



**NATIONAL CONSUMER
TRIBUNAL**

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**IN THE NATIONAL CONSUMER TRIBUNAL
HELD IN VEREENIGING**

Case no: **NCT/ 239/2009/138 (1)(P)**

In the matter between:

STHEMBELE LUCKY JANTYISI

Applicant/Consumer

ID: 61100 7570 6086

and

ABSA BANK LIMITED

1st Respondent/Credit Provider

AFRICAN BANK LIMITED

2nd Respondent/Credit Provider

BALBOA FINANCE (PTY) LTD

3rd Respondent/Credit Provider

REAL PEOPLE t/a ADDCON (PTY) LTD

4th Respondent/Credit Provider

CONSENT ORDER

The Tribunal having read the papers filed of record and heard the Debt Counsellor;

The Tribunal, being satisfied that the Applicant and the Respondents are parties to a debt re-arrangement facilitated by a Debt Counsellor under section 86(7)(b) read together with section 138(1) of the National Credit Act, Act 34 of 2005 ;(the Act).

The Tribunal hereby orders that:

1. The draft consent order formulated as the order of the Tribunal attached hereto and marked Annexure "A" and Annexure "AA" is confirmed;
2. The parties are warned that failure to comply with the order of the Tribunal constitutes an offence in terms of section 160(1) of the Act.

Dated and signed at VEREENIGING on this 30th day of November 2009.



PROF BILL HASLAM
PRESIDING MEMBER

IN THE NATIONAL CONSUMER TRIBUNAL

HELD AT CENTURION

Case No:

In the matter between:

STHEMBELE LUCKY JANTYISI
Identity number: 6110075706086

CONSUMER/1ST APPLICANT

And

ABSA BANK LIMITED
AFRICAN BANK LIMITED
BALBOA FINANCE (PTY) LTD
REAL PEOPLE t/a ADDCON (PTY) LTD

1ST RESPONDENT/CREDIT PROVIDER
2ND RESPONDENT/CREDIT PROVIDER
3RD RESPONDENT/CREDIT PROVIDER
4TH RESPONDENT/CREDIT PROVIDER

DRAFT CONSENT ORDER IN TERMS OF SECTION 86(8) READ TOGETHER
WITH SECTION 138 OF THE NATIONAL CREDIT ACT 34 OF 2005

WHEREAS:

- a. The consumer applied for debt review in terms of the National Credit Act 43 of 2005;
- b. The debt counsellor found that the consumer is experiencing difficulty satisfying all obligations under the credit agreements in a timely manner;
- c. The debt counsellor recommended a restructuring of the payment instalments to all the credit providers, as per the agreement which is attached hereto marked: "Annexure B";
- d. All the respective credit providers and the consumer/applicant consented to this agreement, which consents are hereto attached marked "Annexure C"

NOW THEREFORE:

The Tribunal, being satisfied that the Applicant and Respondent are parties to a debt rearrangement facilitated by a debt counsellor under section 86(7) of National Credit Act, hereby orders, by consent of the parties:

- 1. That the payment structures of the agreement between the Applicant and the Respondents as set out in Annexure "B", be made an order of the National Consumer Tribunal;
- 2. Which agreement restructures the payment instalment by extending the payment period as indicated in Annexure "C"

Creditor	Reference	Annual Interest	New Monthly Instalment	Balance	Estimated Period in Months
ABSA BANK LIMITED	3022082671	16.50%	R246.71	R3 452.25	19
AFRICAN BANK LIMITED	4891612004	0.00%	R180.97	R5 340.32	25
AFRICAN BANK LIMITED	74001527636	0.00%	R271.45	R9 546.85	16
AFRICAN BANK LIMITED	4891612004	0.00%	R135.73	R7 034.24	26
BALBOA FINANCE	78335	15.50%	R135.73	R7 034.24	29
REAL PEOPLE t/a ADDCON (PTY) LTD	4064683	15.50%	R361.93	R6 823.06	22

DATED at Centurion this the _____ day of _____ 2009

REGISTRAR OF THE NATIONAL CONSUMER TRIBUNAL

Applicant/Consumer
Debt Counsellor on behalf of the Consumer

TO:

THE REGISTRAR OF THE TRIBUNAL
CENTURION

1. ABSA BANK LIMITED
8TH FLOOR MARBLE TOWERS
CNR JEPPE & VON WIELLIGH STREET
JOHANNESBURG
2000
2. AFRICAN BANK LIMITED
59 16TH ROAD
MIDRAND
1685
3. BALBOA FINANCE (PTY) LTD
9 WELLINGTON ROAD
PARKTOWN
HOUGHTON
2014
4. ADDCON (PTY) LTD t/a REAL PEOPLE FINANCE
ESPLANADE BUSINESS SUITES
8 CLIFFORD STREET
QUIGNEY
5211

Debt Counsellor: **Lorenzo Lewis**
Email: **juanitakamb@telkomsa.net**

H. Madhu AA
Telephone: 0164220966
Fax: 0866259625

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Client: **JANTYISI, STHEMBELE LUCKY**

Payment proposal for Ref: *ABSA* *3022082671*
PERSONAL LOAN

From Date	To Date	Payment	Interest	Interest Rate	Balance	PDA Fee
31/03/2009	31/03/2009	R161.12		16.50%	R3,452.25	R7.98
30/04/2009	30/11/2009	R246.71		16.50%	R3,492.93	R17.10
31/12/2009	31/03/2010	R271.38		16.50%	R1,968.40	R17.10
30/04/2010	30/04/2010	R286.14		16.50%	R1,040.62	R17.10
31/05/2010	30/06/2010	R322.89		16.50%	R785.89	R17.10
31/07/2010	31/07/2010	R211.61		16.50%	R191.87	R17.10

