

Objective of the Draft Report

This Draft Report has been compiled solely to provide you with our *factual findings* pursuant to our investigation in respect of the Forensic Investigation conducted as aforesaid.

The contents of this Draft Report are confidential and may only be used by yourselves. No part may be quoted, referred to or disclosed in whole or in part without our prior consent.

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1. Background

1.1 On the 20 February 2018, the Langeberg Council resolved, pursuant to a motion proposed by Councillor S. du Plessis, that a forensic investigation be conducted into allegations of irregular conduct within the Housing Department of Langeberg Local Municipality. The period covering the scope of this investigation was from February 2017 up until the commencement of this investigation on the 7th May 2018.^{1.2} We were appointed to conduct the said forensic investigation. The Municipal Manager instructed us to conduct interviews with all Councillors of Langeberg with the purpose of obtaining information which would assist us in identifying allegations and any other information in support thereof in respect of the investigation into the alleged irregular conduct within the Housing Department of the Municipality.

1.3 We were provided with a list of 23 (twenty three) Councillors, including their mobile numbers as well as email addresses in order to set up consultations with them in respect of the required investigation.

1.4 During the week of 7 – 11 May 2018, we consulted with twenty (20) Councillors including the Executive Mayor and Deputy Mayor out of the 23 (twenty three) names of Councillors provided to us. We also consulted with a certain representative group of affected residents of McGregor township as well as some of the officials of Langeberg as outlined in paragraph 2.2.1.1 below.

2. Scope

2.1 Mandate

2.1.1 We performed our tasks in accordance with the mandate agreed with yourselves as set out above. In terms of our mandate, we were required to investigate the following:

- a) *To determine whether or not there was any credence to the allegations of irregular conduct on the part of any person or official of the Municipality within the Housing Department of Langeberg Municipality.*

2.2. Procedures Performed

2.2.1 We confirm as agreed with yourselves that we performed the following procedures in conducting our investigation:

2.2.1.1 Interviewed and/or consulted the following persons:

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#	Name of Person	Title	Stationed
1	Ms. Strauss	Councillor – Ward 5	McGregor
2	Mr. Jansen	Executive Mayor	
3	Mr. Kriel	Councillor	Robertson
4	Ms. Mangenegene	Councillor – Proportional Representative	Robertson
5	Mr. Mbi	Councillor – Ward 5	McGregor
6	Mr. Burger	Councillor	Robertson
7	Ms. Janse	Councillor – Ward 6 – Land Region	Robertson
8	Mr. Januarie	Councillor – Ward 4	Bonnievale
9	Mr. Van Eeden	Speaker of the Council	Robertson
10	Mr. Joubert	Deputy Mayor	Robertson
11	Mr. Shibili	Councillor	Robertson
12	Mr. Nteta	Councillor – Ward 10	Zolani - Ashton
13	Ms. Hess	Councillor – Ward 3	Robertson
14	Mr. Van Zyl	Councillor – Ward 11	Montagu
15	Mr. du Plessis	Councillor Ward 7 – Proportional Representative	Montagu
16	Mr. Grootboom	Councillor – Proportional Representative	Robertson
17	Mr. Scheffers	Councillor – Ward 12	Montagu
18	Ms. Oostendorf	Councillor – Block 5 (White City)	McGregor
19	Mr. Beginsel	Councillor – Ward 9	Ashton
20	Ms. Swanepoel	Councillor – Ward 9 – Proportional Representative	Robertson
21	Mr. Hull	Ex- Councillor for Ward 5 of the Municipality	Robertson
22	Ms. Ardendorff	Personal Assistant to Councillor Strauss	McGregor
23	Mr. Phyllis	Ex- Councillor of the Municipality	McGregor
24	Mr. Van der Westhuizen	Director- Engineering Department of the Municipality	Robertson
25	Mr. Nel	Senior Manager: Housing	Robertson
26	Mr. Mokweni	Municipal Manager	Ashton

CONFIDENTIAL – DRAFT REPORT IN RESPECT OF THE FORENSIC INVESTIGATION PERTAINING TO THE ALLEGATIONS OF IRREGULAR CONDUCT IN THE HOUSING DEPARTMENT OF THE MUNICIPALITY

2.2.1.2 Documents perused

#	Documents perused
1	The Municipal Finance Management Act, ("Act No 56 of 2003") as amended
2	The Municipal Systems Act, 3719("Act No 32 of 2000") as amended
3	Constitution of the Republic of South Africa Act ("Act No 108 of 1996") as amended
4	A copy of the Housing Selection Policy; A copy of the McGregor Layout Plan;
5	The National Housing Code, 2000
6	The Housing Act, ("Act No 107 of 1997) as amended The Prevention and Combating of Corrupt Activities Act (Act No 12 of 2004) as amended
7	Western Cape Provincial Framework Policy for the Selection of Housing Beneficiaries in ownership-based subsidy projects (August 2012 version)
8	A copy of the document referred to as A 3148 titled "McGregor Housing Project: Compilation of Prioritised List of Beneficiaries: Director Engineering Services" which was served before the Council on 24 August 2015 and was unanimously approved; Copies of spreadsheets providing a list of applicants categorised as those with "Disabilities 5%"; "Age 60 and older"15%; "Age Based Prioritisation"; Copies of unsigned confirmation sheets referred to as "Happy letters" in respect of 496 Units for the Low Cost Housing Scheme in McGregor
9	Copies of emails and correspondence between the officials of Langeberg and third parties, including, inter alia, a letter addressed to the Municipal Manager by Ms I Filander dated 5 December 2017.
10	Copies of the HSS documents issued by the Provincial Government of Human Settlements
11	Copies of the list of Complaints pertaining to unoccupied houses; persons earning more than R3500 per month
12	Copies of various documents referred to as "Handover list"; Applications

#	Documents perused
	returned and declined for various reasons;
13	Copies of correspondence between attorneys Rauch/Gertenbach, handling registration of transfer of houses and the Municipal officials.
14	An extract from the Government Gazette No. 41445 published on 16 February 2018 which details 'Notice 59 of 2018' and stipulating the minimum threshold of the primary market's household income that has been increased from R3,500 to R5,000 per month and the secondary market's household income being increased from R7,500 to R15,000 per month
15 16, 17, 18 19	<p>Submission A3570 by Councillor du Plessis, to move for the resolution by Council to conduct a forensic investigation into alleged irregular conduct within the Housing Department;</p> <p>Copies of Affidavits signed by various persons making certain allegations of bribery and corruption by certain officials of the Municipality</p> <p>Copies of affidavits by various persons claiming the right to register the low cost housing into their names based on inheritance of by consanguinity;</p> <p>Various copies of Certificate of Completeness;</p> <p>A copy of the McGregor Informal Settlement Beneficiary Survey dated January 2018;</p>
20	Copy of Affidavit deposed to by Mr Koos Herdien on 15 May 2015; A copy of the document referred to as "Testament" by Harry Johannes Jacobus Smith; A copy of the Abridged Death Certificate of Paulina Smith; A copy of the Abridged Death Certificate of Johannes Smith;
21	<p>A Prioritised beneficiary listing, which was approved by Council on 24 June 2014 containing a list of 519 TOTAL entries broken down into first list of 412, second listing of 32 and 3rd listing of 75 entries.</p> <p>The listing contains the following columns: 1) Application date; 2) Applicant's Surname; 3) Applicant's First Name; 4) Applicant's ID Number; 5) Partner's name; 6) Partner's First name and 7) Partner's ID Number.</p> <p>The Prioritised list was further broken down into the following categories: 1) Disabled applicants; 2) Farm Workers; 3) Elderly residents and 4) Registration Date Ordering.</p>
22	An 'Approved' beneficiary listing, containing a list of 471 TOTAL entries and contains the following columns: 1) ID Numbers; 2) Full Names; 3) Status [Approved / Verified – failed / Application forms sent back]; 4) Subsidy; 5)

#	Documents perused
	PHB Date; 6) Site Number and 7) Township.
23	<p>A Provincial database spreadsheet downloaded from the HSS (Housing Subsidy System) containing a complete listing of all housing subsidy applicants that were captured on the provincial HSS. The listing contains a total of 9678 entries covering the entire Langeberg Local Municipality applicants.</p> <p>This listing includes applicants from the following towns: 1) Ashton; 2), Bonnievale; 3) Bredasdorp; 4) Gansbaai; 5) McGregor; 6) Montagu; 7) Riviersonderend; 8) Robertson; 9) Swellendam; 10) Velddrif and 11) Worcester</p> <p>Furthermore, the spreadsheet contained the following information: 1) Applicant ID; 2) Registration Number; 3) Old Ref Number; 4) Application Date; 5) Years on Database; 6) Municipality; 7) Tenant Type; 8) Status (All marked 'W' for 'Waiting'); 9) Applicant Surname; 10) Applicant First Name; 11) Applicant Second Name; 12) Applicant ID Number; 13) Application DOB; 14) Age; 15) Address; 16) Suburb Name; 17) Post Code; 18) Phone Number; 19) Region ID; 20) Former Region ID; 21) Farm Resident (Marked either 'True' [meaning the applicant is a farm resident] or 'False' [Meaning applicant is NOT a farm resident]); 22) If Farm Resident, name of farm; 23) Farm period; 24) AT Description; 25) Family Size; 26) Marital Status; 27) Preferred Suburb; 28) Partner's Surname; 29) Partner's First name; 30) Partner's ID; 31) Partner's DOB; 32) Combined Income; 33) Income Group; 34) Employer, if employed; 35) Name of Data Capturer (municipal Official) and 36) Notes.</p>
24	<p>A list containing details of beneficiaries to whom houses were handed over. The number of beneficiaries on this listing total 418. This listing contains the following information: 1) List Number; 2) Surname; 3) Full Names; 4) ID Numbers; 5) Spouse Surname; 6) Spouse Full Names; 7) Spouse ID Number; 8) Erf Number; 9) House Type; 10) Street Address; 11) Water Meter Number; 12) Size (m2); 13) Insurance value and 14) Handover Date.</p>
25	<p>A report titled "Survey: Mc Gregor Informal Settlement Beneficiaries Survey: Jan 2018" containing a listing of beneficiaries totalling 116</p>
26	<p>A beneficiary listing, untitled, with entries totaling 50 beneficiaries, with a handover date marked as 23-04-2018</p>
27	<p>An email, dated 25 April 2018, sent by 'Heather Jeneke' and addressed to 'Wilson Nel; Celeste Matthys; Soyisile Mokweni' and Cc 'Juanita Louw; Willemien Marais; Marcia Goliath' and titled "RE: House that was given Monday to Police women" with an attachment titled "HSS LENDERTS FJ.pdf"</p>
28	<p>HSS Online report totaling 5 pages, relating to ERF / LOT NO: 1540 with respect to applicant Mr. Frederick Johannes Lenderts (ID: 8207225110082)</p>

#	Documents perused
	and indicating approval date of 12/12/2016
29	A typed affidavit, dated 05 Desember 2017, written by 'I. Filander' and addressed to 'Munisipale Bestuurder / Burgemeester: Langeberg Munisipaliteit' and detailing matters relating of ERF 2360
30	A handwritten affidavit, dated 07.12.2017, written by 'Mev. Houtsamer' and addressed to 'Munisipale Bestuurder Burger
31	A report, titled "A3148 McGREGOR PROJECT: COMPILATION OF PRIORITISED LIST OF BENEFICIARIES: (DIRECTOR ENGINEERING SERVICES)", which served before Council on 24 August 2015

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2.3 Period of Investigation

Our investigation covered the period from 20th of February 2017 until the date this DraftReport.

2.4 Restrictions and Limitations

2.4.1 The procedures we performed do not constitute an audit or a review made in accordance with International Standards on Auditing or International Standards on Review Engagements (or relevant national standards or practices). Consequently, we do not express any audit assurance.

The scope of our work was limited to an examination and analysis of data and information furnished to us as well as interviews conducted and consultations held with the relevant persons.

2.4.2 Furthermore, the scope of our work is limited to a period of 1(one) year from 19 February 2017 to date of this Interim Report. We were advised by Mr Van der Westhuizen that the first hand over of houses to the Beneficiaries took place during 2017. It was for reason, that we focussed on this period of investigation to determine whether the said houses were appropriately allocated in accordance with the Housing Selection Policy and the relevant Municipal directives and those from the Provincial Department of Human Settlement.

2.4.3 We requested to consult with the Councillors of the Municipality (as outlined in paragraph 2.2.1.1 of this Draft Report). From the list of 23 Councillors to be interviewed, three (3) Councillors did not consult with us despite our numerous requests to do so. In particular, Councillor Nyamana, who stated he was the Chief Whip for the COPE Party, declined to be interviewed by ourselves on the basis that he had reported certain acts of impropriety within the Municipality to the Hawks Investigation Unit and therefore “his matter was sub judice”.

2.4.4 Furthermore, Mr. Nyamana informed us that he had nothing to say to us in any event. According to Mr. Nyamana, he was advised by the Municipal Manager to report the allegations of irregularities to the Hawks.

2.4.5 We put Mr. Nyamana's assertion to the Municipal Manager who categorically denied that he ever advised Mr. Nyamana to report any matter to the Hawks as alleged or at all. We were not provided with any evidence by Mr. Nyamana to support his assertion.

