





# Helvetia Court – A Story of Tenants’ Mobilisation



## Building Profile

Type: 4 stories building  
Date construction: 1935  
Status: 1 owner  
Owner (current): Real People  
Nber units: 25 flats and 16 rooms  
Nber residents: currently empty  
Management company: Real People  
Condition: Under renovation



“Eventually when I left the building there was only three flats occupied out of twenty five flats and sixteen rooms” (Patrick)

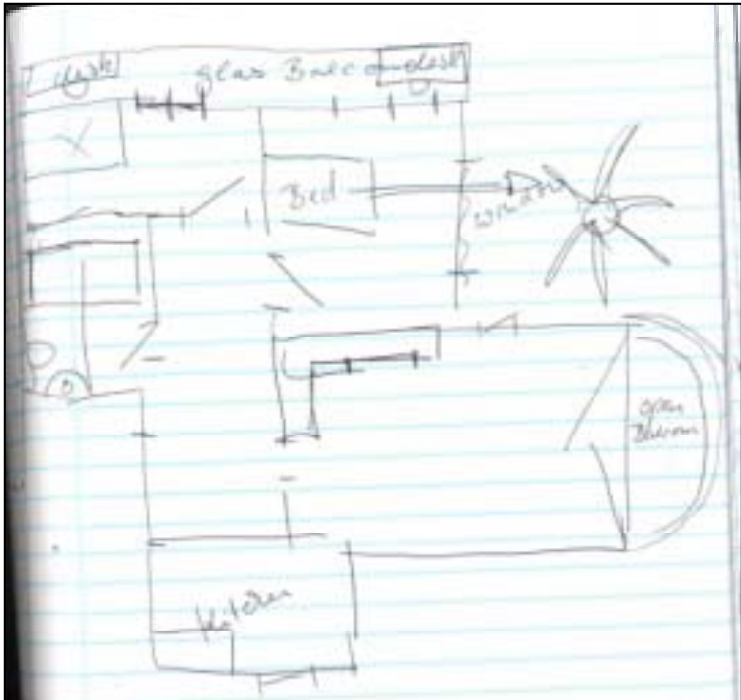


© Robert Machiri, personal collection. The rooftop garden.

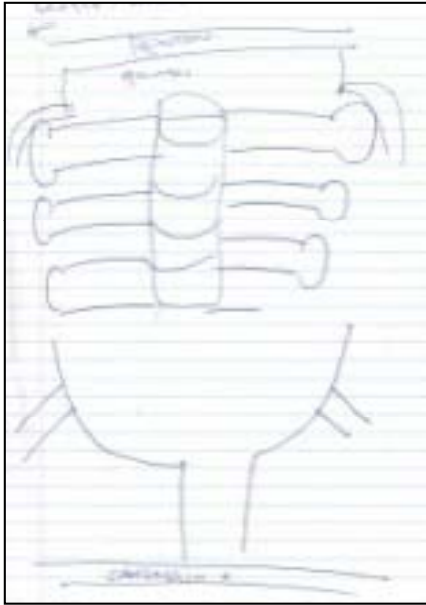


“Most of us could have easily afforded the increase in rent. What we were simply saying is: ‘okay, increase the rent but do up the building a bit, fix the lifts, fix the water’. Then we got a flat refusal.” (Patrick)

## Remembering the place



“Open balcony, big glass doors here... It had built-in wooden stuff. From the bed you could look out the window and see a palm tree here. We turned that into a studio, we had two desks here.” (Julia)

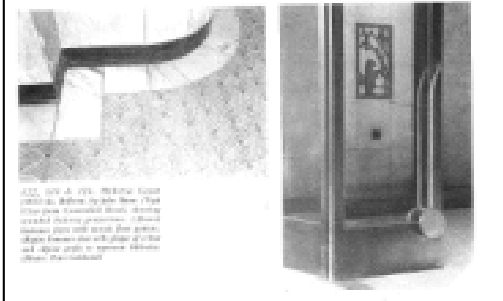


“There were 4 stories. These were the main flats, then you have the middle row flats with the balcony. These at the end have these round balconies, all of them. My God they look like dicks’ heads! This is the front garden, leading directly from Cavendish road. There’s two drive-ways in the front to get into this entrance. At the back, is Hendon. Into the parking lot which has the servants quarters with garages... It has two very small trees, it’s just like...it’s an amazing building. I love it!” (Connie)



“When you walked in, it had these silver beams on the doors and both sides had bears with fountains. The mosaic was like waves, it was fans like little tiny tiny tiles that size, each tile was laid individually in the foyer” (Connie)

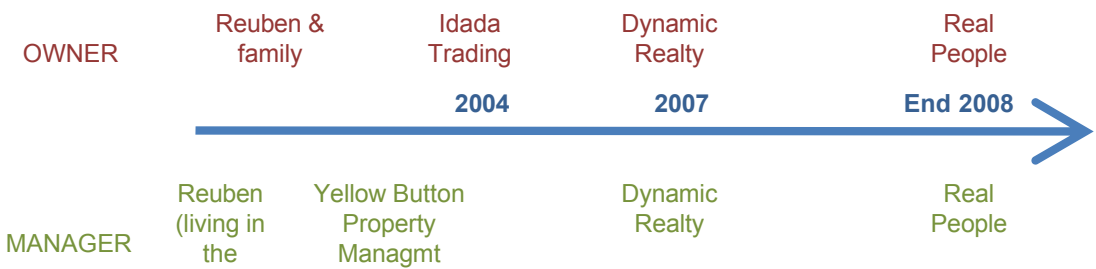
Extract from the famous Architecture History book by Clive Chipkin, *Johannesburg Style: Architecture and Society 1880s-1960s*, Cape Town: David Philip (p. 144).



Helvetia Court is celebrated as one of the beautiful examples of national Art Deco architecture in the Erich Mendelsohn style, with majestic curvilinear forms.

