

Johannesburg Inner City's Appropriated Buildings: Resident's responses to vulnerability and precarious living conditions

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A research report submitted to the Faculty of Engineering and the Built Environment, University of the Witwatersrand, in fulfilment of the requirements for the degree of Master of the Built Environment (Housing)

August 2017

DECLARATION

I declare that this research report is my own unaided work. It is being submitted to the degree of Master of the Built Environment (Housing) to the University of the Witwatersrand, Johannesburg. It has not been submitted before for any degree or examination to any other university.

A handwritten signature in black ink, appearing to be 'G. Nkomo', written over a light blue rectangular stamp.

Signature

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ABSTRACT

Johannesburg like many rapidly urbanising cities around the world has the problem of a lack of affordable accommodation and inadequate access to basic services (Tissington, 2013). Residents in the inner city use spaces and buildings in a way that reclaims the promises of the city to a better life. As historian and cultural theorist Abdou Maliq Simone (2004) has noted people within African Cities have a probable tendency to improvise. In this research I use the concept of evolutionary resilience, which has been described to account for individuals and households ability adapt in constantly changing environments (Simmie & Martin, 2010) to explore the responses of residents to precarious living conditions and vulnerability that is created by conditions of insecure tenure and evictions.

There is little comparative empirical research about how inner city residents talk about their lives and experiences. This research contributes to filling this gap by examining the experiences of residents and highlighting the ways in which as Cirugeda (2004) points to, residents often use empowerment strategies that encourage inhabitants to subvert laws and regulations, in order to maximise self-help by appropriating structures for better living conditions (Cirugeda 2004). This research utilises in depth interviews that were conducted within selected buildings in the inner city using a semi structured interview guide. The objective is to examine the strategies of coping with the exposure to risk and how individuals respond to these shocks. Şoitu (undated) states that vulnerability is a situation of social, economic and physiological need when individuals are marginalised and resilience is a personal resource that allows individuals to face stress and shocks and provides strength (Şoitu, undated). This research finds that there are many difficulties, threats and vulnerabilities that residents are exposed to and residents invoke various strategies and responses for coping.

KEYWORDS

‘Bad buildings’, inner city, Johannesburg, vulnerability, evolutionary resilience, precarious living conditions, basic services, insecure tenure

ACKNOWLEDGEMENTS

This research project acknowledges support from the Andrew W. Mellon Foundation funded through the Architecture, Urbanism and the Humanities Initiative at the Wits City Institute based at the University of the Witwatersrand, Johannesburg. The financial support of the Andrew W. Mellon Foundation towards this research is hereby acknowledged. Opinions expressed in this research and conclusions arrived at are those of the author and are not necessarily attributed to the Andrew W. Mellon Foundation or the Wits City Institute and Wits University.

I thank God for approving this project and for aligning every resource that I would ever need along the journey.

I am grateful to my supervisor Prof Sarah Charlton for a great working relationship and for your patience in teaching, guiding and inspiration. This project would have never been possible without your guidance and thoughtful comments.

I am grateful to Prof Bernadette Atuahene (Chicago-Kent University) for undertaking her research project that investigates the motivations of poor people and their right to occupy vacant buildings in Detroit and Johannesburg which inspired me to undertake this research project.

I am grateful to Prof Jackie Dugard (University of the Witwatersrand, School of Law) for it was her invitation to the above project that inspired me to undertake the degree MBE (Housing), for her continued support and inspiration. Thank you for your friendship and always being there when I need you.

I would like to Zuziwe Khuzwayo for being there for me throughout the journey. Words are not enough to show my sheer gratitude. To Gaobotse Ntsele (Mabe) I thank you for your unwavering belief in my potential.

To my biggest and most silent supporter Mama, I would like thank you for always allowing me the space to pursue my dreams even when it meant putting yours aside. To my family at large Papa, Muni, Thato, Kamo and Ofentse thank you for supporting me in various ways big and small. I see you.

Thank you to the staff and members of the faculty within the School of Architecture and Planning for making my new academic home welcoming and the MBE (Housing) class of 2016, I thank you for new friendships. Prof Marie Huchzermeyer for her support and inspiration.

Thank you to the inner city residents who participated in this research. I am grateful to you for sharing parts of yourselves and your stories with me. I dedicate this study to all of you.

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ABBREVEATIONS

Afhco	Affordable Housing Company
CBD	Central Business District
COHRE	Centre on Human Rights and Evictions
CoJ	City of Johannesburg
ICRS	Inner City Regeneration Strategy
MSF	Médecins Sans Frontier
NGO	Non-Governmental Organisation
PIE	Prevention of Illegal Evictions from and Unlawful Occupation of Land Act 19 of 1998
RDP	Reconstruction and Development Programme
SHI	Social Housing Institution
HIV	Human Immune Virus
TB	Tuberculosis

GLOSSARY OF TERMS

Em'nyamandawo: Is a Zulu (Nguni language) word that means devoid of light. When used in the context of a 'bad building' it means a 'dark building'.

Livelihood: A livelihood comprises the capabilities, assets (material and social) and activities required for a means of living – a livelihood that is sustainable is that which can cope with and recover from stress and shocks, maintain or enhance its capabilities and assets (Riggs, 2007:30).

Poverty: Refers to the lack of physical necessities, assets and income, it includes but it is more than being income poor. Poverty includes other dimensions of deprivation such as physical weakness, isolation, vulnerability and powerlessness with which it interacts (Chambers, 1995: 173).

Poor: It includes the broader sense of being deprived, in a bad condition and lacking basic needs (Chambers, 1995: 173)

Wellbeing: Is a normative concept encompassing both subjective (feelings, prestige, self-worth, freedom) and objective (income, housing, education) criteria. Wellbeing is contextually determined with no fixed definition (Rigg, 2007:33). The experience of a good quality of life (Chambers, 1995: 173).

Powerlessness and Humiliation: Can result from abuse, insults and helplessness, pain and these are other dimensions of poverty (Chambers, 1995).

Vulnerability: Has two sides – the external side of risks and shocks and stress to which an individual or household is subject - the internal side that is defencelessness (the lack of the means to cope without damaging loss) Loss can take many forms - becoming physically weak, economically impoverished, socially dependent, humiliated, socially harmed (Chambers, 1995: 189).

Risk: In disaster research risk involves both the hazard (a potentially harmful event or agent) and vulnerability (people's capacity to cope, anticipate, resist and recover from the impact of a hazard (Obrist and Pfeifer, 2010:284)

Risk is defined as

Resilience: The ability of households and individuals to recover from shocks and avoid a decline in wellbeing (Obrist and Pfeifer, 2010). The capacity to avoid unwelcome surprises, by external disturbances, to continue to function (Du Plessis, 2008: 9).

Adaptive potential: the concept of adaptive potential is used 'describe actions that utilise social and political assets to enhance local resilience and with supportive institutional framework social capital can be formed into social organisation to build adaptive potential (Obrist and Pfeifer, 2010:284).

Positive adaptation is the outcome which is substantially better than what we would be expected given the exposure to risk (Luthar, 2003: 515 cited in Obrist and Pfeifer, 2010:286).

CHAPTER 1

INTRDOUCTION

This is a qualitative research project that adopts random sampling as an approach to the collection of data. The research is exclusively concerned with people living in 'bad buildings' in the inner city of Johannesburg. The sample comprises of fifteen (15) in-depth qualitative interviews that were collected using a semi structured interview guide. The data was collected in Berea, Hillbrow, Joubert Park and the CBD of Johannesburg in four buildings.

In relation to the questions posed in this research the literature review focuses on the processes which have led to the decay of the inner city's 'bad buildings'. The discussion on the context and background of Johannesburg offers a historical account of how some the 'bad buildings' in the inner city became derelict. This research adopts the concept of evolutionary resilience as a lens to explore the strategies and capabilities that are utilised by residents to continue to live in the inner city under precarious living conditions. I review literature concerning vulnerability, urban poverty, evictions and the impact on households (Simmie and Martin, 2009; Obrist and Pfeifer, 2010; Beall & Fox, 2009 and DuToit, 2010).

The findings indicate the responses to vulnerability and precarious living conditions by residents within the selected buildings in this research. The findings are concerned with, the various ways in which insecurity of tenure render residents of 'bad buildings' vulnerable. Furthermore, the key findings indicate the practices, norms and strategies of coping and positive adaptation by residents to enable residents to continue occupation of 'bad buildings'. The findings highlight the following;

- The insecure status of tenure for residents of 'bad buildings' renders residents vulnerable to displacement, poor health, lack of adequate access to water and electricity.
- Knowledge of property rights and the Constitution seem to be important tools for residents to defend their right to continue to live in the inner city.
- Residents understand that when they pay rent there is an obligation by property managers to inform residents if they were being evicted.
- Women and children that live in 'bad buildings' are affected by various threats and stresses that expose them to vulnerability such as the loss of income, illnesses or death of a spouse which exposes women and children to a variety of deprivations. The data points to the ways

in which women and children's ability to cope in the face of adversity may be constrained or even weakened by exposure to adversity.

