor in Centurion gebou. Die hoofdoel hiervan is om die ongelooflike ondersteuning en groei wat ons oor die afgelope paar jaar vir MCAcademy (ons eie in-huis akademie) te akkommodeer. Ons het twee opleidingslokale gebou met onderskeidelik 25 en 60 sitplekke wat toegerus is met indrukwekkende nuwe tegnologie. Ons sien uit om elkeen van ons kliënte daar te ontvang.

Ons het onlangs met ons nuwe reeks lesings oor deeltitels begin. Jy mag dalk verstom wees wat jy daarvoor kan leer. Die nuwe Rookie lesings het ook onlangs begin. Die 2 dag kursus is in die mark gevestig as een van die beste en mees praktiese kursusse vir beginner agente. Ons het ook besluit om twee nuwe voldag kursusse aan te bied te wete Rookie2Recruit (vir die agent wat al redelik weet wat aangaan, maar meer selfvertroue wil hê) en Rookie3Realtor (vir die agente wat die werk nou al mooi verstaan maar graag sy opposisie op hulle neuse wil laat kyk). Onthou al die kursusse is gratis. Besigtig ons beskikbare kursusse aanlyn by [www.mcvdberg.co.za](http://www.mcvdberg.co.za) en bespreek u sitplek by [Mcademybookings@mcvdberg.co.za](mailto:Mcademybookings@mcvdberg.co.za) of skakel (012) 660 6190 om jou sitplek te reserveer.



Ons sien uit om deel van julle sukses te wees en onthou: "If you think education is expensive, try ignorance!"

Written by/Geskryf deur: Tiaan (M.C.) van der Berg

**A**spectator invests minimal time and effort in the sport (watching the game once a week and getting excited about the victory or agitated by the loss is enough).

A spectator does not sacrifice much for the sport, his diet or exercise plan is not affected and not much self-discipline is required.

A competitor, on the other hand, invests large amounts of time and effort to train and to improve himself. He follows a special diet, he is self-disciplined, no late nights and big parties!

What is your approach to your career? Are you just a spectator, investing minimal time and effort, not having a game plan, just reacting to external factors like other agents in the area, the economy and shortage of properties to sell?

All indications are that the residential property market will continue on an upward trend in 2015.

Andrew Golding, Chief Executive at Pam Golding predicted the following for the year ahead: "The current market is characterised by a significant shortage of stock in areas and regions around the country, buyer competition and gradually increasing house price appreciation, all factors pointing to a traditional up-cycle. Having gathered significant momentum some 18 months ago and notwithstanding the seemingly rising interest rate cycle, we believe, all things being equal, the current market conditions will prevail for the foreseeable future".

Your success story in 2015 is dependent on your status as competitor or spectator.

Map out your game plan, improve yourself, get off the bleachers and infiltrate your playing field!



Written by/Geskryf deur: Sonja du Toit

**M.C. VAN DER BERG** INC  
ATTORNEYS, CONVEYANCERS & NOTARIES

Your Property Attorneys

## UITSLUITING VAN ERFLATINGS VAN GEMEENSAP VAN GOEDERE/AANWASBEDELING

Ons advies is om, wanneer u 'n testament laat opstel, seker te maak dit bevat 'n klousule in terme waarvan erflatings van enige gemeenskap van goedere of die berekening van die aanwasbedeling uitgesluit word, byvoorbeeld: "Alle voordele wat enige van my erfgename mag toeval sal nie deel van 'n gemeenskaplike boedel of die aanwasbedeling van sodanige erfgenaam vorm nie, en sal geen toekomstige gade enige invloed of beheer oor sodanige erflating kan uitoefen nie."

Die uitwerking van hierdie klousule is dat wanneer u erfgenaam binne gemeenskap van goedere met iemand getroud is, enige erflating aan so 'n erfgenaam nie deel van die gemeenskaplike boedel sal vorm nie.

Indien u egter nalaat om hierdie klousule in te bring, sal die erflating deel van die gemeenskaplike boedel vorm, en sal die erfgenaam se gade outomaties mede-eienaar van die eiendom word.

