



NSFAS

National Student Financial Aid Scheme

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National Student Financial Aid Scheme

<p>Internal stakeholders affected by this document (units and divisions who should be familiar with it):</p> <ul style="list-style-type: none">• NSFAS Student Relations;• NSFAS Communications Dept• NSFAS Risk Dept• NSFAS Finance Dept• NSFAS ICT	
<p>Website address of this document:</p>	

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CONTENTS

1. PREAMBLE	4
2. PURPOSE	4
3. SCOPE	4
4. DEFINITIONS	4
5. POLICY PRINCIPLES	5
6. CRITERIA AND PROCEDURE FOR ACCREDITATION	8
6.1 APPLICATIONS PROCEDURE	8
6.2 DOCUMENTS REVIEW AND VERIFICATION	8
6.3 INSPECTIONS OF THE PROPERTIES	8
6.4 ACCREDITATION PROCESS	9
6.5 ACCREDITATION CRITERIA	10
6.6 SIGNING OF MEMORANDUM OF AGREEMENT	13
6.7 MARKETING AND PROMOTION OF OFF-CAMPUS ACCOMMODATION AND STUDENTS' INTAKE	13
6.8 APPEALS PROCESS	13
6.9 DE-ACCREDITATION	14
7. MINIMUM STANDARDS FOR ROOMS SPECIFICATIONS	15
8. RESPONSIBILITIES OF STUDENTS AND SERVICE PROVIDERS	16
9. ADDITIONAL REQUIREMENTS	16
10. NSFAS FUNDING FOR ACCREDITED ACCOMMODATION	17
11. MONITORING	17
12. STUDENT DISCIPLINE	18
1 ANNEXURE A	19

NSFAS PRIVATE ACCOMMODATION POLICY

1. PREAMBLE

The NSFAS Private/Off-Campus Accommodation policy provides for the accreditation of off-campus accommodation for registered students. This policy should be read in conjunction with other related policies of the NSFAS. Accredited student accommodation must conform to the provisions of the National Building Regulations, The Rental Housing Act, the Consumer Protection Act, the common law and the Constitution of the Republic of South Africa forms the context of this policy.

2. PURPOSE

The purpose of this policy is to:

- 2.1 Establish criteria and procedures for the accreditation of off-campus accommodation for NSFAS registered students, be it communes or buildings intended for student accommodation;
- 2.2 Make provision for transparent administrative processes to ensure that accreditation is dealt with fairly and consistently;
- 2.3 Establish adequate monitoring and accountability procedures for accredited properties and service providers;
- 2.4 Ensure consistency with other guidelines, regulations and legislation relevant to this policy

3. SCOPE

This policy applies to all privately owned off-campus accommodation that seeks accreditation and or is accredited by the relevant University.

4. DEFINITIONS

4.1 For the purpose of this policy, unless otherwise stated, the following definitions shall apply:

4.1.1 **“Accreditation”** means the status which is formally granted by the relevant University to a service provider for a particular off-campus accommodation property which meets the off-campus accommodation quality standards

4.1.2 **“Applicants”** means any owner or service provider applying to be an accredited service provider.