1.1 STRUCTURE OF THE REPORT

This research report contains five chapters and Chapter 1 contains the problem statement, research question as well as the objective of the study.

Chapter 2 of this research contains the review of literature. I begin with a discussion of the context and background of Johannesburg as the site of this research as well as to offer an analysis of the historical processes that have shaped post-apartheid Johannesburg. I turn my attention to post-apartheid South Africa, specifically how the Constitution has an express right to housing as a way to address the legacy of apartheid and laws on evictions and unlawful occupations. This is followed by a review of literature on urban regeneration policies that have been utilised to address among other things urban decay and the problem of 'bad buildings'. I discuss literature concerning vulnerabilities introduced by insecurity of tenure, evictions and urban poverty. Lastly, I focus on the theory and conceptual framework underpinning this research. This research uses resilience from an evolutionary perspective that accounts for adaptation to adversity and constantly changing and environments.

Chapter 3 of this research outlines the methodology that underpins this research. During data collection a semi-structured interview guide was utilised to collect qualitative data from selected 'bad buildings' in the inner city of Johannesburg. Chapter three contains my personal interest in this research and how I gained access into the selected buildings through a public interest law firm in Johannesburg. The chapter covers sampling approaches, limitations of the sampling approach and the activities undertaken to identify the various buildings and the interviewees.

Chapter 4 of this report outlines the profiles of each of the selected buildings in this research. Through the use of photographs I present some of the ways in which residents obtain water and their sources of energy and the general conditions of the buildings. The objective is to visually represent the living conditions within the buildings.

Chapter 5 contains the discussion of findings under various themes such as insecurity of tenure and associated risks and recommendations.

1.2 Problem Statement

‘the inner city has long been slipping beyond the control of both national and local government’ (Beall, Crankshaw and Parnell, 2003 cited in COHRE,2005:20)

Nearly 40% of households in the inner city of Johannesburg live in slum conditions and affordable low income housing is neglected in the urban regeneration of South African Cities (Tissington, 2013). Furthermore, attempts by private property managing companies and the local authorities to develop affordable housing programmes and policies for free basic service have been less than successful (Tissington, 2013). Insecure livelihoods, poor housing, lack of access to basic services and exposure to crime and violence create conditions of vulnerability for residents of ‘bad buildings’. Insecurity of tenure exposes millions of urban residents to eviction and undermines the value of their shelter as an asset (Beall & Fox, 2009). According to Huchzermeyer (2013) cities will always have slums, especially if policies continue to exclude others (Huchzermeyer, 2013). It is not clearly known what specific experiences residents in these situations confront and there is very little research that focuses on the experiences of inner city residents of ‘bad buildings’ particularly, about how residents continue to live in precarious living conditions amidst the threat of evictions and the lack of basic services.

The problems are the following;

1. Lack of affordable low cost housing options for inner city residents of ‘bad buildings’
2. The impact of evictions and displacement on individuals and households
3. Insecurity of tenure for inner city residents of ‘bad buildings’
4. The lack of basic services, water, electricity and waste removal in some of the ‘bad buildings’ in the inner city

1.3 Research Questions

This research asks the following questions with respect to Johannesburg inner city's residents' responses to vulnerability and precarious living conditions;

Main question;

What are the difficulties residents of 'bad buildings' are facing and what do residents do to overcome the challenges brought about by living in what is considered a 'bad building'?

Sub questions;

1. What contributes to resident's vulnerability and what strategies to residents use?
2. What are the ways in which insecurity of tenure renders residents of 'bad buildings' vulnerable?
3. How do these challenges increase vulnerability and or expose residents to vulnerability?
4. What strategies do residents use in response to coping with vulnerability?
5. To what extent do these strategies overcome or manage vulnerability?
6. What strategies are regarded as important for coping by residents?

1.4 Rationale of the Study

There is little comparative empirical research about how inner city residents talk about their lives and experiences as residents of 'bad buildings'. Wilhelm-Solomon (2015) argues that policies of urban regeneration in relation to the complex social dynamics of inner city of Johannesburg have been understudied and under theorised. I hope to show the ways and means inner city residents of 'bad buildings' use to improvise in order to adapt to life in the inner city in the face of adversity and situations such as insecure tenure, evictions, insecure livelihoods and the lack of access to basic services. This research hopes to contribute to the enhanced understanding of the experiences of the people who are falling below the radar of policy frameworks that are aimed at alleviating the conditions of poverty among the urban poor (Wafer, et al., 2008). This research aims to build on the following studies; Mayson (2014), *Accommodation and tenuous livelihoods, in Johannesburg's inner city: the 'rooms' and 'spaces' typologies* as well as Malavolti (2015) *Towards resilience: informality*

and affordable housing in the inner city of Johannesburg and the Centre on Human Rights and Evictions COHRE (2005) *Any Room for the Poor? Forced Evictions in Johannesburg*.

1.5 Objectives

The objective of this research is to examine the experiences of residents of four selected buildings in order to explore how they are affected by insecure tenure and the lack of basic services. Data about 'bad buildings' is difficult to obtain and currently there are no reliable official statistics about the total population of 'bad buildings', living conditions and the quality of life within such buildings. Therefore this research offers insights collected through semi-structured qualitative interviews from the perspective and experience of residents of 'bad buildings' to fill this gap. The main objective is to offer a view from within selected 'bad buildings' by focusing on the experience and perceptions of residents to see how residents respond to vulnerability and precarious living conditions. The contribution I hope to make is to highlight how the residents o

f the inner city's selected four buildings have been able adapt and carve out a life for themselves in the inner city of Johannesburg.

CHAPTER 2 METHODOLOGY

2. INTRODUCTION

2.1 Personal Interest

This research project is related to a much bigger research project titled *Do poor people have a right to vacant spaces?: Understanding the occupation of vacant homes and buildings in Detroit, USA and in the inner city of Johannesburg*¹. The matter of using existing data was discussed and key approaches sought to ensure that this research is distinguished from the above project and is handled with appropriate ethical consideration, and these issues will be discussed in this chapter. I first discuss the buildings in which I conducted the interviews with the residents. I also discuss research methods in previous studies and the sampling approach. I then discuss the area of study and offer the description of the interviewees.

2.2 Access into the Buildings

In order to gain access into the buildings I was based at the Socio Economic Rights Institute of South Africa² (SERI) for the duration of the fieldwork from April 2015 to September 2015. The decision to use SERI as an entry point was informed by various factors and needs of the larger project referred to above. The project focuses exclusively on 'bad buildings' and SERI litigates on behalf of many inner city residents on socio-economic rights matters.

In order to gain access into the buildings I was assisted by Mr Edward Molopi who is a Community Researcher and Advocacy Officer at SERI. Edward provided a list of buildings represented by SERI for various legal matters. In the list were buildings that were facing evictions and those that are not facing evictions. The selected buildings were chosen based on criteria consistent with the widely accepted definition of 'bad buildings' by Zack et al., (2009). Some of the buildings on the list did not

¹ This research project was undertaken by Prof Atuahene of Chicago-Kent University.

² SERI is a public interest law firm

meet the criteria of what the research required and they were not selected. For the purpose of the research we required buildings that were already served with an eviction notices.

Once a building was identified scoping visits were conducted where I would be introduced to the residents/tenants. In some instances the litigation team invited me to go along with them to meetings where they would introduce me to their clients. During the scoping visits and meetings I was given the chance to explain what the research was about and I obtained contact details of those who consented to be part of the research.

Sometimes I was invited to meetings by the tenants committee where I would be asked to introduce myself and the purpose of my research and how I would go about approaching prospective respondents. Residents would often ask questions about the research and my intentions for choosing their building. Speaking to residents and explaining to a group of them in meetings made it much easier for me going forward. I noticed that once people saw me at their meeting they were less apprehensive about my presence in the building and I could access the building with ease whenever I chose to. Once people gave me their contact details I made calls to ask for an interview at a time suitable for them.

I spent a lot of time getting to know the prospective respondents and the different buildings before the interviews were conducted. I did this to build rapport with respondents and to properly explain why I was conducting the fieldwork. Being invited to the tenant's meetings helped significantly. The meetings facilitated a variety of things. It was important that residents know that I was going to spend some time in their building, why I was there and that I needed permission to speak to some of the residents. I was able to build trust.

