**MINISTRY FOR HUMAN SETTLEMENTS**

**REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**QUESTION NO.: 3537**

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**Ms M O Mokause (EFF) to ask the Minister of Human Settlements:**

Whether she is taking any steps to assist the residents of Malvern flats at Arundel Road in the eThekwini Metropolitan Municipality who were forcefully removed from the houses that the Government had provided to them; if not, why not; if so, what steps? NW4201E

**REPLY:**

The Arundel Garden Flats in Malvern were previously government owned rental units and managed by the eThekwini Metropolitan Municipality. The households occupying the Arundel Gardens were given the opportunity to acquire ownership of the units through the Enhanced Extended Discount Benefit Scheme. This is a government subsidy programme aimed at assisting beneficiaries, who rented state property prior to 27th April 1994, to purchase their units at discounted prices. All the households occupying the units in question were transferred for individual ownership because the occupants elected to take ownership of their units. In that case, these are privately owned houses now which the responsibility of the owners. The role of government has been served and concluded.

Thus the units have been converted to sectional title ownership. The units form part of a body corporate and these are currently being managed by private body corporates. The body corporates charge owners levies for the maintenance and repairs. In instances where owners default on their levy payments, the body corporate then undertakes legal process to recover such amounts.

The Department unfortunately is not able to intervene in the legal processes, which have been activated in this matter.

It is however suggested that should the tenants’ grievances be legitimate, a complaint should be lodged with the Community Schemes Ombud Services (CSOS), for investigation and a ruling on the matter. The CSOS is a state entity established to ensure the regulation, compliance and monitoring of matters related to community ownership schemes and this includes related disputes between owners and managing agents.