



Western Cape
Government



Rental Housing Tribunal

Annual Report
2024/25



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Acronyms and abbreviations

CRM	Customer Relations Management System
MEC	Member of the Executive Committee (Provincial Minister)
CSOS	Community Schemes Ombud Service
PIE	Prevention of Illegal Eviction from and Unlawful Occupation of Land Act, 1998
PPRA	Property Practitioners' Regulatory Authority
RHA	Rental Housing Act, 1999
RHIO	Rental housing information office
SAHRC	South African Human Rights Commission
SAPS	South African Police Service
SHRA	Social Housing Regulatory Authority
Tribunal	Western Cape Rental Housing Tribunal

Glossary

Jurisdiction	With reference to the Western Cape Rental Housing Tribunal, jurisdiction means the authority given under the Rental Housing Act, 1999 to this Tribunal to resolve disputes between landlords and tenants in the Western Cape.
Landlord	The owner of a dwelling which is leased and includes his or her duly authorised agent or a person who is in lawful possession of a dwelling and has the right to lease or sub-lease it.
Spoliation	The wrongful deprivation of another's right of possession
Tenant	The lessee of a dwelling which is leased by a landlord.
Unfair practice	A practice prescribed as a practice unreasonably prejudicing the rights or interests of a tenant or a landlord.

Foreword by the Chairperson

This Annual Report of the Western Cape Rental Housing Tribunal (the Tribunal) for the period 1 April 2024 to 31 March 2025 is submitted to the Western Cape Minister of Infrastructure Tertuis Simmers as required by section 12(3) of the Rental Housing Act, 1999 (Act 50 of 1999) (RHA).

In terms of section 9 of the RHA, the Tribunal consists of no fewer than three and no more than five members who are fit and proper persons, appointed by the MEC (Member of the Executive Council – Provincial Minister), including a Chairperson and a Deputy Chairperson. Members appointed for the three-year term commencing 1 July 2023 continued to serve during the reporting period, contributing to the stability and effectiveness of the Tribunal.

During the 2024/25 financial year, the Tribunal recorded 3 330 cases. Complaints lodged in terms of section 13 of the RHA concerning unfair practices were primarily related to: failure to refund deposits (24.4%), unlawful notice to vacate (19.5%), failure to conduct maintenance (10.2%), failure to pay rental (9.8%), unlawful evictions (4.61%), and other complaints (31.4%). The category of “other” included matters such as exorbitant rental increases, refusal to accept notice to vacate, unilateral changes to lease agreements, unlawful entry, unlawful seizure of possessions, failure to issue receipts, failure to provide or reduce lease agreements to writing, and claims for rental remission.

The Rental Housing Amendment Act, 2014 (Act 35 of 2014), has not yet come into effect. Its commencement depends on the promulgation of accompanying regulations. Although the National Department of Human Settlements committed to finalising these regulations, they had not been promulgated by the end of the reporting period.

Once implemented, the Amendment Act, its regulations, and the anticipated Rental Housing Tribunal Governance Framework will have significant financial and operational implications for the Department of Infrastructure. These include the expansion of Tribunal membership, the establishment of an appeals panel, the establishment and staffing of rental housing information offices (RHIOs) and enhanced public outreach efforts.

The Tribunal remains committed to extending access to its services beyond the City of Cape Town Metropolitan Area. In pursuit of this goal, it has engaged with municipalities across the province to establish RHIOs within their jurisdictions. The successful launch of the first RHIO in Mossel Bay marks a key milestone, and we anticipate additional municipalities will follow, further broadening access to rental housing services.

Since its implementation in 2020, the Tribunal's Customer Relations Management (CRM) System has been central to case management, improving operational efficiency and resident engagement. The administrative team continues to monitor system performance, address emerging challenges and introduce improvements. To ensure continued excellence and strategic alignment, a comprehensive review and recalibration of the CRM is recommended. This review should include the development of a continuous improvement framework to identify root causes, enhance reliability, and optimise internal case management processes.

The CRM system is not accessible to respondents and any future enhancements should consider mechanisms to improve communication and facilitate access to case-related

information to both parties. Priority improvements include enforcing complete complaint submissions to enable accurate case number generation, distinguishing between reference numbers for general enquiries and formal Tribunal matters, and improving case flow tracking within the Hearing Support Department.