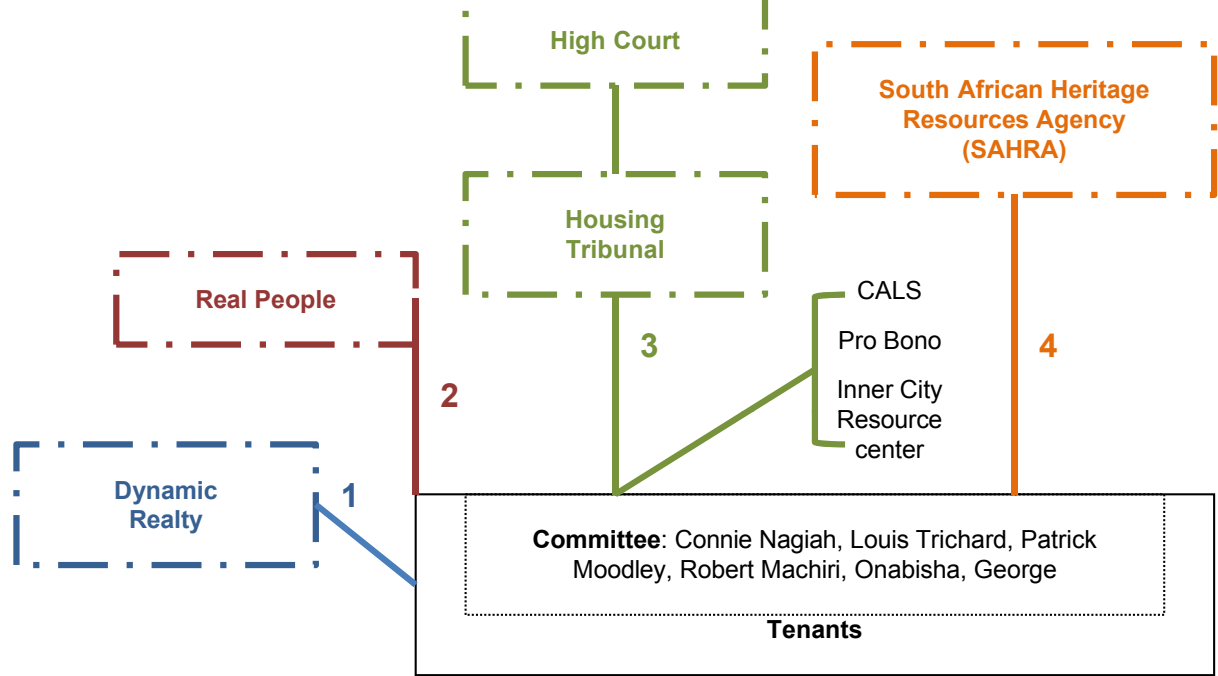


## Changing management – from a family building to developers’ investment



“The first owners wanted to sell the building; they did not want to put money into it. Ownership changed. They promised to renovate, but it was expensive. They were not able to renovate: they started painting it on the outside, but it was an unfinished job. Finally, somebody else bought the building. Then it became difficult. People were being kicked out. The new owners managed to move everybody out of the building and sub-divided the flats.” (Julia)

## Four stages of residents’ mobilisation



## Why mobilisation failed...

### Step 1 – Trying to purchase the building

“It looks like Real People bought it for R350 000 [from Dynamic Property]. And we bid previously at a million or two millions. I couldn’t believe my eyes when I saw the paperwork. I’m sure I’m not a stupid woman, and I saw it, I was like, what? Are you kidding me?” (Connie)

“It was really a question of what people wanted. Some people shared, some flats were subdivided... A few people got together and planned to buy the building collectively, but we did not really have the means to do it.” (Julia)

“We asked [Real People] if we get first option to purchase.” (Connie)

### Step 2 – Getting investment into the building ?

“From the first meeting everyone came but didn’t know what was really about. At the time, they thought ‘rent increase, I can afford it’, but then the issues became ‘what about our security?’ Then it became about the water issue, about the gate, so from one small issue of rental increase, we had a ground swell of opposition. I think after that first meeting, there was no going back.” (Patrick)

“Then they sent us eviction notices and started raising the rent every three months or so. That’s when we said okay, enough now. But these guys were professionals...” (Connie)

“Those Real People made us sign a lease. And we were not happy, we fought the lease. They wanted to do month to month. But we told them, ‘You can’t expect us to live from month to month. What are your plans?’” (Connie)

### Step 3 – Going to Court

“To get us a Pro Bono lawyer, I went and begged and pleaded till people were just tired of hearing from Connie Nagiah. I went to CALS, they tried to help as much as they could. But those kinds or organizations are there for grassroots people, and we weren’t in that category of people, even though I consider we were.” (Connie)

“Our anti eviction lawyer was Stuart Wilson and he advised us that we would be vulnerable to paying their and our legal fees and since we weren’t the poorest of the poor -well that’s arguable- we had gone as far as we could legally.” (Connie)

“It was just getting too dangerous in the building because they’d switch off the lights most of the time; 3 or 4 days out of 7 there was no water, there was absolutely no security. They were also locking the building at about eight-o’clock.” (Robert)

“The lift was a very scary thing. The light would die so you’d get stuck between the floors. And eventually it just pumped out and people started throwing rubbish in it.” (Connie)

“I represented the residents in May 2010 in Court and they offered a settlement. I discussed it with the advocate and we decided, not worth it. - 3 residents out of 41 signed and that was it. What I did was, I signed that everyone would move out by the end of June.” (Patrick)

### Step 4 – The Heritage Battle

“The application went in about two years ago [2009], Connie sent it in. I saw an email from her about 2 weeks ago following up - she received no feedback from the Heritage guys.” (Robert)

## A vibrant community



“Helvetia Court was a very strong community, the same kind of people who were like-minded, who were free spirits, and I have memories of good parties.” (Robert)

“Helvetia court was standard, a community of artists, ordinary working class people, photographers, lecturers, media people.” (Connie)



“My immediate neighbours were a mixed couple, she was South African and he was from Ivory Coast. They had very sweet kids, they would come over and we would chat to them. She would cook for him, she would learn to make food from his country, such as dried fish.” (Julia)

“We would have parties, with lots of people and music. We would invite our neighbours, they would walk over and ask our housekeeper to watch over the cars. There was however a hierarchy, not everybody was part of the same circle.” (Julia)

“It was more like friends. Riason, Connie, Peter are all involved in the arts. So they would be a natural grouping. Rob a graphic artist as well, so when he moved in, he would naturally fall in that group.”



I knew a few people but everyone really got together with the eviction issues, at the first meeting when we heard about rent increase... Each one fuelled the other, the most unlikely people would get involved. I had never spoken to Rob until I met him at the meeting and then we were knocking at each other’s doors, we became friends.” (Patrick)



“It was very much a family... I saw my neighbours’ kids being born and raised. I would go to my neighbors and watch TV, have dinner with them. My neighbors would come and borrow an onion; we would take all the kids to the movies... That’s how we lived, Black, White, Indian, Coloured. That’s why I fought for those families, for our family of 20 flats.” (Connie)

“There are two types of people, those who stayed for a long time and those that moved in and moved out within a couple of months. But the bulk of the people who lived there, lived there for a while.” (Patrick)



© Connie Nagiah, personal collection. “This is my birthday. We used to have lunches and braais like this, outside and everybody used to come. This is famous photographer Peter McKenzie, my late friend Louis Diergaardt, who played a major role in the mobilisation, and a friend” (Connie).



# Westminster Mansions – Negotiating Proximity and Distance to Yeoville



## Building profile

**Type:** 3 stories building  
**Date construction:** 1936  
**Status:** Sectional title (since 1991)  
**Number units:** 24 (8 per floor) + 2 flats for workers  
**Owners living in the building:** 13  
**Management company:** Zulberg  
**Condition:** Old but well maintained – one vacant flat



## Why live in Westminster Mansions?

"It is just beautiful, it is well looked after, it's got a great view ... You feel you are in the city, but it is quiet and you've peace and air and green around you. So for me it was an absolutely perfect combination." (Tara)

"I used to stay in Yeoville. This building is beautiful, it's on the mountain top, nice view... I think I might even retire here!" (Alex)

"Yeoville is close to town, it's a place I can get a taxi to go anywhere quickly and easily." (Emmanuel)

"If it was in another part of the town, it would be very expensive to live there, it offers real privileges to a very low price." (Julia)

"It doesn't take much, it just needs a few people not to pay their levies and then the whole building collapses" (Gabrielle)

"Everyone feels quite special living in the building, that is what connects us" (Julia)

## Not Sandton!

"I didn't want to go live in the suburbs, because it was isolating and it would be falling into the trap of being a white person." (Julia)