- 4.1.3 “**Blacklisted**” means a status that the University will allocate to a service provider who has supplied the University with fraudulent documentation or engaged in fraudulent activities when conducting business with the University. This status will mean the service provider and his/her properties will not be accredited for a period determined by University.
- 4.1.4 “**Commune**” means a dwelling house where the habitable rooms are rented out for an extended period to unrelated persons who share the communal facilities such as the kitchen, lounge, dining room and bathrooms.
- 4.1.5 “**Conditional accreditation**” means the status granted by the University to a service provider who partially meets the requirements for full accreditation; it also indicates a need for significant and immediate action in order to be fully compliant with accreditation requirements.
- 4.1.6 “**Dwelling house**” means a detached self-contained inter-leading suite of rooms containing a kitchen with or without an ancillary scullery and the appropriate ablutions, used for living accommodation and housing, together with such outbuildings and subsidiary dwelling unit as is ordinarily permitted therewith.
- 4.1.7 “**Land use consent**” means a consent that is formally granted to the service provider by the relevant Council after due considerations of all relevant facts and applicable municipal by laws for the purpose of operating a commune.
- 4.1.8 “**Off-campus accommodation**” means accommodation that is not owned or managed by the University.
- 4.1.9 “**Over-swiping**” means a service provider has processed or lodged claims for NSFAS or bursary through the official payment terminal which exceeds the number of students originally accredited for or the amount of money approved.
- 4.1.10 “**Owner**” means the registered owner (whether a natural person or a legal person) of the land, which shall include the holder of a long term lease, or the holder of a land tenure right such as permission to occupy certificate, deed of grant, leasehold or initial ownership, a designated executor, administrator, guardian or one holding any other official capacity, any successor in title, a duly authorized agent.”
- 4.1.11 “**Service Provider**” means the person or entity providing off campus accommodation. This may include the owner of a property or any other person having the authority to rent out a dwelling.
- 4.1.12 Property “**Zoning certificate**” means a certificate that is granted by the relevant City for a service provider to establish a commercial boarding house within a residential environment.

5. POLICY PRINCIPLES

- 5.1 A service provider or a legal entity who wishes to apply for accreditation of accommodation must do so by completing in full the relevant application form;
- 5.2 Only applications that have been completed in full and contain all the information required as well as all the relevant documents and proof of payment of the prescribed non-refundable application fee will be considered for accreditation;
- 5.3 A non-refundable application fee set by the University shall be payable upon collection of the application form;
- 5.4 Off-campus accommodation shall be classified into either a Commune, a Residential 3 or 4, dwelling house or a High-rise building and each category will have its own invoicing system;
- 5.6 The application fee for High-Rise buildings shall be differentiated depending on the occupancy capacity of the accommodation;
- 5.7 An application must be completed in respect of each property that would be used as off-campus accommodation;
- 5.8 It is the responsibility of every applicant or service provider to familiarise themselves with the policy requirements for accreditation and other relevant application procedures;
- 5.9 All applications for the accreditation of accommodation must be submitted before or by the closing date as determined by the University;
- 5.10 No late applications will be accepted;
- 5.11 An accreditation of a property cannot be transferred to any other property even if the properties are owned by the same service provider;
- 5.12 Any changes to the conditions of the accredited off-campus accommodation and ownership of the property will require re-application;
- 5.13 The applicants for accreditation are required to pay a non-refundable application fee to cover the costs of the accreditation process;
- 5.14 The University will communicate the outcome of the accreditation processes in writing to all the applicants;
- 5.15 The University reserves the right to grant accreditation, decline accreditation and to withdraw accreditation;
- 5.16 Upon being granted accreditation status, a Memorandum of Agreement will be signed between the University and the Service Provider;
- 5.17 Each accredited off-campus accommodation must have a dedicated manager who the University management, students and the public can contact as and when need arises
- 5.18 Accreditation is for a period specified by the University;

- 5.19 Accredited service providers shall pay a non-refundable administration fee per student.
The amount of the administration fee shall be determined by the University annually;
- 5.20 In the case of a service provider not meeting the requirements, they will be liable for an additional non-refundable re-evaluation fee that will be determined by the University should there be a need for their property to be re-evaluated;
- 5.21 An applicant must take out a liability cover for each property that seeks accreditation.
The University will determine the amount depending on the category and occupancy capacity of the accommodation.
- 5.22 In the case where a service provider is de-accredited by University, students staying in the affected Off-Campus Accommodation will be notified and advised to serve the mandatory 30 day notice. The students will also be provided with a list of accredited off-campus accommodation that still has space;
- 5.23 All accredited or conditionally accredited Off-Campus accommodation must appoint a caretaker that lives on the property and must display an A3 size notice with his/her contact details;