The Tribunal has implemented a stakeholder engagement plan to foster effective relationships with key partners, including the South African Police Service (SAPS), magistrates and sheriffs, rental housing advocacy groups, and regulatory bodies such as the Office of the Consumer Protector, South African Human Rights Commission (SAHRC), Social Housing Regulatory Authority (SHRA), Property Practitioners Regulatory Authority (PPRA), and Community Schemes Ombud Service (CSOS). At our most recent national meeting, we received constructive and collegial feedback from magistrates in Cape Town – an encouraging indicator of our strong partnerships and shared commitment to justice.

The escalating demand for housing continues to exert significant pressure on both landlords and tenants. Landlords play a vital role in advancing the government's mandate for adequate housing, while tenants – many in vulnerable positions – must receive the full protection of the law.

At the same time, there has been an increase in cases where both landlords and tenants seek to exploit legal processes for undue advantage. This presents a serious threat to fairness and procedural efficiency. The Tribunal must therefore continue to uphold its impartiality, ensuring that the rights and responsibilities of all parties are protected, and that justice is administered equitably and without prejudice.

In this context, it is essential that the necessary legal amendments mentioned above (the Rental Housing Amendment Act, 2014 (Act 35 of 2014)), be implemented without delay. Doing so will enable the Tribunal to respond more effectively and fairly to the evolving needs of all stakeholders.

As I begin the final year of my first term as Chairperson, I reflect on a period of significant challenge, growth, and learning—for myself and our recently appointed members. I am pleased to report that the Tribunal is now operating at full capacity, which has substantially enhanced our ability to serve the public.

I extend my sincere gratitude and deep appreciation to the Tribunal members, the dedicated administrative staff, and the Western Cape Department of Infrastructure for their unwavering support and commitment. It is through our collective efforts that we continue to meet rising demands and provide a vital service to the residents of our province.



Anita Arendse

Chairperson: Western Cape Rental Housing Tribunal

Date: 13 August 2025

1 General Information

1.1 Introduction

The Western Cape Rental Housing Tribunal came into being in 2001. During the year under review, the Tribunal consisted of four members (including a chairperson and deputy chairperson) and two alternate members, all appointed by the Provincial Minister of Infrastructure. These members have expertise in property management, housing development and consumer matters pertaining to rental housing. The Tribunal is assisted by the support component of the Directorate: Public Information and Stakeholder Relations. The Tribunal's main function is to resolve disputes between tenants and landlords in the Western Cape. It provides a free service.

The Tribunal is established in terms of section 7 of the RHA. The activities of the Tribunal are funded from the Department of Infrastructure's budget and the Head of Department functions as the Accounting Officer in respect of funds appropriated for this purpose.

1.2 Relevant legislation

The following legislation and regulations provide the fundamental principles and guidelines for the Tribunal's operations:

- Constitution of the Republic of South Africa, 1996.
- Housing Act, 1997 (Act 107 of 1997).
- Prevention of Illegal Eviction from and Unlawful Occupation of Land Act, 1998 (Act 19 of 1998) (PIE).
- Rental Housing Act, 1999 (Act 50 of 1999).
- Unfair Practices Regulations, 2008 and Rental Housing Procedural Regulations, 2008 made in terms of the Rental Housing Act, 1999 (General Notice 340, Government Gazette, 14 March 2008).
- Social Housing Act, 2008 (Act 16 of 2008).
- Consumer Protection Act, 2008 (Act 68 of 2008).
- Sectional Titles Act, 1986 (Act 95 of 1986).
- Sectional Titles Schemes Management Act, 2011 (Act 8 of 2011).
- Community Schemes Ombud Service Act, 2011 (Act 9 of 2011).

1.3 Vision

The vision of the RHT is to be the most efficient forum for landlords and tenants to resolve rental housing disputes.

1.4 Mission

The mission of the RHT is to:

- Ensure performance excellence through well trained and well capacitated staff.
- Create awareness of the RHT's services.
- Improve work process flow and turnaround times.
- Continually monitor and evaluate performance.
- Make the RHT services accessible to all Western Cape citizens; and

- Ensure professional, impartial, transparent, ethical, and responsible management, and as well as cooperative relations between internal and external stakeholders of the RHT.

