

**MINISTER**

**HUMAN SETTLEMENTS, WATER AND SANITATION**

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**QUESTION NO.: 405**

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**Mr S L Ngcobo (IFP) to ask the Minister of Human Settlements, Water and Sanitation:**

Whether there is a plan to house the illegal occupiers of the Woodstock Hospital in Cape Town who have refused to vacate the premises until they are provided with an alternative housing solution; if not, why not; if so, what are the relevant details? NW411E

**REPLY:**

The matter raised by the Honourable Member falls within the ambit of the City of Cape Town Metropolitan Municipality, hereinafter referred to as the City.

Nevertheless, I have been advised that the City has approached the High Court for an application that consists of three phases:

* to conduct a survey to establish the profile and circumstances of the occupiers as well as the total number of occupiers that are currently residing at the property unlawfully.
* to engage with those occupiers that will be rendered homeless should they be evicted and to determine a solution for them.
* the final phase will be the eviction of those unlawful occupiers who do not qualify for emergency accommodation and refuse to vacate the property to be relocated elsewhere.

The purpose of the survey is to determine the number of illegal occupants, their identities, monthly income and eligibility for state-subsidised housing and whether any illegal occupants fall within the vulnerable groups as stated in Section 4 of the Prevention of Illegal Eviction from Unlawful Occupation of Land Act No. 19 of 1998 (‘Pie Act’)

I am informed that the City is aware of its constitutional obligations in this matter, hence it launched Part 1 of the application to survey the illegal occupants, because Section 26 of the Constitution provides that “everyone has a right to access to adequate housing”. Section 26(2) confers a duty upon the State to progressively facilitate access to adequate housing within its available resources.

The issue of alternative accommodation will be addressed once the survey has been completed, as the results of the survey will be a consideration in the eviction proceedings.