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6. CRITERIA AND PROCEDURE FOR ACCREDITATION

6.1 APPLICATIONS PROCEDURE

- 6.1.1 The University will determine the date, processes and timelines;
- 6.1.2 Applicants will receive an invoice for the non-refundable administration fee, which amount will be set by the University annually, when collecting the application form from the Off-Campus Office;
- 6.1.3 It is the responsibility of each applicant to submit the application form and required documents as listed in 6.5.1 and/or 6.5.2 including proof of payment of the non-refundable administration fee timeously;
- 6.1.4 Applications accompanied by expired or incomplete documents or are without proof of payment will not be considered;
- 6.1.5 Once proof of payment together with the application form are submitted to the Off-Campus Accommodation Office, the University will issue the applicant with a Tax Invoice;

6.2 DOCUMENTS REVIEW AND VERIFICATION

- 6.2.1 All received applications will be reviewed by a panel appointed by the University;
- 6.2.2 All required documents will go through the process of verification and authentication with the relevant authorities;
- 6.2.3 After completion of the review and verification of documents, the panel responsible for verifications and reviews will write a report for the Accreditation Committee's consideration.
- 6.2.4 Applications that meet the minimum requirements will be recommended for physical inspections;
- 6.2.5 Properties whose applications meet the minimum requirements will be inspected by the Inspection Committee which will be determined by the University.

6.3 INSPECTIONS OF THE PROPERTIES

6.3.1 The Inspection Committee will inspect a building or a commune in the presence of the owner or her/his authorized representative;

6.3.2 After inspection of the premises, the Inspection Committee will write a report on its findings to the Accreditation Committee for consideration.

6.3.3 The Inspection Committee shall have the following members:

- Off-Campus Coordinator or his/her nominee
- OHS Practitioner
- A Campus SRC Representative

6.4 ACCREDITATION PROCESS

6.4.1 The Accreditation Committee will look at the findings of the Inspection Committee and also considers the outcomes of the document verification panel and make a decision on whether to grant or decline accreditation.

6.4.2 The Accreditation Committee will be comprised of the following members:

- The Executive Director or his/her nominee (Chairperson)
- The Director of Student Accommodation and Residence Life or his/her nominee
- The Off-Campus Coordinator or his/her nominee
- Two other staff members from Student Affairs appointed by the Chairperson
- A University SRC Representative

6.4.3 The possible outcome of the accreditation process could be either:

- Full Accreditation
- Conditional Accreditation
- Declined Accreditation
- Blacklisted

6.5 ACCREDITATION CRITERIA

6.5.1 Full Accreditation in Urban areas

A service provider applying for accreditation in an urban area obtains full accreditation if they comply with the following requirements:

- The relevant city council Land Use Consent and/ or Certificate of Occupancy for the building
- Proof of Residential Zoning Permit
- Development Plans
- Either proof of ownership of the property or written consent by the actual owner of the property permitting the applicant to operate the property as premises for accommodation or lease agreement between the applicant and the owner of the property
- Certified copy of a valid identity document of the applicant, the directors and/or members of the entity applying for accreditation
- Original Valid Tax Clearance Certificate
- Company Registrations documents
- Copy of public liability cover for an amount of not less than R5 million [the cover should be for the property and must be for the full accreditation period]
- Approved Building Plans
- Compliance with OHSA requirements
- Payment of the mandatory application fee
- A copy of the water and electricity bill be provided to the relevant University in order to ascertain whether the supporting documentation supports the application

6.5.2 Full Accreditation for properties in townships as directed by the relevant city council.

A Service Provider applying for accreditation in a township obtains full accreditation if they comply with the following requirements:

- Company registrations documents
- Original Valid Tax Clearance Certificate
- Approved building plans
- Either proof of ownership of the property or written consent by the actual owner of the property permitting the applicant to operate the property as premises for accommodation or lease agreement between the applicant and the owner of the property
- Certified copy of a valid identity document of the applicant, the directors and/or members of the entity applying for accreditation
- A copy of the water and electricity bill be provided to the University in order to ascertain whether the supporting documentation supports the application- Compliance with OHSA
- Payment of the mandatory application fee
- Copy of public liability cover for an amount of not less than R5 million [the cover should be for the property and must be for the full accreditation period]

6.5.3 Conditional Accreditation

Conditional Accreditation is given to a Service Provider who has submitted all relevant documents but the documents are found to not fully comply with the requirements as follows:

- Tax Clearance Certificate expired after submission date
- Public liability whose details do not indicate the property covered and/ or has no expiry date and/ or does not cover the full accreditation period
- Building plans whose stamps may need to be verified
- Under stringent circumstances, Conditional Accreditation does get given when ownership/ lease seem unclear and the service provider gets given a very strict time line to submit relevant documentation [proof of ownership or a lease agreement between the property owner and the applicant granting the applicant permission to lease the property for student accommodation purposes]
- Payment of the mandatory application fee
- A property should be declared compliant with OHSA requirements or the OHSA non- compliance issues are of such minor detail that the University OHSA office is satisfied that compliance can be achieved within set time frame.