2.4.6 Our attempts to interview the following Councillors proved unsuccessful despite numerous requests to do so:

- a) Ms. Mafilika JS;
- b) Mr. SJ Malgas; and
- c) Ms. Bosjan E

2.4.7 We confirm that while most of the Councillors that were interviewed were unaware of any irregularities, some were aware of allegations that had done the rounds in the past within the Housing Department and informed us that they had no information or any evidence to support them. It was only in three instances where Councillors provided us with supporting information in respect of some of the allegations. The responses of each Councillor is outlined in the Evaluation of Information section of this Draft Report.

2.4.8 We confirm that the findings outlined in this Draft Report are based on the documentation perused and furnished to us to date of writing this Draft Report, as well as consultations held with various officials, members of the public and interested parties as well as certain Councillors. For these reasons, our Draft Report may be amended pursuant to any further documentation being furnished to us as well as any further consultations being held in respect of this investigation.

2.4.9 On 28 May 2018, we interviewed Mr Nel partially. During the interview, Mr Nel declined to answer further questions on the basis that, according to him, any question pertaining to housing in relation to the Nkqubela area did not form part of our mandate. This meeting was arranged pursuant to our first discussion held

with Mr Nel on 9 May 2018 when he advised that he had reservations about the investigation and informed us that he would agree to a consultation with us in the presence of his representative. According to him, he had given all the information we required to Ms Celeste Matthys, the Acting Director of the Housing Department and that he did not see the need for further consultations with us. However, Mr Nel met with us on 28 May 2018 without his representative. As mentioned above, after a few questions put to him, he refused to answer any further questions or consult with us any further. On the other hand, Mr Wiese, who had a scheduled interview with us on the same day, failed to attend the interview as arranged on the **basis that he had a** doctor's appointment. This was the second occasion on which Mr Wiese could not consult with us for the same reason, namely, that he had a doctor's appointment. Further reference is made in respect of our attempts to consult with Mr Wiese in paragraph 5.1.2.1 of this Draft Report.

2.4.10 We were unable to consult with Mr. Stellenberg in respect of the allegations that Mr Wiese had attempted to bribe him in order to be allocated a house.

2.4.11 We were not able to get hold of Ms. Hull to interview her as advised by Councillor Shibili and Deputy Mayor Joubert in respect of Mr Hull former Deputy Speaker.

2.4.12 We were not able to consult with Ms Baadjies.

2.4.13 We were unable to consult with Mr. Herdien's daughter who was allegedly with him when Mr Wiese tried to solicit a bribe from him in order to be allocated a house.

2.4.14 We carried out our analysis of the information contained in the 1) HSS database list (Waiting list); 2) Approved beneficiaries listing; 3) beneficiary prioritised listing and 4) Beneficiaries Handover listing based on the MS Excel spread sheets that was provided to us by the officials of the Municipality. Due to the nature of 'MS Excel' Spread sheets, it is our submission that these spread sheets are susceptible to manipulation. For this reason, we were unable to confirm

the veracity or the integrity of the information provided. We relied entirely on the information provided in these spread sheets for our analysis.

The Investigation was conducted in 5 Phases.

- A. Phase 1** – Request for information and arranging Consultations with identified and relevant persons.
- B. Phase 2** – Conducting interviews and consultations with the identified and relevant persons.
- C. Phase 3** – Analysis of information and documents provided.
- D. Phase 4** – Finalization of Investigation and Submission of Interim Report for comment and review and where necessary, make amendments.
- E. Phase 5** – Submission of Draft Report with Recommendations and obtaining further review and comment.

3. Information obtained

3.1 We perused documents furnished to us by the officials of the Municipality and analysed same. Firstly, we provide hereunder, the succinct responses of each person interviewed as outlined in paragraph 2.2.1.1 above.

3.1.1 Councillor Strauss

- a) Councillor Strauss stated that various allegations of irregularities within the housing department were made over a period of time but no supporting documents were produced or evidence provided to confirm the veracity of the said allegations. According to her, she was stopped by Mr. Mokweni from “intervening” in matters pertaining to housing complaints because she was not involved in

the Housing Department. This allegation of having been stopped from intervening in housing complaints by Mr. Mokweni was put to Mr. Mokweni and he categorically denied that he gave such an instruction to Cllr. Strauss.

- b)** There were challenges pertaining to applicants who submitted individual applications for housing but later decided to live together resulting in one of the houses being occupied by their family members or being rented out. There was no evidence of fraud or corruption provided in this regard.
- c)** There were allegations that too many farm workers were being allocated houses beyond the permitted 5% allocation in terms of the Housing Policy.
- d)** In her unsolicited opinion, Councillor Strauss stated that Mr. Nel was doing an excellent job as the Senior Manager in the Housing Department.

3.1.2 Mr. Jansen – Executive Mayor

- a)** Mr Jansen stated that he was aware of certain allegations, for example, that a 23 year old person would be allocated a house whilst the elderly people remained on the waiting list for longer periods of time.
- b)** According to Mr Jansen, in terms of the approved Prioritised list of beneficiaries, there were two types of houses that were erected.

One was a ground floor unit and the other, with two floors. It was decided that the elderly should be allocated the ground floor units and be preferred to take occupation of the houses earlier than other applicants on the waiting list.

- c) There were challenges pertaining to applicants whose salaries had increased above the qualifying monthly income threshold of R3,500.00 approval of their applications. Such applicants failed to notify the Municipality of the change in their status and this caused complications in the allocation of houses.

3.1.3 Councillor Kriel

- a) Councillor Kriel advised that he was notified by email that there were certain irregularities within the Housing department.
- b) On 20 April 2018, he requested a copy of the Waiting list in respect of Montagu from Mr. Nel – the Manager in the Housing department but the requested a copy of the Waiting list was not provided.
- c) Mr. Nel responded by email¹ to the request to furnish Mr. Kriel with the approved beneficiary list by indicating that there were numerous problems that they had experienced in the past when Councillors were given the beneficiary list and as a result, he was reluctant to make the list available to Mr. Kriel. Furthermore, Mr. Nel indicated in

his reply to Mr. Kriel that the Approved Beneficiary List was not arranged in order of the approval dates and thus the Councillor would not be able to comprehend it.

3.1.4 Councillor Mangenegene

- a) Councillor Mangenegene stated that she was not aware of any allegations of irregularities within the Housing Department. She received no complaints in her area of jurisdiction, namely a rural area in Ashton.
- b) She did not attend the Council meeting at which a Resolution was taken to conduct a forensic investigation into allegations of irregular conduct within the Housing Department.

3.1.5 Councillor Mbi

- a) Councillor Mbi advised that he was aware of the attendance by the MEC Madikizela at McGregor during the Housing handover ceremony during 2017. The said ceremony was stopped pursuant to residents expressions of dissatisfaction at the manner in which houses were being allocated in the area.

¹ Exhibit 1 – A copy of the email by Mr Nel dated 2 May 2018 copied to Mr Kriel.

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- b) He requested what he termed “an authentic Waiting list” [as opposed to the one used by the Housing Department] as a basis for allocating houses” from the Housing Department of people residing in informal settlements from but such a list was not provided to him as requested.
 - c) Councillor Mbi further stated that there were allegations that farmworkers were being allocated more than 5% of houses in McGregor, contrary to the approved Housing Allocation Policy.
 - d) He was also aware of the allegations that the boyfriend of the former Director of Housing at the municipality had a farm and his employees at the farm were favourably allocated houses in McGregor.

3.1.6 Councillor Burger

- a) Councillor Burger stated that he did not wish to become involved in the issues and complaints in respect of McGregor area.
- b) He was not aware of any allegations of irregularities or allegations of corruption or fraud by the Municipal Manager or anyone.
- c) He was also not aware of the Executive Mayor being involved in the irregular allocation of houses.

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- d) However, he was concerned that the same contractor, namely ASLA had been involved in the Municipal Low Cost Housing Scheme for a long period of time.

3.1.7 Councillor Janse

- a) Councillor Jansen stated that she was not aware of any irregularities within the Housing Department and she was not involved in the McGregor area.

3.1.8 Councillor Januarie

- a) Councillor Januarie stated that he was aware of the allegations of irregularities in the Housing department with reference to the McGregor area.
- b) According to him, the Mayor was involved in the allocation of houses.
- c) There was a preference to allocate houses to farm workers in order to obviate the responsibility from farmers to provide accommodation to their farm workers. This had an impact on political support for the DA.
- d) More than 400 houses were built in McGregor, a number which was more than the number of people who needed houses.

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- e) Certain applicants who were on the waiting list for a limited period of six months were allocated houses, against the minimum requirement of 3 years.
 - f) The Beneficiary list was a “big secret” which could never be provided by the Housing Department.
 - g) Councillor Januarie stated that he did receive a beneficiary list from Juanita (from the housing department) with respect to Bonnievale, after she was instructed by Mr. Nel to give the beneficiary list to him.
 - h) There were allegations that Mr. Wiese, who works within the Housing Department and based in Ashton, was receiving money in exchange to placing people ahead of others on the beneficiary list.
 - i) He found no evidence to support the allegation that the Executive Mayor was involved in the allocation of houses.

3.1.9 Councillor Van Eeden

- a) Councillor Van Eeden stated that he received an email about complaints at the McGregor area.
- b) However, he was not aware of any irregularities within the Housing Department and had not seen any affidavits to support such allegations.

3.1.10 Councillor Joubert, Deputy Mayor

- a) According to Councillor Joubert, during November 2017, he attended a meeting at McGregor with the Mayor where the Minister of Human Settlement was present. At the said meeting, the residents complained about the method that was used in the allocation of houses in the area. In response thereto, the Minister only authorised four (4) houses to be allocated to the elderly persons. Some of the complaints were discussed at the Council meeting but no evidence was provided to the Councillors to support the alleged improper allocation of houses to applicants.
- b) He was aware of the complaints that were raised with Councillor Strauss by Mr. Davin Hull, who was the erstwhile Speaker of the Council. However, he never received direct emails or complaints.
- c) He was of the view that Mr. Nel was doing his job well.
- d) According to him, the Project Steering Committee had never reported any irregularity to the Council.

3.1.11 Councillor Shibili

- a) Councillor Shibili stated that he had no knowledge of any allegations of irregularities within the Housing department.
- b) According to him, a Beneficiary list was presented to the Council by Mr. Van der Westhuizen towards the end of 2015, or beginning of 2016 and that the said Beneficiary list was approved by Council.

c) He was also aware of the allegation that Councillor Strauss was involved in the irregular allocation of houses in the McGregor area but did not have evidence to support this allegation.

d) He also received a call from a certain Ms. Hull who told him that a person residing in Cape Town was allocated a house in McGregor. He advised Mrs. Hull to lay a formal complaint with the Housing Department in this regard.

3.1.12 Councillor Nteta

a) Councillor Nteta stated that he advised that he was not aware of any irregularities taking place at the McGregor area.

b) However, he noted that certain erven were swapped in Jafta Street, Bekela and Zolani areas and that the lack of allocation of houses to the following Beneficiaries should be examined: Mrs. Silala, Mr. Teu, Miss. Bunu, Mr. Kncokwana and Mr. Nkita were the parties involved in the misallocation of erven in the Bekela and Zolani areas.

3.1.13 Councillor Hess

a) Councillor Hess stated that she was aware of the allegations of irregularities in the allocation of houses in the McGregor area but had no evidence or information in support of the said allegations.

b) She stated that she worked well with Mr. Nel.

3.1.14 Councillor Van Zyl

- a) Councillor Van Zyl stated that he had no information pertaining to allegations of irregularities.
- b) He had never seen the “Waiting list” of applicants for housing.
- c) He was aware of the rumours in respect of the manipulation of the Waiting list and the improper handover of houses in the various areas but that no evidence was provided to him.

3.1.15 Councillor du Plessis

- a) Councillor du Plessis stated that he was instrumental in bringing a Motion to be passed by the Council to conduct a forensic investigation into allegations of irregular conduct within the Housing Department.
- b) He had put questions to Mr. Nel, the Manager for Housing, in respect of certain affidavits which had been deposed by certain applicants raising complaints about improper conduct by certain officials within the Housing Department, but received no satisfactory responses from Mr. Nel. *(Councillor du Plessis provided us with copies of several affidavits², deposed to by several deponents.*

² Exhibit 2(a) and (b) – Copies of Affidavits deposed to by Chinelle Siljeur; Anna Maria Baadjies with supporting attachments

- c) For example, according to Councillor du Plessis, (i) the Personal Assistant to Councillor Strauss, a certain Anthea Ardendorf, was staying with her father who earns more than R3500 per month and this he considered to be irregular; (ii) A certain Bernaden Damon did not meet the minimum requirement of R3,500.00 monthly income threshold but was allocated a house;
- (iii) A certain Isle Geduld had been on the Waiting list since 2010 without being allocated a house; (iv) whilst other applicants, such as Mr. Abraham Kraukamp who applied for a house in February 2017 and received approval, was allocated a house in October 2017.
- d) He also stated that he highlighted all these issues again to Ms. Celeste Matthys in December 2017, but that nothing had been done about these by the officials since then.
- e) He further stated that during the Council meeting on or about the 06th of December 2017, the Municipal Manager, Mr Mokweni responded to his enquiries about the McGregor issues and specifically with respect to the waiting period of 3 (three) years before allocation of a house, by stating that the McGregor project was exempt from this 3 (three)-year waiting period requirement.
- f) Councillor du Plessis also indicated that there was an issue with the allocation of houses in McGregor to farmworkers as more than

5% of the allocations had been allocated to farmworkers, which was in contravention of the Housing Selection Policy of the Municipality

- g)** He also raised an issue about the allocation of houses to farmworkers that work at the farm owned by the former Director of Housing at the Municipality, Ms. Liebenberg, which he considered to be highly suspicious.

