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TITLE DEED CONDITIONS AND ZONING REQUIREMENTS

Although, as a point of departure, it can be argued that ownership of property entails a sovereign right to use that property, this right is not absolute and is normally restricted.

Restrictive title conditions as well as zoning are, amongst other, two of the ways the usage rights on a property can be restricted. It is therefore very important to understand the rights of a property owner, with regards to the zoning and the restrictive conditions registered against the property.

If the property is used in contradiction with the restrictive title conditions and/or zoning it will constitute an illegal act.

For example if the property has a restrictive condition such as "the property may only be used for residential purposes" stipulated in the title deed or if the zoning of the property is residential then the property can only be used for said purpose. If the property is used for any other purpose, such as business purposes, it will constitute an illegal act.