

PROPERTIES UP FOR AUCTION OVER UNPAID RATES

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The owners of more than 1 000 Durban properties who owe R33.5-million in outstanding rates have just a week to pay what they owe before their properties are auctioned off to recover the debt.

But several hundred flat-owners in city blocks and complexes have received a temporary reprieve.

Mr. Krish Kumar, the city treasurer of the north and south central councils, confirmed that the sales-in-execution, scheduled for next Tuesday at the city hall and the Verulam Magistrate's Court, would go ahead, but that the 28 body corporates on the list would not be auctioned on that day. The council's policy of auctioning off entire sectional title complexes, including the flats of those who had faithfully paid their monthly levies, has proved highly controversial. Body corporates and civic bodies, backed by local councillor Mr. Sayed-Iqbal Mohamed have appealed to the councils to scrap the system of rating body corporates rather than individuals.

The issue is set to be discussed at a joint meeting of the councils' executive committees (excocs) today, but both Kumar and Mohamed warned body corporates not to get their hopes up.

"Even if we wanted to scrap this system, we are not by law allowed to do so. The council has no discretion in the matter," said Kumar. Although legislation was in the pipeline that made provision for individual rating, it would not apply retroactively.

"However unfair it may seem, we have to act in terms of the current laws. The sale of the 28 blocks has been temporarily suspended while we iron out some legal technicalities, but it will go ahead very soon."

He urged body corporates to view the delay as no more than a "very short breather" and to do their utmost to pay what they owed immediately.

Mohamed echoed Kumar's warning against complacency. "I have been doing some pretty intensive lobbying on behalf of flat-owners over the past fortnight, but I strongly advise body corporates to at least pay something if they want to escape having their blocks auctioned off."

The properties listed in newspaper advertisements as up for auction next Tuesday comprise 1 012 houses, 136 businesses, 131 vacant sites and 16 flats, and range from modest wood and iron houses, to the upmarket three-story Morningside home of a former Durban restaurateur, to entire blocks like the 13-storey Four Seasons Hotel on the beachfront.