

PART III**6. Procedure for transfers in terms of section 12(9)(c) and regulation 13(1)**

6.1 Subject to rule 6.4 below, a transfer contemplated in section 12(9)(c) of the Act shall be preceded by the following procedure:

6.1.1 The Regulatory Authority shall appoint an independent accountant and public auditor who, as required by regulation 13(1) of the Regulations, shall determine the value of the social housing stock or rights which the Regulatory Authority intends transferring to a social housing institution in terms of section 12(9)(c) of the Act. In determining such value, the independent accountant and public auditor shall have regard to:

6.1.1.1 the factors contemplated in rules 6.1.2.1 to 6.1.2.10;

6.1.1.2 the views of other social housing institutions on the reasonable price for such social housing stock or rights;

6.1.1.3 the views of an independent property valuer appointed by SHRA or, in the absence of such property valuer being appointed, the views of SHRA.

6.1.2 The independent accountant and public auditor shall prepare a preliminary valuation of the social housing stock. Unless otherwise directed by the Regulatory Authority, the independent accountant and public auditor shall solicit the views of social housing institutions in relation to the value of the social housing stock and, in such solicitation, shall furnish to the social housing institutions the preliminary valuation. In addition to such valuation, any of the following information relating to the social housing stock in question may be disclosed -

6.1.2.1 the number of units;

6.1.2.2 the number of units that are currently occupied and the number of units that are vacant;

6.1.2.3 the amount of units falling within each size category (ie 1, 2 or 3 bedroom units);

6.1.2.4 the occupancy level of each size category of units;

6.1.2.5 details of the lease agreements in place;