

JPC goes to court to get properties back

■ Other parties have until end of the week to oppose notice

Roy Cokayne

THE JOHANNESBURG Property Company (JPC) has launched a civil court application for the reinstatement of ownership of all 33 JPC properties fraudulently transferred to private companies by the Deeds Office in Pretoria.

Ashton Bodrick, the JPC's executive manager for stakeholder management and support, on Friday said that the "other party" had until the end of this week to enter its notice to oppose this application.

This follows the JPC obtaining court interdicts to prevent further trading in the fraudulently transferred properties.

Bodrick said the purpose of taking the matter to court was to ensure the retransfer of the properties back to the council and for the court to make a ruling on the rightful owner of the properties.

"The other party has to

prove that they have a legal right to acquire the properties in the manner in which they did," he said.

All the property transfers followed the same route and were transferred to Eildoug Investments and thereafter to Zamien Investments 45, which had links to Zunaïd Moti, the chairman of unlisted luxury property group Abalangani.

In one instance, a Bryanston property was transferred to Koedoesdraai Investments.

However, the directors of Zamien Investments and Koedoesdraai Investments were not aware the properties had been fraudulently transferred to Eildoug Investments.

Salim Bobat, a director of Zamien Investments, said in May the company had bought property from Eildoug Investments via Peet Viljoen Attorneys in Pretoria, but was unaware the properties were previously owned by the

Johannesburg municipality.

Bodrick said the policy and procedures followed by the JPC in the disposal of any properties were approved by the City of Johannesburg and in line with applicable legislation.

He said parks and public open spaces of "this magnitude" would not be put out on public tender without soliciting the views of the public.

"Under these circumstances, these properties were not put out on tender and, even if they were, it is highly unlikely they would be awarded to a single tenderer," he said.

All the fraudulent JPC transfers were facilitated by Edmund Sibisi, the acting deputy registrar at the Deeds Office in Pretoria. Two reports were submitted last month to Sam Lefafa, the chief registrar of deeds, as part of an investigation into the transactions.

About 30 properties owned by the Tshwane Metro and

North West Housing Corporation (NWHC) have allegedly also been fraudulently transferred to private owners by the Deeds Office in Pretoria.

The Tshwane Metro and NWHC transfers were mentioned in the minutes of a meeting, chaired by Lefafa, with representatives from the Tshwane Metro and NWHC on June 1 "to discuss the fraudulent transfer of municipal-owned properties".

The minutes state that Lefafa informed the meeting "the City of Tshwane and the Deeds Office (are) currently under siege with all the fraudulent transfers of municipal-owned properties despite caveats and/or pre-emptive conditions being noted against such properties".

The Hawks, the elite crime fighting unit, is investigating a complaint from the JPC and an individual related to the fraudulent JPC transfers.