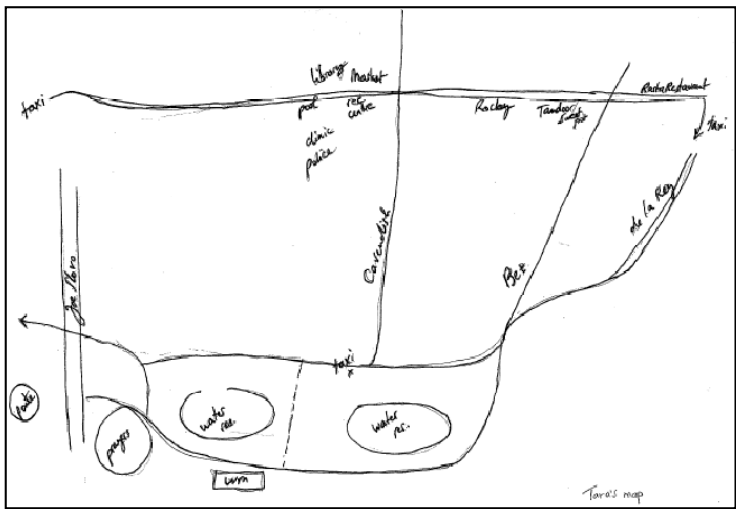
"Yeoville is refreshingly vibrant compared to other places. A lot of Johannesburg is based on malls, and Yeoville is different. I can't think of another place where there is a market like the Yeoville one." (Kieron)

"I don't feel like I live in Sandton, I don't want to live in Sandton... People think that it's worse than other areas which is an irony because there is crime happening in other suburbs. We all know that a lot of criminals live in Yeoville but I think that there is still a sense of community." (Gabrielle)

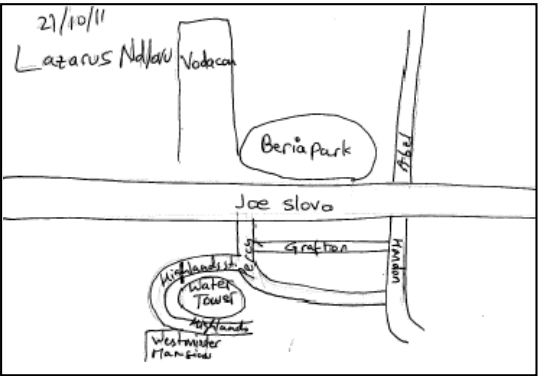
"I grew up in Bophuthatswana because my dad is a missionary, so I'm used to cultural variety. In some ways I feel more at home here than I'd feel in a very up market Sandton suburb" (Alex)

"We've approached our environment in a constructive way" (Kieron)

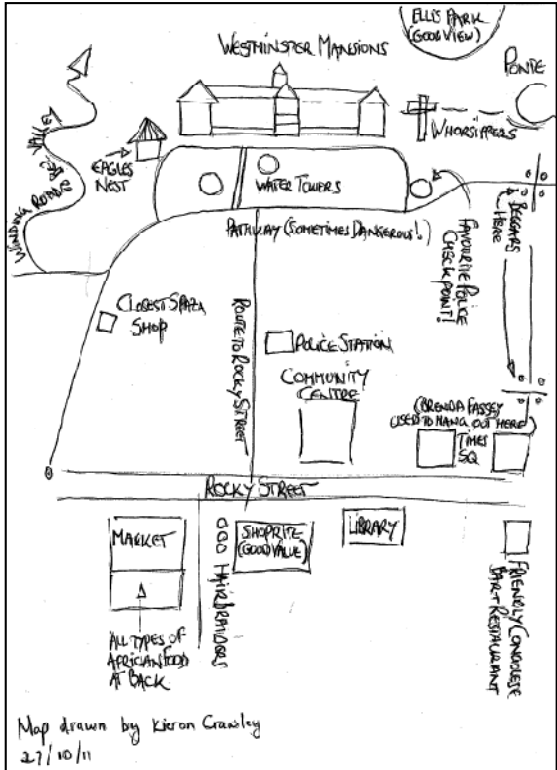
## Living in & out of Yeoville



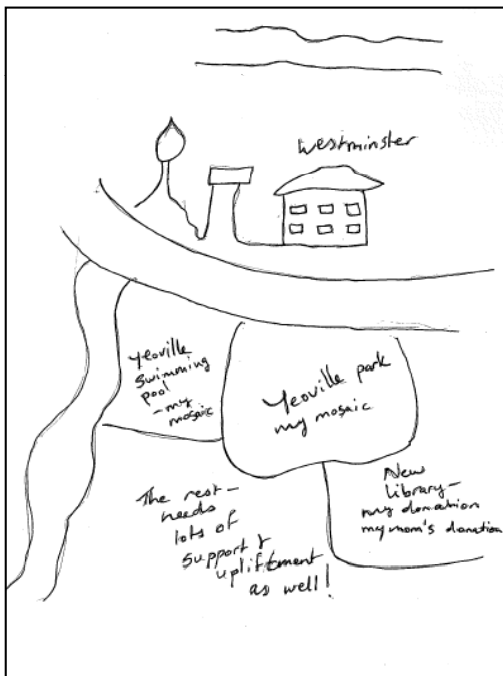
"I don't spend so much time in Yeoville anymore because just between work and home and the kids... but I used to go down to the market regularly and sometimes go down to the restaurant on Rocky but not so much myself, my husband spends a lot of time there." (Tara)



"This block is my favourite place in Yeoville because it is a bit quiet... And our shops are a bit far, so near the police there, it's where we just walk to the shops. But as a caretaker you know I'm always needed left and right... So I don't go out much." (Lazarus, caretaker)

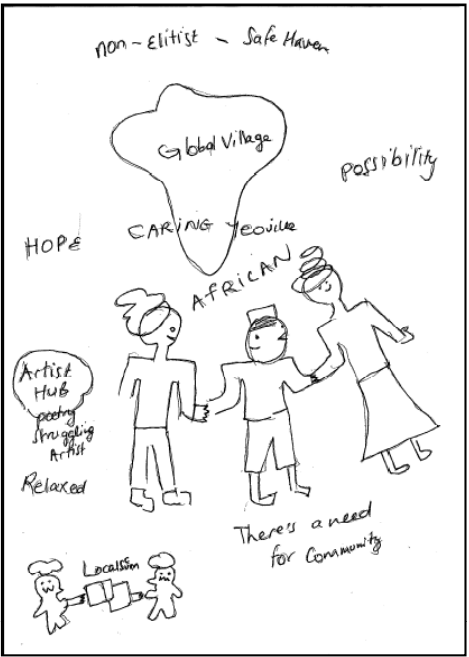


"I haven't been to the market recently, but sometimes I go to Shoprite or if I have friends visiting we'd go and eat at the Congolese restaurants... We went to events in Yeoville this year, for Africa Day and then something like a traditional African New Year's celebration... But personally I haven't spent a lot of time in Yeoville this year because I've been busy with my degree." (Kieron)



"Sadly I don't shop here. I've heard from many people that the shops sometimes sell old rotten food, so I am like, why shop there? There is no parking there and the traffic in that street is very hectic. I can't bare that, that kind of chaos just doesn't appeal to me. In the early 1990s, I used to go to Rocky street to the cinema, I used to walk around the streets, it was a place where we could go shopping, socializing. The last time I went to a bar was in 1996. I was the only woman with about 200 men. My friend and I were the only white people, it didn't feel like a place to hang out and chill..."

"It's a kind of battle, living in Yeoville. There is so many negatives about it but there is potential. I've done a mosaic at the Yeoville Park and other places like the pool. I raised R146,000 for the library... I try to uplift the place and make it look better, because I think people also respond to that- if you keep the place, beautify it, make it look nice, people respond to it." (Gabrielle)



"When I had my car, I was in Yeoville but I felt a little removed from Yeoville because I didn't really need to interact with locals and when I wanted to shop I could just go to a nice mall like Killarney..."

