

EXPLOITATION OF FOREIGNERS SHOCKING

Municipalities massively overcharge the vulnerable

By Sayed Iqbal Mohamed

TWO major cities with several municipalities within their metropolitan areas have discriminatory policies against forced migrants (refugees and asylum seekers).

The policy relates to the requirements for a new tenant to register as a customer for water and electricity accounts.

It is generally an enormous burden for families to conclude a lease. The acute housing shortage maintains an artificially high rental niche and prospective tenants are often compelled by necessity to accept substandard accommodation.



UNFAIR: Durban's municipal revenue treasury is at the Florence Mkhize building in Anton Lembede (Smith) Street.

Lease costs, security deposit and rental in advance, are some of the expenses needed up front. The other challenge is to open an account for electricity and water with the municipality.

The cost for opening an account can be four to six times greater for a forced migrant than for a South African.

The OCR's members and staff spent many hours over the past ten days, sending out email enquiries and contacting the various call centres to establish a municipality's policy

regarding a prospective consumer who intends to register a new water and electricity account.

Mangaung (Bloemfontein), Beaufort West, Stellenbosch and Cape Town Municipalities top the list for responding promptly and efficiently.

Ten days later, we abandoned any hope of finding life at Johannesburg, Kempton Park and Buffalo City (East London, King William's Town and Bhisho) municipalities. The telephone lines were either continuously engaged, rang forever or directed to a voice mail.

Durban's call centre was easily accessible but provided conflicting explanations.

Mr Sandile Maphumulo, head of Durban's water and electricity and his secretary, Ms. Rosemary Naidoo, have yet to respond to our email enquiry. Ms. Naidoo and a Ms. Hawwa from the call centre telephonically confirmed that a person without a green ID is charged a deposit four times more than a South African.

Mangaung Municipality's deposit is based on the highest amount of the last three billings of the previous occupant. In Stellenbosch, deposit for water is R600 and electricity is R1100. In Beaufort West, a tenant is required to pay R933.70, inclusive of a compulsory reconnection fee of R54.70 and R54.00 for water and electricity respectively. These municipalities do not discriminate between South Africans and persons without a green ID.

Owner responsible for account

In terms of the Agreement for services, Cape Town since April 1, 2010 and Nelson Mandela Bay Municipality (Port Elizabeth) no longer allow a tenant to have the

electricity and water accounts on her or his name. The registered owner of a property is responsible for the account to have services connected onto the property. Existing accounts with tenants would continue until the account is terminated or restricted, blocked or disconnected for non-payment. The owner is then required to enter into an agreement for services.

Discrimination in Johannesburg metropolitan area and eThekweni

Refugees, asylum seekers and migrants are guaranteed rights to access to basic social services such as safety, health care, housing and education, at local municipal level.

While in South Africa, they are guaranteed constitutional rights and the distinction between a South African and a migrant becomes blurred, at least on paper.

Yet, refugees and asylum seekers face greater difficulties, and, within the context of our recent history of unexplained violent behaviour, they represent a vulnerable, marginalised community.

Let us take a family who does not seek any social benefit and while disappointed by the alluring promises of hope for a better life, manages to survive.

Still waiting a year later for Home Affairs to grant them asylum and exploited by their employer, the couple with children have to pay almost the entire income towards the monthly rental and costs for municipal services such as electricity and water.

Having secured a lease with a private landlord in Pinetown for a flat, they will need about R10, 000 to open an account for water and electricity.

As a South African, however, they would | be required to pay R2665 only.

The following document is available at the Pinetown municipal office:

TO REGISTER AS AN TENANT OF RES. PROP w.ef. 1 JULY 2010

1. Produce a signed lease agreement or a letter of consent from the property owner. Lease must include clause giving permission to register for water/ electricity or both.
2. Produce your identity document or a valid passport or drivers licence.
3. Proof of ownership from the present owner. If the lease is drawn up by estate agent, proof of ownership will not be required. Power of attorney should be accompanied with if the owner of the prop did not sign the lease- even if estate agent signed as an administrator.
4. At time of registration, pay deposit in cash or by bank cheque, based on the following table (*with a Green Barcoded ID*):

| | <u>Electricity Only</u> | <u>Water Only</u> | <u>Electricity & Water</u> |
|-----------------------|-------------------------|-------------------|--------------------------------|
| Flat | R 775.00 | R 1825.00 | R 2665.00 |
| House | R 1350.00 | R 1825.00 | R 3240.00 |
| Simplex/Duplex | R 1350.00 | R 1825.00 | R 3240.00 |

5. Consumers without a green barcoded IDs should pay a deposit at 4 (four) times the above listed deposits.

N/B WE DO NOT ACCEPT DEBIT CARDS OR CREDIT CARDS

GENERAL

Should a third party represent any of the above, then she/he must have a letter of authority from the person requiring registration together with the identity documents of both parties.

CERTAIN CONDITIONS MIGHT APPLY – SPEAK TO THE CONSULTANT

Johannesburg’s website states the following: “Foreigners need to pay a deposit equal to six months’ deemed consumption to open a service account.”

We were unable to establish what “deemed consumption” means.

Municipalities as part of government are required to adhere to the Constitution and

must recognise the dignity of all and demonstrate such a commitment in practice, policy and conduct.

We can claim to have hosted perhaps the best World Cup and boast one of the best constitutions, but fall short of realising ubuntu in our treatment of people whose countries provided refuge to our freedom fighters.

Dr Sayed Iqbal Mohamed is the chairman, Organisation of Civic Rights. For tenants’ rights advice, contact Pretty Gumede or Loshni Naidoo at 031 304 6451.