The role of staff at a Public Interest Law Firm

I was privileged to have the opportunity to speak to members of staff about the various buildings they were working on. I spoke to Nomzamo Zondo the Director of Litigation at SERI who recommended some buildings based her experience and as a legal representative for the residents. I

also spoke to Tshanga Zwonaka Netshifulani, Candidate Attorney; Lwazi Mtshiyo Candidate Attorney, about various buildings. Their insight on the various buildings was invaluable. They provided advice and assistance with the setting up of interviews, facilitating the introduction between myself and residents.

2.3 Methods in Previous Studies

There is a wealth of research on the inner city of Johannesburg from various disciplines however; I am focussing on the work that has been conducted on the topic of 'bad buildings'. Wilhelm-Solomon (2016) has conducted ethnographic field work in 'bad buildings' to investigate how urban renewal policies create social divisions and alliances among residents of 'bad buildings'. He specifically focuses on disabled migrants. This work is important as it sheds light into the lives of inner city residents and their struggles to live in an inner city.

The South African Cities Network (SACN, 2016) has produced a report on gentrification in the inner city titled 'Beyond Gentrification' where the SACN used the qualitative research approach to gather data and to inform the theoretical approach.

The Médecins Sans Frontier (MSF) (2010) report titled 'Nowhere else to go' was conducted through a survey while MSF ran a clinic next to the inner city' Central Methodist Church. The survey was able to give an estimate of how many 'bad buildings' are in the inner city as well as some baseline statistics about access to basic services such as water, sanitation and electricity.

Wafer et al.'s, (2008) 'A tale of six buildings' report is an account of research over 5 years and legal work conducted by the Centre for Applied Legal Studies (CALS). The research undertook an 'anthropological' (Wafer et al., 2008: 8) approach to gathering data by using each building as a site of qualitative enquiry. Buildings were chosen based on the kinds of management, ownership and occupation forms that are experienced by poor people in the inner city. CALS became aware of a

broad range of problems within 'bad buildings' through their legal work in the inner city. This particular study is very important as it established a relationship between insecure tenure as well as vulnerability of inner city residents. As such the study provides an important background for this research to build upon.

Mayson's (2014) study investigates the phenomenon of 'rooms and spaces' through the sustainable livelihoods analytical framework. The study utilised in-depth interviews as well as participant observation as an approach to gather data. This study is important in that it indicates that livelihoods are linked to rooms and spaces typology of accommodation and the two are adversely related. This study offers insights about the usefulness of the informal property rental market to the livelihoods of residents.

Malavolti's (2015) study into informality and affordable housing in the inner city utilised evolutionary resilience as a theoretical framework. The study utilised desktop research as well as field work to gather information and data. This study contributes to an enhanced understanding of the role of informality and its complexity for residents and ultimately informality as resilience for inner city residents.

In terms of international literature research in India by Bose (1999) utilises the qualitative data collected from women living in Slums through various local NGOs working in the community. Bose (1999) used a semi-structured interview guide. This entails questions about the demographic information of interviewees, physical features of homes, and spatial issues. Interviews were tape recorded, and notes were taken during interviews. Interviews were conducted in Bengali, Hindi and then translated into English before analysis (Bose, 1999:8-9). This research project (Bose, 1999) comes very close to the method of data collection, questionnaire and data analysis utilised in this research project.

2.4 Sampling Approach

This research adopts a random sampling approach because the research is exclusively concerned with people living in 'bad buildings' in the inner city of Johannesburg. The sample comprises of fifteen (15) in-depth qualitative interviews that were collected using a semi structured interview guide. The data was collected in Berea, Hillbrow, Joubert Park and the CBD of Johannesburg in four buildings. The criteria for selecting the 'bad buildings' had to be consistent with the widely accepted definition of bad buildings.

- a) Building that have been abandoned by their owners, were at one stage sound physically and were properly managed but have become dysfunctional in many ways.
- b) Buildings that don't meet municipal, provincial or national legislation and by-laws in a ways that are risky with respect to health, safety and the environment (Zack et al., 2009).
- c) Residents of buildings that were served with a notice for eviction.
- d) Buildings that had their basic services such as water and electricity disconnected with or without a court order.

The selection of the fifteen interviewees varied from one building to the next but it was mainly through snow balling where I was referred to potential interviewees by their neighbours and sometimes friends. Some interviewees volunteered during tenant's meetings while some interviewees were approached when I saw them in their building and requested an interview.

Due to the fact that the Detroit/Johannesburg research was a comparative analysis of the experiences of residents in both cities the interview guide had to remain as close as possible in the two cities. Where there were differences in languages and concepts the interview guide was adapted accordingly. For example, in Detroit the word squatter is used to describe someone who has occupied a home as a holdover or take over while in Johannesburg residents of 'bad buildings' are not referred to as squatters and to some extent it may be offensive as residents in this research don't refer to themselves as squatters. For the purpose of my research I will only use the data collected in Johannesburg. As part of the methodology, photographs were taken where permission was granted of living spaces, places to cook, and places to eat and sleep as well as of the general buildings such as corridors, lifts and courtyards.

2.4.1 Data Gathering and Analysis

The methods used to collecting data include recording, note taking and photographs. Interviews were conducted in the language preferred by the respondents. The languages that were used during interviews were Sotho, Zulu, Pedi and Xhosa. I conducted all the interviews and did the transcriptions. After an interview was recorded I would transcribe the interviews on a word document. I wrote notes before and after I would visit a building. Notes included what the lawyers at SERI and I would discuss and I kept notes about observations I made at the buildings.

Once I had all the interviews translated and transcribed I created an excel spreadsheet where I created a master workbook with information about the buildings in the sample, as well as all the questions and interviews.

2.4.2 Content Analysis of Interviews and Field Notes

Technique 1 – I tried to look for similar, exceptional or unusual material and I established themes across the data

Technique 2 – Each case was analysed followed by analysing another case to identify any similarities, differences and to establish a broad understanding of what people are saying from their perspective (Bose, 1999:8-9)

Interpretation of the data collected: This involved probing for theoretical concepts that helped explain people's behaviour, actions, feelings, as observed and recorded (Bose, 1999:8-9). My focus in this research was on understanding strategies and coping mechanism by residents.

These techniques enabled me to build a broad and relatively comprehensive understanding of key issues within and among the buildings concerned in this research to the extent that they were revealed by these particular interview participants.

2.4.3 Description of Human Participants

The table below shows all the interviewees and the number of interviews that were conducted in each building. In the table the participants are grouped by gender was recorded and the age group and whether they belong to the tenants committee.

Table 1. Description of participants*³

Date of Interview	Naledi House	Gender	Age Group	Classification
28-Apr-15	Mr Isaac Shongwe	Male	Adult	Member of Committee
	Kwezi Mansions			
04-May-15	Mr Sibusiso Dlamini	Male	Adult	Member of Committee
15-May-15	Tumi and Zandile	Female	2 Youth	
20-May-15	Ms Ntombi Mabaso	Female	Adult	
21-May-15	Ms Thoko Mazibuko	Female	Adult	
14-Dec-16	Sakhile	Male	Youth	
	Shaka House			
03-Jun-15	Mr Thami Khumalo	Male	Adult	Member of Committee
04-Jun-15	Ms Zandile Thabethe	Female	Adult	
05-Jun-15	Ms Lindiwe Masuku	Female	Adult	
	Intsika House			
18-Sep-15	Mr Radebe	Male	Adult	
21-Sep-15	Ms Tshabala, Zanele and Vuyokazi	Female	1 Adult and 2 young people	
25-Sep-15	Sis' Thuli	Female	Adult	Member of Committee
	Total Respondents		15	

Source: Author, February 2017

In Table 1 the number of respondents who were interviewed is fifteen (15) in total. Out of the fifteen respondents, there are four (5) young people and ten (10) adults. There are seven (7) Females and (5) five Males. Efforts were made to have a diverse group of people.

³ All names have been changed to protect confidentiality.

2.4.4 Map of the Inner city of Johannesburg Showing the Approximate Location of the Four Buildings



Source: Google Maps Map Data

The map shows the location of the four buildings where data was collected. The map is meant to indicate the approximate location of the buildings in relation to each other and not the street level location. The reason for this is to conceal the identity and exact location for ethical considerations.