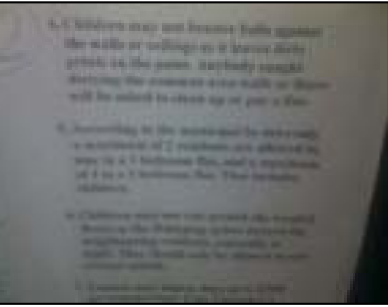
But now that I'm stripped of everything that is cool, now that I don't have a car anymore, I interact more with them, like today I walked to the clinic, I feel I'm getting more integrated within the community" (Lulekwa)



## Risks & trade-offs

### Managing the immediate environment

"I sometimes do get annoyed with a very noisy way of worshipping right next to us. But you get used to it, it's the Africa part of Jo'burg and having a missionary background I can relate to it. But what I'm very unhappy with are the hobos living under the structure burning plastic, all the smoke coming into the flats, that is just the most irritating thing." (Alex)



"When they pray on this site, they make so much noise, completely obvious about the surrounding areas... I start knowing some of the songs, I'm forced to know these songs that they repeat ten times. And they are here early! At 4am everyday there's this guy that screeches like...and it's like, God! come on, nigger, really, you know, get a job, you know!" (Lulekwa)

"There are churches who pray 24/7 on the piece of land next door, they're very noisy. Someone owns this piece of land and doesn't care about it because it's Yeoville, and the council also doesn't care. I love this beautiful, unique building, with its fantastic view, it's my home. But now the land next door, which used to be a peaceful place where Jo'burg residents would come to admire the view, has now been completely overtaken by loud worshippers, who are oblivious to our rights to peace and quiet." (Gabrielle)

"There are lots of compromises involved... Even if you decide to live in an area that has a reputation of not being that safe, you still want to be living in a safe building."

I lived in Switzerland, they have strict rules – but it's even worse here in terms of what you are allowed to do and what you are not! You are not allowed to braai, to put your flower pots outside. It's very strict, and I can understand that, that's part of keeping it like it is." (Julia)

## Falling into arrears

"At the moment we struggle a lot to pay the electricity, there are a few owners in arrears. We are trying to put a policy in place for how to deal with owners when they get into arrears, but basically the vulnerability is there." (Tara)

"Until recently it was the trustees that were handling the arrears because the managing agents were charging quite hefty fees for issuing letters. We decided recently, that's not such a good idea, because if you are living in a little community, if your neighbour were to come to you and start talking about you owing money you know...it's difficult... So we've handed that back to the managing agency." (Kieron)

"Nobody wants to live close to a neighbor who neglects the maintenance of their flats... Water starts leaking, the drains get blocked, and it doesn't look nice on the outside because there are no nice curtains or whatever. It is a lot of things that can be traced back to social inequality, education and culture to a small extent." (Alex)

"Someone abandoned the flat and he actually brought a tenant, and the tenant decided he wanted to buy, but eventually he couldn't keep up with paying and he abandoned it... There's a legal process to inform the owner and eventually, if there's no response from the owner, to auction the apartment. That's the ultimate." (Kieron)

## Reputation

"I find it even hard sometimes for people to come and visit me there. I had people who I only found out later kind of never came, so I invited them and they never came, and then I realised they were too afraid to drive out there." (Julia)

"I had a party and I invited my friends who live in the 'burbs, and my friend went out to pee...I don't know why he had to go pee in the bush when he could have come into the house... They took his sneakers and I got so embarrassed... Now I'm scared to invite them." (Lulekwa)

## Dreams for the future

"We are going to start a recycling system. We are about to get some new bins, we'll be encouraging people to separate their waste. And we've partially constructed a 'worm farm' for composting food waste, with the kids downstairs... Other ideas are: turning our staircase into a gallery space; doing organic gardening in area behind the building, on the hill; using waste water from the building to irrigate our garden; bee keeping on the hill side... The waste recycling will be the first part and then, there is definitely potential, because we've got a little critical mass of people who are supportive, and the building is small enough for these things to be do-able." (Kieron)





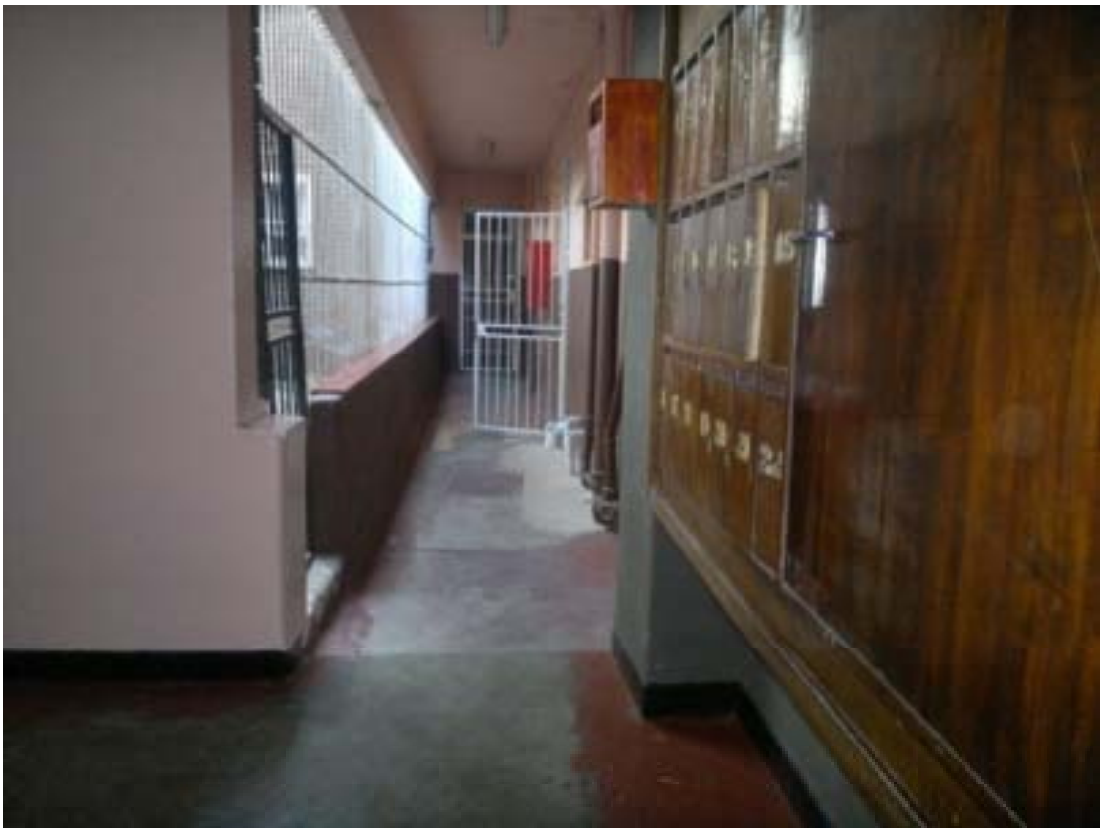
# Minida Mansions – What it Takes to ‘Turn Around’ a Building



