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Instructions Residential Lease - House Residential Lease - Apartment Please note that these documents are provided for your informational purposes only They have not been reviewed by a lawyer We make no representations as to their quality You agree to use them at your own risk Select a document above, and cut-and-paste the text into a word processor of your choice. Fill in the blanks, modify the wording and format appropriately. >> A residential lease agreement is necessary when a tenant rents a property from a landlord for the purpose of living there and not for profit. It is also called a tenancy agreement, rental lease agreement, lease form or rental contract.Property rented to a tenant with a residential lease agreement include a house, apartment, condo, mobile home, basement suite, duplex, townhouse, room, rent-to-own options and other living spaces. The maximum duration of a residential lease is a fixed period of 24 months.Residential lease agreements and the lawResidential lease agreements are governed by the:common law;Constitution of the Republic of South Africa;Prevention of Illegal Eviction from and Unlawful Occupation of Land Act (PIE);Consumer Protection Act (CPA);Protection of Personal Information Act (POPI); andDebt Collectors' Act.Who would use a residential lease agreement template in South Africa?Homeowners about to rent property to tenantsTenants about to rent a place to stayLandlords, house rental agencies and tenant placement servicesAny individuals who are in a landlord-tenant relationship and don't have a written agreementTenants or landlords looking to rent a property with the option to buyAttachments to the residential lease agreementThe following documentation can be attached to the residential lease agreement:A list of existing defects relating to the property and the arrangement with regards to repairsThe landlord's rental house rules and regulationsAn inventory of the furniture and contents of the propertyYou can download a printable residential lease agreement for free below. The information contained on this website is aimed at providing members of the public with guidance on the law in South Africa. This information has not been provided to meet the individual requirements of a specific person and LegalWise insists that legal advice be obtained to address a person's unique circumstances. It is important to remember that the law is constantly changeable and although LegalWise strives to keep the information up to date and of high quality, it cannot be guaranteed that the information will be updated and/or be without errors or omissions. As a result, LegalWise, its employees, independent contractors, associates or third parties will under no circumstances accept liability or be held liable, for any innocent or negligent actions or omissions by LegalWise, which may result in any harm or liability flowing from the use of or the inability to use the information provided. Just answer a few questions, and we'll get back to you! 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Lease Agreement Template South Africa Printable | Editable Form Lease Agreement Template South Africa (1) Between:[Name of the Lessor][Lessor's ID][Lessor's Address][Lessor's Phone][Lessor's Email] And:[Name of the Lessee][Lessee's ID][Lessee's Address] Introduction:This Lease Agreement is made on [Date], for the premises located at [Property Address]. Clause 1: Description of the PremisesThe Lessor hereby leases to the Lessee the property described as [Detailed description of the property]. Clause 2: Term of LeaseThe lease will commence on [Start Date] and will terminate on [End Date], unless earlier terminated in accordance with this agreement. Clause 3: RentThe Lessee agrees to pay the Lessor a monthly rent of [Amount], payable in advance on the [Specify date each month]. Clause 4: Security DepositA security deposit of [Amount] is required to be paid by the Lessee to secure compliance with this agreement. Clause 5: Maintenance and RepairsThe Lessee shall maintain the premises in good condition and will be responsible for any repairs necessary due to their negligence. Clause 6: Use of PremisesThe premises shall be used solely for residential purposes and any other use is prohibited unless agreed upon in writing. Clause 7: Governing LawThis agreement is governed by the laws of the Republic of South Africa. Signed in [City], on [Date]. Sincerely,[Signature of the Lessor][Name of the Lessor][Signature of the Lessee][Name of the Lessee] Lease Agreement Template South Africa (2) Between:[Name of the Lessor][Lessor's ID][Lessor's Address][Lessor's Phone][Lessor's Email] And:[Name of the Lessee][Lessee's ID][Lessee's Address] Introduction:This Lease Agreement outlines the terms and conditions agreed upon by both parties for leasing the property located at [Property Address]. Clause 1: Lease PeriodThe lease period begins on [Start Date] and ends on [End Date], with options for renewal as described in Clause 8. Clause 2: Rent PaymentThe rental amount of [Amount] shall be paid monthly via [Specify payment method] on or before the [Specify date]. Clause 3: Default and TerminationIf the Lessee fails to pay rent on time, the Lessor may terminate the lease after providing [Specify notice period] notice. Clause 4: Alterations to PremisesThe Lessee shall not make any alterations to the premises without written consent from the Lessor. Clause 5: Termination for BreachIn the event of a breach of contract, either party may terminate this agreement following the appropriate notice period as stipulated. Clause 6: Transfer of RightsThe Lessee may not assign or sublet the leased premises without the written consent of the Lessor. Clause 7: Dispute ResolutionAny disputes arising from this agreement shall be resolved through arbitration in accordance with [Specify arbitration