1.4.1 Primary purpose of the RHA

The primary purpose of the RHA is to stabilise and regulate the residential rental housing sector through the establishment of a tribunal in each province which must act in terms of the procedural and unfair practice practices regulations that are aimed at, among other things, settling disputes between tenants and landlords. The establishment of tribunals means that tenants and landlords can have their disputes settled without having to go through complicated and expensive court processes.

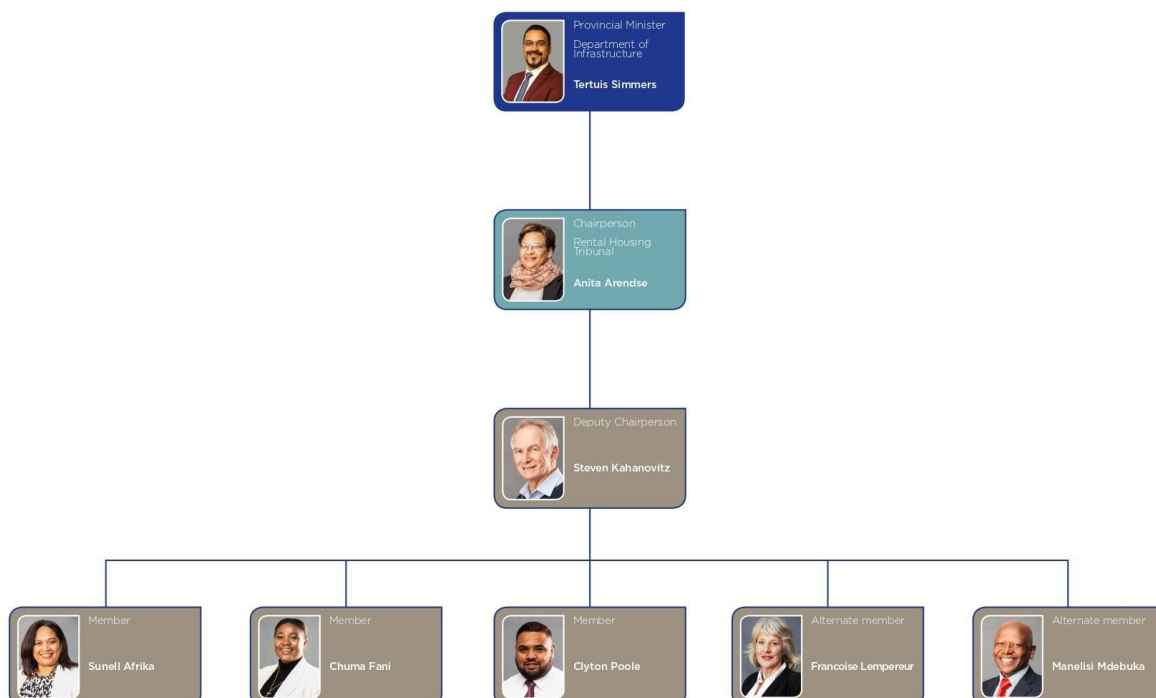
1.4.2 Application to all residential tenants and landlords in South Africa

The RHA applies to all tenants and landlords in South Africa. The RHA requires a Tribunal to accept complaints from tenants and landlord related to disputes that fall within the geographical provincial boundaries in which the Tribunal operates. Parastatals, municipalities, and social housing institutions, national, provincial and local government department entities that provide rental housing are also subject to the RHA.

2 Human resource management

2.1 Tribunal members

The Tribunal's members are appointed by the Western Cape Minister of Infrastructure. In terms of the RHA, the Minister is vested with the powers to appoint members of the Tribunal who have expertise in property management, housing development and consumer matters pertaining to rental housing. During the 2024/25 financial year, the following members served on the Tribunal:



2.1.1 Tribunal members' related information

Name	Capacity	Area of expertise	Term as a member
Ms A Arendse	Chairperson	Legal	Term 1: 1 July 2023 to 30 June 2026
Ms C Fani	Member	Public Administration	Term 1: 1 July 2023 to 30 June 2026
Ms S Africa	Member	Property management	Term 1: 1 July 2020 to 30 June 2023 (alternate) Term 2: 1 July 2023 to 30 June 2026
Mr S Kahanovitz	Deputy Chairperson	Legal	Term 1: 1 July 2020 to 30 June 2023 (ordinary) Term 2: 1 July 2023 to 30 June 2026
Mr C Poole (newly appointed)	Member	Legal	Term 1: 1 October 2024 to 30 June 2026
Ms F Lempereur	Alternate member	Legal	Term 1: 1 July 2023 to 30 June 2026
Mr M Mdebuka	Alternate member	Property management	Term 1: 1 July 2023 to 30 June 2026