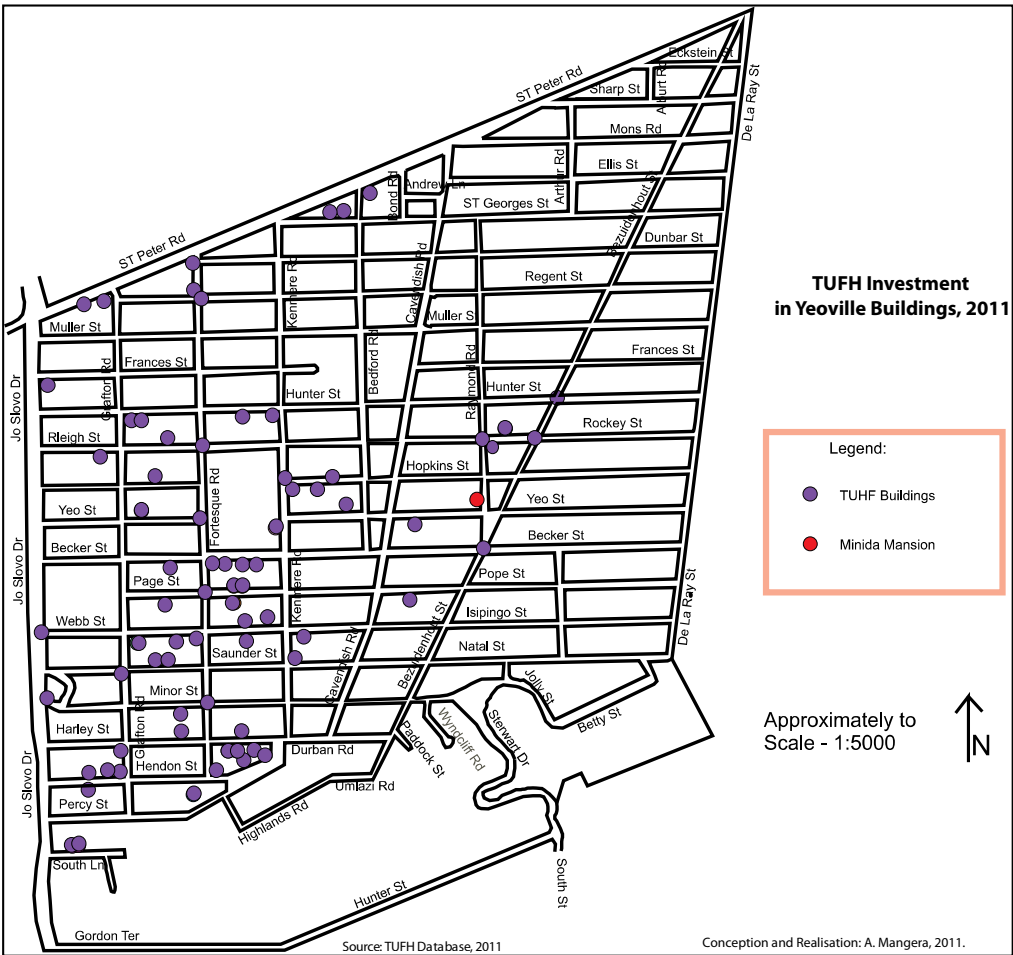
## Building profile

**Type:** 3 stories building  
**Date construction:**  
**Status:** Sectional title, but with one dominant landlady  
**Number units:** 21 flats and 11 rooftop rooms  
**Owners:** 1 owner - 13 flats, 1 owner - 2 flats, 6 owners - 1 flat each (for rent)  
**Management company:** None- main landlady manages the building (lives on site)  
**Condition:** Well maintained; under renovation (TUHF funding)

“That’s how I got into business- because I managed to buy the flats that were auctioned.”  
(Patience)



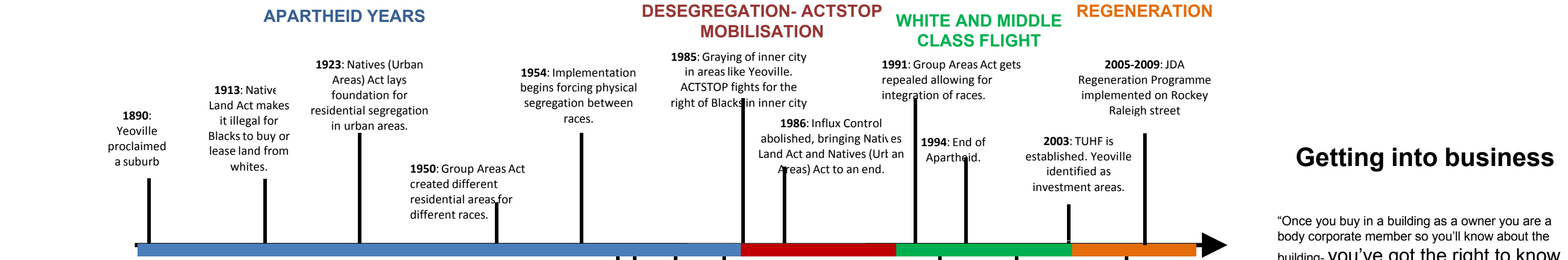
## Getting TUHF support



“At the beginning of TUHF we used to walk the streets—and that is how we found Patience. She already owned a few units. So we said that she should identify all the units that are occupied by tenants and the owners are absent, and make an offer. That is how we started with her, we assisted her to buy the units from owners who were absent.”  
(TUHF official)

“There is a guy in TUHF whose name is Prassage Nyoni who knows Patience. He told Patience that our company can help her to buy the building and revamp it. Yes, he knew Patience from those dark days...” (TUHF Official)

## From an activist...



## The ACTSTOP years

“Since Hillbrow I was in ACTSTOP, early 80s. That’s how actually I’ve learnt how to look after the building and more to know about the tenants’ rights and the landlord’s rights. That’s where I was taught. Which was very good for me because I manage now to manage the buildings...”

Then, we were not even allowed to be in flats which had white landlords. And the minute black people moved to a flat, the landlord will even fire the person that cleans because we were supposed to clean the flat ourselves. And they won’t even maintain the building.

One other thing, in ACTSTOP we were taught to pay. People today, they don’t want to pay for their accommodation. They want things for nothing and it doesn’t work that way.” (Patience)

## Mobilising as tenant in Hillbrow in the 1980s

“In one building I mobilized people when we didn’t have a security in front. Asking the landlord so many times ‘please put security for us’ – he didn’t. Maybe he felt we black people are not supposed to get security, I don’t know, but all the same I mobilized the tenants. ‘Look, let’s pay the rent. Let’s not take the rent to the landlord. Let’s collect the rent.’ Everyone. I remember I bought a receipt book for everyone to pay and you give the receipt to everyone. A worker came and fixed our gate, and we paid him the money and he gave us a receipt and we took it to the owner, gave the change and the receipt and all our receipts that we have paid the rentals. He called the police for us but we said ‘we’ve done nothing wrong’. The police didn’t do nothing. We showed them the letters that we wrote to the landlord many a times asking for security gate and he failed for something like 6 months and decided to do it ourselves, with his money and we gave him his change.” (Patience)

## Turning around a building

### A building in arrears – pressuring owners to pay their levies

“When I came in 1993, the situation was bad. It was bad with the renovations; it was bad with the City Council. It was owing R320000. I was in trouble because before I came, a special levy was raised for owners to pay whatever to the council. And when you come as a new tenant you don’t know those politics. You only know that I bought this unit from Mr. Pillay and I paid him his money and I’ve got the clearance certificate. And he won’t tell you that by the way you owe so much and that’s what I found and I refused to pay the special levy that was arranged for the previous owner, not me. I took the body corporate to my lawyer to take my name off there because I told them I was not going to pay. They were supposed to get that money from the old owner. I’m the innocent victim. I just came in and I didn’t know anything and you arranged this at whatever time but I wasn’t here then. Owners, they were staying somewhere and you’ve got a tenant, you come and fetch your money and you don’t pay the levies, nor the services. So as a trustee I sat down and I found out who’s the owner of this and who’s the owner of that and I switched off the services. And that’s when the owners paid. Not even one cheque bounced. They wrote cheques and we paid. I went to arrange with the council alone and I finished that in 8 months time.”