rules]. Signed in [City], on [Date]. Sincerely,[Signature of the Lessor][Name of the Lessor][Signature of the Lessee][Name of the Lessee] Form Please complete the form below to create the Lease Agreement Template - South Africa. All fields must be filled out to ensure a clear and complete agreement. We provide examples to guide you through each step. PDF WORD Lease Agreement Template South Africa Printable | Editable Form SampleFormPDFWORDPrintable Whether you are a landowner or tenant, you need to understand how a lease agreement template in South Africa looks like and what it contains. Although drafting one may be a bit challenging, especially if you are not familiar with the format, it is usually advised to get a simple residential lease agreement template South Africa. Interestingly, there are lots of free templates online that you can use.Image: pixabay.comSource: UGCIn trying to protect the rights of every individual involved in rent, it is essential to have a residential lease agreement that spells the limits and freedoms of each party. This is useful as it helps avoid certain issues that may rise up in the future. Interestingly, if you do not want to employ the services of a lawyer in South Africa, there are steps you can take to formulate yours.A lease is a document specifying the conditions on which one person or group agrees to rent a property belonging to another person or group. With the document, the lessee (or tenant) is guaranteed to use the property once the lessor (owner or landlord) is guaranteed his monthly payments in return for a defined duration. Both parties will be penalised if they fail to comply with the terms of the agreement.READ ALSO: VAT registration requirements list in South Africa 2020How do you write a lease agreement?When writing a simple lease agreement, make sure the words are straightforward and easy to understand. Do not use fanciful law terms because it can confuse the lessee and lessor. You can check the internet for a simple lease agreement template in South Africa. This will be used as a reference to create your document.Make sure the property lease agreement contains all the necessary information. Also, be specific about every information to avoid unnecessary disputes that can arise in the future. After writing the agreement, give it to a South African attorney to review the document. Although this will cost you some money; however, it will save you a lot of trouble you might face for writing an improper rent agreement.Apart from stating where the property is located and the term of rent, some other important details that you should not leave out when creating the rent agreement include the following:1. Terms for terminationThe purpose of a good rent agreement in South Africa is to prevent any dispute that may occur in the future. As a result, it is essential to have a termination clause that will explain, in simple terms, how the agreement can be terminated.Based on usual practice, the exterior maintenance belongs to the lessor while the interior maintenance belongs to the lessee. However, the document should be clear on the responsibilities of the tenant to perform cleaning activities on the surrounding.READ ALSO: The complete application process for the letter of good standing3. Tenant behaviourThe rent agreement must be clear on the consequences of illegal activities in the property. Unlawful conduct carried out in a building can have serious adverse effects on the owner. Therefore, it is essential to have a clause that guides the lessee on the acceptable behaviours and the penalty for illegal conduct.Image: pixabay.comSource: UGCHowever, to make the crafting easier for you, if you do not want to employ the service of a professional, you can download a Microsoft document file PDF online. Once you download it, you will be able to amend whatever details there to suit your purpose.A good property lease agreement template can contain as much information as possible. But the most important ones are as follows:1. Personal details of all partiesThe document should have all the personal information of both the tenant and the landlord. Make a section for the full names, signatures, and ID numbers of all the individuals bounded by the document.2. Residence descriptionIt is essential to add all the necessary details about the property to the leased. This includes the address, type of building, residence number, and even colour of the property.Information concerning money should be written in clear terms. This includes the minimum amount that will be deposited, how the tenant expenses will be sorted, how the payments will be paid, when the rent will expire, and what is at stake in the case of late payments4. Occupancy limitsThis clause will state the maximum number of people that will stay in the rented property. But then, it should also consider the marriage status of the lessee. 5. The lessor's right to entry The basic lease agreement template South Africa is not only for the landlord's satisfaction. Therefore, conditions for which the landlord can enter the building must be stated in the document.Image: pixabay.comSource: UGCCan the tenant make any alterations on the building? What sort of alteration is acceptable? These are very important questions that must be explained in a detailed lease agreement in South Africa.7. Pet policyIn most residential buildings and estates, owners are beginning to ban pets. The lessor must make a rent agreement that complies with the rules of the community or estate. If pets are allowed, the lessor should state the number, size, and type of pets that are accepted.It is best to lease a car if you want to get behind a new wheel every week. The good news is this: getting a car lease agreement in South Africa is not difficult anymore. What are the steps to getting a car lease agreement?1. Be aware that buying a car is different from leasingSo, be mindful of your short-term and long-term commitments. The advantage of leasing a car is that you get to drive different brands in a short time. The disadvantage is that you get to spend more in the long run.2. Bargain for a better priceThis strategy is common when buying a car, and such can be used when leasing. You can get a better deal than the one you are offered if you are good at bargaining.READ ALSO: How to get free legal advice South Africa 20203. Be realistic about your driving needsLease agreements come with kilometre limits. If this limit is exceeded, you will be charged for every extra kilometre. 