- At the end of the conditional accreditation period and following the review, the Accreditation Committee may make one of the following accreditation decisions:
 - Release the property from conditional status and grant full accreditation; or
 - Withdraw accreditation

6.5.4 Declined Accreditation

A Service Provider's application for accreditation gets declined for failure to either provide or comply with the following requirements

- Failure to supply a Land Use Consent
- Failure to supply stamped/ approved building plans
- Failure to prove ownership of property or failure to provide a lease agreement
- Failure to supply the office with a CIPC company details (Company's trading status must be active)
- Failure to pay the mandatory application fee

6.5.5 Blacklisted

A Service Provider gets blacklisted for violating both the relevant City Council and University policy documentation requirements. A Service Provider may get blacklisted for fraudulent activities such as:

- Supplying the University with forged/ fraudulent Land Use Consent in support of their application
- Supplying the University with forged/ fraudulent Zoning permit in support of their application
- A Service Provider may also get blacklisted for committing fraud such as charging NSFAS students deposits when they move into his/ her property, colluding with either students/ the University staff members to defraud the university and for violating any condition set out in the MOA he/ she entered into with the University.

6.5.6 Over-swipe

The definition of over-swipe is in two fold and by over-swiping a Service Provider commits fraud against the state, NSFAS, the students and the University. Over-swipe is limited to the following criteria:

- Accommodating a number of tenants/ students above the number accredited, thereby swiping for more tenants/ students through the NSFAS/ bursaries terminal machine
- Swiping of the amount beyond the prescribed NSFAS/ bursaries rate

6.6 SIGNING OF MEMORANDUM OF AGREEMENT

The relevant University will enter into a formal written agreement with the applicant/service provider by signing the MOA after which the original copy must be forwarded to the Contract Management office within the University as per the Contract Management policy;

6.7 MARKETING AND PROMOTION OF OFF-CAMPUS ACCOMMODATION AND STUDENTS' INTAKE

- 6.7.1 Off-campus accommodation can only advertise them as the University accredited accommodation only after receiving formal notification of their accreditation status;
- 6.7.2 Once accommodation has been accredited, details of the accommodation will be placed on a database of off-campus accommodation. This database will be regularly updated and made available to current and prospective students. The database will also be available on the University website. In the event where the off-campus accommodation was granted conditional accommodation the status of the accommodation will be communicated in the published list;
- 6.7.3 Only accredited accommodation may be advertised on University notice boards with the prior approval of the Director: SARL;
- 6.7.4 Off-campus accommodation can only take in NSFAS and bursary students only after they have received accreditation.

6.8 APPEALS PROCESS

- 6.8.1 An applicant whose application for accreditation has been unsuccessful may appeal the decision of the Accreditation Committee.
- 6.8.2 An applicant must lodge an appeal with the Appeals Committee within 5 working days after receiving the formal response to his/ her application;
- 6.8.3 The Appeals Committee shall be chaired and constituted by the DVC responsible for Student Affairs or his/ her nominee.
- 6.8.4 The Appeals Committee must make a decision on whether to uphold or reject the appeal within the stipulated timelines. In exercising their judgement, the Appeal Committee may interview the owner or may even inspect the premises.
- 6.8.5 The University in terms of this policy has powers to de-accredit a service provider who is engaged in illegal and unethical business practices. Such contraventions can include but are not limited to contravening the University Off-Campus Student Accommodation policy, the MOA, terms of accreditation and other University policies.
- 6.8.6 The decision of the Appeals Committee is final.