### Evicting Hijackers – The Boxers of Minida Mansions

“I bought a place from an owner, John, and during the process of buying, John took guys that he was training as boxers to look after the place. And they overpowered John actually, they refused to go when John gave them notice. They hijacked the place, they even got tenants, subtenants. So when I found out, I phoned John and he was even scared to tell me “Patience, they refuse to go.” But I was paying bond to TUHF. I actually paid bond in that place for the whole year when the process of lawyers and that was going on. Because lawfully you can’t just take them out and then say go but I ended up getting private security to forcefully take them out. I had no choice.”

## “I’m the caretaker, I’m the owner, I’m everything. Managing a building is a full time job”

### Management agencies

“You have to work hard. Make sure that the people that are working for you report every thing that happens, because should you not report or should you not see what is going on, then one day, believe me, you will pay a hell of a lot of money.

I don’t have an agent that runs my building. When we were under Zulberg Agents, when I was a body corporate member, I would find out that we owe so much to council, about R300.000.

But the agent is not paying the council what we owe. He is paying himself first. And when he’s no more in a position to pay and the building is owing and maybe there’s no money coming in he’s going to say “I’m resigning, give me a month’s notice and get somebody else to run the building.

And I’ve got an experience of about three agents that we fired in this building that were doing the same thing.

So it gave me a mind that in the whole of Johannesburg that’s what agents are doing.”

### Limits to control

“People are not happy about the crèche. The security is forever opening the gates in and out. An also it is noisy.

TUHF knows about it, I actually reported it even to the health inspector, but you never get feedback. Maybe they don’t have power either.

Unfortunately when somebody does something in her own property there’s nothing much you can do.”



### Making tenants pay... and behave

“It’s not very easy to collect the rental and the services, but you make them pay.

I’ve got a date where people are supposed to pay. After that date you switch off the services. That’s the language they understand. If they cannot I give them notice to go.

And I don’t have a lease by the way. I’ve got a

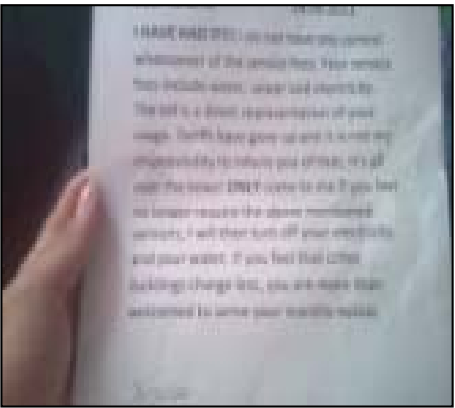
lease of one month. Why? A lease of 3, 6 months or a year, chains a tenant to me and chains me to a tenant.

In my buildings, I don’t have parties. People must go hire halls for the parties. Because here, I want quietness in my place- it’s a home, I want to relax.

I visit my flats at random. At night sometimes. Night I mean 10 o’clock. Then I will know how many people are staying there. You’ll find four sponges here. In the corridor here, there’s somebody sleeping. Even in the kitchen...

There are people who leave their washing dripping. That water messes up the waterproofing. So you need to do a lot of teaching to the people because they are not aware of that. So you need to have time to tell people what is good for the building to make their homes as well.

I’m very friendly with everybody here. But if I knock at somebody’s door “Yoh, what did I do aunty? What do you want?” My God! They will shake, believe me. And I don’t want that. I want them to be friendly to me.”



## Patience’s recipe for subletting

“What I’ve decided to do in my buildings... especially this one because it’s got big flats. I sit down and say “oh, ok they cannot manage to pay now. Fine. You take that room and call it A. Ok this is their sitting room. You take that one and that is B. So this flat has got A and B, two families, two-two. Not more than that and you watch that. When the electricity comes, you divide by two rooms and that’s how I manage the rent.

So I divide the place myself. That’s what I told TUHF in the meeting.

I said “Guys, be clever. People here they don’t earn that much. They won’t be able to pay a flat of R4500 to R5000. And there’s no way that you going to charge him less because he is earning R3000, because you are also paying the bond.” But that money’s divided amongst them- screen the tenants yourself, put the tenants yourself because if you don’t, they going to do it.” (Patience)



“This was an open space. I divided there because I’ve got a daughter that I’ve made that place for her to sleep. Otherwise this is called a one bedroom flat which means it’s for a young couple that doesn’t even have a child.”

“Running of a building is not very easy- it’s not all about money. It’s about discipline as well.”



# Rockview Heights– What to Learn from Failed Management?

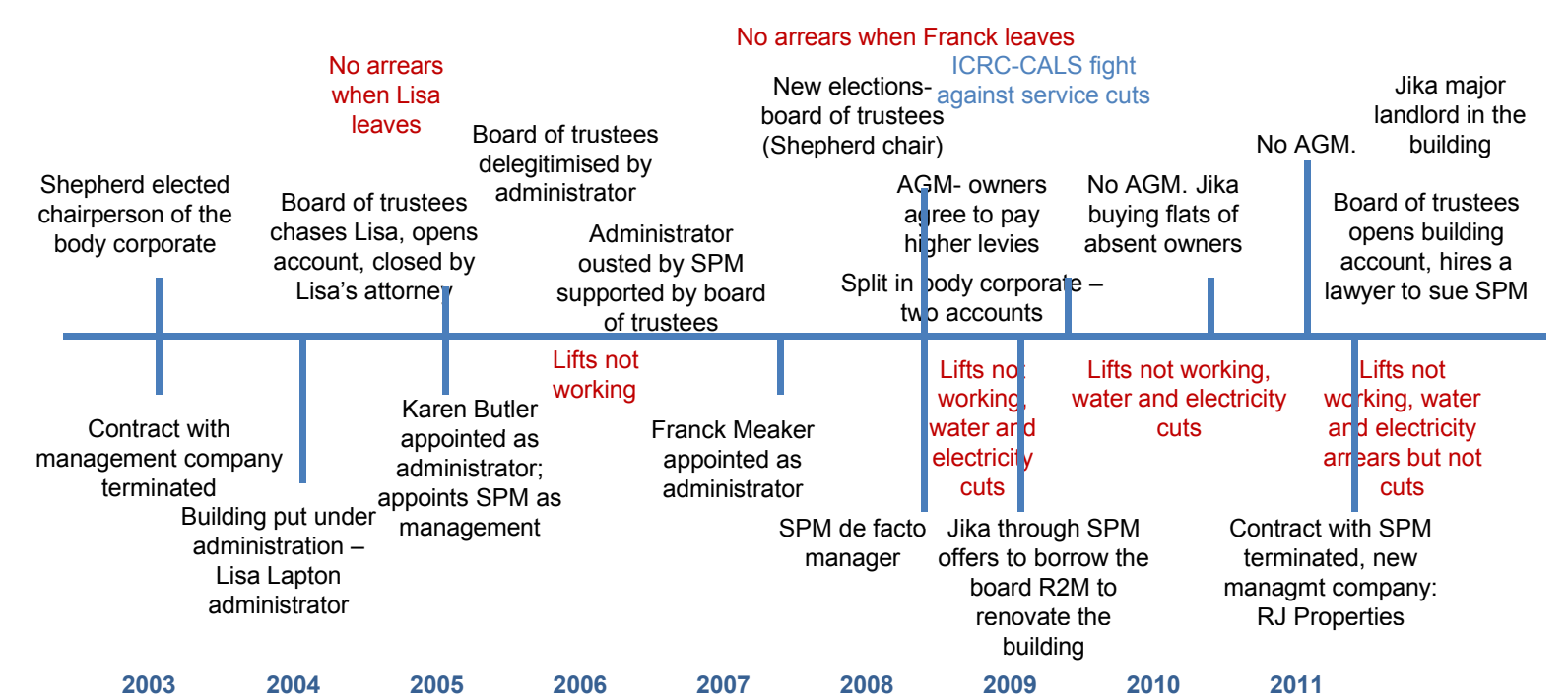


“Because you don’t know if you are right or doing illegal things” (Shepherd, Chairman of Board of Trustees)