2.5 Limitations and Caveats of the Field Work Strategy

All the interviews were conducted during the day. This means I only spoke to adults and young people who were unemployed at the time. The reason for conducting the interviews during the day was informed by a desire to experience and reflect on the experiences of those who live in the inner city and to look at the city from a research point of view instead of a place I have always travelled through. I also had concerns about travelling alone in the inner city at night although I did overcome this at times when I attended meetings hosted by tenants as these were at night. The inner city's 'bad buildings' can be challenging at night as two of the buildings in the sample did not have electricity at the time of interviews and it would have been difficult to conduct interviews in the evening. The interviews were conducted in the home language preferred of the respondents. I am fluent in SeSotho and the Nguni group of languages and I have found that the ability to speak an

interviewee's language enhances entry, trust and there is openness when interviewees can express themselves in their language.

There were limitations when translating during transcription where I noticed that I lost some nuances although, I maintained the integrity of the interviewee's language by leaving some words as they were and opting only to explain what they meant in English. Fifteen interviews is a useful sample for a qualitative research project with in-depth discussions such as this one however, it is not possible to draw generalisations from the findings.

2.6 Attending Tenants Meetings and Scoping Exercises

Scoping visits were conducted in all the buildings before interviews could take place. Sometimes members of the tenants committee would take me through the whole building and sometimes this was done by tenants. The scoping visits ensured that I got to know each building. It was a useful strategy to explore what the buildings look like inside, where residents obtain water, what residents are doing to overcome the lack of electricity and sanitation.

I attended meetings in the evening in two of the buildings where I was introduced to the tenants. This approach made it possible for the residents to ask questions and to understand my presence in their meeting as an outsider. I was able to build trust and it made it easier to obtain respondents.

2.7 Ethics

The response to my application for ethics for this particular research report acknowledges the use of data collected from human subjects. The letter also acknowledges my request to use existing data for this research, please see Annexure_B. The permission of the lead investigators on the larger project was sought and granted and it is acknowledged and appreciated in this report.

Where consent was obtained from interviewees photographs were taken as part of the method of data collection. No photographs were taken of the respondents. Only photographs of living areas, facilities and the inside of the flats were taken. Photographs are important to this research as they show what is not easy to say in words. These photographs are not used to identify the buildings or any markers that may expose the buildings.

I informed respondents that the research was for academic purposes only and that their names will not be used in the report. Each person and each building received a new name. The report will be written in such a way that it will be impossible to identify or trace the respondents or their buildings.

There are sensitivities in this research such as the treatment of data obtained from people that live in buildings where people are exposed to looming evictions, risky tenant situations, and exposure to the stigma resulting from connotation that emanates from living in what is considered a 'bad building'. When people talk about their lives and experiences of previous evictions and other forms of displacement this may induce feelings of sadness and anxiety from interviewees therefore, care is taken to only use this data for academic purposes and ensuring anonymity for all respondents. All the buildings in this research were represented by SERI in their legal matters.

As a person with higher education and certain privileges that come with that I am always aware that there may be imbalances of power during the interviews. I am aware that I inherently hold more power and people may defer to me because of that. In order to deal with this situation I conducted all the interviews in the language preferred by respondents. I became aware that using English to communicate carries with it certain perceptions about privilege and class therefore, when I used the language of the respondent I was able to overcome this. Being fluent in the majority of indigenous languages helps me to build affinity with ease.

All participants were given a letter that briefly explained the research. Since the interviews were conducted in a language preferred by respondents I would explain the contents of the letter in their language. The letter explained the nature of the research, voluntary participation, matters of confidentiality and contact numbers. The letter is to ensure that respondents can contact me for anything if they so wish in future.

2.8 Details of Instruments that were used

A semi-structured interview guide was used see (Annexure A_Interview Guide). The interview guide was conceptualised and designed by Prof Atuahene.

CHAPTER 3 LITERATURE REVIEW

3. INTRODUCTION

In relation to the questions posed in this research this literature review entails the following subsections, firstly; I review literature on the context and background of the Johannesburg particularly on the processes which have led to the decay of the inner city's 'bad buildings'; secondly I look at how 'bad buildings' have been defined in literature, thirdly; I examine case law on evictions and unlawful occupations. Fourthly; I review literature on the various debates and perspectives on urban regeneration, fifth; I discuss informality and its role in how it is important in building resilience for residents in the inner city. I turn my attention to the concept of evolutionary resilience which is used in this research as an analytical framework.

3.1 Context and Background of Johannesburg

The discovery of mineral resources in Johannesburg in 1886 was the chief impetus for migration and development of a specific kind of capitalism in Johannesburg. The city became the commercial and financial hub of sub-Saharan Africa (Bremner, 2000). At the time Johannesburg developed as a segregated city with black people living in the surrounding townships. In urban areas segregation occurred mainly through legislation such as the Natives Land Act 27 of 1913, the 1923 Natives (Urban Areas) Act and the Group Areas Act 41 of 1950 (COHRE, 2005; Wilhelm-Solomon, 2016). These laws systematically worked to displace and restrict black South Africans from living in urban areas by ensuring that tenure could only be obtained through urban employment. This ultimately shaped segregationist and later apartheid spatial planning in Johannesburg.

Black South Africans who were wealthier purchased plots of land in freehold townships such as Alexandra and Sophiatown while poor black South Africans settled as backyard dwellers in the sprawling townships such as Soweto (South Western Township) (Bremner, 2000; COHRE, 2005). The Urban Areas Act of 1923 further reduced legal tenure options for Africans in urban areas thereby ensuring that tenure could be obtained almost exclusively through employment in urban areas (COHRE, 2005). By the 1920s and 1930s efforts were initiated through passing of the Native Act of

1923 to make it difficult for Africans to claim to be working in the city as many had discovered ways to beat the system by claiming to be working on property they illegally occupied (COHRE, 2005).

The South African modernising economy required labour which saw black South Africans from townships and rural villages move to the city. In the 1940s Johannesburg underwent a simultaneous period of economic industrialisation and unprecedented increase in informal settlements (Huchzermeyer, 2002: 88). The increase was not matched by commensurate housing (Huchzermeyer, 2002; COHRE 2005). Decades of state housing supply in dormitory-like racially segregated townships continued until the process dried up by the early 1980s. By 1986 rapid urbanisation was induced by the relaxation of influx control laws as well as the need to provide labour to the industrialising urban economy as well as the political instability in townships. According to Bremner (2000) by 1986 an estimated 20 000 black people had moved to the inner city suburb of Hillbrow. By 1993 it is estimated that 85% of the inner city residents were black and only 5% were white (Bremner, 2000).

Hillbrow had experienced a construction boom between the 1960s and 1970s of high-rise buildings and by the mid-1970s the supply of residential buildings exceeded the demand due to international sanctions and economic pressures in the midst of growing political instability in South Africa (Winkler, 2012). Areas such as Hillbrow attracted many European migrants from Germany, Austria, Italy, France and Greece at the time Hillbrow was thriving which led to that moment in history being referred to as the 'Hillbrow's glory days' (Schenage, 2012 cited in Winkler 2012:5). This did not last very long since from 1978 to 1982 the racial composition of Hillbrow was altered as the inner city was 'greying' (Bremner, 2000:186). This was due in part to an increasingly black population that was moving into Hillbrow.

In the late 1970s the white landlords (black people were prevented from owning property in the city at the time) started renting apartments to black South Africans because of White flight, when white people left the city and moved towards the northern suburbs. According to Winkler (2012) by the late 1970s the oversupply of apartments in Hillbrow served the growing demand from the Coloured, Indian and African Group Areas since the Apartheid government could not build houses in segregated communities due to the collapsed economy. This coincided with capital and White flight from the inner city which was also highly influenced by the 1976 Soweto youth uprising where white people left in large numbers (Bremner, 2000; Winkler, 2012). Another factor that influenced the

White flight was the lifting on the Rent Control Act of 1978 which only applied to new tenants as only new tenants were charged market related rents. White landlords terminated maintenance in buildings and persuaded 'protected' tenants (Winkler, 2012:5) to leave which was the beginning of the decaying of many buildings. Landlords were charging the new tenants rents that were considerably higher than before. Bremner (2000) states that the exodus of white residents was assisted by landlords, in ways described as 'covert tactics' (Winkler, 2012:5) where they persuaded white tenants to vacate their apartments including terminating maintenance contracts. This served the landlord's profit motive that seemingly overrode rationalities to protect their properties or investment (Wilson, 2011).

