

## **Ndifuna Ukwazi Press Statement**

**3 June 2020**

# **Housing IS Healthcare: Social justice movements and organisations call on government to a reinstate blanket ban on evictions**

Forty one social movements and civil society organisations working with and in support of poor, working-class and vulnerable people have called on the Presidency, the National Command Council and the Department of Justice and Constitutional Development to urgently amend Regulation 36 of Alert Level 3 Lockdown Regulations to reinstate a blanket ban on evictions.

On 28 May 2020, the Minister of Cooperative Governance and Traditional Affairs, Dr Nkosazana Dlamini-Zuma announced the regulations for Alert Level 3 of the Risk Adjusted Strategy. In her address, the Honourable Minister stressed that despite the national migration to Alert Level 3, South Africa will remain in a state of lockdown until a sustained period of containment of COVID-19 can be demonstrated. Regulation 36 of the Level 3 Regulations substantially limits the prohibition on evictions by empowering the courts to order evictions during Alert Level 3 if the eviction is deemed just and equitable under the circumstances. While the Regulations still prohibit the execution of evictions during Alert Level 3, the easing of the prohibition of evictions is concerning.

At a time when Minister Dlamini-Zuma herself acknowledges that the risk of a massive increase in infections is “now greater than it has been since the start of the outbreak in our country” and that the rates of infection are predicted to rise rapidly, the possibility of evictions, displacement and destruction of one’s home is a potential death sentence.

The preservation of life and the prioritisation of a preventative response under the continued state of lockdown necessitates that the home continue to be the primary defence against the spread of COVID-19 for all in our country. Housing is a critical component of the public healthcare response to COVID-19 and all efforts to ‘flatten the curve’. Access to housing has proven to play a significant part in getting and staying healthy, as in instances of self-quarantine or self-isolation. Where one loses access to their home, one cannot sufficiently protect themselves or their community from the risk of contracting and transmitting COVID-19 and other communicable illnesses including respiratory illnesses and illnesses leading to immunodeficiency. Housing, at this critical point, is healthcare.

The pandemic and resultant lockdown have created a burden on society that has, to date, been disproportionately borne by the poor and working class. Many have lost their jobs or livelihoods and face income insecurity. Many households have been forced into the untenable position of having to choose between paying rent or putting food on the table. At the same time, many living in townships or informal settlements are under the continual

threat of (often violent) eviction or removal from their homes. We have witnessed a number of illegal evictions and disconnection of basic services taking place across the country despite a moratorium on evictions.

As movements and organisations working with and in aid of poor, working-class and vulnerable people, we are deeply concerned by the departure from a blanket moratorium. Regulation 36 substantially limits the prohibition on evictions. The attached letter states that the departure cannot be reasonable in light of the fact that infections are set to increase, especially in Hotspot Areas. Any execution of an eviction order during this period could never be deemed 'just and equitable' in this context.

We urge the President and National Command Council to consider the recommendations proposed in the letter:

1. Implement a full moratorium on evictions and demolitions of homes for the duration of the National State of Disaster.
2. Implement measures to alleviate rental obligations and rental income shortfalls in line with recommendations from the United Nations as a means to address concerns about property owners' ability to receive rental income, as well as tenants' rights to have access to a home.
3. Capacitate the Rental Housing Tribunal with additional staff and resources to effectively assist with mounting complaints from both tenants and landlords.

Read the full letter below.

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