3.1.16 Councillor Grootboom

- a)** According to Councillor Grootboom, there was an investigation conducted during 2006 in respect of allegations of irregularities in the Housing department. Based on available evidence at that time, certain officials were dismissed from the Municipality.
- b)** However, there was a challenge in obtaining evidence recently pertaining to the allegations of irregular conduct in the allocation of houses in the McGregor area.
- c)** According to him, the Waiting list was no longer kept by the Municipality but that it was kept by the Provincial Department of Human Settlement.
- d)** Furthermore, the allocation or Waiting List was never presented to Council since 2011, which had been done before.

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- e) He also stated that he suspected that the information on the housing list was being manipulated by the Housing Department's officials, but that he did not have any proof to substantiate that statement.
 - f) According to him, the Council took a decision "sometime this year" that the Executive Mayor should no longer attend the housing handover ceremonies.
 - g) He also indicated that he was aware of allegations that the allocation of houses to farmworkers at the McGregor project was said to have exceeded the 5% allocation permitted for farmworkers in terms of the Housing Selection Policy³.
 - h) He was also aware that there were rumours that the family of the Executive Mayor had unfairly benefitted from the Housing Scheme in McGregor, but that he had no evidence supporting these rumours.

3.1.17 Councillor Scheffers

- a) Councillor Scheffers stated that he was aware of rumours of irregularities within the Housing department but received no direct information in respect of such rumours.

³ Exhibit 3 – A copy of the Housing Selection Policy of the Langeberg Municipality.

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- b) He further advised that he was involved in Finance matters and did not deal with housing matters.
 - c) He was aware of the allegations that certain persons were provided with housing keys without the houses being transferred into their names. However, he did not have any documentation or evidence to support his views.
 - d) He indicated that his main concern was with people who had been on the waiting list for too long while people who had been approved for housing allocations had not been on the waiting list for that long. He requested information from Messrs. Nel, Wiese and Ms. Mathys but did not receive any response from them.

3.1.18 Councillor Oostendorf (Police Forum)

- a) Councillor Oostendorf stated that she was concerned about the drugs being sold in the White City area.
- b) She also raised concerns about the activities that were allowed to be undertaken within the housing units, and was unsure as to whether or not people should be allowed to rent out part of the premises; or whether the housing beneficiaries were allowed to carry retail trading activities..
- c) She was of the view that certain elderly persons had been on the Waiting list for more than three (3) years but had not been

allocated houses, whilst other younger people were allocated houses earlier than the elder, contrary to the Council directive.

- d) She also mentioned that it appeared that there had not been adequate interaction between the community and the leadership of the Municipality and the Province, and that the only people that seemed to have been listened to were the Community Housing Committee leaders, which she found to be one of the reasons that complaints about the housing allocations were persistent.
- e) She had not seen the Waiting list and therefore could not confirm the veracity of her assertions.
- f) She raised an issue about the ALSA officials allegedly encouraging the youth to get pregnant in order for them to increase their chances of being allocated a house.

3.1.19 Councillor Beginsel

- a) Councillor Beginsel stated that, a report was tabled before the Council about certain irregularities within the Housing department. However, he had no evidence to support these allegations.
- b) He never perused the Waiting list in respect of the McGregor area but had perused a Waiting list during 2016.
- c) He also indicated that he had a good relationship with Mr. Wiese.

3.1.20 Councillor Swanepoel

- a) Councillor Swanepoel stated that during 1994, she was informed that there were about four to five persons who would have qualified for houses within the Robertson area and were on the Waiting list, but were not allocated houses because they could not afford to pay “bribes” to the housing officials. She did not have any evidence to support the allegations.
- b) She advised that a certain Mr. Stanley Pappa had been requested by Mr. Wiese, the Housing department official to pay approximately R14 000 in order to be allocated a house. She advised that this person would be willing to speak to the forensic investigators to support this allegation.
- c) She also stated that a certain Mr. Hendrik Stellenberg was requested to pay an amount of R12 000 by the same Mr. Wiese and that he would be willing to speak to the investigators to substantiate his allegation.
- d) According to her, during August 2017, a Petition was submitted to the Executive Mayor regarding the “bribes” being required by the Housing officials and that this matter was also placed before the Parliamentary Portfolio Committee for housing. She indicated that the petition elicited a “very negative” response from the Executive Mayor. She was unaware of the outcome or response in regard to the said Petition.

3.1.21 Ms. Anthea Ardendorff

- a) Ms. Ardendorff confirmed that she worked for the Municipality as a PA to Councillor Strauss and that she resides with her parents in McGregor.
- b) According to her, she resides with her parents on Erf 52 Kerk Street, McGregor and that her father was working as a builder for a certain Mr. Page, but was not permanently employed.
- c) She further advised that a certain Ms. Baadjes, who is allegedly the daughter of the late Mrs. Smith took ownership of her mother's house although she was not on the Waiting List.

3.1.22 Mr. Van der Westhuizen

- a) Mr Van der Westhuizen stated that the Housing department fell under his auspices from May 2013 when the director of Housing retired from the Municipality. He was responsible for the Housing department until October 2015. In November 2015, the Housing department was transferred back to Community Services division.
- b) According to him, he was instrumental in the development of the Housing Selection Policy and that he submitted a Report to Council for approval for purposes of identifying qualifying beneficiaries for the low cost housing scheme.

c) Mr. Van der Westhuizen further advised that Item A3156 was approved by Council on 24 August 2015 and pertained to the review of the Housing Selection Policy. The said Policy was sent out for Public Participation whose comments were incorporated into the Policy. In terms of the Policy:

- i) 5% of the houses to be allocated were set aside for farm workers who were resident for 10 of the 13 years in the area, so long as they were 55 years or older;
- ii) 5% of the houses to be allocated were set aside for persons who were permanently disabled or dependants who were disabled;
- iii) 15% of the houses were to be allocated to the elderly people, who are described as being 60 years or older; and
- iv) 75% of the houses were to be allocated to applicants who were on the Waiting list and in accordance with the date of application for housing.

d) Furthermore, Mr. Van der Westhuizen advised that in terms of **Circular C10 of 2015**⁴ from the Provincial Department of Human

⁴ Exhibit 4 – A copy of the Circular C10 of 2015 from the Provincial Department of Human Settlements

Settlement, two elements were added to the requirement to qualify for housing, namely:

- i) Minimum period of registration for housing would be 3 years; and
- ii) Age based Prioritisation – this meant that household heads should be 40yrs old except those with disabilities.

According to Mr. Van der Westhuizen, requirement (i) did not apply to farm workers. These 2 requirements issued in terms of Circular C10 of 2015 were incorporated in the Housing Selection Policy.

e) Mr. Van der Westhuizen further stated that an “Instruction” was issued to Mr. Nel and Ms. Liebenberg (the erstwhile director of Housing department) to the effect that a communiqué should be made (via the addition of a column on the waiting list), to all the applicants of the 496 houses to be built, that in the event that the applicant status had changed either as a result of death or failure to respond to the Municipalities correspondence, and where the applicant’s name had been removed from the Waiting list, full reasons and actions taken by the Housing Department should be recorded in that column.

f) Furthermore, Mr. Van der Westhuizen created what he termed a “Standby list” (*Not furnished at the time of writing this Draft Report*).

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- g) According to him, the first set of houses that were handed over to the Beneficiaries took place in 2017.

3.1.23 Ms. Bernita Smith

- a) Ms Smith stated that she had seen certain letters of complaints addressed to Mr. Nel.
- b) She recalled the application of Ms. Chinielle Siljeur for the transfer of property into her name pursuant to the death of her son's father, a certain Mr. Frederick Johannes Lenderts.

3.1.24 Messrs. Otto, Williams, Small

- a) These persons represented the Squatter Camp of McGregor. According Mr. Small, a meeting was scheduled with Councillor Strauss on 10 May 2018 to enquire about the outcome of their applications for housing.
- b) The said meeting did not take place because Mr Nel and Ms. Matthys nor Councillor Strauss could not make it, and reasons for the non attendance of the scheduled meeting were not furnished to these persons.
- c) According to Mr. Small, Councillor Strauss was not interested in the welfare of the people residing in the Squatter Camps.

3.1.25 Mr. Gawie Phyllis

- a) According to Mr Phyllis, he was a Councillor of the Municipality during 2006 – 2011 and a Community representative.
- b) He advised that he had an original Waiting list of 613 applicants in the McGregor area but that he was not able to obtain a reconciliation of this original beneficiary Waiting list with the Approved Beneficiary Waiting list used by the Municipality to allocate houses.
- c) Furthermore, no arrangements were made to provide preferred allocation of houses for the disabled. According to him, these matters were escalated to the Provincial Department of Human Settlement.

3.1.26 Ms. Matthys

- a) Ms Matthys stated that she was the current Acting Director for Housing at the Municipality.
- b) According to her, from the Waiting List of Applicants, a Prioritised list would be compiled in terms of the Housing Selection Policy, which, according to her, occurred in respect of the McGregor housing project as well.
- c) She further advised that certain mechanisms were lacking within the Municipality, for example, that there was no communication

from the Municipality to the applicants to the effect that their applications were unsuccessful.

- d) According to her, there was no provision in the Housing Selection Policy to compel the municipality to communicate with the unsuccessful applicants.
- e) She further advised that certain officials of the Municipality were given access to the HSS system from which the approved waiting list would be derived, by the Provincial Department of Human Settlement.

3.1.27 Mr. Mokweni

- a) Mr Mokweni confirmed that the Council Resolved⁵ to conduct a forensic investigation pursuant to the Motion that Councillor du Plessis placed before Council requesting that a forensic investigation be conducted into alleged irregular conduct within the Housing Department.
- b) We put it to Mr Mokweni that a certain Mr Nyamana had alleged that he was advised by Mr Mokweni to report allegations of irregularities within the Municipality to the Hawks. Mr Mokweni

⁵ Exhibit 5 – A copy of the Council Resolution to conduct a forensic investigation into allegations of irregular conduct in the Housing Department

denied emphatically that he ever advised Mr. Nyamana to report any matter to the Hawks as alleged by Mr. Nyamana.

- c) According to Councillor Strauss, she was stopped by Mr. Mokweni from “intervening” in matters pertaining to housing complaints because she was not involved in the Housing Department. This allegation of having been stopped from intervening in housing complaints by Mr. Mokweni was put to Mr. Mokweni and he categorically denied that he gave such an instruction to Cllr Strauss.

3.2 We also provide hereunder, an analysis from our perusal of the affidavits of Mr Herdien and Ms Chinelle furnished to us.

3.2.1 We established based from the affidavit of Mr. Koos Herdien⁶ dated 4 January 2018 that he paid a sum of R500.00 (Five hundred rand only) to Mr. Jurian Wiese, an official in the Housing Department in order to have a house allocated to him. Notwithstanding the payment of the said amount, no house had, at the time of deposing to the said affidavit, been allocated to him. It is our submission that this is prima facie evidence of bribery and corruption. However, we do not have direct evidence to confirm its veracity. We consulted with Mr Herdien to provide further elaboration on the assertions made in his affidavit. Mr Herdien stated that during 2013 at about 11h00 (could not remember the exact month or date) that he and his daughter Bianca, entered the office of Mr Wiese as per arrangement. He paid the amount of R500 in cash to Mr Wiese in the presence of his daughter with the understanding that he would be allocated a house in any area earmarked for the allocation of houses and that Mr Wiese had taken the said amount. We requested Mr Herdien to provide us with details of his daughter so that she could be interviewed as well. At the time of writing this Draft report, we had not received any information from Mr Herdien.

3.2.2 Affidavit deposed to by Ms. Chinelle

- a) Based on the affidavit deposed to by Ms. Chinelle Siljeur⁷ dated 18 April 2018, she took over the payment of services in respect of the house situated on Erf number 1655 McGregor, whilst residing at No. 6B Wesley Street Robertson on the basis that she was looking after the biological son (Jaleel Siljeur) of the deceased, the late Mr Frederick Landerts, who was the owner of the said house.

