

PORTFOLIO COMMITTEE :

COMMUNITY SERVICES

Chairperson :

Cllr M Opperman

Committee Members :

**Ald M Ponoane, Cllrs L Beyers-Cronje,
N Nqinata & L Ndevu**

PORTEFEULJEKOMITEE :

GEMEENSKAPSDIENSTE

Voorsitter :

Rdl M Opperman

Komiteelede :

**Rdh M Ponoane, Rdle L Beyers-Cronje,
N Nqinata & L Ndevu**

COMMUNITY SERVICES PORTFOLIO COMMITTEE

GEMEENSKAPSDIENSTE PORTEFEULJEKOMITEE

22 SEPTEMBER 2015

I N D E X

ITEM

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NUMBER**

APPLICATIONS FOR LEAVE OF ABSENCE

**STATEMENTS AND COMMUNICATIONS BROUGHT FORWARD BY THE
CHAIRPERSON**

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**AGENDA of the
Portfolio Committee : Community Services
22 September 2015
(Also the agenda for the Mayoral Committee Meeting : 30 September 2015)**

**1.
TRANSFER: OVERSTRAND MUNICIPALITY TO ATHENA PONTAC: ERF 994,
HAWSTON**

17/5/4/1

FW Frans

(028) 313 8144

Hermanus Administration

28 August 2015

1. Executive Summary

This report is to request Council to grant permission to transfer of Erf 994, Hawston, to Athena Pontac.

2. Service Delivery and Budget Implementation Plan - IGNITE

Community Services
Housing Administration

3. Compliance with Strategic Priorities

Provision of democratic, accountable and ethical governance
Provision and maintenance of municipal services

4. Delegated Authority

None

5. Legal Requirements

Constitution of SA, Act 106 of 1996
Housing Act 107 (107 of 1997)

6. Background/Discussion

Background

The Phasing Out Programme was instituted in terms of Section 14(9) of the Housing Act 1997 in order to normalise housing administration and the housing environment. It is also used to phase out all previous (pre-1994) housing subsidies on public housing stock and transfer housing stock for ownership.

Discussion

This property forms part of the Phasing Out Programme where ownership should be granted to the original tenants of state owned property.

**AGENDA of the
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In 1989, a lease agreement was signed between the former Regional Council of Caledon and Mr Solomon Martin (refer Annexure A) after the original tenant, Maria Martin passed away in 1988.

In 2005, Mr S.Martin signed an affidavit where he consented to the property being transferred to Mr Lionel Martin (refer Annexure B). On 20 May 2005, Overstrand Municipality confirmed in correspondence that Mr Lionel Martin would be the new tenant and that he would take full responsibility for the municipal account which at that stage amounted to R5 121.00 (refer Annexure C). Since 2005, the account was changed to and paid by Mr Lionel Martin (refer Annexure D).

On 13 February 2015 Mr Lionel Martin submitted an affidavit (refer Annexure E) where he requested the property be transferred in the name of his daughter, Athena Pontac. Miss Pontac also submitted an affidavit (refer Annexure F) indicating that she'll take full responsibility for the payment of the municipal account.

7. Financial Implications

Sales price	: R 7,500.00
Less subsidy amount	: R 7,500.00
Balance payable	: R 0.00
Municipal services account	: R 47.45

8. Staff Implications

None

9. Comments from other Departments, Divisions and Administrations

None

10. Annexures:

- Annexure A: Copy of the cover page of the lease agreement
- Annexure B: Affidavit signed by S Martin indicating that the property been transferred to L Martin
- Annexure C: Letter from Mr Mathibeli indicating the arrears amount
- Annexure D: Copy of the municipal account
- Annexure E: Affidavit from Mr L Martin
- Annexure F: Affidavit from Miss A Pontac

**AGENDA of the
Portfolio Committee : Community Services
22 September 2015
(Also the agenda for the Mayoral Committee Meeting : 30 September 2015)**

RECOMMENDATION TO THE COUNCIL:

1. that permission **be granted** for the transfer of Erf 994, Hawston to Ms Athena Pontac; and
2. that the aforementioned approval **be subject** to Ms Athena Pontac accepting responsibility for the outstanding municipal services account in respect of Erf 994, Hawston.