6.9 DE-ACCREDITATION

- 6.9.1 If, in the course of the calendar year for which accommodation has been accredited, clear evidence is provided to the University that the accredited property does no longer meet the accreditation conditions the Inspection Committee will re-inspect the property in question.
- 6.9.2 The report from the Inspection Committee will serve at the Accreditation Committee which shall review the matter and make an informed outcome.
- 6.9.3 If, in the consensus view of the Inspection Committee, the accommodation may escape de-accreditation if certain clearly defined shortcomings are addressed forthwith by the service provider, the service provider shall be afforded an opportunity to remedy such shortcomings within a period of 7 days after having been notified in writing of such shortcomings by the convener of the Inspection Committee after which an inspection, if deemed necessary will be made.
- 6.9.4 If the Executive Director: SA, based on the advice of the Inspection Committee, decides to de-accredit the accommodation, she/he must inform the service provider of the accommodation of her/his decision forthwith.
- 6.9.5 The service provider of the accommodation has the right to appeal the decision for de-accreditation, in which case the same procedure as described in 6.4 above is followed.

- 6.9.6 The University does not get involved in any dispute of whatever nature between private providers.
- 6.9.7 A service provider who has been de-accredited will be suspended from doing the same/similar business with the University for the period of three (3) years or more.
- 6.9.8 Where clear evidence exists that a service provider for off-campus accommodation solicits employees or students of the University through inducements, whether monetary or otherwise to support their (continued) provision of off-campus accommodation, such service provider shall forthwith forfeit their accreditation as provider of off-campus accommodation.

7. MINIMUM STANDARDS FOR ROOMS SPECIFICATIONS

In order to qualify for accreditation the off-campus accommodation must comply with the following requirements:

- 7.1. Student double rooms should be no smaller than 14m², and a single room should be a minimum 7m²;
- 7.2. Rooms should be furnished with lockable closets, single bed steel or wooden frames including mattress/sponge, study desk, chair, bookshelf, study lamp, panel heater and paper bin. For sharing rooms the required furniture must be duplicated; No more than four students must share a bath or shower and toilet;
- 7.3. Cooking inside student rooms shall not be permitted. Suitable student storage, preparation and kitchen space shall be provided, which shall be equipped with the following facilities and in the following ratios:
- Stove - 1 per 4 students' residents
 - Sink – 1 per 10 students in commune dwellings and 15 student residents in high rise buildings
 - Lockable cupboards - 1 per student resident
 - Microwave oven – 1 per 8 student residents in commune dwellings and 12 in high rise building
 - Countertop space – sufficient for 8 students' in commune dwellings and 12 students' in high rise buildings
 - A minimum provision of cold storage, 210 litres per 5 students.
- 7.41 Rental charged per student is inclusive of water and electricity.

- 7.5.8 Off-Campus accommodation must have the capacity to accommodate a minimum of 6 students for it to qualify for accreditation.
- 7.6 The city council parking norm provision of one parking bay per two tenants for residential developments shall be applicable to Off-Campus accommodation unless University grants exemption upon application for such by the applicant.

8. RESPONSIBILITIES OF STUDENTS AND SERVICE PROVIDERS

- 8.1 Students are to clean their own rooms and the service provider must clean all communal areas, ablution areas are to be cleaned on a daily basis;
- 8.2 Reliable transport running at regular intervals from 6am to 22:00pm should be provided in areas where the distance of the accommodation from such campus exceeds 2km.
- 8.3 All off-campus accommodation facilities must be of a standard that is at least the equivalent of a University residence in terms of quality and appearance.
- 8.4 All service providers have the responsibility to ensure that the off-campus accommodation complies with OHS requirements throughout the accreditation period.
- 8.5 All accredited service providers have the responsibility to ensure compliance with all relevant city council by laws throughout the accreditation period.