2.2 Support staff

The Rental Housing Tribunal is an independent body established in terms of the RHA and is provided with administrative and technical support by the Western Cape Department of Infrastructure. The Tribunal has a support staff complement of 27 officials. The support staff of the Tribunal is incorporated into the Directorate: Public Information and Stakeholder Relations of the Department of Infrastructure.



3 Performance of the Tribunal

3.1 Review of activities

3.1.1 Expenditure

Table 1: Expenditure

Description	2021/22	2022/23	2023/24	2024/25
Compensation of employees	7,254,141.00	7,724,833.61	10,839,736.11	12,945,726.17
Members' payments	3,773,814.00	3,680,646.13	2,982,828.16	1,881,798.76
Total compensation	11,027,955.00	11,405,479.74	13,822,564.27	14,827,524.93
Administrative fees	138.00	-	276.00	874.00
Advertising	-	-	-	127,124.91
Communication services (Cell phone)	34,927.00	20,264.00	10,976.90	107,394.63
Computer services	34,180.00	275,000.00	38,012.54	-
Catering: Departmental activities	-	2,000.00	-	5,000.00
Contractors	-	-	39,231.59	-
Fleet services	-	-	17,554.97	172,320.80
Consumable Supplies	-	-	-	48,137.80
Cons: Sta, Print & Off Supp	-	-	-	21,581.76
Operating leases	2,212.00	-	113,776.28	84,159.51
Property Payments	-	-	-	122.08
Operating payments (printing and publications)	8,535.00	-	39,016.34	33,023.80
Training and development	-	13,800.00	-	-
Travel and subsistence	137,081.00	133,003.98	207,176.36	106,329.83
Legal services	39,330.00	6,555.00	-	-
Total goods and services	256,404.00	450,622.98	466,020.98	706,069.05
Households: Post-retirement benefits	-	91,170.60	-	-
Households: Leave gratuity	28,692.00	-	66,273.85	15,214.39
Machinery and equipment (Computer hardware and systems, Transport)	-	-	158,171.40	425,218.50
Thefts and Losses	-	-	-	1,438.94
Total	11,313,051.00	11,947,273.32	14,513,030.50	15,975,465.81

3.2 Complaints /queries received

3.2.1 Call Centre

The Call Centre is the main entry point of access for clients to enquire about the services of the Tribunal. Table 2 compares the number of calls received by the Call Centre between the 2021/22 financial year and the year under review 2024/25.

Table 2: Number of calls received per month

Month	2021/22	2022/23	2023/24	2024/25
April	268	253	109	476
May	292	254	179	457
June	304	283	235	425
July	274	268	321	618
August	275	311	373	495
September	283	241	335	474
October	279	237	374	493
November	313	275	388	435
December	180	244	253	390
January	268	306	443	449
February	301	344	546	511
March	247	255	377	424
Total	3 284	3 271	3 933	5668

3.2.2 Helpdesk and Complaints

During the 2024/25 financial year, the Department of Infrastructure's Helpdesk attended to 2 667 rental housing enquiries, compared to 2 488 in the previous financial year. Table 3 compares the number of enquiries received by the Helpdesk and Complaints between the 2021/22 financial year and the year under review 2024/25.

These Helpdesk enquiries were categorised as follows:

- People who came to lodge an official rental housing tribunal complaint.
- People who came to obtain information on their rights as either a landlord or tenant.
- People who came to enquire about the status of their rental housing complaint/s they lodged.