RESPONSIBLE OFFICIAL :

FW FRANS

TARGET DATE FOR IMPLEMENTATION :

01 OCTOBER 2015

**AGENDA of the
Portfolio Committee : Community Services
22 September 2015
(Also the agenda for the Mayoral Committee Meeting : 30 September 2015)**

**1.
TRANSFER: OVERSTRAND MUNICIPALITY TO ATHENA PONTAC: ERF 994,
HAWSTON**

17/5/4/1

FW Frans

(028) 313 8144

Hermanus Administration

28 August 2015

**THIS MATTER SERVED BEFORE THE JOINT PORTFOLIO COMMITTEE ON
22 SEPTEMBER 2015, WHICH COMMITTEE RECOMMENDED AS FOLLOWS:**

RECOMMENDATION TO THE COUNCIL:

1. that permission **be granted** for the transfer of Erf 994, Hawston to Ms Athena Pontac; and
2. that the aforementioned approval **be subject** to Ms Athena Pontac accepting responsibility for the outstanding municipal services account in respect of Erf 994, Hawston.

RESPONSIBLE OFFICIAL :

FW FRANS

TARGET DATE FOR IMPLEMENTATION :

01 OCTOBER 2015

AFDELINGSRAAD VAN CALEDON

H U U R K O N T R A K

MEMORANDUM VAN 'N OOREENKOMS VAN VERHUUR EN HUUR gemaak en aangegaan deur en tussen C. Hancke en D. J. du Toit in hul hoedanigheid as

Senier Assistent Sekretaris en Assistent Sekretaris respektiewelik, van die AFDELINGSRAAD VAN CALEDON (hierna die Verhuurder genoem).

EN

Solomon Martin

Gebore op 30. MAART 1927 Groep Kleurling
(hierna die Huurder genoem)

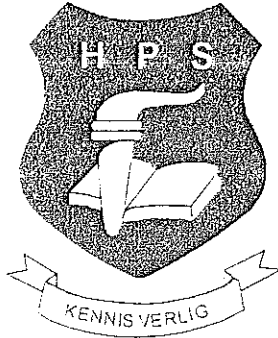
G E T U I G

Die Verhuurder erken hiermee verhuur te hê aan die Huurder, wat erken dat hy van die gesegde Verhuurder gehuur het, sekere Woning Nr 36A in Sub-Ekonomiese Behuisingskema Nr 2 Hawston vir die termyn en op die voorwaardes, kondisies en bepalings volgende:-

1. Dit word hiermee verklaar en erken dat die Verhuurde eiendom deel uitmaak van een van die Verhuurder se Sub-Ekonomiese Behuisingskema en dat hierdie Ooreenkoms derhalwe gemaak en aangegaan word vir die uitsluitlike doel om die Huurder met woonplek te voorsien onder gesegde Skema.
2. Hierdie huurkontrak sal 'n aanvang neem op die 2de dag van Maart 1989 en sal vir 'n onbepaalde tydperk voortduur op 'n weeklikse basis tensy dit beëindig word deur toepassing van die Wet of ooreenkomstig enige van die bepalings in hierdie Ooreenkoms vervat.
3. Hierdie Huurkontrak mag deur enige van die partye hiertoe beëindig word deur skriftelike kennisgewing van een (1) week tot sodanige effek.
4. Die Huurder sal aan die Verhuurder by wyse van basiese huurgeld vir die verhuurde eiendom die bedrag wat deur die Departement van Gemeenskapsbou van tyd tot tyd voorgeskryf word, weekliks vooruitbetaal. Die eerste sodanige huurgeld wat skriftelik deur die Verhuurder aan die Huurder meegedeel moet word, sal op die 2de dag van Maart 1989 en daarna op elke en iedere Saterdag van elke en iedere daaropvolgende week, by die kantore van die Verhuurder te Hawston betaal word.
5. Die Huurder sal aan die Verhuurder die diensfooi vir water, sanitasie, huisvuilverwyderings en ander derglike verbruikersdienste wat by afgekondigde regulasies of raadsbesluite van die Verhuurder voorgeskryf word, betaal. Sodanige voorgeskrewe fooi sal op 'n weeklikse basis deur die Verhuurder bereken word en vir doeleindes van die totale weeklikse huurgeld betaalbaar, bv die basiese huurgeld in klousule 4 hierbo genoem word.