4. Do not take leases for more than three yearsThe standard time limits for a car lease agreement is two or three years. It is a good idea to stay within these limits; else, you might be asked to pay for tyre or brake replacements.Whether you are a tenant or landlord, you are better off with a simple residential lease agreement template South Africa. While the tenant will be able to use the property, the owner also remains in charge of his property.DISCLAIMER: This article is intended for general informational purposes only and does not address individual circumstances. It is not a substitute for professional advice or help and should not be relied on to make decisions of any kind. Any action you take upon the information presented in this article is strictly at your own risk and responsibility!READ ALSO:Free employment contract template: how to writeHow to get full child custody in South AfricaAll tenants rights in South Africa you should be aware of Source: Briefly News Share — copy and redistribute the material in any medium or format for any purpose, even commercially. Adapt — remix, transform, and build upon the material for any purpose, even commercially. The licensor cannot revoke these freedoms as long as you follow the license terms. Attribution — You must give appropriate credit, provide a link to the license, and indicate if changes were made. You may do so in any reasonable manner, but not in any way that suggests the licensor endorses you or your use. ShareAlike — If you remix, transform, or build upon the material, you must distribute your contributions under the same license as the original. No additional restrictions — You may not apply legal terms or technological measures that legally restrict others from doing anything the license permits. You do not have to comply with the license for elements of the material in the public domain or where your use is permitted by an applicable exception or limitation. No warranties are given. The license may not give you all of the permissions necessary for your intended use. For example, other rights such as publicity, privacy, or moral rights may limit how you use the material. If you are a tenant wanting to lease a commercial property (for an office, a warehouse or industrial premises), we can review and negotiate the commercial lease agreement that has been presented to you by a landowner. If you are a landowner, we can draft a tailored residential or commercial lease agreement template specifically for your circumstances that you can use for multiple tenants. We can advise you on your relationship with your landowner or tenant and the options you have available. It: What are the benefits of our lease agreement template? Over the years, we have improved and updated our template to cover virtually every situation that may arise. Ensure a good relationship in which the rights and responsibilities of the parties are clear. Save time and money by drafting and signing leases faster. Have a better chance of being paid on-time because the commercial details (like what the tenant must pay and when) are included at the beginning. If a dispute arises, you will be in a strong position. Our templates have been reviewed by counsel (an advocate at the bar) who specialises in property related matters, especially litigation of disputes relating to leases. Advocates are in a unique position in that they know where disputes arise and the wording that should be included in an agreement to ensure a favourable result. Application of the Consumer Protection Act (CPA) The Consumer Protection Act does not apply to all leases by default. From the landowner's point of view, you do not want to give a tenant the consumer rights under the CPA if the CPA does not apply. Tenant's already have many rights and you do not want to give them more than what the law obliges you to do. In most cases, the CPA applies to the tenants and landowners of residential property rather than those of commercial property. Who is the author of the lease agreement template? The lead author is John Giles. Over the years John has gathered and reviewed hundreds of leases in his quest to produce the perfect lease agreement template. John also has years of experience (both as a landowner and on behalf of clients) dealing with disputes between tenants and landowners. This experience has been built into our templates. The free lease agreement is NOT for everyone If you answer “Yes” to any of the questions below, this free lease agreement is NOT for you but we can help you. Do you own many properties that you rent out? Are the rentals for your properties high? Are you a property developer? Do you make most of your income from the rental income? Are your current lease agreements outdated? Are you constantly involved in disputes with your tenants? Do you need to add special terms to your lease agreement and make sure that they comply with the law? This is a written rental contract that sets out terms and conditions between the Landlord and Tenant of a residential property. This free lease agreement is helpful where the lease is private and not done through an agent in South Africa. Residential Lease Agreement 216 KB Related documents Are you a Policyholder? Send us your details and one of our consultants will be in touch