The municipality was indifferent to the exploitation of tenants as well as to the physical changes of the neighbourhood. For the state, this seemed to alleviate the housing crisis as tenants were not charged with contravening the Group Areas Act of 1950 (Winkler, 2012). However, in the late 1970s when eviction notices were issued after the National Party tried to intervene, many Coloured and Indian residents were issued with eviction notices but tenants refused to move citing that they had nowhere else to go (Winkler, 2012). A group of about fifty lawyers formed the Action Committee to Stop Evictions (ACTSTOP) which was a community based organisation that was mobilising and fighting against evictions (Silverman and Zack, undated). The group was very successful in getting charges to be dropped in the Govender vs the State matter, where the judge held that evictions must be stopped until suitable and alternative accommodation is found (Winkler, 2012). Hillbrow became known as a Grey Group Area, which prompted the banks to redline⁴ Hillbrow which subsequently led to a massive decline in property prices. By the mid-1980s black South Africans began to move into the inner city, mainly due to the collapse of influx controls and the political violence in surrounding townships. Landlords 'whose profit motive overrode their racism' (Wilson, 2011: 132) continued to charge exorbitant rents as black people were not protected under the ruling (Bremner, 2000; Wilson, 2011; Winkler, 2012; Silverman and Zack, undated).

According to Bremner (2000) between 1982 and 1994 national public companies including retail headquarters, accounting firms moved from the CBD. Companies such as the Johannesburg Securities Exchange (JSE), De Beers, and Gold Fields that were located in the inner city moved to office parks in the northern suburbs (COHRE, 2005; Kihato, 2011; Dugard & Ngwenya, Forthcoming).

⁴ Redlining can be defined as the refusal by banks to issue a mortgage loan because they live in an area that is believed to be a financial risk where rates of ownership and property rates may decline.

Companies that remained in the inner city were ABSA, First National Bank, Standard Bank and the mining company Anglo American (Bremner, 2000). Disinvestment and a significant decline in management and decay of many buildings in the inner city occurred and landlords abandoned their buildings. The Sectional Titles Act of 1971 made it possible for property owners to sell individual apartments within a building and the owners of these apartments had to form Body Corporates that were responsible for collecting levies, municipal rates and taxes, and maintaining the buildings.

Nearly 70% of buildings in Hillbrow fell under sectional titles form of ownership and by the mid-1990s only 16% had their owners living in them. Many Body Corporates collapsed and debts to the municipality were not paid and as a result sectional title buildings were in the worst state of decay (Winkler, 2012). This opened up the opportunity for the collapse of regulations, hijacking of buildings, and unauthorised occupation of buildings as tenants stopped paying rents, poor landlord/tenant relationships emerged, landlords and property agents abandoned buildings (COHRE, 2005; Willson, 2011; Wilhelm-Solomon & Pedersen, 2016). The result would be conditions of spatial inequality, social and economic exclusion that would make conditions ripe for the unauthorised occupation of land and property (Dugard & Ngwenya, Forthcoming). In response to the growing debt owed for service charges the municipality disconnected water and electricity in the inner city as a way to control its debtors. Wilson (2011) states that the non-payment of rents and services and poor tenant-landlord relations led to either the properties being abandoned or not paying the City rates and service charges. However, residents tried to pay directly to municipality when many owners gave up the control of their buildings. Wilson (2011) points to the wide spread fraud by landlords and managing agents who accepted payments of services by tenants but never paid council as one of the contributing factors to the deterioration of buildings in the inner city.

In some cases owners collected rent from tenants but did very little to nothing to maintain buildings and criminal syndicates took over as slumlords began to defraud tenants by collecting rents from them. In most cases, as the data in this research points to, tenants have often never met the owner, there is usually a 'caretaker' who is supposedly acting on behalf of an owner and would be collecting rent. Many residents of the inner city's 'bad buildings' are dependent of social grants, informal employment where living in the inner city's derelict buildings means that they pay nothing to very low rents (Wilson, 2011).

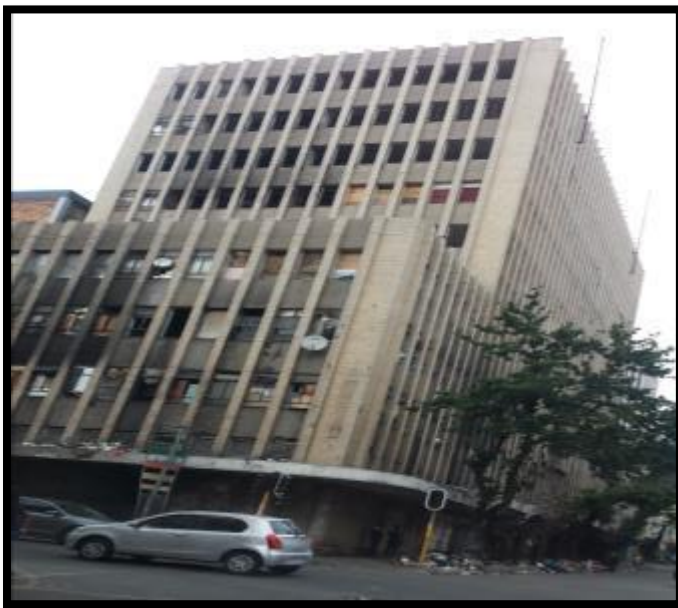
3.2 Johannesburg Inner City's 'Bad Buildings' Defined

Johannesburg inner city's 'bad buildings' or '*em'nyama ndawo*' (a Zulu word meaning a place devoid of light) or '*dark buildings*' (Wilhelm-Solomon, 2016) as they are known colloquially are home to South Africans and migrants who have come to Johannesburg in search of a better life.

'Bad buildings' have been defined as;

'buildings that have been abandoned by their owners, that were at one stage sound physically and were properly managed but have become dysfunctional in many ways. They don't meet municipal, provincial or national legislation and by-laws in a ways that are risky with respect to health, safety and the environment. They are buildings that do not have owners, landlords or where buildings were sold at an auction and their ownership status is not immediately clear. They are buildings that are in a general state of decay, service charges in arrears of property taxes and service charges, and the lack of adequate sanitation' (Zack et. al.,2009:9).

Figure 1 Picture of a 'bad building' or '*em'nyama ndawo*' in the Johannesburg inner city



Source: Picture taken by author (December, 2016)

A Medecins Sans Frontiers (2011) inner city study states that City of Johannesburg identified 1305 slum buildings with an estimated population of 250 000. However, MSF surveyed 82 slum buildings where approximately 50 000 to 60 000 people live in a situation described in the report as 'warren-

like-conditions' (MSF, 2011:1) where there is non-existent sanitation, difficult or no access to water, and lack of proper waste management. There are no official figures of 'bad buildings' and estimates vary from the limited sources that are available. 'Bad buildings' are home to inhabitants that work in the informal sector in many occupations such as 'piece-workers' security guards, scrap metal collectors, informal traders, recyclers, musicians, cleaners, beggars, sex workers, traditional healers, and university students (Wilson, 2011; Wilhelm-Solomon, 2015 and Mayson and Charlton, 2015).

'Bad buildings' have been called vertical informal settlements (Wilhelm-Solomon, 2016) and other forms of informal housing in the city include shack farms (the term used here means shacks inside abandoned buildings, factories and or warehouses), abandoned buildings and unmanaged municipal hostels (Vearey, 2010). In her research of 'hidden spaces' in the inner city, Vearey (2010) describes such spaces as entry points for rural migrants as they serve as 'entry into the city' (Vearey, 2010:40). She argues that being hidden is a tactic used by those who desire to be out of sight of authorities, disconnected from services and residents do not actively seek those services. In this research residents of 'bad buildings' can choose to be hidden for reasons associated with the ambiguous legal status tenure. This is due to the difficulties in establishing legal ownership of the buildings especially those where the owners abandoned their properties which have led some of the buildings to be unlawfully occupied. In the inner city the tactic of being hidden for these residents also serves to evade state intervention or formalisation processes.

In Brazil's Favelas Volbeda (1989) states that living in precarious conditions has been defined as living in in sub-rented dwellings, overcrowding, deficiency in privacy as well as in sanitary provisions (Volbeda, 1989: 157-158). In Johannesburg residents live in precarious living conditions due to insecure tenure which affects access to basic services, and evictions and or the threat of evictions, and harassment by police and officials (Wafer et. al, 2008). With respect to insecure tenure, access to municipal services is only for registered property owners, those who are living in appropriated buildings often do not have accounts or are not registered as municipal account holders. There is a strong relationship between insecure tenure, lack of access to basic services and evictions/displacement (Wafer et. al, 2008). Other studies have found a positive relationship between secure tenure and enhanced standard of living. For example in India people tended to invest and improve their homes when they had legal status of tenure which protected them against evictions (Nakamura, 2016).