⁶ Exhibit 6 – A copy of the Affidavit of Mr Koos Herdien

⁷ Referred to as Exhibit 2(a) in paragraph 3.1.15 above

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- b) Her assertion emanated from her allegation that the late Mr Frederick Landerts, was indeed the biological father of her son, Jaleel Cohan Wyatt Siljeur.
- c) We found no evidence indicating that Ms. Siljeur herself was listed on the Approved Waiting list of applicants.
- d) We established and were furnished with a letter⁸ written by Mr. Nel dated 18 April 2018, which was addressed to Ms. Siljeur informing her to report the death of Mr. Landerts at the Magistrate's Court in order to facilitate the transfer of the late Mr. Landert's house into the name of the heir, presumably Jaleel Siljeur.
- e) We found no evidence to confirm that indeed Jaleel Siljeur was the biological son of the late Mr. Landerts. Consequently, it is our submission that until such time that such evidence is provided, the letter from Mr. Nel to Ms. Siljeur as stated above was premature and was purely based on the assertions of Ms. Siljeur as outlined in her affidavit without any confirmation by the Housing department of the veracity of Ms Siljeur's assertions.

⁸ Exhibit 7 – A copy of the letter written by Mr Nel to Ms Siljeur dated 18 April 2018

4. Evaluation of the information obtained from interviews

#	Information obtained	Evaluation of information obtained
INTERVIEWS CONDUCTED		
41.1.1	<p>Councillor Strauss</p> <p>a) Various allegations of irregularities within the housing department were made over a period of time but no supporting documents were produced or evidence provided to confirm the veracity of the said allegations. According to her, she was stopped by Mr. Mokweni from “intervening” in matters pertaining to housing complaints because she was not involved in the Housing Department. This allegation of having been stopped from intervening in housing complaints by Mr. Mokweni was put to Mr. Mokweni and he categorically denied that he gave such an instruction to Cllr Strauss.</p> <p>b) There were challenges pertaining to applicants who submitted individual applications for housing but later decided to live together resulting in one of the houses being occupied by their</p>	<p>The interview conducted with Cllr. Strauss revealed the following:</p> <ol style="list-style-type: none"> 1. She had insufficient information with respect to the specific cases of irregularities in respect of the McGregor project. What we required from her was evidence to support the allegations of irregularities. 2. She stated that she was aware of two (2) specific cases, one of which pertained to the fact that her PA lived with her parents who had received one of the housing subsidies. Her information in respect of the two specified cases did not make out a prima facie case of any irregularity nor did it amount to an allegation that could be pursued in respect

#	Information obtained	Evaluation of information obtained
	<p>family members or being rented out. There was no evidence of fraud or corruption found.</p> <p>c) There were allegations that too many farm workers were being allocated houses beyond the permitted 5% allocation in terms of the Housing Policy.</p> <p>This had no value and there was no foundation for this conclusion.</p>	<p>thereof.).</p> <p>3. No evidence was provided by Cllr. Strauss to assist in identifying or confirming any allegations of irregularity in the Housing Department.</p> <p>4. .This column constitutes our assessment of the information obtained from the consultations and interviews conducted.</p>

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#	Information obtained	Evaluation of information obtained
<p>4.1.1.</p> <p>2</p>	<p>Mr Jansen – Executive Mayor</p> <p>a) Aware of allegations that, for example a 23 year old person would be allocated a house whilst the elderly people remained on the waiting list for longer periods of time.</p> <p>b) In terms of the approved Prioritised list of beneficiaries, there were two types of houses that were erected. One was a ground floor unit and the other, with two floors. It was decided that the elderly should be allocated the ground floor units and be preferred to take occupation of the houses earlier than other applicants on the waiting list.</p> <p>c) There were challenges pertaining to applicants whose salaries had increased above the qualifying monthly income threshold of</p>	<ol style="list-style-type: none"> 1. The Mayor had no specific information or evidence that he could offer the investigators to assist in identifying or confirming any allegation of irregularities in the housing department. 2. The allegation raised in paragraph (a) is vague and would need more information before a decision to investigate it further could be considered. 3. The issues in paragraphs (b) and (c) under information obtained did not amount to allegations of irregularity and could not be investigated any further.

#	Information obtained	Evaluation of information obtained
	R3,500.00 approval of their applications. Such applicants failed to notify the Municipality of the change in their status and this caused complications in the allocation of houses.	

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#	Information obtained	Evaluation of information obtained
41.1.3	<p>Councillor Kriel</p> <p>a) He was notified by email that there were certain irregularities within the Housing department.</p> <p>b) On 20 April 2018, he requested a copy of the Waiting list in respect of Montagu from Mr. Nel – the Manager in the Housing department and the said copy of the Waiting list in respect was not provided as requested despite Mr. Nel’s response on 2 May 2018.</p> <p>c) Mr. Nel responded to the request to furnish Mr. Kriel with the approved beneficiary list by indicating that there were numerous problems that they had experienced in the past when Councillors were given the beneficiary list and as a result he</p>	<p>1. The information obtained from Councillor. Kriel indicated that there were valid concerns with respect to the manner in which the Housing Department was carrying out its duties. In particular the lack of transparency from the officials involved in the housing allocation process.</p>

#	Information obtained	Evaluation of information obtained
	<p>was reluctant to make the list available to Mr. Kriel.</p> <p>Furthermore, Mr. Nel indicated in his reply to Mr. Kriel that the Approved Beneficiary List was not arranged in order of approval dates and thus the Councillor would not be able to comprehend it.</p>	

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#	Information obtained	Evaluation of information obtained
41.1.4	<p>Councillor Mangenegene</p> <p>a) She was not aware of any allegations of irregularities within the Housing Department. She received no complaints in her area of jurisdiction, namely a rural area in Ashton.</p> <p>b) She did not attend the Council meeting at which a Resolution was taken to conduct a forensic investigation into allegations of irregular conduct within the Housing Department.</p>	<p>1. Cllr. Mangenegene professed no knowledge of any irregularities that might be taking place within the Housing Department and indicated that there was no information or evidence that she could provide to the forensic investigators to assist in identifying or confirming any allegations of irregularities.</p>
4.1.1.5	<p>Councillor Mbi</p> <p>a) He was aware of the attendance by the MEC Madikizela at McGregor during the Housing handover ceremony. The said ceremony was stopped pursuant to the dissatisfaction of the</p>	<p>1. Cllr. Mbi was aware of certain specific allegations as outlined in paragraphs (c) and (d) in the adjacent information column. These allegations were not accompanied by any information</p>

#	Information obtained	Evaluation of information obtained
	<p>residents in the area pertaining to the allegations of irregular allocation of houses.</p> <p>b) He requested an “authentic Waiting list [as opposed to the one used by the Housing Department as a basis for allocating houses” from the Housing Department of people residing in informal settlements from but such a list was not provided.</p> <p>c) There are allegations that farmworkers are being allocated more than 5% of houses in McGregor, which is against the approved Housing Allocation Policy</p> <p>d) Also aware of the allegations that the boyfriend of the former</p>	<p>or evidence to back them up.</p>

#	Information obtained	Evaluation of information obtained
	Director of Housing at the municipality had a farm and that his employees at the farm were unfairly allocated houses in McGregor.	

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#	Information obtained	Evaluation of information obtained
<p>4.1.1. 6</p>	<p>Councillor Burger</p> <p>a) He did not wish to become involved in the issues and complaints in respect of McGregor area.</p> <p>b) He was not aware of any allegations of irregularities or allegations of corruption or fraud by the Municipal Manager or anyone.</p> <p>c) He was also not aware of the Executive Mayor being involved in the irregular allocation of houses.</p> <p>d) However, he was concerned that the same contractor, namely ASLA being involved in the Municipal Low Cost Housing Scheme for a long period of time.</p>	<ol style="list-style-type: none"> 1. Cllr. Burger was not aware of the allegations pertaining to irregularities within the Housing Department in McGregor. 2. He did not have any information / evidence that he was able to offer to assist the forensic investigators in confirming / refuting the allegations. 3. His concern about the length of time that ASLA had been involved within the Housing Subsidy projects fell outside our investigation mandate and was not pursued further.

#	Information obtained	Evaluation of information obtained
4.1.1. 7	<p>Councillor Janse</p> <p>a) She was not aware of any irregularities within the Housing Department and she was not involved in the McGregor area.</p>	<p>1. Cllr. Janse was not aware of any allegations regarding irregularities within the Housing Department and that she did not have any information / evidence to assist the forensic investigators in confirming / refuting these.</p>
4.1.1. 8	<p>Councillor Januarie</p> <p>a) He was aware of the allegations of irregularities in the Housing department with reference to the McGregor area.</p> <p>b) According to him, the Mayor was involved in the allocation of houses.</p> <p>c) There was a preference to allocate houses to farm workers in order to obviate the responsibility from farmers to provide</p>	<p>1. Cllr Januarie indicated that he was aware of the allegations pertaining to irregularities within the Housing Department but did not have any information / evidence that he was able to offer to assist the forensic investigators in confirming / refuting the allegations.</p> <p>.</p> <p>2. We found no evidence to support the allegation that the</p>

#	Information obtained	Evaluation of information obtained
	<p>accommodation to their farm workers. This had an impact on political support for the DA.</p> <p>d) More than 400 house were built in McGregor which was more than the number of people who needed houses.</p> <p>e) Certain applicants who were on the waiting list for a limited period of six months were allocated houses, against the minimum requirement of 3 (three) years.</p> <p>f) The Beneficiary list was a “big secret” which could never be provided by the Housing Department.</p> <p>g) He however received a beneficiary list from Juanita with respect to Bonnievale, after she was instructed by Mr. Nel to give the</p>	<p>Executive Mayor was involved in the allocation of houses.</p>

#	Information obtained	Evaluation of information obtained
	<p>beneficiary list to him.</p> <p>h) There were allegations that Mr. Wiese, who worked within the Housing Department and based in Ashton, was receiving money in exchange to placing people ahead of others on the beneficiary list.</p>	

#	Information obtained	Evaluation of information obtained
41.1.9	<p>Councillor Van Eeden</p> <p>a) He received an email about complaints at the McGregor area.</p> <p>b) However, he was not aware of any irregularities within the Housing Department and had not seen any affidavits to support such allegations.</p>	<p>1. Cllr. Van Eeden did not have any information / evidence that he could provide to assist the forensic investigators in confirming / refuting the allegations.</p>
41.1.10	<p>Councillor Joubert, Deputy Mayor</p> <p>a) During November 2017, he attended a meeting at McGregor with the Mayor where the Minister of Human Settlement was present. At the said meeting, the residents complained about the method that was used in the allocation of houses in the area. In response thereto, the Minister only authorised four (4)</p>	<p>1. We found no evidence that could assist in confirming / refuting the allegations of irregularity within the Housing department.</p>

#	Information obtained	Evaluation of information obtained
	<p>houses to be allocated to the elderly persons. Some of the complaints were discussed at the Council meeting but no evidence was provided to the Councillors to support the alleged improper allocation of houses to applicants.</p> <p>b) He was aware of the complaints that were raised with Councillor Strauss by Mr. Davin Hull, who was the erstwhile Speaker of the Council. However, he never received direct emails or complaints.</p> <p>c) The Project Steering Committee had never reported any irregularity to the Council.</p>	

#	Information obtained	Evaluation of information obtained
<p>41.1.1 1</p>	<p>Councillor Shibili</p> <p>a) He had no knowledge of any allegations of irregularities within the Housing department.</p> <p>b) According to him, a Beneficiary list was presented to the Council by Mr. Van der Westhuizen during end of 2015, or beginning of 2016. The said Beneficiary list was approved by Council.</p> <p>c) He was also aware of the allegation that Councillor Strauss was involved in the irregular allocation of houses in the McGregor area but did not have evidence to support this allegation.</p> <p>d) He also received a call from a certain Ms. Hull who told him that</p>	<p>1. Cllr. Shibili stated that he was unaware of the allegations pertaining to irregularities within the Housing Department and did not have any information / evidence that he was able to offer to assist the forensic investigators in confirming / refuting the allegations.</p> <p>2. He also did not offer any evidence to support his statement that he was aware that Cllr. Strauss was involved in the irregular allocation of houses in McGregor, when asked to provide any such evidence to the investigators.</p> <p>3. His reference to information that he purportedly received from Ms. Hull would be followed up by ourselves.</p>

#	Information obtained	Evaluation of information obtained
	a person residing in Cape Town was allocated a house in McGregor. He advised Ms. Hull to lay a formal complaint with the Housing Department in this regard.	

