

POLICY: PERMISSIONS TO OCCUPY (PTO) PROPERTY AND OCCUPANCY OF ERVEN WITHIN HOUSING PROJECTS,

Item B-HD (73-2005) MC 10/11/2005	POLICY TO ATTEND TO PREVIOUS PERMISSIONS TO OCCUPY (PTO) PROPERTY AND OCCUPANCY OF ERVEN WITHIN HOUSING PROJECTS, SUCH AS ESSENTIAL SERVICES AND COMMUNITY BUILDER PROGRAMME PROJECTS
--------------------------------------	---

17/23/P (RvD)

RESOLVED:

1. **That** the request to consider the contents of the report in respect of a proposed policy to attend to erven vacated by previous “owners” who had a permission to occupy the property and/or did not necessarily have Council’s permission to occupy a property, within projects such as Essential Services and Community Builder Programme (CBP) projects, **BE NOTED**.
2. **That** where the Ekurhuleni Metropolitan Municipality within uncompleted Housing projects are the owner of the un-transferred properties, the current occupant of the property **BE REGARDED** as the correct beneficiary who should complete a housing subsidy.
3. **That** the property **BE TRANSFERRED** to the current occupant only after the following process has been followed:
 - (i) The current occupant completes the required Housing Subsidy Application and such beneficiary/beneficiaries (if jointly applied) qualify for a Housing Subsidy.
 - (ii) The Current Occupant sign an acknowledgement to the effect that he/she has occupied the property for a specified period of time and describes the relationship between him/her and the previous occupant at the time that he/she completes the Housing Subsidy Application.
 - (iii) All previous occupants and officials, if available / whereabouts are known, be notified of Council’s intention to transfer the property into the name of the current occupant and be given a specified time (30 days) to give reasons why Council should not proceed with such transfer.
 - (iv) Where none of the previous occupants or officials, who were available or whose whereabouts were known, responded within the time allowed.
 - (v) Where disputes are raised by previous occupants or officials, such be referred to a proposed Dispute / Allocation / Problems Committee to confirm the occupancy and or rightfulness thereof.

- (vi) All disputes in respect of the property to be transferred have been resolved in terms of **4, 5** and **6** below.
- 4. That** the Dispute / Allocation / Problems Committee **SHALL CONSIST** of:
- (i) The Councillor(s) of the respective Ward(s) that comprise the project area;
 - (ii) A Chairperson (to be nominated by the Member of the Mayoral Committee for Housing);
 - (iii) Two (2) to Four (4) members of a Ward Committee (Two members per Ward is recommended if the project encompasses more than one ward);
 - (iv) Ward Committee Clerk (To arrange and minute meetings);
 - (v) CLO's of the project (if applicable); and
 - (vi) Officials of EMM (Officials from Housing, Corporate and Legal Services and EMPD).
- 5. That** all disputes **BE REDUCED** to writing and that all resolutions by the committee mentioned in **4** above **BE RECORDED** in writing.
- 6. That** disputes that cannot be resolved by the committee mentioned in **4** above **BE REFERRED** to the Housing Portfolio Committee.