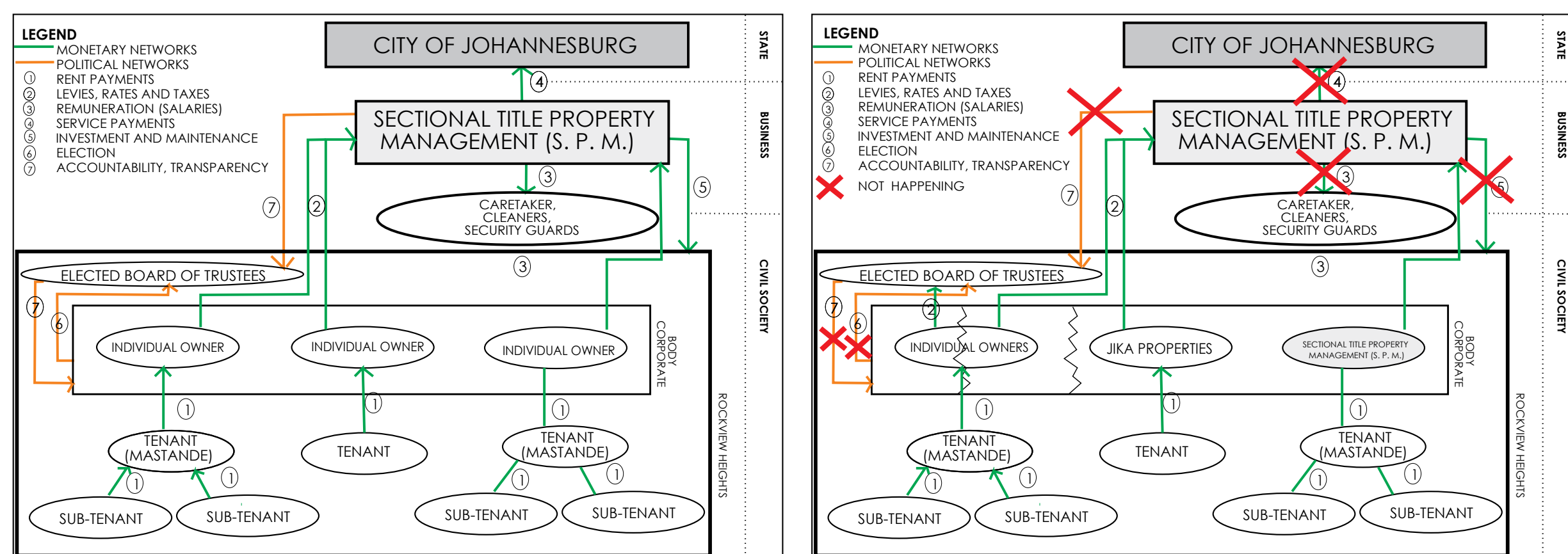
## Building profile

**Type:** 4 stories building (+ parking 2 levels)  
**Date construction:** 1954  
**Status:** Sectional title  
**Number units:** 82 (20 per floor+ 2 ground floor) + 43 rooms on rooftop  
**Owners:** 53 individuals / 18 Jika Properties / 10 other property companies  
**Management:** JR Management  
**Condition:** Bad (dilatation, overcrowding, arrears, law suit)

## A tentative chronology of the building’s management



## Building’s governance structure (supposed versus actual)



“There are people who have owned units for ten years but when you go to them and ask, ‘What is a levy’, you’re talking about an animal, they don’t know anything” (Shereza, owner and activist)

“Buildings are not meant for business, it’s meant for people to live in” (tenant)

## Public spaces

“If they had to do something to improve the building, then they would have to do so much! They have to start with the gates, then afterwards they can renovate the inside of the building, because it’s rotten to the core on the inside, really rotten to the core ... But I don’t think that they should fix the lifts, because there are so many people here and as such the lift would always be burdened by the many people using it thus I don’t think it should be fixed” (Security guard)

“We started to open our eyes last year, 2010, when they come and cut electricity, water, and that’s where we started phoning [SPM] to say, “Look, we are paying our levies so what’s wrong?” Then he started to duck” (Shepherd)

## Paying what to whom?

### Confusion

Q: So you know the person who owns the flat?  
A: No, it is the administrator, it’s SPM.  
Q: Oh, ok. But do you know the owner of the flat?  
A: I know the owner of this flat, but I never see him. He just ran away and abandoned his flat. I’m paying to Jika Properties that they claim they bought this flat. Now they changed it, from this month I will be paying to the body corporate.  
Q: Why did you decide to change?  
A: It’s not me who changed, it is the Body Corporate who changed the administrator, SPM.

### So many accounts

“[In 2003], the building was under administration, managed by Lisa Lipton, eh, Lisa managed the building properly ... the building ran smoothly until people decided that they don’t want Lisa Lipton and they went around to go and open an account for the building ... But the account was closed by an attorney who was acting on behalf of Lisa.” (Shereza)

“[Early 2007] There was another account called Sakado so we were split. Some owners they pay to SPM, some owners were paying to Sakado.” (Shepherd)

“By the time being, we as trustees it has been two months we didn’t pay to SPM. We opened our own account, Standard Bank for Rock View Heights. We opened as a trustees but most of the owners they don’t know. Because you don’t know if you are right or doing illegal thing so that’s why we didn’t like to say others they can pay so we said as a trustees let’s do it this way ... So we did it that way.” (Shepherd)

## Sectional titles

“Guys, as long as you’re not united, nothing is gonna happen; as long as you’ve got an attitude of saying ‘this one is a tenant, I’m an owner. Why don’t you use one word- ‘Residents of Rockview Heights’? So that you work together, respect each other. Because we are trying to say to the City of Johannesburg, ‘Why don’t you promote ownership to the tenants who’ve been renting for ten years in those sectional title units where the owners have left those units.’ (Shereza, owner and activist)

“The administration has got nothing to do with any problem in the building, we need a strong Body Corporate. If that Body Corporate is one person then it’s not strong. Together we can do more.” (Tenant)

“As long as there is no education, *eish*, I don’t blame any management, I don’t blame the tenants, I don’t blame the owners, I blame the City of Johannesburg and I blame the agents who are selling sectional title units to our people. Because firstly they don’t educate them about sectional title, secondly they don’t tell them that when you buy these units you’ve got to pay a levy and you must pay water and electricity and what does the levy do in the building and all ... So some people know nothing about levies.” (Shereza)

“Sometimes you try to save electricity and water by being away the whole day but you still pay like R1,500 to R2,000 for lights alone or for water alone ... I don’t know how you can be charged up to R1,500 for electricity only! Imagine!” (owner).

