

# MBHASHE LOCAL MUNICIPALITY

## HOUSING POLICY ON BEFICIARIES REPLACEMENTS



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## **1. PURPOSE**

The policy on missing and deceased beneficiaries outlines the process that must be followed in cases where beneficiaries have gone astray and cannot come and sign their happy letters and took occupation of their houses.

## **2. DEFINITIONS**

**“Family member”** means a relative of the deceased tenants or a relative of the deceased tenant’s spouse or paternal, if such relative is part of the original family housed or born on the property and has been living with the deceased tenant for an unbroken period of two (2) years immediately prior to the death of the tenant.

**“Housing Subsidy System”** means the National database managed by the National Department of Human Settlements which contains the names and numbers of the persons who have been uploaded from the National Housing Database.

## **3. POLICY ON MISSING BENEFICIARIES**

This policy can be applied in the following two (2) scenarios:

### **SCENARIOS**

#### **Scenario 1**

When a beneficiary has concluded a Sale Agreement with the Municipality but the transfer has not taken place. This beneficiary has been approved and entered on the Housing Subsidy Scheme but now is missing.

#### **POLICY PROPOSALS**

The Municipality must try to locate the beneficiary or his/her family by placing a notice in the local newspaper requesting the beneficiary to take occupation of the property within the period of thirty (30) days.

Should the beneficiary not respond within the given period then, he/she is in breach of contract since he/she has not taken transfer of the property. The sale can therefore be cancelled and the property be reallocated.

#### **SCENARIO 2**

When a subsidy has been approved and the beneficiary has taken transfer of the property but the Municipality cannot find him/her to sign the happy letter.

## **POLICY PROPOSALS**

In this case the Municipality must try to locate the beneficiary or his/her family at the last given address allowing the beneficiary a period of thirty (30) days to respond.

The Municipality must also place a notice in the local newspapers requesting the beneficiary to take occupation of the property within the period of thirty (30) days.

Should the beneficiary not respond within the given period; the Municipality can furnish a confirmation indicating that all reasonable and necessary steps have been taken to locate the beneficiary.

The confirmation should also declare that a notice was placed in the local newspapers and a copy of notice should be made available.

There remains the possibility that the beneficiary cannot be traced whilst the property has been transferred into that beneficiary's name. Such situation implies that an empty house will be exposed to vandalism.

Once the Municipality has followed the necessary procedures, the completed house will be handed over to another potential beneficiary.

Another option, the house can be rented out to another potential beneficiary and the Municipality will be liable for maintenance of the property whilst the Municipality is following due legal processes for de-registration or expropriation.

## **4. PROCEDURE ON DECEASED BENEFICIARIES**

The procedure on deceased beneficiaries will apply:

### **SCENARIO 1**

If a sale agreement has been concluded with a beneficiary but the beneficiary's subsidy application for a subsidy has not been approved by the National Department of Human Settlements.

## **POLICY PROPOSAL**

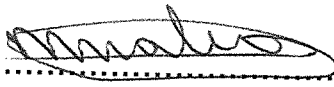
The sale should be cancelled and site be reallocated.

### **SCENARIO 2**

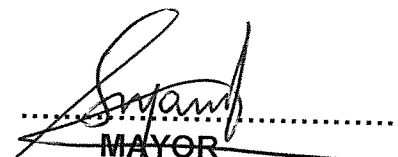
If a sale agreement has been concluded and the deceased beneficiary's subsidy application has been approved.

The Municipality must find out the deceased beneficiary dependants. If the deceased beneficiary's spouse or other dependant is over the age of 18 years, then the beneficiary should be replaced and the process continued thereafter.

**APPROVED BY THE COUNCIL MEETING AND SIGNED BY:-**

  
.....  
**MR NAKO M**  
**ACTING MUNICIPAL MANAGER**

09/08/2017  
.....  
**DATE**

  
.....  
**MAYOR**  
**CLLR JANDA S N**

07/08/2017  
.....  
**DATE**