



Approved Builders List and Design Review Committee

Dear Residents

There have been a number of enquiries recently regarding how the approved builders list is managed at Pearl Valley, and the role of the HOA related to construction projects. Given the varying nature of the questions, some detail is needed in this note to cover them.

Pearl Valley HOA does not restrict the number of approved builders, and we fully support competition in the market to allow homeowners the widest possible choices. Any builder can apply to be added to the approved list provided they provide the following:

- 1) Company registration details
- 2) Current National Home Builders Registration Council (NHBRC) registration certificate
- 3) Proof of Building Industry Bargaining Council (BIBC) registration and a letter of good standing
- 4) Master Builders Association (MBA) Boland registration certificate and date of first registration
- 5) Workman's Compensation registration number and letter of good standing
- 6) Health and Safety letter of good standing
- 7) SARS letter of good standing
- 8) A Bank letter of good standing
- 9) A summary of projects undertaken in the last five years
- 10) Trade references

Pearl Valley currently has 14 approved building companies. Should a company no longer meet material criteria (for example lose its good standing status), they may be removed from the approved list.

Additionally, Pearl Valley HOA may consider, on application from a homeowner, allowing a builder that is not on the approved list to build the specific home of the applying homeowner. Similar criteria apply, and Pearl Valley currently has 28 such builders registered on a "single project basis".

Our neighbouring Estate at Val de Vie has somewhat similar criteria, but may not necessarily have the same approved builders list, or number of builders on the list. However, there may be some commonality given that proximity of the two estates and the reciprocal access makes it convenient to some builders to be approved on both estates.

The HOA responsibility regarding the builders, as set out in the Pearl Valley HOA Constitution and the Architectural Design Guidelines, is as follows:

- Monitoring that the building site adheres to the guidelines (external appearance and neatness, traffic laws, pegs, access control, deliveries, anything affecting the HOA common property, building hours, excavations and rubble, container, etc.),
- Ensuring that the building conforms to the approved plan (appearance, materials, structure, location, boundary lines, etc.).

Other than the above, the homeowner is responsible for the builder's activities and health and safety. The homeowner has the direct contractual relationship with the builder (and hence its subcontractors).

Pearl Valley does not have a list of approved sub-contractors such as quantity surveyors, etc. It is for the homeowner to negotiate this with the builder.

It is not the role of the HOA to monitor the standard of the building or its materials.

There are a number of protections afforded to homeowners via the NHBRC, BIBC and the MBA. This is the avenue a homeowner uses to ensure their builder adheres to contract of sound building practices.

To summarise,

- the HOA roles are well defined in the Estate Rules and Constitution, and none of these contemplate that the HOA become directly involved in a private commercial transaction between the homeowner and the builder,
- the regulatory bodies to which the builder must belong provide substantial procedures and protection to homeowners.

Regarding plans for construction, the Design Review Committee meets every two weeks to review submitted plans, to ensure they adhere to the building guidelines. Pearl Valley and The Acres have different guidelines given their history of development. Similarly these guidelines are different from those at Val de Vie. Generally stated there are, of course, many similarities as well.

The Design Review Committee is made up of estate management staff (Estate Manager, Maintenance Manager and Building Control Officer), an elected homeowner trustee as Chairman, the Controlling Architect and a Landscaping Architect.

The Controlling Architect provides a professional, qualified and independent review of all submitted plans to ensure that they meet the criteria set in the building guidelines, and charges a scrutiny fee for this service. He provides the committee with his view on where the plans may infringe the building rules, and the committee discusses the changes, if any, needed on the plans, and feedback is provided to the submitting architect. Revised plans may be resubmitted twice without incurring another scrutiny fee, whereafter another fee will apply.

Important to note is that the Controlling Architect does not have any role in determining which builders are on the approved builders list.

Please feel free to contact the HOA with any further questions you may have.

Kind regards
PV HOA Trustees
27 January 2025

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