Table 3: The number of enquiries received per month

Month	2021/22	2022/23	2023/24	2024/25
April	154	65	166	250
May	158	171	166	203
June	134	164	228	123
July	124	89	196	260
August	133	131	166	231
September	154	114	203	224
October	219	197	251	254
November	223	197	235	189
December	120	115	173	158
January	141	155	240	263
February	203	166	245	261
March	137	172	219	251
Total	1 900	1 736	2 488	2 667

3.3 Tribunal Support Services

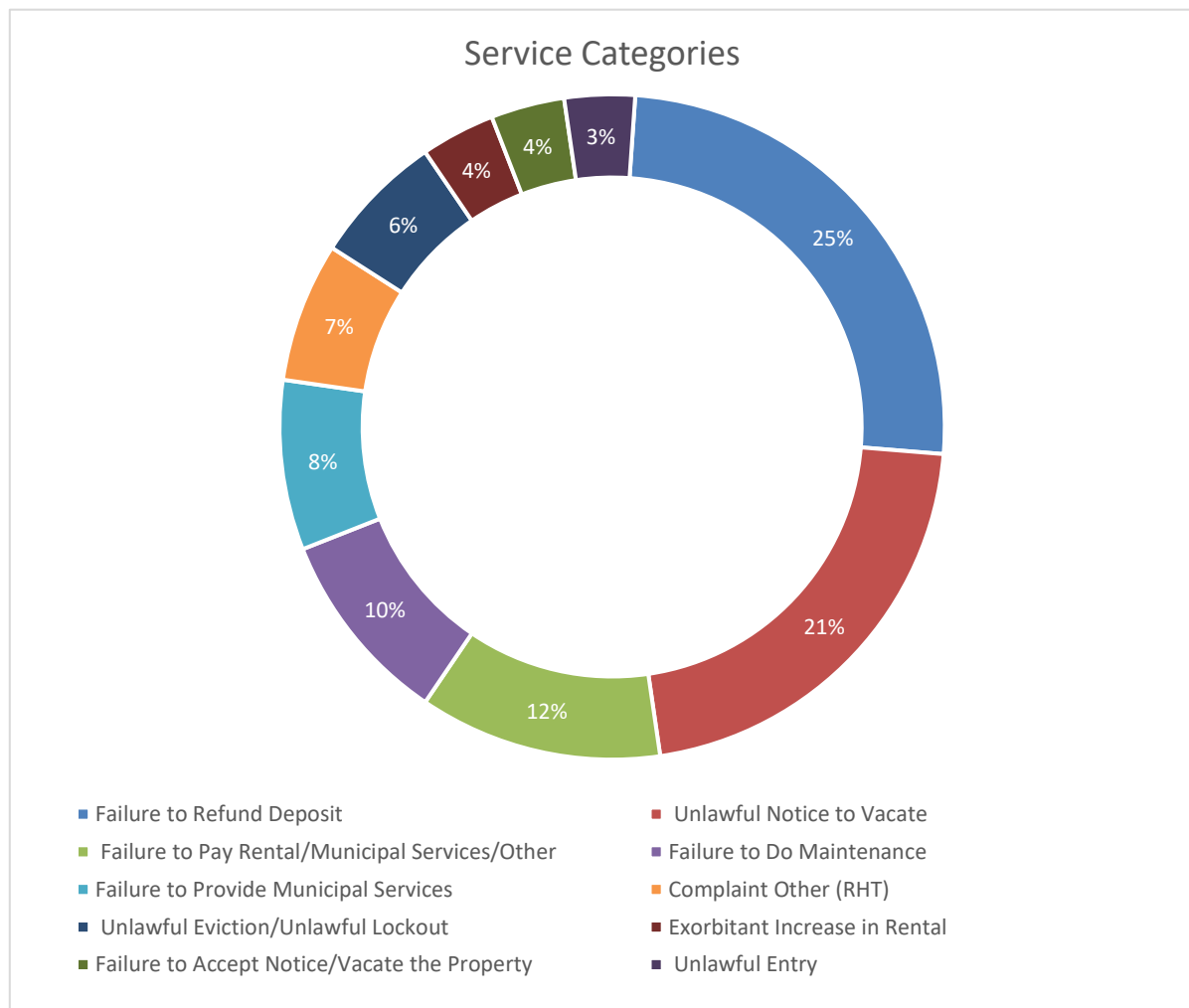
3.3.1 Captured cases

Table 4 compares the number of captured cases for the financial years 2021/22 to 2024/25.

