MINUTES OF MEETING WITH THE JOHANNESBURG DEPUTY REGISTRAR OF DEEDS & OTHERS ON 12TH AUGUST 2015 AT 11H30

PRESENT:

- Deputy Registrar ("DR")
- Pauline (Jhb Deeds Office)
- Marie (Roving Conveyancers' Representative)
- Anton Theron (JAA)
- Dylene Soobramoney (JAA)

AGENDA:

1. **FEEDBACK FROM THE DEPUTY REGISTRAR ON THE MEETING HELD ON 15 JULY 2015**

1.1. Request received by DR from student:

1.1.1. Mr Theron confirmed that the student called him and that the student wanted an opportunity to interact with clients in order to obtain information regarding their experiences when buying property.

1.1.2. Mr Theron requested the student to call him back in order to get him in contact with some of his estate agent clients.

1.1.3. Mr Theron confirmed that to date the student has not called him but requested the DR to redirect the student to him should he contact the DR.

1.2. VA Copies

1.2.1. The DR confirmed that the new VA application process is being abused by some conveyancers in that they are unwilling to wait for the release of registered deeds from the Deeds Office and that they apply for VA copies of these deeds so that they can obtain these deeds earlier.

1.2.2. Mr Theron confirmed that this conduct should be regarded as misconduct and in serious cases should also be regarded as a criminal offense by the relevant conveyancer.

1.2.3. Mr Theron also confirmed that a warning will be sent out on the JAA website advising its members that should they continue with this practice then it will be reported to the Law Society.

1.2.4. The DR also confirmed that the lodgements for VA's are being lodged in the incorrect boxes. He advised that should this practice continue then these VA applications will have to be rejected.

1.2.5. It was suggested by the JAA that in order for the deeds office to safeguard itself from disputes with conveyancers that the relevant person who finds the incorrect VA lodgement initial the deed to confirm that it was incorrectly lodged. Mr Theron also confirmed that both himself and Marie will address the conveyancers at the deeds office about the abuse of the system and that further abuse will lead to matters being rejected.

1.2.6. The DR confirmed that some conveyancers are not properly implementing the new system in that they are not marking their lodgement covers with the words "VA Copy" in red. He confirmed that this practice will also lead to these matters being rejected.

1.2.7. The DR also confirmed that copies of deeds that can only be obtained from manual books still remains a challenge as a lot of these documents are still with Gijima. He further advised that on these matters the conveyancers are informed that their requests will take longer than the usual time periods. The DR advised that all of the documents in Gijima's possession are going to be returned to the deeds office at the end of August 2015, however all documents that were registered during the years 1981 to 1983 cannot be obtained as these deeds are still contained on microrolls and still need to be digitised.

1.2.8. Lastly the DR confirmed that they are receiving many duplications of applications for VA copies. He confirmed that this is also an abuse of the system and is further adding to the current volumes and creating a further backlog.

1.3. <u>Junior Examiners</u>

1.3.1. The DR confirmed that 4 (four) new junior examiners have now been appointed and are examining deeds. They are receiving a quota of +/- 37 (thirty seven) deeds per day. This is assisting with the current backlog being minimised.

1.3.2. The time periods from lodgement to registration has also improved slightly.

1.3.3. One level examination deeds such as antenuptial contracts are also going through the system quicker and are being registered quicker.

1.3.4. The DR confirmed that they are aiming for an average turnaround time of +/- 7 days from lodgement to registration. He confirmed that this is the standard that is required by the Chief Registrar.

1.3.5. The DR confirmed that going forward that their offices will continue to be proactive and try and assist conveyancers wherever necessary in matters that are being unreasonably delayed.

2. **ASSISTANCE REQUIRED FROM EXAMINERS AT MONTH END**

2.1. Marie advised that deeds are being held by junior examiners for long periods of time before they move to senior examiners. She confirmed that this creates a problem especially in matters where rates clearances are due to expire.

2.2. The DR confirmed that the deeds office is aware of this issue and that they have circulated an internal notice to junior examiners regarding turnaround times that need to be adhered to.

2.3. The DR also requested that going forward that any matters that are with junior examiners for long periods of time be brought to his attention and he will deal with these matters on a case to case basis.

2.4. The DR confirmed that he will email through to the JAA the recent notice that was sent out to conveyancers regarding the placing of stickers on lodgement covers in matters where the clearances are to expire in the month in which they are being lodged. He confirmed that these matters must be lodged at least 10 (ten) days before month end.

3. **EXTENSION OF TIME FOR THE REMOVAL OF PREP NOTES**

3.1. Marie requested that the time period to have notes removed be extended from 11am to 11:30am.

3.2. The reason for her request is that generally none of the examiners are available to remove notes and the conveyancers are unable to meet the 11am deadline. She confirmed that either the junior and senior examiner are not available or not in their offices or are not yet at work.

3.3. The DR confirmed that these matters should be brought to his attention. He will also deal with these matters on a case to case basis. He confirmed that extending the time period will not necessarily improve the situation but rather addressing the relevant people that are guilty of not being available would resolve the situation.

3.4. Mr Theron requested the names of the examiners that are generally unavailable to attend to prep notes in order for the JAA to lodge a formal complaint.

3.5. Marie confirmed that she will send Jabu an email with further details on the groups that are not available to assist with the removal of prep notes.

SEPTEMBER 2015 MEETING

The next meeting will be held on Wednesday, 9th September 2015.