Bovermelde klousule maak ook voorsiening vir erfgename getroud buite gemeenskap van goedere met die aanwasbedeling. Sou die erfgenaam se huwelik tot 'n einde kom, sal hierdie klousule die uitwerking hê dat die erflating uitgesluit van die berekening van die aanwasbedeling sal wees.

In die lig hiervan, is dit uiters belangrik om seker te maak dat u testament korrek opgestel is en dat dit u ware bedoeling weerspieël, voordat u dit onderteken.



## EXCLUDING INHERITANCES FROM COMMUNITY OF PROPERTY / ACCRUAL SYSTEM

When drafting your will, you are advised to insert a clause to exclude inheritances from community of property or the calculation of the accrual, for example: "All benefits accruing to any of my heirs will not form part of any joint estate or the accrual system of that heir and will remain free from the interference and control of any future spouse."

The effect of this clause is that when your heir is married in community of property to someone, any inheritance bequeathed to the heir will not form part of the joint estate.

Failure to insert such a clause, will cause the inheritance to fall into the joint estate, and your heir's spouse will therefore automatically become the co-owner of the property.

The abovementioned clause also makes provision for heirs married out of community of property with the accrual system. Should the heir's marriage end, this clause will cause the inheritance to be excluded from the calculation of the accrual.

In the light hereof, it is extremely important to ensure that your will is drafted correctly and that it reflects your true intentions, before signing it.

Written by/Geskryf deur: Annelé Odendaal

## MCADemy TRAINING

In 2015 we will run four different lecture themes throughout the year at our new MCademy Facility based at: **c/o Saxby & Frederik Streets, Eldoraigne, Centurion.**

We start the year off with Sectional Titles. All the dates below (Excluding Rookie, Rookie2Recruit and Rookie3Realtors) will be the same theme. Please be sure to book the date and venue that suits you best.

All bookings must be made with Liza Louw at: [MCademybookings@mcvdlberg.co.za](mailto:MCademybookings@mcvdlberg.co.za) or contact her directly at: (012) 660 6109.

### Centurion - Theme Training 2015

17 Feb	09:00 – 11:00	ENG	Sectional Titles	c/o Saxby & Frederik Streets, Eldoraigne, Centurion.
19 Mar	09:00 – 11:00	ENG	Sectional Titles	c/o Saxby & Frederik Streets, Eldoraigne, Centurion.

### Midstream - Theme Training 2015

4 Mar	09:00 – 11:00	ENG	Sectional Titles	Kerk Sonder Mure, Midstream
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### Pretoria East - Theme Training 2015

11 Mar	09:00 – 11:00	ENG	Sectional Titles	Nedbank, Menlyn Maine Auditorium
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### Centurion - Rookie 1 Training 2015 (Basic Rookie Training)

24-25 Feb	09:00 – 16:00	ENG	MCademy facility	c/o Saxby & Frederik Streets, Eldoraigne, Centurion
24-25 Mar	09:00 – 16:00	ENG	MCademy facility	c/o Saxby & Frederik Streets, Eldoraigne, Centurion

### Centurion - Rookie2Recruit Training 2015 (Defects & CPA, Subject-to-Transactions & Existing Lease Agreement)

12 Feb	09:00 – 15:00	ENG	MCademy facility	c/o Saxby & Frederik Streets, Eldoraigne, Centurion
15 Apr	09:00 – 15:00	ENG	MCademy facility	c/o Saxby & Frederik Streets, Eldoraigne, Centurion

### Centurion - Rookie3Realtor Training 2015 (Capital Gains Tax & Transfer Procedures)

10 Mar	09:00 – 15:00	ENG	Sectional Titles	Nedbank, Menlyn Maine Auditorium
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## RAAD OP EIENDOMSAGENTE GETROUHEIDSFONDSERTIFIKATE

Artikel 29 (b), 32 (3) (b) en 32 (4) van die Wet op Eiendomsagentskapsaangeleenthede 112 van 1976 reël die prosedures en vereistes vir die audit van 'n trustrekening. Ouditverslae moet binne vier maande na die finansiële jaar einde ingedien word. Nie-nakoming van die prosedures sal lei tot diskwalifikasie in terme van artikel 27 van die Wet 112 van 1976.