HAWSTON

PRIMARY SCHOOL



PRIMÈRE SKOOL

SPO Box 6
402 Church Street
Hawston
7202

Posbus 6
Kerkstraat 402
Hawston
7202

Tel: 028 315 1631
Fak: 028 315 1040

E-mail: admin@hawstonps.wcape.school.za

U Verw.
Your Ref: _____

Ons Verw.
Our Ref: _____

Beëdigde Verklaring

19 Mei 2005

Hiermee verklaar ek, Lionel Martin, I.D. No. 5307155024013, die oudste familielid, asook die ondergetekendes, onder eed dat die woonhuis, geleë te Crechêweg 36A, Hawston, 7202, 'n familiewoning is en dat die Munisipaliteit die eienaar is en vra dat die woonhuis onder geen omstandighede verkoop mag word nie.

Ons oom, Solomon Martin, het tydelik die huis bewoon na my ouma se sterfte in 1988 en om te verhoed dat die huis verkoop mag word, soos eenparig besluit deur die familie dat LIONEL MARTIN volle verantwoordelikheid oor die woonhuis, te Crechêweg 36A, Hawston, neem.

Geteken te Hawston op 18 Mei 2005 om 13:20 uur

Verklaarder : [Handwritten Signature]

Datum : 18/05/05

Ondergetekenes : Lionel Martin

Datum : 18/05/05

A.C. Martin

Datum : 18/05/05

Datum : _____

Kommisaris van Ede :

Handtekening :

[Handwritten Signature]

Amp :

ADJUNK-PRINSIPAL

Datum :

19 MEI 2005

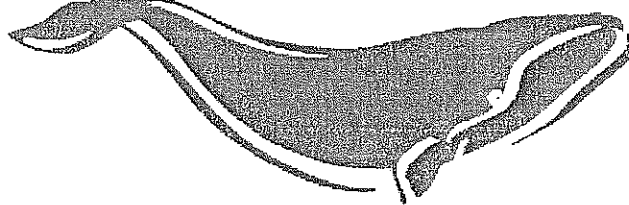
WES-KAAP ONDERWYSDEPARTEMENT

HAWSTON PRIMERE SKOOL
POSBUS 6, KERKSTRAAT
HAWSTON 7202
TEL (028) 315 1631
FAKS (028) 315 1040

WESTERN CAPE EDUCATION DEPARTMENT

OVERSTRAND

ANNEXURE C



Posbus 20
HERMANUS
7200

Tel: (028) 313 8148
Fax: (028) 312 3998/
E-mail: josephm@overstrand.gov.za

P.O. Box 20
HERMANUS
7200

Navrae: TJ Mathibeli
Imibuzo:
Enquiries:

Verwysing: 17/5/4/1
Reference:

Datum: 20 May 2005
Isuku:
Date:

Lionel Martin
25 Plein Street
HAWSTON
7202

Dear Sir/Madam

HOUSE PROPERTY : B36A ERF 994 : SOLOMON MARTIN TO LIONEL MARTIN

The Martin family has chosen Lionel Martin, Id no. 530715 5024 080 to take care of the council rental property which has been left vacant by Solomon Martin, who is living in Cape Town.

We would like to lease the property in the care of Lionel Martin as agreed by the family until further notice or decision by the council.

Lionel Martin would be held responsible for the outstanding arrears which are ± R5 121.00 at the moment and the current service of the council.

We will appreciate your understanding of this decision


HOUSING OFFICER : HOUSING DEPT. & COMMUNITY DEVELOPMENT

PLEASE ADDRESS ALL CORRESPONDENCE TO THE MUNICIPAL MANAGER.
ZONKE IMBALELWANO ZINGATHUNYELWA KUMPHATHI KAMASIPALA.
RIG ASSEBLIEF ALLE KORRESPONDENSIE AAN DIE MUNISIPALE BESTUURDER

BS-T311F Account Details + Notepad

Local Authority OVER OVERSTRAND MUNICIPALITY *LIVE*
Account Number 205009940003 LD MARTIN (GOV)
Suburb & Erf No. HHW 994
Street B36A CRECHE ROAD
SG Number C01300120000099400000 Name Id : 22976
Alt Site Address

Last Payment 05/08/2015 47.60- 0000080237 Debits til

Table with columns for Balance, Current, Arrear, Future, Vat, Inst.Bal., Cap.Bal., Add.Dep. and rows for Creation, Purge Date, Note. Includes values like 47.45, 41.62, 5.83 and dates like 26/01/2015, 17/09/2014, 21/05/2014, 06/02/2014, 22/10/2013.