Debt Counsellor: **Lorenzo Lewis**
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Client: **JANTYISI, STHEMBELE LUCKY**

Payment proposal for **BALBOA JOHANNERSSSBURG** Ref: **788355**

From Date	To Date	Payment	Interest	Interest Rate	Balance	PDA Fee
31/03/2009	31/03/2009	R88.64		15.50%	R7,034.24	R7.98
30/04/2009	30/11/2009	R135.73		15.50%	R7,324.12	R7.98
31/12/2009	31/03/2010	R149.30		15.50%	R7,046.65	R7.98
30/04/2010	30/04/2010	R166.55		15.50%	R6,841.51	R7.98
31/05/2010	30/06/2010	R177.64		15.50%	R6,771.31	R7.98
31/07/2010	31/07/2010	R193.54		15.50%	R6,605.85	R7.98
31/08/2010	31/10/2010	R223.77		15.50%	R6,505.62	R17.10
30/11/2010	30/11/2010	R313.44		15.50%	R6,132.93	R17.10
31/12/2010	31/12/2010	R397.61		15.50%	R5,915.81	R17.10
31/01/2011	31/01/2011	R405.63		15.50%	R5,611.71	R17.10
28/02/2011	28/02/2011	R574.33		15.50%	R5,295.66	R28.50
31/03/2011	31/03/2011	R1,369.45		15.50%	R4,818.23	R28.50
30/04/2011	31/05/2011	R1,722.95		15.50%	R3,539.52	R28.50
30/06/2011	30/06/2011	R240.71		15.50%	R220.76	R17.10

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Client: **JANTYISI, STHEMBELE LUCKY**

Payment proposal for African Bank dont use (cpe) Ref: 4891612004

From Date	To Date		Payment	Interest	Interest Rate	Balance	PDA Fee
31/03/2009	31/03/2009		R118.19		0.00%	R5,340.32	R7.98
30/04/2009	30/11/2009		R180.97		0.00%	R5,230.11	R7.98
31/12/2009	31/03/2010		R199.07		0.00%	R3,846.19	R7.98
30/04/2010	30/04/2010		R209.89		0.00%	R3,081.83	R17.10
31/05/2010	30/06/2010		R236.85		0.00%	R2,889.04	R17.10
31/07/2010	31/07/2010		R258.04		0.00%	R2,449.54	R17.10
31/08/2010	31/10/2010		R298.35		0.00%	R2,208.60	R17.10
30/11/2010	30/11/2010		R402.71		0.00%	R1,364.85	R17.10
31/12/2010	31/12/2010		R530.14		0.00%	R979.24	R28.50
31/01/2011	31/01/2011		R506.10		0.00%	R477.60	R28.50

Debt Counsellor: **Lorenzo Lewis**
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Client: **JANTYISI, STHEMBELE LUCKY**

Payment proposal for African Bank dont use (cpe) Ref: 74001527636

From Date	To Date		Payment	Interest	Interest Rate	Balance	PDA Fee
31/03/2009	31/03/2009		R148.34		0.00%	R2,912.84	R7.98
30/04/2009	30/11/2009		R227.14		0.00%	R2,772.48	R17.10
31/12/2009	31/03/2010		R249.85		0.00%	R1,092.16	R17.10
30/04/2010	30/04/2010		R169.14		0.00%	R161.16	R7.98

Debt Counsellor: **Lorenzo Lewis**
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Client: **JANTYISI, STHEMBELE LUCKY**

Payment proposal for African Bank dont use (cpe) Ref: 4891612003

From Date	To Date	Payment	Interest	Interest Rate	Balance	PDA Fee
31/03/2009	31/03/2009	R177.27		0.00%	R9,546.85	R7.98
30/04/2009	30/11/2009	R271.45		0.00%	R9,377.56	R17.10
31/12/2009	31/03/2010	R298.60		0.00%	R7,342.76	R17.10
30/04/2010	30/04/2010	R314.83		0.00%	R6,216.76	R17.10
31/05/2010	30/06/2010	R355.26		0.00%	R5,919.03	R17.10
31/07/2010	31/07/2010	R387.06		0.00%	R5,242.71	R17.10
31/08/2010	31/10/2010	R447.52		0.00%	R4,872.75	R17.10
30/11/2010	30/11/2010	R604.05		0.00%	R3,581.49	R28.50
31/12/2010	31/12/2010	R795.20		0.00%	R3,005.94	R28.50
31/01/2011	31/01/2011	R811.22		0.00%	R2,239.24	R28.50
28/02/2011	28/02/2011	R1,148.62		0.00%	R1,456.52	R28.50
31/03/2011	31/03/2011	R353.50		0.00%	R336.40	R17.10

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Client: **JANTYISI, STHEMBELE LUCKY**

Payment proposal for **REAL PEOPLE DURBAN** Ref: **4064683**

From Date	To Date	Payment	Interest	Interest Rate	Balance	PDA Fee
31/03/2009	31/03/2009	R236.37		15.50%	R6,823.06	R17.10
30/04/2009	30/11/2009	R361.93		15.50%	R6,963.20	R17.10
31/12/2009	31/03/2010	R398.12		15.50%	R4,829.48	R17.10
30/04/2010	30/04/2010	R419.77		15.50%	R3,530.02	R17.10
31/05/2010	30/06/2010	R473.68		15.50%	R3,172.95	R17.10
31/07/2010	31/07/2010	R516.07		15.50%	R2,336.39	R28.50
31/08/2010	31/10/2010	R596.68		15.50%	R1,879.00	R28.50
30/11/2010	30/11/2010	R246.12		15.50%	R226.10	R17.10