Wafer et al., (2008) found a direct relationship between insecure tenure and the lack of access to basic services by residents of 'bad buildings'. This is due in part to the high indebtedness of abandoned buildings as well as the limitations of policies aimed at poor households such as the Indigent Persons Policy which is supposed to benefit poor households by making available a package of services such as six kilo litres of Free Basic Water, Fifty kilowatts hours (kWh) of electricity per and Free Refuse and Sanitation. What is key here is that this benefit is only for property owning account holders. Therefore residents such as those in this research who are not property owners are not able to benefit from such policies because the municipality can only engage and extend these services to registered property owners.

3.3 The Law on Evictions and Unlawful Occupations

In order to address apartheid's legacy of land dispossession and spatial inequality, the South African Constitution has an explicit socio economic right to housing. The Constitution (1996) section 26 (1) states that 'Everyone has the right to access to *adequate housing* and section 26 (2) the state must take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of this right'. Section 26(3) states that '*no one may be evicted from their home, or have their home demolished, without an order of court made after considering all the relevant circumstances. No legislation may permit arbitrary evictions*'.

According to Clark (2013) Section 26 of the Constitution, which deals with the right to housing, is the most litigated right in South Africa. This points to the reality of inner city residents, specifically it points to a reality that residents of the inner city are trying to stave off evictions and that there is a shortage of affordable rental housing options for those who cannot afford current market prices of rentals. Huchzermeyer (2014) states that the struggles faced by informal settlement dwellers and various forms of low cost dwellings in South African cities is evidence of deep-rooted exclusions that indicates the urgent need to realise city rights (Huchzermeyer, 2014: 65). In order to address the legacy of apartheid of forced removals and evictions as well as to realise the socio-economic rights of urban dwellers, Section 26 together with the Prevention of Illegal Evictions from and Unlawful

Occupation of Land Act 19 of 1998 (PIE) offer some legal protection to tenants against arbitrary evictions, as well as recognising various forms of tenure apart from ownership. Maass (2010) explains the two protections that are extended to individuals and households as substantive tenure protection which allows the tenant to continue to live on the property even as an unlawful occupier and procedural protection which provides tenants with protection with due process in eviction court proceedings in a just and equitable manner.

In terms of procedure the PIE Act there are various factors that must be considered by the courts such as the personal circumstances of tenants, the elderly, children, female headed households and the disabled persons (Clark, 2013). This is to ensure that the courts are sufficiently satisfied and that it is just and equitable to grant an eviction and to prevent homelessness. The PIE Act applies to anyone who occupies land or property, even without the express consent of the owner and even in cases where it is a 'hold-over' or 'holders-on' (Dugard & Ngwenya, forthcoming). These are instances where tenants who were once lawful occupiers with lease agreements but their occupation became unlawful, invalid or terminated, are still living on the property (Dugard & Ngwenya, forthcoming). Maass (2010) compared the tenant-landlord regimes in South Africa with that of the United Kingdom, United States, New York and Germany to determine whether the South African tenant-landlord regime in South Africa can provide tenants with secure tenure rights as well as access to rental housing. She concludes that the current tenure rights of urban dwellers are largely based on common law and which is associated with weak tenure security. The law that governs the tenant-landlord regime is the Rental Housing Act 50 of 1999 (amended in Act 43 of 2007) which Maass (2010) argues that it fails to provide access to rental housing especially as an option to address the shortage in housing.

The Rental Housing Act 50 of 1999 (amended in Act 43 of 2007) regulates the relationship between landlords and tenants in all types of rental housing. Section (1)(a) stipulates that it is the government's responsibility to (i) 'promote a stable and growing market that progressively meets the latent demand for affordable rental housing among persons historically disadvantaged by unfair discrimination and poor persons, by the introduction of incentives, mechanisms and other measures that improve conditions in the rental housing market to' (ii) 'facilitate the provision of rental housing in partnership with the private sector' (SERI, 2010). According to a SERI report (2010) in 2007 the Act

was amended to end constructive evictions, these were evictions without court orders and where landlords make it difficult for the tenant to continue to live on the property.

In terms of jurisprudence and the legal framework against evictions, there are various cases where socio-economic rights to housing were litigated successfully and where the right to housing was given effect and interpreted by the courts in a way that gives substantive and procedural protections to everyone. In the landmark matter *Government of the Republic of South Africa and Others v Grootboom and Others 2001 (1) SA 46 (CC) (Grootboom)* the outcome of the case established that the state has the obligation to formulate and implement a reasonable housing programme to give effect to Section 26 of the Constitution especially in a case where the poor and vulnerable are unable to have access to emergency housing (Clark, 2013).

In the *Port Elizabeth Municipality v Various Occupiers 2005 (1) SA 217 (CC)* matter) the Constitutional Court held that a court should consider the availability of alternative accommodation and that the obligation fell onto the state. This meant that the government has the responsibility to seek alternative accommodation before an eviction is granted. In the *City of Johannesburg Metropolitan Municipality v Blue Moonlight Props 39 (Pty) Ltd and Another 2012 (2) SA 104 (CC) (Blue Moonlight)* matter it was established that even in instances where an eviction is sought by private property owners rather than the state, the state has the obligation to provide alternative temporary accommodation until permanent placement. In the City of Johannesburg for instance, following the 2012 case of the *Blue Moonlight* matter, the City of Johannesburg has applied to the courts to join and stay any future evictions due to its recognition that the City cannot meet the demands for alternative accommodation (Clark, 2013).

Many residents of the inner city are seeking to exercise the right to housing through the courts and this provides an avenue to realise this right. However, as pointed out by Huchzermeyer (2003) access to housing through the courts is limited. Wilson (2011) argues that 'courts are generally reluctant to decide anything but a small number of issues that come before them – those which they consider are absolutely essential to the disposal of the case'; he argues that 'the potential of one or clusters of decisions to significantly change governments policy is limited which sustains inequality and disadvantage' (Wilson, 2011:130). This potential role is limited by the doctrine of separation of powers where the courts have been reluctant to grant orders on matters of policy that have

budgetary and cost implications. Huchzermeyer (2003) states the courts cannot interfere in the affairs of the executive. Section 26 (2) establishes that the state must take reasonable legislative and other measures, within its available resources, to achieve the progressive realisation of this right. The question may be asked what is the role of the courts beyond granting orders that require the state to change policies? Hopkins (2003) asks whether the courts should be able to tell the government what is good policy and order such policies to be implemented. Hopkins (2003) states that the courts can substitute what it deems to be an unreasonable policy for one that it deems to be reasonable and such an intrusion into the executive is mandated by the Constitution (Hopkins, 2003). Wilson (2011) points out that the court's approach is to effect change in small incremental steps rather than big radical ways. Therefore it takes a series of decisions over the long run to experience any change, where at times big landmark cases require 'follow up' (Wilson, 2011: 130) litigation to cement their impact.

3.4 Urban Regeneration Policies in Johannesburg's Inner City

'These dark buildings of inner city Johannesburg...are vertical informal settlements in states of extreme dereliction, appropriated by those left out of the city's urban regeneration schemes' (Wilhelm-Solomon, 2016: 379)

The urban planning agenda in developing countries sought to eradicate or relocate residents to formally planned areas, mainly due to a focus by cities on economic imperatives and the attraction of investors (Huchzermeyer, 2011). This was informed by governments in developing countries that aspired to obtain orderly planned and world class status such as policy makers in Johannesburg (Winkler, 2012). To obtain this many governments in developing countries enforced stricter regulations, evictions and demolitions (World Bank, 2003).

According to the Housing Development Agency (HDA) (2013) urban regeneration is a way to restructure cities and in South Africa urban regeneration was initiated around the 1990s as a way to tackle the decaying inner city. As a process urban regeneration is meant to address the decay in the inner city to revitalise the physical, social and economic environment whereby the municipality plays a key role in dedicating structures, tools and strategies (HDA, 2013:10). This is done through public and private partnerships. The National Housing Policy calls for better

integration of housing in the inner city and policies such as Breaking New Ground (BNG) expressly mention the role of social housing⁵ as one of the key drivers of urban regeneration. The policy states that 'social housing interventions may also be used to facilitate the acquisition, rehabilitation and conversion of vacant office blocks and other vacant/dilapidated buildings as part of broader urban renewal strategies (SERI, 2010 and HDA, 2013). However, BNG has been criticised for its conceptualisation of housing policy as a panacea for urban regeneration. This is due to the limitation associated with social housing projects in so far as existing ones often fail to match the income affordability levels of the majority of individuals and households as well as the existing demand that is not met by the supply of low income units. According to Executive Mayor Herman Mashaba (2016) the City of Johannesburg has a housing backlog of 300 000 units. One of the factors that add to the growing demand for low cost housing in the inner city are evictions from 'bad buildings' because this segment of the market has not been adequately serviced.