Esc F1 F5 Pgup Pgdn
Exit Help Spec1 Prev Next

BEËDIGDE VERKLARING

Ek, LIONEL DESMOND MARTIN, verklaar onder eed in Afrikaans:

1.

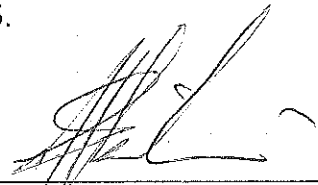
Ek is 'n ongetroude volwasse man, 61 jaar oud, ID no 530715 5024 080 woonagtig te 2919 Fairbairn straat, Hawston, Hermanus telefoon nommer 082 633 2146.

2.

Ek is die eienaar van Erf nommer 994 bekend as Crecheweg B36A, Hawston, Hermanus, Wes-Kaap. My versoek is dat alle regte van my voorgenoemde eiendom aan my dogter, ATHENA PONTAC met id no. 890804 0171 080 oorgedra word.

GETEKEN TE HERMANUS OP DIE 13 FEBRUARIE 2015.

"So Help my God"



LIONEL DESMOND MARTIN

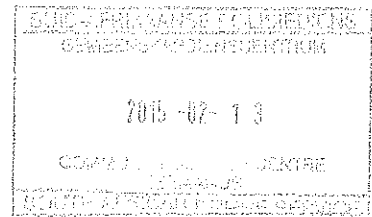
for 5
2/13/15
LDM.

Ek is vertrouwd met die inhoud van die verklaring en begryp dit.

Ek het geen beswaar teen die aflê van die voorgeskrewe eed nie.

Ek beskou die voorgeskrewe eed as bindend tot my gewete.

<p>Er sê ek dat bostaende verklarung deur my alyenaar is en dat verklarung erien dat my vertroud is met die inhoud van hierdie verklarung en di begyp. Hierdie verklarung is voor my beëdiging en verklarung en hendekeuring/merk/duimafdruk is in my teenwoordigheid daarop aangebring.</p>	<p>I certify that the above statement was taken by me and that the deponent has acknowledged that he/she knows and understands the contents of this statement. This statement was sworn to before me and deponent's signature/mark/thumbprint was placed thereon in my presence.</p>
<p>te Hermanus. op 2015-02-13 om 12.10 D/WS Kommissaris</p>	
<p> KOMMISSARIS VAN EDE (SIGNATURE) COMMISSIONER OF OATHS</p>	
<p>Hoekweg 69 Hermanus BESIGHEIDSAADRES (STRAATAADRES) BUSINESS ADDRESS (STREET ADDRESS)</p>	
<p>D/WS RANG/RANK</p>	<p>SA POLISDIENST SA POLICE SERVICE</p>



BEËDIGDE VERKLARING

Ek, ATHENA PONTAC, verklaar onder eed in Afrikaans:

1.

Ek is 'n ongetroude volwasse vrou, 26 jaar oud, ID no 890804 0171 080 woonagtig te 3D Kerk straat, Hawston, Hermanus telefoon nommer 0727366150.

2.

Ek is die dogter van Lionel Desmond Martin. Ek het insae tot Lionel Desmond Martin se beëdigde verklaring gehad. Ek sal ten volle aanspreeklikheid neem vir die Munisipale rekening van Erf nommer 994 bekend as Crecheweg B36A, Hawston, Hermanus, Wes-Kaap.

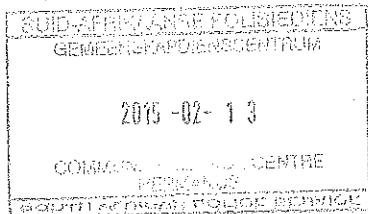
GETEKEN TE HERMANUS OP DIE 13 FEBRUARIE 2015.

Athens Pontac
Athens Pontac
ATHENA PONTAC

Ek is vertrouwd met die inhoud van die verklaring en begryp dit.

Ek het geen beswaar teen die affê van die voorgeskrewe eed nie.

Ek beskou die voorgeskrewe eed as bindend tot my gewete.



HERMANUS 2015/02/13 10:15
[Signature]
ANDILE PONI
SAPS MAIN RD 61
HERMANUS

AWP
2015
02
13