Getrouheidsfondssertifikate uitgereik in 2014 & 2015 aan 'n gediskwalifiseerde eiendomsagentskap sal nie meer geldig wees nie. Die diskwalifikasie van hierdie agentskappe is ook van toepassing op elke agent in diens van die agentskap.

Ten einde die registrasie status te herstel, moet die volgende prosedures gevolg word:

### 1. Agentskappe wat nooit aan die EAAB ouditverslae voorgelê het nie:

- Vra jou ouditeur om op MY EAAB portaal te registreer via <http://www.eaab.org.za/myaudit> en laai die oudit verslae en finansiële state van die betrokke finansiële jare daarop.
- Die prinsipaal moet 'n beëdigde verklaring stuur aan [section27applications@eaab.org.za](mailto:section27applications@eaab.org.za), geteken en gestempel deur 'n Kommissaris van Ede. Die beëdigde verklaring moet die volgende bevat; geskiedenis en ervaring in die bedryf, redes vir die nie-nakoming en redes waarom dit die beste belang van geregtigheid is om 'n getrouheidsertifikaat uit te reik.
- Die verslae, finansiële state en beëdigde verklarings sal intern oorweeg word. Indien al die dokumente in orde is, skuld erken word en 'n boete betaal is, sal diskwalifikasie verwyder word. 'n Dissiplinêre komitee sal aangestel word vir agentskappe wat nie hieraan voldoen het nie om die uitslag van die diskwalifikasie te bepaal.

### 2. Agentskappe wat verslae buite die voorgeskrewe tyd voorgelê het:

- E-pos toepaslike verslae aan [section27applications@eaab.org.za](mailto:section27applications@eaab.org.za)
- E-pos 'n beëdigde verklaring deur die prinsipaal, soos aangedui in 1 hierbo.
- Op ontvangs van die bovermelde sal die proses, soos hierbo bespreek, volg.

### 3. Agentskappe wat wel verslae ingedien en die proses gevolg het maar gediskwalifiseer is, moet die verslae en bewys van voorlegging aan [audit@eaab.org.za](mailto:audit@eaab.org.za) stuur.

Enige addisionele navrae kan gerig word aan:  
[section27applications@eaab.org.za](mailto:section27applications@eaab.org.za), Telefoon: 087 285 3222,  
Faks: 086 610 5524



## ESTATE AGENCY AFFAIRS BOARD (EAAB) – FIDELITY FUND CERTIFICATES:

Section 29(b), 32(3)(b) and 32(4) of the Estates Agency Affairs Act introduces the procedures and requirements for the audit of a trust account and submitting audit reports within four months after the financial year. Non-compliance of the procedures will lead to disqualification in terms of section 27 of the Act 112 of 1976.

Fidelity Fund Certificates issued in 2014 & 2015 to a disqualified estate agency will no longer be valid. The disqualification of these agencies will also include all agents in service of that agency.

In order to reinstate the registration status, the following procedures need to be followed:

### 1. Agencies who never submitted the audit reports to the EAAB:

- Request your auditor to register on MYEAAB Auditors Portal via <http://www.eaab.org.za/myaudit> and upload the audit reports and financial statements of the relevant financial years.
- The principal must submit an affidavit, signed and stamped by a Commissioner of Oaths to [section27applications@eaab.org.za](mailto:section27applications@eaab.org.za). The affidavit must contain the following: history and experience within the industry, reasons for non-compliance and reasons why it is considered to be in the best interest of justice to be issued with a Fidelity Fund Certificate.
- The uploaded reports, financial statements and affidavits will be considered internally. If all documents are in order, guilt is admitted and a penalty is paid, disqualification will be removed. A disciplinary committee will be appointed to agencies not complying with the above to determine the outcome of the disqualification.

### 2. Agencies who submitted reports outside the prescribed timeframe:

- E-mail the relevant reports indicated on the notice to [section27applications@eaab.org.za](mailto:section27applications@eaab.org.za).
- E-mail an affidavit by the principal as indicated in 1 above.
- On receipt of the above, the process as indicated above will be followed.

### 3. Agencies who did submit reports and followed the process as stipulated but were disqualified must e-mail the reports and proof of submission to [audit@eaab.org.za](mailto:audit@eaab.org.za).