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#	Information obtained	Evaluation of information obtained
<p>4.1.1. 12</p>	<p>Councillor Nteta</p> <p>a) He advised that he was not aware of any irregularities taking place at the McGregor area.</p> <p>b) However, he noted that certain erven were swapped in Jafta Street, Bekela and Zolani areas and that the lack of allocation of houses to the following Beneficiaries should be examined: Mrs. Silala, Mr. Teu, Miss. Bunu, Mr. K Ncokwana and Mr. Nkita were the parties involved in the misallocation of erven in the Bekela and Zolani areas</p>	<p>1. Cllr. Nteta did not have any information / evidence that he was able to offer to assist the forensic investigators in confirming / refuting the allegations.</p> <p>2. His statement about the swapping of erven in Bekela and Zolani areas was considered to be outside the scope of our investigation and was not pursued further, as this appeared to pertain to an error on the part of the municipal officials and by his own admission, the case was resolved satisfactorily.</p>
<p>41.1.1 3</p>	<p>Councillor Hess</p> <p>a) She was aware of the allegations of irregularities in the</p>	<p>1. Cllr. Hess stated that she was aware of certain allegations</p>

#	Information obtained	Evaluation of information obtained
	<p>allocation of houses in the McGregor area but had no evidence in support of the said allegations.</p> <p>b) She stated that she worked well with Mr. Nel.</p>	<p>pertaining to irregularities in the Housing Department but did not specify or have information / evidence that she could offer to assist the forensic investigators in confirming or refuting the allegations.</p>

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#	Information obtained	Evaluation of information obtained
<p>4.1.1. 14</p>	<p>Councillor Van Zyl</p> <p>a) He advised that he had no information pertaining to allegations of irregularities that had been given to him directly.</p> <p>b) He had never seen the “Waiting list” of applicants for housing.</p> <p>c) He was aware of the rumours in respect of the manipulation of the Waiting list and the improper handover of houses in the various areas.</p>	<p>1. Cllr. Van Zyl stated that he was not aware of the allegations pertaining to irregularities within the Housing Department nor did he have any information / evidence to offer to assist the forensic investigators in confirming / refuting the allegations.</p> <p>2. He also added his voice to the perception that the Housing Department was reluctant to share the information pertaining to the Approved Waiting list, which went against the principle of transparency as prescribed by the Housing Selection Policy.</p>
<p>341.1. 15</p>	<p>Councillor du Plessis</p> <p>a) He advised that he was instrumental in bringing a Motion to be passed by the Council to conduct a forensic investigation into</p>	<p>1. Cllr. Du Plessis was the Councillor who brought the motion for the investigation of allegations of irregular conduct within the Housing Department.</p>

#	Information obtained	Evaluation of information obtained
	<p>allegations of irregular conduct within the Housing Department.</p> <p>b) He had put questions to Mr. Nel, the Manager for Housing, in respect of certain affidavits which had been deposed by certain applicants raising complaints about improper conduct by certain officials within the Housing Department, but received no satisfactory responses from Mr. Nel. <i>(Councillor du Plessis provided us with copies of several affidavits, which will be attached in our Report as Exhibits.)</i></p> <p>c) For example, according to Councillor du Plessis, (i) the Personal Assistant to Councillor Strauss, a certain Anthea Ardendorf, was staying with her father who earns more than R3,500.00 per month and this he considered to be irregular; (ii)</p>	<p>2. He furnished us with information including affidavits purporting to support the allegations of impropriety within the Housing department, which we evaluated and are discussed later in this Draft report.</p> <p>The other points raised by Councillor Du Plessis were of an administrative nature and were considered as such. However, they, did not amount to evidence or shedding sufficient information for a prima facie case of irregularities which could be investigated further save for the matters dealt with in this Draft Report.</p>

#	Information obtained	Evaluation of information obtained
	<p>A certain Bernaden Damon did not meet the minimum requirement of R3,500.00 monthly household income threshold but was allocated a house; (iii) A certain Isle Geduld had been on the Waiting list since 2010 without being allocated a house; (iv) whilst other applicants, such as Mr. Abraham Kraukamp who applied for a house in February 2017 and received approval, was allocated house in October 2017.</p> <p>d) He also stated that he highlighted all these issues again to Ms. Matthys in December 2017, but that nothing had been done by the officials since then.</p> <p>e) He further stated that the Municipal Manager, Mr. Mokweni, during the Council meeting on/about the 06th of December</p>	

#	Information obtained	Evaluation of information obtained
	<p>2017, responded to his enquiries about the McGregor issues and specifically with respect to the waiting period of 3 (three) years before allocation of a house, by stating that the McGregor project was exempt from this 3 (three) year requirement.</p> <p>f) Cllr. du Plessis also indicated that there is an issue with the allocation of houses in McGregor to farmworkers as more than 5% of the allocations have gone to farmworkers, which is in contravention of the Housing Selection Policy of the Municipality</p> <p>g) He also raised an issue about the allocation of houses to farmworkers that work at the farm owned by the former Director of Housing at the Municipality, Ms. Liebenberg, which he</p>	

#	Information obtained	Evaluation of information obtained
	considered to be highly suspicious.	

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#	Information obtained	Evaluation of information obtained
<p>41.1.1 6</p>	<p>Councillor Grootboom</p> <p>a) According to him, there was an investigation conducted during 2006 in respect of allegations of irregularities in the Housing department. Based on available evidence at that time, certain officials were dismissed from the Municipality.</p> <p>b) However, there was a challenge in obtaining evidence recently pertaining to the allegations of irregular conduct in the allocation of houses in the McGregor area.</p> <p>c) According to him, the Waiting list was no longer kept by the Municipality but that it was kept by the Provincial Department of Human Settlement.</p>	<ol style="list-style-type: none"> 1. Cllr. Grootboom stated that he was aware of the allegations pertaining to irregularities within the Housing Department but did not have any information / evidence that he is able to offer to assist the forensic investigators in confirming / refuting the allegations. 2. He also added his voice to the view that the Housing Department had been reluctant to share information relating to the Approved Housing Beneficiary list, which was against the principle of transparency as contained in the Housing Selection Policy. 3. We found copies of the waiting list that was in the possession

#	Information obtained	Evaluation of information obtained
	<p>d) Furthermore, the allocation or Waiting List was never presented to Council since 2011, which is something that was done before then.</p> <p>e) He also stated that he suspects that the information on the housing list is being manipulated by the Housing Department's officials, but that he doesn't possess any proof to substantiate that statement</p> <p>f) According to him, Council took a decision "sometime this year" that the Executive Mayor should no longer attend the housing handover ceremonies.</p> <p>g) He also indicated that he was aware of allegations that the</p>	<p>of the officials within the Housing Department at the Municipality, which indicated that the Councillor's information about the Beneficiary List being kept only at the Provincial Department of Human Settlements was incorrect. Furthermore, it is our view that if indeed the officials had deprived the Councillor of the Beneficiary list purportedly because the Beneficiary list was only kept at the Provincial Department of Human Settlement, this would have amounted to improper conduct.</p>

#	Information obtained	Evaluation of information obtained
	<p>allocation of houses to farmworkers at the McGregor project is said to have exceeded 5% as allowed by the Housing Selection Policy</p> <p>h) He was also aware that there are rumours that the family of the Executive Mayor had unfairly benefitted from the Housing Scheme in McGregor, but has never seen any evidence supporting these rumours.</p>	

#	Information obtained	Evaluation of information obtained
<p>4.1.1. 17</p>	<p>Councillor Scheffers</p> <p>a) He was aware of rumours of irregularities within the Housing department but received no direct information in respect of such rumours.</p> <p>b) He further advised that he was involved in the Finances and did not deal with housing matters.</p> <p>c) He was aware of certain persons who were provided with housing keys without the houses being transferred into their names. However, he did not have any documentation or evidence to support his views.</p> <p>d) He indicated that his main concern is with people who have been on the waiting list for too long while people that have been</p>	<p>1. Cllr Scheffers stated that he was aware of the allegations pertaining to irregularities within the Housing Department but did not have any information / evidence to offer to assist the forensic investigators in confirming / refuting the allegations.</p> <p>2. He also did not provide any information or evidence pertaining to the people who were alleged to have been provided with house keys to houses without entitlement.</p> <p>3. We shall investigate the allegation that there were people that had been unfairly put on the waiting list for too long, while others, who applied at a later date, were being allocated housing units.</p> <p>4. Finally, Councillor added his view to the assertions made by</p>

#	Information obtained	Evaluation of information obtained
	<p>approved for housing allocations had not been on the waiting list for that long.</p> <p>e) He requested information from Messrs. Nel, Wiese and Ms. Matthys but did not receive any response from them.</p>	<p>other Councillors that the Housing Department officials were not forthcoming with information pertaining to the Approved Housing Beneficiary list.</p>

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#	Information obtained	Evaluation of information obtained
<p>41.1.1</p> <p>8</p>	<p>Councillor Oostendorf (Police Forum)</p> <p>a) According to her, she was concerned about the drugs being sold in the White City area.</p> <p>b) She also raised concern about the activities that are allowed to be undertaken within the housing units, such as whether people should be allowed to rent out part of the premises; whether people are allowed to carry retail trading activities; etc.</p> <p>c) She was of the view that certain elderly persons who had been on the Waiting list for more than three (3) years but had not been allocated houses, whilst other younger people were allocated houses earlier than the elder, contrary to Council directive.</p>	<p>1. Cllr Oostendorf stated that she was not aware of specific allegations pertaining to irregularities within the Housing Department and did not have any information / evidence that she is able to offer to assist the forensic investigators in confirming / refuting the allegations.</p> <p>2. Her assertion that there were older people that were unfairly overlooked in the process of allocation the houses would be investigated further.</p>

#	Information obtained	Evaluation of information obtained
	<p>d) She also mentioned that there seemed to not have been adequate interaction between the community and the leadership of the Municipality and the Province, and that the only people that seemed to have been listened to were the Community Housing Committee leaders, which she found to be one of the reasons that complaints about the housing allocations were persistent.</p> <p>e) She had not seen the Waiting list and therefore could not confirm the veracity of her assertions.</p> <p>f) She raised an issue about the ALSA officials allegedly encouraging the youth to get pregnant in order for them to</p>	

#	Information obtained	Evaluation of information obtained
	increase their chances of being allocated a house.	

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#	Information obtained	Evaluation of information obtained
<p>4.1.1. 19</p>	<p>Councillor Beginsel</p> <p>a) According to him, a report was tabled before the Council about certain irregularities within the Housing department. However, he had no evidence was available to support these allegations.</p> <p>b) He never perused the Waiting list in respect of the McGregor area but had perused a Waiting list during 2016.</p> <p>c) He also indicated that he had a good relationship with Mr. Wiese.</p>	<p>1. Cllr. Beginsel stated that he was aware of the allegations pertaining to irregularities within the Housing Department but did not have any information / evidence to offer to assist the forensic investigators in confirming / refuting the allegations.</p>
<p>41.1.2 0</p>	<p>Councillor Swanepoel</p> <p>a) She advised that since 1994, about four to five persons who would have qualified for houses within the Robertson area and</p>	<p>1. Cllr. Swanepoel stated that she was aware of the allegations</p>

#	Information obtained	Evaluation of information obtained
	<p>were on the Waiting list, but were not allocated houses because they could not afford to pay “bribes” to the housing officials. She did not have any evidence to support the allegations.</p> <p>b) However, she advised that a certain Mr. Stanley Pappa had been requested by Mr. Wiese, the Housing department official to pay approximately R14 000 in order to be allocated a house. She advised that this person would be willing to speak to the forensic investigators to support this allegation.</p> <p>c) She also stated that a certain Mr. Hendrik Stellenberg was</p>	<p>pertaining to irregularities within the Housing Department but had no information or evidence to offer to assist the forensic investigators in confirming some of the allegations.</p> <p>2. She provided information about a certain Mr. Stanley Pappa and Mr. Hendrick Stellenberg from whom payments were requested by Mr. Jurian Wiese, in order for them to be allocated housing units. She also indicated that Mr. Stellenberg and Mr. Pappa indicated their willingness to consult with the investigators. We consulted with Mr Pappa</p>

#	Information obtained	Evaluation of information obtained
	<p>asked to pay an amount of R12 000 by the same Mr. Wiese and that he would be willing to speak to the investigators to substantiate his allegation</p> <p>d) According to her, during August 2017, a Petition was submitted to the Executive Mayor regarding the “bribes” being required by the Housing officials and that this matter was also placed before the Parliamentary Portfolio for housing. She indicated that the petition elicited a “very negative” response from the Executive Mayor. She was unaware of the outcome or response in regard</p>	<p>and established the following:</p> <p>3. Mr Papa deposed to an affidavit⁹ in which he asserted that Mr Wiese requested a sum of R5,000 from him to ensure that he was allocated his house. In the said affidavit, Mr Papa stated that he believed that it was on the fact that he refused to pay the said amount, that his house was sold to someone else.</p>

⁹ Exhibit 8 – A copy of the Affidavit deposed to by Mr Stanley Papa

#	Information obtained	Evaluation of information obtained
	to the said Petition.	

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#	Information obtained	Evaluation of information obtained
4.1.1. 21	<p>Ms. Anthea Ardendorff</p> <p>a) Ms. Ardendorff confirmed that she worked for the Municipality as a PA to Cllr Strauss and that she resides with her parents in McGregor</p> <p>b) According to her, she resides with her parents on Erf 52 Kerk Street, McGregor and that her father was working as a builder for a certain Mr. Page, was not permanently employed.</p> <p>c) She further advised that a certain Ms. Baadjes, who is allegedly the daughter of the late Mrs. Smith took ownership of her mother's house although she was not on the Waiting List.</p>	<ol style="list-style-type: none"> 1. Ms. Ardendorff confirmed that she resides with her parents and that although her father worked as a builder, he was not permanently employed. At the time that her father applied to be a beneficiary in the housing subsidy scheme, the total household income fell within the threshold of R3,500.00 as stipulated in the approved Housing Selection Policy. 2. The Housing Selection Policy does not adequately provide guidance in instances where a person in a household subsequently found employment which increased the total household income to a level that would be above the stipulated threshold. 3. There was no provision in the Housing Selection Policy for

