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Good news: Pre-lockdown home buyers/sellers allowed to move

By Adrian Goslett

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To the relief of many buyers, sellers and tenants who found themselves in precarious positions as they neared the occupation date of a new lease agreement or OTP, it was announced on Thursday, 7 May, that moving homes is now allowed until 7 June 2020, within certain restrictions and regulations.

Image source: Gallo/Getty

The legislation clearly limits movement to those who have entered new lease agreements before or during the lockdown period: or if the transfer of immovable property occurred before the lockdown period. Any new buyers and sellers will need to wait until the lockdown restrictions ease to a level in which moving homes is again allowed.

Beyond this, the regulations state that anyone who is moving needs to “obtain a permit to travel across provincial, metropolitan or district boundaries from the station commander of a police station or a person designated by him or her”. The full list of restrictions is available on the government website.

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This decision will bring great relief to existing buyers, sellers, landlords and tenants. However, these regulations do not cater for agents being able to facilitate incoming and outgoing inspections, which is a requirement under the Rental Housing Act. There is also the simple matter of key handover. Who would do that under the current regulation? The regulations will need to be updated.

Reclassification of real estate services

While this new regulation is welcomed, we are hopeful that further easing of certain restrictions will follow suite to allow buyers, sellers and tenants a fair opportunity to move. While I am grateful for this announcement, I am also hopeful that we will soon see real estate services reclassified as a level four service. There is only so much a real estate agent can do remotely if they are not allowed to access a home. If real estate services are not reclassified, then very few new sales and rentals (if any at all) will be concluded over this time, leaving homeowners and landlords in very difficult financial positions.

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The real estate industry, as a whole, implores government to rethink their classification of real estate services not just to save countless job of those working in this industry, but also to help all South Africans access capital through the sale or letting of their property.

The impact to the South African economy would be detrimental if real estate is not allowed to operate during level four of lockdown. We commit to working with the government to formulate the necessary operational restrictions so that real estate services can be reintroduced in a responsible way.

ABOUT ADRIAN GOSLETT

Adrian Goslett is CEO and regional director of RE/MAX Southern Africa. He joined RE/MAX Southern Africa in 2005 as a franchise development consultant, supporting various regions and offices. Throughout his career at RE/MAX he has held various positions. In 2010, after successfully leading 160 offices and over 1500 agents in six countries through the worst years real estate has ever seen in South Africa in 30 years, Goslett was appointed as CEO of RE/MAX Southern Africa.

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