9. ADDITIONAL REQUIREMENTS

- 9.1 In order to qualify as a service provider, an owner of accommodation (or a person who complies with the provisions of 6.5.1 and 6.5.2 above) must state in writing that, once his/her accommodation has been accredited, he/she will not charge students being accommodated more than the amount allocated by the University for the Student's Accommodation.
- 9.2 An applicant for accreditation must provide acceptable proof that the students being accommodated will be properly supervised in respect of such matters as hygiene, security and good and orderly conduct.
- 9.3 Acceptable proof in terms of sub-para 8.1 above means presentation of a cleaning supervision register to be signed and dated by students. Following having been given information and guidance by the service provider on matters such as hygiene, security, good and orderly conduct, presentation of the written information that will be provided to students on the relevant matters, and presentation of suitable notices on such relevant matters displayed in common areas.

10. NSFAS FUNDING FOR ACCREDITED ACCOMMODATION

- 10.1 Once off-campus accommodation has been accredited, the Division for Financial Governance and Revenue is provided with the approved accredited list of service providers;
- 10.2 A student who applies for financial aid in terms of NSFAS, and who seeks off-campus accommodation, is provided with a list of accredited accommodation by the Division for Financial Governance and Revenue and by the SARL off-campus accommodation office.
- 10.3 NSFAS only funds the cost of accommodation of students who lives in accredited off- campus accommodation.
- 10.4 Only formally-constituted consortiums of dwelling houses and communes that in the aggregate accommodate a minimum capacity of 40 students, qualify for NSFAS and University Administered Bursary funding.
- 10.5 An NSFAS student will enter into an agreement with the accredited service provider for accommodation in their personal capacity and such agreement is not binding to the University ;
- 10.6 At a date prior to registration for the academic year, a student who thus qualifies for NSFAS financial aid provides the Division for Financial Governance and Revenue with proof of accommodation in accredited off-campus accommodation and with proof of the rental for the accommodation.
- 10.7 The Division for Financial Governance and Revenue then allocates to the student an amount for the payment of the rental for accredited accommodation from the NSFAS loan. The maximum amount allocated for accommodation is determined by the University annually.
- 10.8 The student uses the amount thus allocated to her/him to pay for her/his accommodation. No contract for the payment of accommodation rental by the student shall exist between the relevant and the owner of the accredited accommodation;
- 10.9 A copy of a lease agreement is submitted by the student to Finance Department
- 10.10 Finance Department is responsible for the financial administration of payments to the service provider.

11. MONITORING

The University will monitor adherence to the terms and conditions of this policy which will include, but not be limited to the following:

- 11.1 Random unannounced visits to accredited off-campus accommodation during such visits the premises will be inspected for the following:
- 11.1.1 The number of beds in evidence
 - 11.1.2 Whether there is clear evidence that more than the number of accredited students are living at the premise
 - 11.1.3 Evidence of safety risks such as overloaded plugs, unsuitable heating and cooking apparatus
 - 11.1.4 Evidence of an appropriate level of security at the premises and that all students understand their responsibilities for safety and security.
 - 11.1.5 The supervision register will be inspected to ascertain that due guidance, instruction and information has been given and the register signed and dated to confirm such by all students.
 - 11.1.6 That public notices are displayed on matters relating to hygiene, security and good and orderly conduct.
 - 11.1.7 That all aspects of the basic requirements for accreditation are being maintained.
 - 11.1.8 That the grounds and external areas around the accommodation are maintained in a clean, satisfactory and tidy manner.
 - 11.1.9 A regular review of complaints received will be undertaken against any accredited off- campus accommodation to determine whether such complaints are commonplace and proven.
 - 11.1.10 Following the above monitoring procedures information will be provided to the Inspection Committee and the same procedure as described in 6.5 above will be followed.

12. STUDENT DISCIPLINE

Students who live in accredited off-campus accommodation are expected to live in accordance with the values of the University. The University Student Regulations also apply to students who live in accredited off-campus accommodation, a copy of which is available on the University website. Students who transgress these Regulations will be subject to disciplinary action as prescribed in the Regulations for Student Discipline.

1 ANNEXURE A

Abbreviations

For the purpose of this policy, unless otherwise stated, the following abbreviations shall apply:

NSFAS	National Student Financial Aid Scheme
SARL	Student Accommodation and Residence Life
SRC	Student Representative Council
HOD	Head of Department
DHET	Department of Higher Education and Training
DVC	Deputy Vice Chancellor

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