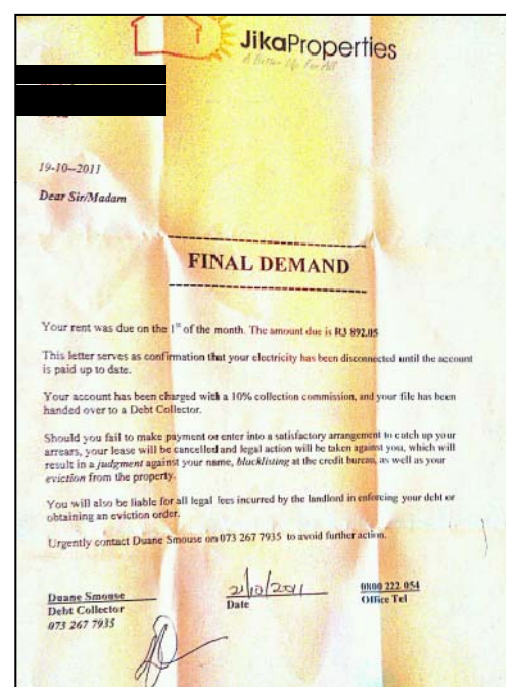
“You find that you are owing, maybe didn’t pay four or five months so they take you to the attorney. The attorney say, ‘OK maybe to deal with the case I need R9,000’. R9,000 is billing to your levy. Next month you are owing let’s say R8,000 plus R9,000 lawyer charge.” (Shepherd)

“I had to fight with Joburg Water to bring back the water ... I was saying, ‘Yes, people are owing but the people have a right to water so bring back the water’ so the water was brought back because of me, I stood up. ... I was doing it as part of my work, part of what I’m doing to say, ‘You can’t just cut the electricity without an order from the Court.’” (Shereza)

## Creeping speculation?

“When we look to the levy roll, we found that we’ve got a lot of flats now belonging to Jika Properties. When we phone SPM as the trustees to say, ‘Now we want to know when did you do auction these units, because we are supposed to know, you are supposed to inform us ... so what is going on?’ (Shepherd)

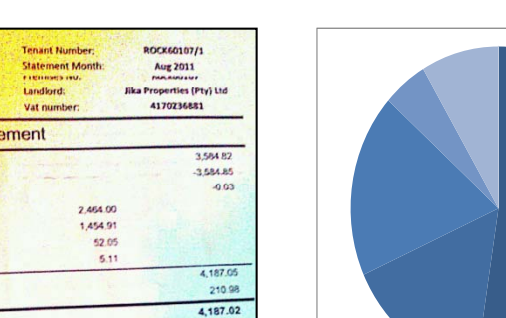
“SPM called us and said, ‘Guys I’ve got a guy who can borrow you money’, R2 millions. He said he wants us to renovate the building for 2010 World Cup, ‘everything must be right for 2010. We said, no, we are trustees yes but we can’t borrow a R2 millions this way ... If you want to do it that way then call all the owners in the building for a meeting and then explain why you need that money,



Because we can’t sign your paper to say we agree with that. What about if that person comes and says, ‘No I bought the building’ and kicks us out and then the trustees signed and all the owners find our signatures?” (Shepherd)

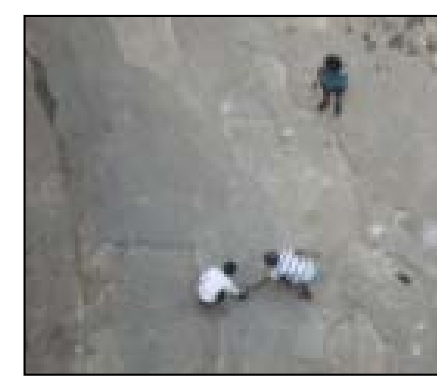
“We have got a caretaker here. Now he tell us that NO, he is not working under the Body Corporate, he is working under Jika Properties. So Jika Properties we’ve got a problem, because we don’t know how they manage to get some flats here. Like when you owing maybe R13 000, SPM take you to court without our knowledge as the trustees, and then they buy those flats behind, you find that they tell you ‘no, you are a tenant’.” (Shepherd)

Jika is buying units abandoned by their owners, up until now managed by SPM and rented out; and/or flats auctioned for non-payment.







After Rockview Heights Levy Roll, May 2011

## Arrears, cut-offs & evictions





# On the policy side - what can be learnt?

	Key building management feature	Lessons and suggestions
<div>Rockview Heights</div> 	<ul style="list-style-type: none"><li>-Lack of understanding of sectional titles rules and management; opacity and complexity of the system</li><li>-Management agencies not helping – information not getting through to body coporate; leading rather than being led by board of trustees</li><li>-‘Mastande system’– an informal management at the unit level</li><li>-Property companies buying flats incrementally (defaulting owners, absentee landlords) - apeculation rather than redevelopment?</li></ul>	<ul style="list-style-type: none"><li>-Policy change - clarification of sectional titles laws and their application</li><li>- Education campaigns, housing advisory center, support for body corporates;</li><li>- Sectional titles not panacea for low income residents &amp; buildings;</li><li>- Fixing decayed building – rehabilitating administrators’ jobs</li></ul>
<div>Minida Mansions</div> 	<ul style="list-style-type: none"><li>-‘Turning her building around’ (arrears, hijack of units)- consistency, stability, support, knowledge</li><li>-No management agency – landlady on premises (not a real sectional title);</li><li>-Strict rules, no protection of tenants, use of legal and illegal means to collect rent and evict bad payers</li><li>- But: subletting allowed, organised &amp; managed to produce ‘affordable’ rents.</li></ul>	<ul style="list-style-type: none"><li>-51% ownership of the building by one owner – it works &amp; provides some low-income ownership;</li><li>- ‘Hands-on’ and daily management – manager/ owner living on site</li><li>-Subletting can work if managed – produces well maintained flats for affordable prices (trade-off: limited spaces for tenants sharing; hug level of social control)</li><li>-Support for individual landlords – TUHF, legacy of ACTSTOP (duties and responsibilities of landlords)</li></ul>
<div>Helvetia Court</div> 	<ul style="list-style-type: none"><li>-Tenants’ limited power in spite of resources, networks, commitment to the place</li><li>-No ‘right’ of purchase of their building; no encouragement nor support (not a financial issue)</li><li>-Practices of ‘constructive eviction’</li><li>-Tenants finally evicted – what kind of community are we building in our cities?</li></ul>	<ul style="list-style-type: none"><li>-Revising City policy: rights for tenants, protective leases (no arbitrary termination of lease)</li><li>-Revising City policy: consider tenants’ option to purchase (cooperative &amp; trust model rather than sectional title as only option)</li><li>-Tenants’ mobilisation in the inner city – very fragmented. What happened to ACTSTOP?</li></ul>
<div>Westminster Mansions</div> 	<ul style="list-style-type: none"><li>-Strong sense of vulnerability of sectional title (owners and tenants defaulting)</li><li>-Building a reserve; applying strict rules; building a sense of community</li><li>-Management agent not perfect but useful as mediator</li></ul>	<ul style="list-style-type: none"><li>-Prevention policies against defaulting owners: support, insurance</li><li>-Education and advice on options available: housing advisory centers, leaflets</li></ul>

## Credits

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