

The Transfer of Low-Cost Housing in South Africa: Problems and Impediments

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Abstract : South Africa is experiencing a massive housing backlog in urban low-cost housing. A backlog in the transfer of low-cost housing units is exacerbated by various impediments and delays that exist in the current legal framework. Structured interviews were conducted with forty-five practicing conveyancers and fifteen deeds office examiners at the Deeds Office in Pretoria, South Africa. One of the largest, the Deeds Office in Pretoria implements a uniform registration process and can be regarded as representative of other deeds offices in South Africa. It was established that a low percentage of low-cost properties are freely transferable. The main economic impediments are the absence of financing and the affordability or payment of rates and taxes to local government. Encroachment of buildings on neighboring stands caused by the enlargement of existing small units on small stands also causes long-term unresolved legal disputes. In addition, as the transfer of properties is dependent on the proper functioning of administrative functions of various government departments, the adverse service delivery of government departments hampers transfer. Addressing the identified problems will contribute to a more sustainable process for the transfer of low-cost housing units in South Africa.

Keywords : conveyancing, low-cost housing, South Africa, tenure, titling, transfer

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