

# Should you become a trustee in your sectional title complex?

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**Being a trustee in a sectional title complex can be fulfilling but is also a huge responsibility. We look at the pros and cons of becoming one.**

Sectional title living has become the norm for many living in South Africa due largely to the perceived associated security and communal benefits. **If you own a unit or units within a complex you automatically become a member of the body corporate which makes you eligible to become a trustee.**

The question is, if and when the time comes, should you take the plunge and become a trustee?

Of course, answering such a question depends entirely on your own personal circumstances and the current state of the complex with which you are involved. If for example you are pushed for time, you feel that your complex is being well run and you trust the current or incoming trustees to continue doing a good job, then there's probably little call for you to step up to the plate.

If however you feel that your complex is experiencing issues which are not being resolved and you feel that you could make a difference to the current status quo, then it's probably a good idea to get involved. After all, it's in your best interests to make sure the complex runs smoothly, failing which your investment could be at risk.

Making such a decision is not to be taken lightly though. **Trustees, together with an appointed managing agent, are essentially charged with managing the day-to-day running of the complex which can be an onerous, time consuming and thankless task.** Generally speaking trustees are not compensated for their efforts either.

The opportunity to become a trustee typically arises at the Annual General Meeting (AGM). Trustees must be nominated in writing by a fellow owner 48 hours before the AGM. Should there be insufficient nominations prior to the meeting, owners may nominate trustees with their consent at the AGM. Following the election of the trustees at the AGM, a chairperson must be elected by the trustees. Each trustee should then be assigned to oversee a specific 'portfolio' relating to the gardens or maintenance and the like.

In addition to their portfolio duties, trustees must:

- Be familiar with the Sectional Title Act
- Make sure that levy payments are up to date and the money is banked and utilised correctly

- Bring owners who are in arrears to book
- Enforce conduct rules
- Ensure that the budget is adhered to
- Carefully vet and continuously keep tabs on the managing agent
- Maintain the common property (cleaning, general staff management and security typically fall under this banner)
- Ensure that the complex is adequately insured
- Meet regularly to carry out duties
- Prepare and present financial statements and reports at the AGM.

Details which need to be outlined in such documents include an itemised estimate of the anticipated income and expenses for the year ahead, an audited financial statement of the period under review and the trustee's report on matters attended to during the period under review

In other words, a lot goes into being a trustee. A brief look at various forums regarding trustees, their duties and some of the issues which crop up at complexes can also be off-putting. That said, it's worth pointing out that becoming a trustee can be quite fulfilling in that you know you are taking steps to protect your investment and (hopefully) positively impacting other people's lives. What's more is that the assistance of an active, approachable, informed managing agent which can guide trustees accordingly can streamline things tremendously. In a nutshell, becoming a trustee is not for everyone and you should think carefully before arbitrarily accepting such a position and only do so for the right reasons.