

POLICY ON THE BREAKDOWN OF A COHABITATION RELATIONSHIP.

The following is confirmation of a policy on the breakdown of a cohabitation relationship

PURPOSE

The purpose of this submission is to obtain the approval of the PHDBKZN for a policy on the breakdown of a cohabitation relationship.

BACKGROUND

- (1) Section 2.2.6.1 of Part Two of Volume A of the Housing Implementation Manual provides for a person who habitually co- habits with another to be eligible for a subsidy.
- (2) The couple are joint signatories to the subsidy application and purchase of the site.
 - (1) It has been found that a breakdown is more prevalent in co-habiting relationships than in formal union of marriages.
 - (2) Unlike formal marriages there is no due legal process when co-habiting couples separate.
 - (3) The separation poses a problem in the allocation of the property and a policy needs to be formulated to guide developers in this regard.

RECOMMENDATION:

- (1) That in the event of a co-habitation breakdown before the subsidy is approved and after the sale agreement has been signed the agreement of sale must be cancelled since the applicants initially qualified on the premise of cohabitation. The developer must then find an alternative buyer.
- (2) That in the event of a co-habitation breakdown before the subsidy is approved and after the sale agreement has been signed and where there were dependants involved, the party that retains custody must enter into a new sale agreement for the property in question.

- (1) That if the partnership dissolves after subsidy approval, but before registration takes place, the same procedure as in (1) and (2) will apply. Registration is not to be proceeded with, with only one signature.
- (2) That in the event of a sale being successfully concluded, registration of the property has taken place and all monies paid out, then the department or the developer has no further role to play. It is thereafter a private matter which needs to be resolved in a court of law.

Approved by the MEC for Housing on the 30 May 2000.

RURAL HOUSING POLICY

The Department of National Housing recently approved the Guidelines for Rural Subsidies as Part 11 of the Housing Implementation Manual. Enclosed as annexure A is a policy document for rural development in this province. This provincial policy is to be read in conjunction with Part 11 of the Implementation Manual and is subject to amendments as rural development progresses and more is learnt about the practical implications of the policy.

INDIVIDUAL SUBSIDIES

Due to the high incidence of fraud which is mainly prevalent with individual subsidy applications individual subsidies will only be granted in circumstances where the application is channelled through a financial institution or organised employee provided that such applications are thoroughly checked and verified.