According to SERI (2010) the upgrading of some buildings has been a market driven exercise through initiatives by the city in partnership with the private sector. The erstwhile Better Buildings Programme which replaced the Inner City Property Scheme were meant to be driven by the private sector in an effort to address the urban decay and 'bad buildings' in particular. In the current administration, the Executive Mayor Herman Mashaba (2016) states that his administration has inherited a R170 billion rand funding gap for capital infrastructure and therefore the city will have to rely on the private sector for 'the private sector can easily pour R20 billion into the inner city and turn it into a construction site within a matter of months' (Mashaba, 2016: 4). According to Winkler (2010) 'municipalities must satisfy the rationalities of the free market and to gain access to private sector investment' (Winkler, 2012:9) where projects in collaboration with the private sector are presented as 'engines of regeneration' (Wilson, 2011: 135).

Urban regeneration processes that rely on the private sector have been criticised for being insensitive to the needs of poor urban dwellers, the criticism associates urban regeneration with a neoliberal agenda (Burzynski 2012; Winkler, 2012). The City's urban regeneration policies such as the Inner City Regeneration Strategy (ICRS) was a 'clean up' (Wilson, 2011: 134) exercise with the aim of increasing property values by encouraging the private sector to invest in the inner city. The aim is to free up as many buildings as possible to be picked up by private developers. Wilson (2011) states

⁵ Social Housing can be defined as rental housing that is aimed at low to moderate income households (HAD,2013).

that the ICRS is silent on what should happen to inner city residents of 'bad buildings'. This indicates a gap with regards to providing alternative accommodation for residents of 'bad buildings'.

Moreover, urban regeneration policies have a tendency to rely on the intervention of the private sector and follow a 'commercial and cost-recovery model' (Wafer, et al., 2008:14) which invariably marginalises those who cannot afford prices set by the market.

The city of Johannesburg has 881 000 people who are unemployed (Mashaba, 2016). The question of unemployment affects a household's ability to afford rent and when social housing is considered, housing incentives, even the ones that are meant to go down the market to provide housing options at very low rentals for households with incomes between R1 500 and R7 500 per month are often not available. According to SERI (2010) projects must have at least 30% units earmarked for units deep down the market and maximum rentals cannot be higher than R2 500. This implies that a household income of R7 500 is required and social housing ends up catering for households earning between R3 500 to R7 500 per month leaving those who cannot afford these prices with very limited and sometimes no options at all (SERI, 2010). The main problem is the slow pace of the delivery of low cost rental housing in the inner city coupled with the weakness of policy to address the needs of low income earners (SERI, 2010).

There are many property developers in Johannesburg that focus on providing housing options in the low cost market. The Affordable Housing Company (AFHCO) is able to provide units where rents are between R2 500 and R4 500 per month (Plitt Co Owner of AFHCO, field trip in course ARPL 7005 in 2016). However, Plitt mentioned that the market is nearly saturated as there are only a few buildings left in the inner city to develop. In future the AFHCO plans to develop a further 1 500 units for rental by 2018. The demand for low cost accommodation is far more than companies such as AFHCO can supply within the prices that can be viable for private companies to be profitable. In the inner city the high demand is indicated by over crowding buildings and the growing number of the city's urban poor that is living in informal housing.

The HDA and NASHO(2013) state that affordable housing is a neglected component of the urban regeneration strategies and this is due to a policy framework that does not facilitate strong links between social housing and urban regeneration. Some of the challenges identified that contribute to the weak links are that, municipalities that have been accredited through the devolution process

have been given resources and responsibilities in housing – but housing initially fell under provincial government. The current funding mechanisms do not allow municipalities to lead housing projects but the accreditation process seeks to correct this (HDA, 2013:17).

Burzynski (2012) explores the relationship between planning actor's and urban dwellers place making practices by arguing that the apparent insensitivity to or inability to meet housing needs of 'bad buildings' is the direct result of the ways in which the place making practices of the residents of 'bad buildings' is produced as 'different' (Burzynski, 2012:7) and the potentially detrimental effects of residential regeneration on residents can be explained in relation to the production of 'difference' and the framing of interventions (Burzynski, 2012:7) The thrust of her argument is that unsuccessful residential regeneration strategies are explained in part by the production of 'difference'⁶ and the attending planning interventions that follow.

3.5 The Intersection of Vulnerability, Urban Poverty and Evictions

The United Nations projects that in future all the growth of slums will come from the developing world in places such as Africa and Asia (Pieterse, 2008). Based on the projections, and if living conditions of slum dwellers across the developing world do not change the outcomes for residents of the inner city's 'bad buildings' can be reasonably expected not to change very much. Given the large proportions of urban dwellers that live in slums and informal settlements it is unlikely that governments will meet the housing needs and keep up with the pace of the growing urban population. In addition to this many urban dwellers live with uncertain or insecure tenure status further entrenching their condition of urban poverty. Young people are often negatively affected by the housing shortages and unemployment.

Pieterse (2008) states that urban growth will become synonymous with slum formation and that poverty will be the main characteristic. Urban growth is characterised by the persistence of poverty

⁶ The concept of 'difference' is a socio-cultural concept used by Burzynski (2012) as a lens to analyse vulnerable urban dwellers place making practices and urban regeneration processes. The focus is on the narratives that underpin urban regeneration processes and how they might produce outcomes by planners that are insensitive to poor urban dwellers housing needs.

in cities and evictions sustain poverty due to the multiple deprivations that affect individuals and households. The consequence of evictions includes homelessness, poverty, exclusion, disempowerment and these can have long term implications on those who are affected. The United Nations Housing Rights Programme (2011) report on global evictions states that the majority of those evicted are poor and marginalised communities often living under informal tenure arrangements (United Nations, 2011). With respect to the physical nature of slums Pieterse (2008) states that slums are, non-durable housing structures, where poverty is part of the environment and security of tenure, which has to do with legality, is not easy to measure or monitor. These situations are similar to those found in Johannesburg inner city's 'bad buildings'. The tenure situation of residents of 'bad buildings' is not immediately clear for various reason mostly pertaining to how the buildings or properties fell into the current state of 'bad buildings'. The United Nations Housing Rights Programme (2011) identifies the lack of tenure security as the main reason why the poor are vulnerable to evictions and displacement by the powerful private property owners. Insecure tenure and evictions are both conditions that can induce a state of vulnerability. Sometimes slum conditions become the grounds for evictions. The literature indicates that urban poverty, evictions and vulnerability can coexist and they can reinforce one another, even though a causal relationship has not been established.

Vulnerability is a broad concept that has been used in studies examining social vulnerability in cities (Obrist and Pfeifer, 2010), economic resilience of cities (Simmie and Martin, 2009) and cities as ecological systems (du Plessis, 2008). For the purpose of this research vulnerability is adopted as defined by Beal and Fox (2009) because it is from an urban poverty perspective, whereby poverty is seen as multidimensional phenomenon that takes into account insecure livelihoods, poor housing conditions, reliance on the informal economy (as informal employment is insecure), lack of access to basic services which are conditions that expose the urban poor to vulnerability (Beall & Fox, 2009: 144). In the Johannesburg inner city residents are exposed to vulnerability as a consequence of evictions and insecurity of tenure which, which is one aspect of vulnerability, and it affects the resident's access to water and electricity (Wafer et al, 2008; Beall & Fox, 2009). This situation is compounded by various factors such as unemployment and homelessness which have been directly linked to one another (DuToit, 2010). As highlighted by Olufemi (1998) poor housing conditions exacerbate the vulnerability to environmental risks that lead to poor health. Insecurity of tenure exposes millions of urban residents vulnerable to eviction and undermines the value of their shelter

as an asset (Beall and Fox, 2009). In cities vulnerability is linked to the reliance on a monetised economy where residents need money to obtain food, shelter and clothing.

Robert Chambers (1995) states that vulnerability is not the same as poverty. Vulnerability does not mean to lack or want, but defencelessness and exposure to risk. According to Chambers (1995) 'loss can take various forms such as becoming physically weak, economically impoverished and socially dependent' (Chambers, 1995: 189). Beall and Fox (2009) argue that given the monetised nature of urban economies, securing basic needs requires steady income. In cities the incidence of urban poverty is positively correlated to unemployment and forces that exclude people which are often complex and interrelated (Amis, 1995). But cash alone is not sufficient for sustainable livelihoods which depend on the expansion of people's capabilities such as skills, education, and social networks and assets such as housing (Beall & Fox, 2009). Chambers (1995) argues that poverty is more than being income poor and he distinguishes it from other dimensions of deprivation such as physical weakness, isolation, vulnerability and powerlessness, poverty is the condition of the lack of physical necessities, assets and income (Chambers, 1995:188-189). Therefore income poverty is seen as only one dimension of deprivation while other dimensions of disadvantage such as social inferiority, isolation and humiliation are often ignored by experts (Chambers, 1995). In urban areas where wage labour is dominant, livelihood strategies include self-employment and informal trading, unlike the rural areas where people can rely on small scale farming to survive. In urban areas people rely on money to obtain necessities such as food, basic services, rent and other household expenses. Living in a city like Johannesburg becomes a launching pad not only proximity to livelihoods within the inner city but also for exposure into a broader urban world (Simone, 2004:88).