#	Information obtained	Evaluation of information obtained
		<p>the forfeiture of housing subsidy in cases where the total household income subsequently increased to an amount in excess of the threshold.</p> <p>4. We obtained an affidavit¹⁰ by Ms Anna Maria Baadjies in which she stated that she was prepared to take responsibility for the house, namely Rheboskraal Broedery (Bovlei), McGregor, 6708. This address was noted in a purported Last Will “Testament”¹¹ also purportedly signed by the late Mr Harry Johannes, Jacobus Smith, identity number 380716 5096 087 who was married to Ms Baadjies mother, Mrs</p>

¹⁰ Referred to as Exhibit 2(b) in paragraph 3.1.15

¹¹ Exhibit 9 – A copy of the purported “Testament” Last Will of the late Mr Harry Jacobus Smith

#	Information obtained	Evaluation of information obtained
		<p>Paulina Maria Smith, who according to Ms Baadjies was her mother. We also attach copies of the death certificates¹² of the late Mr and Mrs Smith respectively. At the time of writing this Draft Report, we had not been able to consult with Ms Baadjies in respect hereof.</p> <p>5. At the time of writing this Draft Report we were not able to confirm the authenticity and legality of the said “Testament” or Last Will.</p>

¹² Exhibit 10 (a) and (b) – Copies of the death certificates of Mr and Mrs Baadjies respectively

#	Information obtained	Evaluation of information obtained
4.1.1. 22	<p>Mr. Van der Westhuizen</p> <p>a) According to him, the Housing department fell under his auspices from May 2013 when the director of Housing retired from the Municipality. He was responsible for the Housing department until October 2015. In November 2015, the Housing department was transferred back to Community Services division.</p> <p>b) According to him, he was instrumental in the development of the Housing Selection Policy and that he submitted a Report to Council for approval for purposes of identifying qualifying beneficiaries for the low cost housing scheme.</p> <p>c) Mr. Van der Westhuizen further advised that Item A3156 was</p>	<ol style="list-style-type: none"> 1. Mr. Van der Westhuizen provided the investigation team with a lot of relevant information with respect to the operations of the Housing Department, particularly with matters regarding the determination of the prioritised list and the Approval of the Housing Selection Policy. 2. Mr. Van der Westhuizen's statement about the instruction that was given to both Mr. Nel and Ms. Liebenberg, during December 2017 when he handed over the information regarding the Prioritised Beneficiary List that was approved by Council to the two officials, was denied by Mr Nel during our consultation with him on 28 May 2018. This instruction

#	Information obtained	Evaluation of information obtained
	<p>approved by Council on 24 August 2015 and pertained to the review of the Housing Selection Policy. The said Policy was sent out for Public Participation whose comments were incorporated into the Policy. In terms of the Policy:</p> <ul style="list-style-type: none"> v) 5% of the houses to be allocated were set aside for farm workers who were resident for 10 of the 13 years in the area, so long as they were 55 years or older; vi) 5% of the houses to be allocated were set aside for persons who were permanently disabled or dependants who were disabled; vii) 15% of the houses were to be allocated to the elderly people, who are described as being 60 years or older; 	<p>was, according to Mr. Van de Westhuizen, given to the two officials to ensure that all changes that would be made to the Approved Beneficiary List for any reason, would be captured in an added column to the schedule of the Beneficiaries approved by Council.</p> <p>3. We were not provided with any evidence of such instruction by Mr Van der Westhuizen.</p>

#	Information obtained	Evaluation of information obtained
	<p>and</p> <p>viii) 75% of the houses were to be allocated to applicants who were on the Waiting list and in accordance with the date of application for housing.</p> <p>d) Furthermore, Mr. Van der Westhuizen advised that in terms of Circular C10 of 2015 from the Provincial Department of Human Settlement, two elements were added to the requirement to qualify for housing, namely:</p> <p>i) Minimum period of registration for housing would be three (3) years; and</p> <p>ii) Age based Prioritisation – this meant that household</p>	

#	Information obtained	Evaluation of information obtained
	<p>heads should be 40yrs old except those with disabilities.</p> <p>According to Mr. Van der Westhuizen, requirement (i) did not apply to farm workers. These two (2) requirements issued in terms of Circular C10 of 2015 were incorporated in the Housing Selection Policy.</p> <p>e) Mr. Van der Westhuizen further stated that an “Instruction” was issued to Mr. Nel and Ms. Liebenberg to the effect that a communiqué be made (via an additional column to be added on the waiting list) to all the applicants of the 496 houses to be built that in the event that the applicant status had changed either as a result of death or failure to respond to the Municipalities correspondence, and the applicant name was</p>	

#	Information obtained	Evaluation of information obtained
	<p>removed from the waiting list, the full reasons and actions taken by the Housing Department should be recorded in that column.</p> <p>f) Furthermore, Mr. Van der Westhuizen created what he termed a “Standby list” (<i>Not furnished at the time of writing this Draft Report</i>).</p> <p>g) The first set of houses that were handed over to the Beneficiaries took place in 2017.</p>	

#	Information obtained	Evaluation of information obtained
<p>4.1.1. 23</p>	<p>Ms. Bernita Smith</p> <p>a) She advised that she had seen certain letters of complaints addressed to Mr. Nel.</p> <p>b) She recalled the application of Ms. Chinielle Siljeur for the transfer of property into her name pursuant to the death of her son's father, a certain Mr. Frederick Johannes Lenderts.</p>	<p>1. We established that Ms. Smith worked in the Housing Department and works closely with Mr. Nel as she served as his Personal Assistant, amongst her other duties.</p> <p>2. She stated that she was aware some complaints that were addressed to Mr. Nel but did not have copies of any of these letters. According to her, she had no information that could confirm or substantiate any irregularity in the Housing Department.</p>
<p>4.1.1. 24</p>	<p>Messrs. Otto, Williams, Small</p> <p>a) These persons represented the Informal settlement of McGregor. According Mr. Small, a meeting was scheduled with</p>	<p>1. The representatives of the McGregor Informal settlement</p>

#	Information obtained	Evaluation of information obtained
	<p>Councillor Strauss on 10 May 2018 to enquire about the outcome of their applications for housing.</p> <p>b) The said meeting did not take place because Mr. Nel and Ms. Matthys could not make it, nor could Councillor Strauss and reasons were not furnished to them.</p> <p>c) According to Mr. Small, Councillor Strauss was not interested in the welfare of the people residing in the Squatter Camps.</p>	<p>did not provide us with any information that would assist in confirming / refuting the allegations of irregular conduct within the Housing Department at Langeberg.</p>

#	Information obtained	Evaluation of information obtained
4.1.1. 25	<p>Mr. Gawie Phyllis</p> <p>a) According to him, he was a Councillor of the Municipality during 2006 – 2011 and a Community representative.</p> <p>b) He advised that he had an original waiting list of 613 applicants in the McGregor area but was not able to obtain a reconciliation of this original beneficiary waiting list with the Approved Beneficiary Waiting list used by the Municipality to allocate houses.</p> <p>c) Furthermore, no arrangements were made to provide preferred allocation of houses for the disabled. According to him, these matters were escalated to the Provincial Department of Human</p>	<ol style="list-style-type: none"> 1. Mr. Phyllis brought to our attention that there was an ‘original’ waiting list containing 613 applicants in the McGregor area and some of the people that had applied who were on this ‘original’ waiting list were overlooked when the Municipality drew up its own Approved Beneficiary list. 2. He stated that the omission of these people from the original waiting list and the fact that the Housing Department officials were very reluctant to provide them with the Approved waiting list, was the cause for gross dissatisfaction by the community members in the McGregor area. 3. He also emphasised that one of the main issues that the

#	Information obtained	Evaluation of information obtained
	Settlement.	<p>community of McGregor was unhappy with, was the inequitable allocation of housing units to farmworkers, which was in excess of the 5% quota stipulated by the Housing Selection Policy.</p> <p>4. When requested to provide sources for the list which he intimated was an 'original' waiting list, Mr. Phyllis could not provide any evidence to support his assertions. Furthermore, Mr Phyllis could also not furnish us with a list of farmworkers to whom houses were allocated, to back up his assertion that there was inequitable allocation of houses to farmworkers. This remains to be investigated.</p>

#	Information obtained	Evaluation of information obtained
<p>41.1.2 6</p>	<p>Ms. Matthys</p> <p>a) She is currently the Acting Director for Housing at the Municipality.</p> <p>b) According to her, from the Waiting List of Applicants, a Prioritised list would be compiled in terms of the Housing Selection Policy, which is what took place for the McGregor housing project as well.</p> <p>c) She further advised that certain mechanisms were lacking within the Municipality, for example, that there was no communiqué from the Municipality to the applicants to the effect that their applications were unsuccessful.</p> <p>d) According to her, there was no provision in the Housing</p>	<p>1. Ms. Matthys, as the Acting Director of Housing at the Municipality, was responsible to ensure that the Housing Selection Policy was implemented correctly by the Housing Department.</p> <p>2. She provided us with relevant information. pertaining to the operations of the Housing Department and the development, approval and finalisation of Beneficiary Waiting and Allocation lists.</p> <p>3. Ms. Matthys acknowledged that there were a lot of areas within the Housing Department that needed to be improved upon, such as. the sharing of information pertaining to the approved waiting list with the Councillors and the affected</p>

#	Information obtained	Evaluation of information obtained
	<p>Selection Policy to compel the municipality to communicate with the unsuccessful applicants.</p> <p>e) She further advised that certain officials of the Municipality were given access to the HSS system from which the approved waiting list is derived, by the Provincial Department of Human Settlement.</p>	<p>communities; periodic reporting to Council on the progress made with respect to the Housing Projects and allocation of beneficiaries; documentation of reasons which were used to change any status of a beneficiary that was on the Prioritised waiting list that was approved by Council.</p> <p>4. She also raised concerns that even as the Acting Director of Housing within the Municipality, she did not receive the expected co-operation from her subordinates, being Mr Nel and Mr Wiese and that she continued to struggle to get some information from these persons.</p>

#	Information obtained	Evaluation of information obtained
4.1.1. 27	<p>Mr. Mokweni</p> <p>a) He confirmed the Council Resolution to conduct a forensic investigation pursuant to the Motion that Councillor du Plessis placed before Council requesting that a forensic investigation be conducted into alleged irregular conduct within the Housing Department.</p> <p>b) He denied emphatically that he ever advised Mr Nyamana to report any matter to the Hawks as alleged by Mr Nyamana.</p>	

#	Information obtained	Evaluation of information obtained

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#	Information obtained	Evaluation of information obtained
5 ADDITIONAL EVALUATION OF INFORMATION OBTAINED		
5.1 We also provide hereunder, prima facie evidence obtained from our perusal of the information furnished to us:		
5.1.2. 1	<p>Affidavit deposed by Mr. Koos Herdien</p> <p>a) We established, based from the affidavit of Mr. Koos Herdien dated 4 January 2018 that he paid a sum of R500.00 (Five hundred rand only) to Mr. Jurian Wiese, an official in the Housing department in order to have a house allocated to him.</p> <p>b) Notwithstanding the alleged payment of the said amount by Mr Herdien to Mr Wiese, no house had been allocated to him at the time of deposing to the said affidavit..</p>	<p>1. Mr Wiese failed to attend the scheduled interviews on two occasions on the basis that he was ill and had appointments with his doctor. We could not put these allegations to Mr Wiese nor could we find any evidence to support the said allegations.</p> <p>2. In addition, Mr Wiese did not provide us with any documentation that indicated that he had indeed attended his doctor's rooms for treatment of his alleged illness. On both occasions of our attempts to consult with him, Mr Wiese did not communicate with us in order to re-schedule another appointment with us in order to shed some light on our investigation. No reasons were provided to us as to why Mr Wiese could not arrange to meet us at another convenient time</p>

#	Information obtained	Evaluation of information obtained
		for him.

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#	Information obtained	Evaluation of information obtained
	<p>Affidavit deposed by Ms. Chinelle</p> <p>a) Based on the affidavit deposed to by Ms. Chinelle Siljeur dated 18 April 2018, she took over the payment of services in respect of the house situated on Erf number 1655 McGregor, whilst residing at No. 6B Wesley Street Robertson.</p> <p>b) Her assertion was based on the assumption that her son, Jaleel Cohan Wyatt Siljeur was the biological son of the late Mr. Frederick Landerts.</p> <p>c) Ms. Siljeur herself was not on the Approved Waiting list of applicants.</p> <p>d) We established and was furnished with a letter written by Mr.</p>	<p>2. It is our submission that since the content of this affidavit has not been tested for its veracity and we found no evidence to confirm the assertions made therein, we were unable to confirm its veracity.</p> <p>3. We found no evidence to confirm that indeed Jaleel Saljeur was the biological son of the late Mr Landerts. Consequently, it is our submission that until such time that evidence is provided to corroborate or substantiate the assertions made in the affidavit, the letter dated 18 April 2018 address to Ms Siljeur was premature as it was merely based on the unsupported assertions made by Ms Siljeur. Consequently, we submit that this constituted an irregularity.</p>

#	Information obtained	Evaluation of information obtained
	<p>Nel dated 18 April 2018, which was addressed to Ms. Siljeur informing her to report the death of Mr. Landerts at the Magistrate's Court in order to facilitate the transfer of the late Mr. Landert's house into the name of the heir, presumably Jaleel Siljeur.</p>	

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6. A SAMPLE OF IRREGULARITIES FOUND IN THE HOUSING ALLOACTION

We provide hereunder, a sample of Irregularities found in the amended Beneficiary List, Waiting List, Prioritised List, and the Approved hand-over List.

