

City on hijacked, derelict building expropriation drive

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HIJACKED, abandoned and shabby buildings in the inner city are to be expropriated by the City of Joburg, assisted by the national government.

Owners who neglect to maintain their buildings will be put on terms by the city and will have their properties seized if they fail to comply.

The city last year started a crackdown and, in December last year, a property hijacker and his accomplice, an attorney, were convicted of fraud and sentenced to 15 years and eight years in prison respectively.

The reclaimed buildings, as well as derelict ones, are to be redeveloped for housing for the lower-income earners in the inner city.

According to mayor Herman Mashaba, this is to ensure the city is able to develop quality, low-cost housing, student accommodation, and affordable rental space for small businesses.

By December 31, 265 alleged hijacked buildings had been reported to the city, and the matters were at various stages of investigation, he said.

“The city’s group forensics and investigations services unit has made many inroads into the scourge of property hijackings in the inner city,” he added.

Some of the highlights of work done by this unit over the past eight months include: 15 alleged property hijackers arrested; 12 properties returned to their owners; and nine criminal dockets before the courts.

“To ensure this challenge is addressed holistically, it is imperative that cases of property hijackings are dealt with both criminally and civilly,” Mashaba said. “The process includes criminal prosecution of the hijackers, as well as civil litigation, to address the issues of by-law compliance, as well as the city potentially taking over ownership of the buildings.”

About 50 matters were being investigated by the city for civil proceedings such as expropriation, declaratory orders, attachment of debts, and abandonment agreements.

Some properties had been abandoned, and the owners couldn’t be traced, making it difficult for the city to ensure compliance with applicable by-laws, he added, which, in turn, contributed to degradation of the urban environment.

“Far too many residents living in these derelict buildings are forced to survive under inhabitable and inhumane conditions, infringing on their rights to dignity.

“Where the owners of hijacked buildings cannot be located after diligent searches, the city intends to bring an application for a declaratory order to declare that the property has been abandoned and directing the registrar of deeds to register the property in the name of the state or its nominee.”

Where owners of hijacked properties could be found, the city would enter into compliance agreements where owners would have to co-operate to revamp their buildings. Should these owners be unwilling to enter into such agreements, the city would start expropriation proceedings, he added.

Mashaba said he had written to the Ministry of Public Works to request that an agreement be concluded in which the department would name the City of Joburg as its nominee for the transfer of these abandoned properties.

The city faces an estimated 300 000 housing unit backlog. It also has about 190 informal settlements and 3 000 people a month migrating to Joburg.