



3 November 2020

## Court grants eviction order for Albatros building hijackers

Communicare experienced attempts to hijack several of its properties in Cape Town over the last two years.

The actions of these parties were reported to the police who have brought charges of burglary and trespassing against them and for which they were arrested and appeared in court. In March last year the High Court also interdicted the individuals involved from unlawfully occupying more units and from inciting others to do so.

Locks to buildings were cut, unarmed security guards were forced at gunpoint to hand over keys while others were violently attacked on various premises. This violence resulted in certain unknown parties moving into eleven units at our Albatros apartment complex in August 2019. The complex is located in Thornton and is registered and managed by goodfind Properties, a company fully owned by Communicare.

Communicare applied to the High Court for an order to have the occupants removed from the property and the apartments returned to our control. The issue has been pending in the Court for more than a year and began long before South Africa went into lockdown. **On Friday 30 October 2020, we finally had the opportunity to present the facts of the Albatros unit hijackings to the Court. The Court found that the occupation of these units was illegal. The court issued an order giving the occupiers until the 14<sup>th</sup> December 2020 to move out of the units in a dignified way or to face an eviction by the Sheriff of the Court thereafter.**

The apartments range from one to three bedrooms. The people involved have not paid for the benefit of residing in these spacious apartments which they have unfairly occupied for over one year. They have also repeatedly made illegal connections to water and electricity services, while other tenants pay for these services.

While our tenants are generally honest law-abiding people, it has been disappointing to note that a few tenants, including Neville Petersen and Moerida Morat have played leading roles in orchestrating these building hijackings. They have targeted certain properties, trying to capture vacant units, undergoing repairs or waiting for new tenants to move in.

Most concerning is the fact that our legitimate tenants residing at the Albatros complex, who have not participated in these actions, report that they experience ongoing intimidation and harassment from the people involved in the hijacking of these units. These legitimate tenants are being pressured to support the hijackers and to boycott payment of their rentals and services.

We strive to provide a safe living environment for our tenants, many of whom are elderly or single moms with young children. We cannot allow such unlawful actions to proceed on our properties.

Ultimately the courts apply the law after listening to both sides and make rulings on these matters. **“We are pleased that the court could see that while the ringleaders claim to advocate for tenants’ rights, their actions tell a different story. They have acted both fraudulently and violently without cause for either.”** said Anthea Houston CEO of Communicare. They fraudulently claim to have formed a “Body Corporate” for the complex and illegally collect ‘rent’ from the people they have put into the units. In fact, no body corporate has been formed for Albatros under the Sectional Title Schemes Act. Mr Petersen reportedly confirmed that he collected monthly payments for a “tenants’ legal fund” to cover legal fees.

**“Communicare has a zero-tolerance approach to corruption, violence and intimidation. We have seen how such building hijackings quickly result in slums in Johannesburg. We cannot tolerate the hijacking of our property and threats to the safety of our legitimate tenants. I am sympathetic to the severe housing backlog in our city, but fraud, violence and intimidation is not the way to protest in our democracy,”** said Anthea Houston CEO of Communicare.

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