6.1 We obtained the Prioritised Beneficiary List that was approved by Council on 24 June 2014 and compared this List with the Handover List that was last updated on 23 April 2018. The matching of these two Lists resulted in the identification of applicants that were listed on the Prioritised beneficiary List who had not received housing subsidies from the Municipality.

6.2 Table 1 below details those applicants that had been put on the prioritised list for three (3) years or more, but had not been allocated houses:

Table 1: LIST OF PRIORITISED BENEFICIARIES WHO HAD NOT YET RECEIVED HOUSING SUBSIDIES

Applic Date	App Surname	App First name	App IDNo	Partner Surname	Partner First name	Partner ID No
DISABILITIES, 5%=25, No Age based prioritization (ABP), Minimum Registration Period (MRP)=3 years						
ALL DISABLED CATEGORY APPLICATIONS APPROVED						
FARM WORKERS & RESIDENTS, 5%=25, older than 55, No MRP						
1900/1/1	Geduld	Maart	5309235124088	Geduld	SophiaD	5204020005081
2001/9/20	Miggels	Piet	5112035633088	Miggels	Monica	6204121000089
2004/12/31	Speelman	Jan	4012255844087	Siljeur (SPEELMAN)	Sofie	5307170887081
2004/12/31	Thotho	Elliot	5802026576086	Taai	Mieta	6503101177084
2006/4/24	Cyster	Dawid	6011105234083	Cyster	Cristina	6311210805080

Applic Date	App Surname	App First name	App IDNo	Partner Surname	Partner First name	Partner ID No
2006/4/24	Olivier	Piet	6012085846086	Mietjie		0
2006/4/25	Menze	Elliot	5807175590280	Menze	Gladys	6205120969083
2007/11/9	Hendriks	Stoffel	5311255169084	Losch	Amelia	4805160271084
2011/3/3	Slambee	MariaMagdalena	5905110165086			0
AGE, 15%=74, AGE 60 and OLDER, MRP=3years						
2004/12/31	VanWyk	Adonis	000000000000			0
2001/9/17	Vaaltyn	Elizabeth	3206280262080			0
2001/12/31	VanRooyen	Anna	3308040286084			0
2004/12/31	Filies	CupidoJ	3611115076086	Lekay	Ella	5211300089081
2006/4/24	Saaiman	Christina	4010050126080			0
2001/09/19	Simons	Onverwach	4109215035085	René	Simons	0
2010/1/19	Filies	Maria	4111080326086			0
2001/12/31	ADAMS	ELSIE	4308240132087	Fortuin	Willem	6203035082084
2001/12/31	MAY	ELIZABETH MARY,	4905140652088			0
2001/12/31	Visser	Hendrik	5207286193088	Visser	Susanna	6112020117088
2004/12/31	Petersen	Gert	5211085063087	vanWyk	Ragel	7103010980089
2007/11/19	Dyantyi	VuyaniG	5509275434087			0
REGISTRATION DATE ORDERING, MRP=3YEARS, AGE BASED PRIORITIZATION						
2001/09/21	Brown	Abraham	000000000000	Sanna		000000000000
2009/04/17	Gantu	Emmie	000000000000			0
2001/10/20	Williams	Joseph	5710235128013			0
2001/9/20	Jansen	Kyser	5804126118082	Louw	Marta	0
2001/10/17	Arendse	EvaE	5901160800086			0

Applic Date	App Surname	App First name	App IDNo	Partner Surname	Partner First name	Partner ID No
2001/12/31	Papp	Susan	5903100222082			0
2004/12/31	Lekay	Magdalena	5910140067088			0
2001/9/18	Johannes	Koos	5910265243084	Johannes	Lena	5706240243086
2001/9/19	Otto	Emily	6007220114085			0
2006/4/24	Bester	Barend	6104105930089			0
2001/9/17	Tiras	AnnaJ	6202170116087			0
2001/9/19	Williams	Andries	6208105070083	Williams	Katrina	6503090761088
2001/09/20	Ceasar	Ceasar	6303275158089	Van Rooi	Anna S	5609200173089
2001/1/1	Visser	Dawid	6402026695082	Visser	Marelize	7207020957084
2006/4/25	Joxo	Nkosinathi	6405075884085	Joxo	Vivian	0
2004/12/31	Jacobs	Jan	6408285322086			0
2001/12/31	Losch	Hendrik	6504065261088	Losch	PetronellaW	6610090201088
2001/9/20	Jakobus	Carl	6507205831082			0
2001/9/21	Steve	Ella	6607160595084			0
2001/09/21	Steve	Paulina	6607160644080			0
2010/2/5	Arendorff	Jafta	6704125854084	Arendorff	Jian	7405280208087
2006/4/25	Similo	Mawethu	6707045718081	Mduluwa	Thembisaivy	0
2001/9/18	Pieterse	Dawid	6709025169087	Pieterse	Maria	6710200408084
2004/12/31	VAALTYN	BARNARD ABRAHAM	6709115441081	Vaaltyn	Annie	6609010837088
2001/9/18	Fielies	Jan	6711220738088	Fielies	Anna	0
2001/9/20	Fortuin	John	6803175272088	Fortuin	Sarah	7403170128085
2001/9/9	Jansen	David	6808265203083	Trinna	Jansen	7001060036088
2001/9/19	Tiras	Sameul	6901175269086	Tiras	AmeliaM	7006170241087

Applic Date	App Surname	App First name	App IDNo	Partner Surname	Partner First name	Partner ID No
2001/12/31	Treu	Clarence	6907095705083	Treu	Noleen	6911230023089
2004/12/31	Lekay	Abraham G	6909225313085	Vander Westhuisen	J	6509040215083
2004/12/31	Thoren	Jannie	6910195746080	Sauls	Julien	7412230859084
2001/12/31	Swanepoel	Booi	7003275258082	Swanepoel	Terlyn	6901060088088
2005/11/17	VAN REENEN	YVONNE JAQUELINE	7007120258080			0
2006/4/24	Lekay	Frederick	7008205278084			0
2007/10/8	Konstabel	RageID	7008280057080	Swanepoel	Charlthun	7710305151083
2004/12/31	Fortuin	Abraham	7009085329088			0
2010/9/22	Hoofd	Ismail	7011235279080			0
2004/12/31	November	David	7104035281081	Meyer	Louisa	7009170329084
2012/05/29	Dampies	Drina	7203290304081	Dampies	Moos	6811305233086
2004/12/31	Williams	Johnnie	7204305016082	Williams	Katriena	7002020239082
2001/12/31	Visser	Freda	7205170090086			0
2001/9/19	Arendorff	Salmon	7208095171080	Adendorf	Cathrina	7207300170085
2001/9/20	Joseph	Maverine	7211040055085			0
2001/1/1	KLEINVELDT	CLIVE	7211225181086	KLEINVELDT	RACHEL	7109170804084
2001/12/31	JANSEN	JOHN MATTHEW,	7212125118087	Jansen	S	6807310086014
2010/3/19	Smith	Danfred	7301035265086	Cedras	Cerine	7711210317082
2001/12/31	Adendorf	Elsie	7304170053085			0
2006/4/24	Beukman	Freek	7306265287080	Beukman	EstelleM	7401010039082
2006/04/25	Roepa	Abraham	7306275216087			0
2004/12/31	Slingers	SamuelJ	7310035270087	Slingers	Elize	7110090583089
2001/9/17	Williams	Andries	7310065144087			0

Applic Date	App Surname	App First name	App IDNo	Partner Surname	Partner First name	Partner ID No
2001/9/18	Willemse	Jonathan	7311265085088	Willemse	SandraM.P.	7706110128084
2001/1/1	Mouries	Jan	7404035779088			0
2006/4/24	Davids	Julian	7404195254088			0
2001/12/31	Pienaar	Siena	7407010044089			0
2001/9/19	Hartman	Hilton	7410225128085	Hartman	Johanna	7208260126083
2006/4/24	Visser	Abraham	7511235137089	Visser	Jolene	8201290173083
2006/4/24	Isaacs	Floderick	7511255747080			0
2004/12/31	Maneveldt	Antonie	7511285641089			0
2001/12/31	Page	Arnold	7601125231082			0
2006/5/13	Arendorff	Chesline	7604165651086	Damon	Rowena	8012110091086
2006/4/25	Ficks	Amena	7604240197089			0
2004/12/31	Davids	Aubrey	7605175467082	Davids	Elizabeth	7809180114081
2001/9/17	Fortuin	Liniqa	7607180140084			0
2004/12/31	Ryneveldt	Wilfred	7609245133088	Ryneveldt	Elizabeth	7904160538084
2001/1/1	Willemse	Andries	7611085203088	Willemse	JoëlJacqueline	8005040119084
2004/12/31	Davids	UrslaM	7701120150087			0
2008/4/30	Adendorff	Annie	7704051242089			0
2009/4/14	Snyders	NaomiK	7707120119089			0
2004/12/31	McNiel	Nico	7708165559080	November	M	8211190192083
2001/12/31	Hoofd	Shireen	7710170106086			0
2011/6/20	Jansen	Magdalena	7710290193082			0
2001/12/31	Visser	Sampie	7802015024088			0
2009/2/9	Komzi	Sibusiso	7803166017087	Nodyiwana	Akhona	8503081066081

Applic Date	App Surname	App First name	App IDNo	Partner Surname	Partner First name	Partner ID No
2001/12/31	Esau	Dorothy	7803200142081			0
2001/9/19	Arendorff	Mathew	7803275124089			0
2001/9/17	Kraukamp	Madelaine	7804090107085			0
2010/10/19	Fourie	ApoolsPhillipus	7806015246088	Fourie	Gertruida	8309260158081
2004/12/31	Cupido	Charlene	7807210198082	VanEastland	Mervin	7012125737088
2006/4/24	Deelman	Willem	7811185222083	Adendorf	Sarah	0
2008/1/22	Vaaltyn	RudolfA	7812035069088	Vaaltyn	AnnalineE	7407100191089
2001/9/19	DeKoker	Alserina	7904010199087			0
2011/5/26	Burger	Zurietta	7904210015083			0
2006/4/24	Tyali	Sicelo	7908315478088			0
2011/3/10	Esau	Elfred	7909115220084			0
2006/4/24	Maans	Bradley	7909195189084	Maans	CathleenCarmen	7901250149087
2006/4/20	Ockhuis	Nicolette	8001260093083			0
2010/1/22	VanWyk	Kerneels	8003085195085			0
2007/11/5	Munnik	Lucille	8006270100083			0
2006/4/24	Oostendorff	Jaco	8009185087080	Oostendorff	C	8106080258087
2005/2/11	Joseph	Lily	8103260166081	Joseph	Riaan	8001225069087
2004/12/31	Jansen	JoshuaC	8107255081080	Jansen	Lissie	7503310138082
2007/10/16	Simons	Rosline	8109280267080			0
2006/4/24	Joseph	JoeAnn	8110170103088			0
2004/12/31	Fortuin	LivoniaE	8112300007080			0
2006/4/24	VanRooi	Jonheten	8201055239087	VanRooi	Delia	0
2008/9/29	Jacobs	LaverneJ	8201210166084			0

Applic Date	App Surname	App First name	App IDNo	Partner Surname	Partner First name	Partner ID No
2006/4/25	Pieters	Eugene	8204305628083			0
2008/1/25	Erasmus	Gaynor	8207020170083			0
2011/10/27	Conradie	DoratheeH	8211090148086	Conradie	JohnahtonL	8105095149083
2011/3/24	Michels	Susanna	8304020199087			0
2008/6/19	Britz	Debora	8307160128089			0
2006/4/24	Fourie	Therence	8308185197083			0
2006/4/24	Haker	Jim	8312155281083			0
2006/4/24	Page	Jolene	8407260148084	Papp	Bradley	0
2009/4/17	Smith	Kathy	8510091020081			0
2011/11/3	VanRooyen	Angeline	8510190173088			0
2011/3/7	Lekay	Byrone	8607205138088			0
2010/10/19	Jaftha	Andries	8607285209080	Pieterse	Annaline	8607220212082
2006/4/25	Adendorf	Avril	8610145138085	Hartnick	Danielle	8711200110082
STANDBY LIST PRIMARY						
2008/1/19	Haker	Sophia	8701290216089			0
2010/1/21	Matthys	Desmond	8702045155085			0
2006/3/5	Pietersen	Jerome	8704026218080	Petersen	Emily	0
2007/10/19	Swarts	Katrina	8709270111089			0
2010/1/22	Esau	Bevin	8811145085082			0
2010/10/19	Arendorff	EmerentiaJ	9104270069082			0
STANDBY LIST SECONDARY						
2013/04/26	Goliath	Gerome	8703025167082			
2013/11/29	Nodyiwane	Ntombikhona	8002021272081			

Applic Date	App Surname	App First name	App IDNo	Partner Surname	Partner First name	Partner ID No
2013/11/29	Matyeni	Thembi	8901311240080	Mfamana	Siyabonga	8702225848087
2014/06/06	Van Der Merwe	David	8109265177080			
2014/06/13	Van Der Merwe	Petrus	6506205206089	Van Der Merwe	Magdalena	6606260875081
2014/06/20	Otto	Heidie	7211100176086			
2014/07/04	Maans	Helga	8807230106080			
2014/07/09	Fourie	Christopher	9609255264086			
2014/08/01	Plaatjies	Sume	8805150073082			
2015/01/09	Bostander	Margrieta	8706090109087			
2015/01/23	Kraukamp	Naeemah	9002190233087			

6.3 The Housing Selection Policy, in terms of clause 6.2.1, prescribes that the Director for Housing has to report on a quarterly basis to the Council with respect to “how the selection broadly occurred within the affected housing projects”. We found no evidence that this was complied with. 6.4 Clause 3 of the Housing Selection Policy states as one of its principles that there needs to be transparency and “any person must be able to have reasonable access to the Beneficiary Selection Policy and the process of selecting and ranking database entries for a housing opportunity”. The continued reluctance by the Housing Department’s officials to avail the Approved Beneficiaries list to Councillors and members of the communities constituted a violation of this principle.

