

1. **Body Corporate of the Laguna Ridge Scheme N.O. 152/1987 v Dorse 1999 (2) SA 512 (D)**. (23 October 1998). In this famous case the scheme's rules allowed pets on the trustees' written consent. The trustees denied consent because they felt Laguna Ridge, consisting of 18 stories and 65 flats, was unsuitable for pets and therefore their general policy was to deny applications and thereby had created a precedent. The owner of the miniature Yorkshire terrier in question made a counter-application requesting permission to keep her pet, which did not cause a nuisance to anyone in the scheme. The court found that the trustees were motivated by irrelevant considerations (precedent) as opposed to relevant ones, being that the dog did not form a nuisance. Indeed, it was found that the denial was so unreasonable as to warrant the inference that the trustees had failed to apply their minds. The court accordingly granted the owner of the Yorkshire terrier leave to keep her pet subject to certain conditions. This case emphasised the importance of trustees applying their minds to the individual circumstances of each case and not merely relying on general principles or precedence.
  
2. **Buffelsdrift Game Reserve Owners Association v Holkom and Others**(58258/2013) [2014] ZAGPPHC 789 (7 July 2014). In this case the association's constitution did not allow domestic cats or dogs, except where motivated by a disability of the owner / occupier. However, certain owners had kept domestic cats or dogs; some for longer than a period of eight years. The association applied for a final interdict obliging the owners to remove these domestic animals. The court dismissed the application with costs stating that the association did not prove adequate harm or injury should the order not be granted and that by not applying the rules for an extended period, in the one instance for over eight years, tacit consent had been granted and the association had therefore waived its right to seek legal recourse.
  
3. **Abraham and Another v Mount Edgecombe Country Club Estate Management Association Two** (RF) (NPC) (7124/12) [2014] ZAKZDHC 36 (17 September 2014). Here it was argued that the owners of a Saint Bernard puppy had been advised by a representative of the association that pet approval was a mere formality. However, the rules limited the size of dogs to no more than 20kgs. In the end the court ordered against the applicants and advised the owners they had 3 months to remove the dog from the scheme. The judge advised that the representative was not proven to have any authority to bind the association to a relaxation of the rules and further that the association did not have the discretion to go against the rules, except in the exceptional case presented by guide dogs for the blind. The owners were therefore held to the contract they voluntarily entered when becoming members of the association.