Table 4: Number of captured cases, 2021/22 to 2024/25

2021/22	2022/23	2023/24	2024/ 25
2 544	2 552	2 910	3330
+30,86%	+0.031%	+3.98%	+14.43%

3.3.2 Most commonly lodged complaints



The complaint category "other" includes complaints such as exorbitant increases in rental, failure to accept a notice to vacate, unilateral changes to lease agreements, unlawful entry, unlawful seizures of possessions, failure to furnish receipts for payment, failure to provide a copy of the lease, failure to reduce a lease to writing, and claims for remission of rental.

3.3.3 Case management

Table 5: Case management statistics

Indicator	2021/22	2022/23	2023/24	2024/25
Number of complaints captured (as at 31 March)	2 544	2 552	2 910	3330
Number of cases open (as at 31 March)	817	675	875	1069
Backlog (cases older than 90 days on 31 March)	391	209	357	441

The stakeholder engagement and marketing effort across the province to increase the level of awareness of the services of the Rental Housing Tribunal has been a contributing factor to the number of open cases for the financial year under review.

In addition, the human resources capacity constraints in the Tribunal's staff compliment contributed to the backlog of cases. These vacancies are in the process of being filled, with appointments expected to be finalized in the new financial year.

The availability of Tribunal members enabled the implementation of dual hearings, which contributed towards the reduction in the caseload as well as mediation facilitated by Tribunal members. Dual hearings were also conducted during February and March 2025, with a total of 117 matters heard.

Table 6: Hearing statistics

Indicator	2021/22	2022/23	2023/24	2024/25
Number of hearings scheduled	565	692	632	637
Number of postponed hearings	154	151	194	192
Number of cases settled by parties before hearing	21	58	30	39
Number of cases struck off the hearing roll/ closed	29	65	38	42
Number of rulings issued	303	323	261	281
Number of default rulings	13	35	52	25
Number of hearings withdrawn	14	30	17	27

The number of hearings scheduled has increased because there are more hearings per day.

The postponement of hearings is due to a result for medical reasons and the unavailability of legal representation.

Hearings will be withdrawn if the matter has been settled by the parties.

3.3.4 Spoliations

Table 7: Spoliations

Indicator	2021/22	2022/23	2023/24	2024/25
Number of hearings	44	49	110	207
Number of interim rulings issued	4	1	10	51
Number of final rulings issued	37	42	70	123
Number of applications withdrawn	4	6	16	24

Spoliation is the wrongful deprivation of another's right of possession. The aim of a spoliation application is to prevent parties from taking the law into their own hands. This remedy is brought on an urgent basis to restore lost possession of moveable, immovable, corporeal and incorporeal property, where the lawful owner has been unlawfully

deprived of possession. The Tribunal assists the citizens with spoliation orders in the following instances:

- Unlawful evictions/ illegal lockouts.
- Failure to provide municipal services (cutting off electricity/ water).
- Unlawful seizure of possessions.

3.3.5 Warrants of execution

Table 8: Warrants of execution

Indicator	2021/22	2022/23	2023/24	2024/25
Number of warrants issued.	58	109	70	51
Value of warrants issued.	R1,251,641.93	R3,524,944.61	R2,714,769.56	R2,402,655.92

The number of warrants of execution have decreased as respondents are unable to satisfy the judgment debt (i.e., the tenant cannot pay rental arrears, or the landlord/ managing agent cannot refund the deposit) because of the prevailing financial climate.

3.3.6 Review applications

Section 17 of the Rental Housing Act provides for an aggrieved party to approach the High Court of South Africa within the specific area of jurisdiction to review a ruling of the Tribunal.

Table 9: Review applications*

	Legal services reference no.	Parties and High Court case no.	Application date
1.	LT/151/2024-25	ANDREAS HERBIG/ KAWAKIBI & PINSLEY 13730/2024	June 2024
2.	LT/398/2024-25	RYZAN INVESTMENTS 25311/2024	January 2025

*** Please note:** Review applications in the High Court are lengthy proceedings

Western Cape Rental Housing Tribunal

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Tel: 021 483 6495/ 5020/ 3283

Fax: 021 483 3313

Call Centre: 0860 106 166

SMS Help to 31022;

Please Call Me: 079 769 1207;

General enquiries email: rht.enquiries@westerncape.gov.za

Dispute-related enquiries: Submit all complaint forms, annexures and a copy of your lease agreement to email: rhtdisputes@westerncape.gov.za

Website: <https://www.westerncape.gov.za/service/rental-housing-tribunal-0>



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