6.4 There was a Waiting list that the Municipality had collated, before the capturing of the information on the HSS system and the generation of a 'Beneficiary database' as per Mr. Nel. There was however no reconciliation done between this 'Original list' and the 'Beneficiary database' on the HSS to ensure that all the applicants that were put on the original 'Waiting list' made it to the 'Beneficiary database'. In addition, we noted that if a beneficiary does not make it to the 'Beneficiary database' that is kept on the HSS, there were no mechanisms in place to communicate to the applicant that they were not included in the HSS 'Beneficiary database' listing.

6.5 We also obtained an 'Approved' beneficiary list, which contained details of all beneficiaries for whom approval to receive housing subsidies was granted by the Municipality. We then compared the approved beneficiaries on this list to the prioritised list of beneficiaries that was approved by Council on the 24th of June 2014.

6.6 This comparison revealed various instances where beneficiaries that were not on the Prioritised listing had been approved for housing allocation. These beneficiaries were not submitted to Council as a supplementary listing to get approval from Council. The detailed listing pertaining to these beneficiaries is contained in Table 2 below.

**Table 2: LIST OF APPROVED BENEFICIARIES WHO WERE NOT ON THE
PRIORITISED LIST APPROVED BY COUNCIL ON 24 JUNE 2014**

ID No	Application date [from prioritised list]	Application date [from provincial database]	Surname	Full Names	Status	Subsidy	PHB Date	Site No
4209150201088	Not on prioritised list	2004/12/31	HEYNES	DORIE JENETTA GERTRUIDA	Approved	R 118 983,00	2016/07/14	1435
6003240191088	Not on prioritised list	Not on Provincial Database	ADAMS	SANNA	Approved	R 118 983,00	2015/12/21	1452
8002220085086	Not on prioritised list	2004/12/31	MATJAN	ROCHELLE IRMA	Approved	R 118 983,00	2016/07/07	1474
8312040150089	Not on prioritised list	2016/09/28	MACNIEL	SARA	Approved	R 118 983,00	2016/10/21	1510
7707055189081	Not on prioritised list	2016/07/12	LEKAY	GEORGE JOHANNES	Approved	R 118 983,00	2016/10/21	1511
8310075352083	Not on prioritised list	2016/09/13	JOXO	ANDILE	Approved	R 118 983,00	2016/10/21	1517
6305115809086	Not on prioritised list	Not on Provincial Database	KOMZI	LIMBA GRAN	Approved	R 118 983,00	2017/03/24	1525
5906090350086	Not on prioritised list	2004/12/31	MARCUS	SARAH	Approved	R 118 983,00	2017/02/03	1545
8203295881082	Not on prioritised list	2017/04/10	JOXO	SIYABONGA	Approved	R 118 983,00	2017/07/31	1605
6112075142080	Not on prioritised list	2017/02/09	KRAUKAMP	ABRAHAM PETRUS	Approved	R 110 947,00	2017/09/26	1615
8310105109081	Not on prioritised list	2010/01/22	GEDULD	JACOBUS	Approved	R 110 947,00	2017/09/26	1621
7811280161087	Not on prioritised list	2001/09/18	WILLIAMS	JOANNE MARYKE	Approved	R 118 983,00	2017/02/03	1622
8711020162081	Not on prioritised list	Not on Provincial Database	PAGE	LEAAN	Approved	R 118 983,00	2016/02/08	1667
5204065900089	Not on prioritised list	Not on Provincial Database	THOMPSON	ADONIS JACOBUS JOHANNES	Approved	R 118 983,00	2016/04/11	1680
6608040189080	Not on prioritised list	2001/09/19	MUNNIK	LYDIA SOPHIA	Approved	R 118 983,00	2016/01/07	1707
8305260216085	Not on prioritised list	2007/10/25	JEFTHAS	LIZETTTE ELVENA	Approved	R 118 983,00	2017/03/05	1771
6801265063086	Not on prioritised list	Not on Provincial Database	FOURIE	ABRAHAM GORDON	Approved	R 118 983,00	2016/02/08	1902

6.7 Furthermore, we obtained a list of houses that had been handed over to beneficiaries up to the 23rd of April 2018 handover date. We compared the approved list of beneficiaries to this Handover list of beneficiaries to whom houses had been handed over in order to identify if there were any beneficiaries who had been approved for housing allocations but who had not been allocated housing subsidies.

6.8 The comparison of these two lists revealed that there were beneficiaries who had been approved and were eligible for allocation of houses, but to whom no houses had been allocated. Some of these applicants had been on the waiting list since the year 2001. Table 3 below details these beneficiaries:

Table 3: LIST OF APPROVED BENEFICIARIES WHO HAD NOT YET RECEIVED HOUSING SUBSIDIES

ID Number	Surname	Name	Application date	
5609090112080	PAP	ALICE ELIZABETH	2001/12/31	
6105010091081	ADENDORFF	RACHEL FRINDELENE	2001/12/31	
6806235245085	ADENDORFF	ABRAHAM	2001/12/31	Application withdrawn.
8701055200088	PAGE	GLANWILL MARLUS	2014/10/17	
9205140184082	RIGIE	CARMENITA DESMIEN	2012/12/07	
9304240517083	MBALISWANA	LINNA PHUMLA	2014/06/30	
9402260117089	PLAATJIES	NATASHA CHRIZONIA	2015/05/29	
9408190146080	LEKAY	JOLENE ZUNÉ	2014/09/19	

6.9 We also compared the list of beneficiaries to whom houses had been handed over to the list of approved beneficiaries to determine if there were instances where houses could have been handed over to beneficiaries who were not on the approved list.

6.10 This comparison revealed one (1) instance where a house was handed over to Mr. Bernal Johannes Brits pertaining to Erf No. 1758, while he was not on the approved list of beneficiaries. This was a clear contravention of the housing allocation process where a beneficiary needed to be vetted and approved before the hand-over could be done.

6.11 Furthermore, we compared the list of beneficiaries to whom houses had been handed over to the provincial database downloaded from the HSS in order to establish if there were any beneficiaries who were provided with housing subsidies without them being listed in the HSS database.

6.12 This comparison revealed instances where houses had been allocated to beneficiaries who did not appear on the provincial HSS database. This was another clear contravention of the housing policy and processes which required that a beneficiary application should be sent to the provincial government for inclusion on the HSS database. Table 4 below details instances that we identified.

Table 4: LIST OF BENEFICIARIES WHO RECEIVED HOUSING SUBSIDIES WHILE NOT APPEARING ON THE PROVINCIAL HSS DATABASE

IDNo	Application date [from provincial database]	Surname	Full Names	Status	Subsidy	PHB Date	Site No	Handed over?
6003240191088	Not on Provincial Database	ADAMS	SANNA	Approved	R 118 983,00	2015/12/21	1452	Yes
6305115809086	Not on Provincial Database	KOMZI	LIMBA GRAN	Approved	R 118 983,00	2017/03/24	1525	Yes
8711020162081	Not on Provincial Database	PAGE	LEAAN	Approved	R 118 983,00	2016/02/08	1667	Yes
5204065900089	Not on Provincial Database	THOMPSON	ADONIS JACOBUS JOHANNES	Approved	R 118 983,00	2016/04/11	1680	Yes
6801265063086	Not on Provincial Database	FOURIE	ABRAHAM GORDON	Approved	R 118 983,00	2016/02/08	1902	Yes

6.13 Circular C10, in terms of clause 2.1 of the Housing Policy states that “*The guidelines introduce a new element of registration date ordering: households selected for ownership-based opportunities should have been registered on the municipality’s database for at least three years prior to selection....The minimum registration period should be applied except where households are selected via a quota for elderly farm residents or for contribution-based subsidies...*”

6.14 Our analysis of the handover list, where we compared the date of application (obtained from the HSS database listing) was used to determine how long the applicants to whom houses had been handed over were on the waiting list. This analysis indicated that there were applicants who had been handed houses, and who were not elderly farm residents, even though these applicants had been on the waiting list for less than three years.

Table 5: LIST OF BENEFICIARIES WHO WERE ON THE BENEFICIARY LIST FOR LESS THAN THE PRESCRIBED PERIOD OF THREE YEARS BUT TO WHOM HOUSES WERE HANDED OVER

Ref No	Surname	Full Names	ID No	Elderly Farm Resident?	Handover Date	New Erf No	Application date	No. of days on waiting list	Equivalent no. of years on waiting list
632865	NEL	CHRISTINA FRANCINA	5801290082086	No	2017/10/06	1470	2015/03/27	924	2,53
632871	VISSER	KAREL	6610135209088	Yes	2017/10/06	1534	2015/03/27	924	2,53
635049	ABRAHAMS	CECELIA	9203091236084	No	2018/04/12	1733	2015/05/15	1063	2,91
636834	BRITS	BERNAL JOHANNES	7407195249081	No	2018/03/28	1758	2015/06/29	1003	2,75
66166	MACNIEL	SARA	8312040150089	No	2017/12/07	1582	2016/10/21	412	1,13
663506	JOXO	SIYABONGA	8203295881082	No	2017/12/01	1561	2017/04/10	235	0,64
656263	JOXO	ANDILE	8310075352083	No	2017/12/07	1567	2016/09/13	450	1,23
661025	KRAUKAMP	ABRAHAM PETRUS	6112075142080	No	2018/02/09	1606	2017/02/09	365	1,00

7. RECOMMENDATIONS

7.1 In view of the fact that a number of allegations were made in respect of irregularities that occurred within the Housing Department, it was not feasible to investigate each and every allegation made. For this reason, it is our view that the Municipality should consider whether or not a “Full blown investigation” should be conducted in order to determine the magnitude of the irregularities that occurred within the Housing department. This could take a considerable amount of time, running into several months and required more resources as well as an increased budget.

7.2 For purposes of determining whether or not the alleged irregularities took place within the Housing department, we conducted a “Sample” of certain transactions which we identified as constituting a violation of the provisions of the Housing Policy of the Municipality as well as the procedural anomalies. These violations are tabulated in Tables 1 – 5 above, as well as the evaluation of the information provided to us as discussed in Headings 4 and 5 of this Draft Report. The Municipality to consider these Findings carefully.

7.3 There were several limitations outlined in paragraph 2.4 above which included the fact that we were unable to interview certain officials of the Municipality, particularly, Messrs Nel and Wiese. In this regard, the Municipality should provide guidance.

7.4 Due to the voluminous application database captured on the HSS, we could not attach this list to this Draft Report. A detailed analysis of this List could be conducted where required. The Municipality to consider whether or not this would be necessary.

7.5 It is our submission that although a number of allegations of irregularities within the Housing department were made, many of these allegations could not be confirmed or refuted due to lack of evidence or information that was purportedly in support of such allegations. We evaluated some of the information provided to us by both Councillors and third parties and in many instances, such allegations turned out to be unsupported with credible evidence.

Having said that, we are of the view that it is not inconceivable, that many of these allegations could be reasonably possibly true if and only if, supporting and credible evidence could be provided or found. The Municipality to consider whether or not this should be pursued further.

7.6 The Municipality to consider taking drastic steps to ensure that the analysis as outlined in Tables 1 – 5 above is urgently addressed where we found several discrepancies in the manner in which the Prioritised beneficiary list, Approved beneficiary List and the Hand-over lists were reconciled in order to ensure a seamless process of housing allocation as well as ensuring compliance with the provisions of the Housing Allocation Policy.

7.7 We submit that the contents of the affidavits provided to us, could be seen as constituting prima facie evidence of some element of truth of the allegations made but remain to be tested for their veracity. In some instances, the affected persons mentioned in those affidavits, for example Messrs Nel and Wiese were not available to be interviewed in order to obtain their responses to the allegations made. The Municipality to provide guidance in this regard.