Any additional queries may be directed to:  
[section27applications@eaab.org.za](mailto:section27applications@eaab.org.za) , Tel: 087 285 3222, Fax: 086 610 5524

Written by/Geskryf deur: Nicole Rokebrand

## BONDS/VERBANDE: FREQUENT ASKED QUESTIONS / GEREELDE VRAE EN ANTWOORDE

**I** OWN A PROPERTY AND I AM MARRIED IN COMMUNITY OF PROPERTY. MAY THE PROPERTY BE MORTGAGED WITHOUT THE CONSENT OF MY SPOUSE?

No – the written consent of the other spouse will be required according to section 15 of the Matrimonial Property Act and the spouse will be joint mortgagor on the loan and the bond documentation.

**E**K IS DIE EIENAAR VAN 'N EIENDOM EN IS GETROUD BINNE GEMEENSAP VAN GOEDERE. KAN DIE EIENDOM MET 'N VERBAND BESWAAR WORD SONDER DIE TOESTEMMING VAN MY GADE?

Nee – die skriftelike toestemming van die ander gade sal benodig word kragtens artikel 15 van die Wet op Huweliksgoedere en die gade sal ook mede-verbandgewer wees op die lenings- en verband dokumente.

## WHAT OUR CLIENTS HAVE TO SAY / WAT ONS KLIËNTE SÊ

- “Dealing with M.C. VAN DER BERG Inc has been an absolute pleasure.”
- “It is extremely rare to deal with an organisation as professional and well-rounded.”
- “Your services have been phenomenal from start to finish. Your continuous communication is definitely your differentiator to your competition and makes you stand out.”
- “M.C. VAN DER BERG Inc have my vote of confidence and I will definitely recommend your organisation to all my family and friends.”

## RICH'S REVIEW:

During my December 2014 break I decided to dig into my pile of unread books. With 14 days to my disposal the choice fell on Ken Follett's World Without End.

This novel is the sequel to Pillars of the Earth in which the storyline starts with a builder dreaming of building the biggest cathedral in the 1000's AD. World Without End picks up where the cathedral is finished, just to mangle all with another brilliant builder deciding he needs to erect an even higher cathedral tower. Ken Follet is a master story-teller. He has the ability to put his extensive research of early history, into a wonderful story of everyday human life experiences. Wealth, deceit and corruption is weaved through the story as Kings declare war, plagues pester communities and male chauvinism is the order of the day. This book is a 1,237 page turning thrill!

A well-executed masterpiece.

*Ken Follet, World Without End – ISBN 978-0-330-49070-2*

## ETHICAL CODE

### 6.2. An estate agent shall:

In terms of the estate agents' general duty to members of the public and other persons or bodies, an estate agent-

- 2.1 shall not in or pursuant to the conduct of his business do or omit to do any act which is or may be contrary to the integrity of estate agents in general;
- 2.2 shall protect the interests of his client at all times to the best of his ability, with due regard to the interests of all other parties concerned.



Contact us on the following:

**t** 012-653-4191

**f** 012-653-4199

**v** 400 Theuns van Niekerk Street, Wierdapark, Centurion

**e** herman@bronberrickapteek.co.za

Trading hours: Mon-Fri: 08:00-20:00

Sat: 08:00-13:00 and 17:00-19:00

Sundays & Public Holidays: 10:00-13:00 and 17:00-19:00

## ONS PERSONEEL



Cindy Botha is werksaam by die firma in ons verbande afdeling sedert 1 November 2012. Sy is baie toegewyd in haar werk en ons sien haar nooit sonder 'n glimlag nie. Cindy het ook op verskeie geleenthede Noord-Gauteng verteenwoordig by die Suid-Afrikaanse Jukskeikampioenskappe waar sy dan ook baie suksesvol was. Dit is 'n plesier om iemand soos Cindy as deel van die MC-span te hê!

## Looney Law

Q: What's the difference between an accountant and a lawyer?

A: Accountants know they're boring.

Boereraat:

Papierstompe 

Maak stompe vir jou vuurherd deur ou koerante nat te maak, styf op te rol en dan met toutjies vas te bind. Laat droog word voor gebruik.

## SUDOKU

