



NOTABLE CASE

REFERENCE NUMBER:	FSRHT/2023/226	DATE:	7/11/2023
MATTER HEARD BY:	Ms Letshego Motlogeloa(Chairperson) Mrs Portia Arodi Mr. Tebello Mosese		

1. NATURE OF DISPUTE

Unlawful eviction

2. PARTIES TO DISPUTE

COMPLAINANT T

And

RESPONDENT M

Names redacted due to POPIA

3. COMPLAINANT'S SUBMISSION

The Complainant testified that she moved into the dwelling during March 2023. She was making regular rental payments of R2500 per month to the respondent.

The Complaint alleges that during the month of September 2023, people from SHRA informed the tenants to stop paying rental as their landlords were not the owners of the building. She did not pay rental for October 2023. On Friday, the 3rd November 2023, the Respondent came with people and removed her furniture into the street and chased her out of the dwelling. The Complainant is seeking relief from the Tribunal to return to the premises as she has no place to stay with her child.

G.V

The witness, GV testified that the owners of the flats is M. That M was put under Administration in 2020 and that she was appointed the Administrator.

That M had leased some flats to one P.R on 4/10/2019 who was unmarried then but later married the respondent.

That P.R has not been paying rent and that she has been trying to serve him with notice to vacate without success since the regulator project has been hijacked and that they were attacked when they tried to enter the premises.

4. RESPONDENT'S SUBMISSION

The Respondent did not appear

5. RULING OF THE RENTAL HOUSING TRIBUNAL

1. The Default Judgement is hereby granted.
2. The Respondent's act is in contravention of The Prevention of Illegal Eviction and Unlawful Occupation of Land Act 19 of 1998.
3. The Respondent is ordered to remove the locks on the dwelling and for the Complainant to retain possession of the said dwelling within seven (7) days from the date this ruling is served.

6. REASON FOR THE DECISION

This is an illegal lock out in contravention of The Prevention of Illegal Eviction and Unlawful Occupation of Land Act 19 of 1998. .