Resilience thinking is implied in the sustainable livelihood approach, the sustainable livelihood approach focuses on people's capabilities, assets and activities (Chambers, 1995). In the sustainable livelihood approach five livelihood assets play a significant role in the building of resilience, human capital (the ability to work, health and knowledge) social capital (networks, groups and trust), natural capital (land, water, and wildlife), physical capital (transport, shelter and energy) and financial capital (savings and credit) (Chambers, 1995). Glavovic et al., (2003) argue that a livelihood system is subject to disturbances such as a sudden unpredictable and traumatic event which may lead to a serious decline in wellbeing of an individual or household. The wellbeing of individuals encompasses both subjective (feelings, prestige, self-worth, freedom) and objective (income,

housing, education) criteria. Wellbeing is contextually determined (Rigg, 2007:33). However, a sustainable livelihood system can enable people to pursue livelihood strategies that provide layers of resilience to overcome waves of adversity (Obtrist, et al., 2010:287). According to Obrist and Pfeifer (2010) vulnerability has two sides an external side of risks, shocks and stress to which an individual or household is subject and an internal side which is defencelessness, meaning a lack of means to cope without experiencing damaging loss. Loss can take many forms becoming or being physically weaker, economically impoverished, socially dependent, humiliated or psychologically harmed.

In the context of insecure tenure and an acute shortage of housing in the inner city, housing is viewed as important aspect to sustainable livelihoods strategy and access to the economy (Beall & Fox, 2009; Mayson and Charlton, 2015). Amis (1995) suggests that if urbanisation was accompanied by more employment opportunities then the government would not be required to intervene by building houses. Desmond and Kimbro (2015) argue that the debate about poverty has not fully appreciated how housing is deeply implicated in creating and deepening poverty. In South Africa where many houses were built in the periphery as well as the persistence 'apartheid cities' (SERI, 2016:4) through inequitable planning, has meant that jobs have been far away from individuals creating what is called a spatial mismatch. Therefore, very strong patterns of poverty and inequality are persistent for overwhelmingly black South Africans. A SERI (2016) report on the spatial mismatch found that most jobs are found in Johannesburg CBD and the North in Sandton when compared to the South and South West areas where there are fewer jobs. The report concludes that spatial mismatch is a key factor in unemployment (SERI, 2016). In the section below I discuss the how urban regeneration policies have been utilised to address urban decay as well as how these have not been very successful.

3.6 The Role of Informality for Inner City Residents of 'Bad Buildings'

'With no formal viable alternative, economically poor households defy and remake the planned city from below through 'informal' means. They have found a foothold in an unused and seemingly discarded places, at time regularised or authorised post facto if only through court orders' (Huchzermeyer, 2014:65).

The definition of informal settlement in South African policy *focuses on the built form, tenure conditions and service standards* in informal settlements (SALGA,2013). 'Bad buildings' in the inner city are compatible with this definition and for the purpose of this research I shall consider 'bad buildings' vertical informal settlements (Wilhelm-Solomon, 2016). Informal rental has been described as a situation where the structure is not made with conventional construction materials, there is no lease agreement in place, the rental takes place within an informal environment such as an informal settlement or 'squatted' building (SALGA,2013). The positive aspect of informality for those that live in a 'bad building' open up the opportunities for those that work in the informal economy or in jobs where they do not have pay slips to be able to access rental accommodation. In the inner city's 'bad buildings' the rental relations do not conform to legal or regulatory norms (SALGA, 2013: 1). This may benefit residents that do not have formal jobs and bank accounts and salary slips are often required to be able to rent a flat.

in ways that do not follow the formal ways. However, the collapse of rental relations has disadvantaged residents for example in hijacked buildings, which is one the typologies of 'bad buildings' where tenants are forced to pay rent and in many cases the municipality is not paid service charges (Wilson, 2011) which results in services to be terminated.

One of the key challenges concerning informality is how it can be viewed as illegal or criminal especially when it is used to justify hostile programmes aimed at eradication of informal settlements (Huchzermeyer, 2011). Within the urban context Huchzermeyer (2011) argues that expressions of informality that are persistent are often unwelcome to states that aspire to modernity. This is evidenced by the actions of the state that seek to police and repress visible forms of informality and for those that benefit from informality (Huchzermeyer, 2011).

It is important to recognise the role that is played by vertical informal settlements such as 'bad buildings' for low income households in the inner city with little support from the government. The inner city's 'bad buildings' are home to thousands of people some of whom have fallen outside of housing instruments such as the Reconstruction and Development Programme (RDP) mass housing programme. In exploring the concept of home Kellet and Moore (2003) state that qualities of ideal

homes may be missing from a temporary or inadequate shelter but people may feel 'at home' because of the long 'period of stay or high level of dependency' (Kellet and Moore, 2003:126). In this way the qualities of a home may be present to those that live in the inner city's 'bad buildings' even if they live with the risk of becoming homeless due to looming evictions. For the residents who have chosen the inner city as a home the city is a strategy for survival and thus it can support the various ways of earning a living within the city. Residents of the inner city are known to rent in the informal market where spaces and rooms are available for rent lower than the formal rental market. This type of accommodation represents two of very few typologies of accommodation that allow residents to gain access to livelihood opportunities that a city like Johannesburg has to offer (Mayson & Charlton, 2015). Many people in the inner city are prepared to share their living space, even at the cause of great discomfort in some cases. In some instances people share their space to reduce the cost of living.

In many of the 'bad buildings' in the inner city residents live with insecure tenure, with tacit or verbal lease agreements. Durand-Lasserve and Royston (2002) state that the lack of secure tenure has a direct impact on access to basic services. In the inner city of Johannesburg 'bad buildings' do not have adequate access to water, electricity and sanitation. The City of Johannesburg does not engage with residents of 'bad buildings' on billing matters, choosing instead to talk to owners, who are often not there because many abandoned their buildings. Many lease agreements and sectional titles collapsed when some owners abandoned their properties (COHRE, 2005; Wafer et. al., 2008; Wilson, 2011). Insecurity of tenure is one of the ways residents in the inner city's 'bad buildings' are rendered vulnerable and since the rental relations do not conform to legal and regulatory norms this means for residents that are willing to pay rent and service charges have no place or facility to do so. Informal housing and rooms and spaces are housing options for poor residents who have insecure tenure. However, the Mayson & Charlton (2015) study concludes that the flexibility and diversity of rooms and spaces on the informal market is conducive to allowing residents to cope with insecure livelihoods and the absence of the informal rental market may expose people to insecurity. Lastly the study concludes that there is an adverse relationship between accommodation and livelihoods which means those who lack accommodation have a likely tendency to have insecure livelihoods. The study suggests that targeted and differentiated intervention is required in rooms and spaces to support livelihoods (Mayson & Charlton, 2015: 343).

3.7 Conceptual and Theoretical Framework

In this research I use the concept of evolutionary resilience, which has been described to account for individuals and household's ability to change and adapt in constantly changing environments (Malavolti, 2015; Weakley, 2013; Simmie & Martin, 2010) to explore the responses of residents to precarious living conditions and vulnerability that is created by conditions of insecure tenure and evictions. From an evolutionary perspective, this research looks at the reactions and adjustments residents undertake which influences their responses to risk, vulnerability and adversity and how this develops and evolves over time. In this research resilience is seen as an ongoing process, rather than recovery to pre-existing states (the equilibrist approach) by individuals and households. In particular, resilience is taken as an 'adaptive ability' (Simmie & Martin, 2010:31) to changes, shocks and adversity and how these circumstances shape evolutionary resilience over time. Particularly in contexts of informality where adaptations occur easily due to the very nature of informality that is not constrained by formality (Weakly, 2013). Resilience involves planning, preventing, evading, mitigating, avoiding, as well as coping with and reacting to challenging livelihood conditions. (Obstirist, et al., 2010).

The concept of resilience has been adopted from various fields such as engineering, ecology and social sciences, and the various debates reflect the evolving nature of the concept and that it is a highly contested concept (Mehmood, 2015). There is no single definition of the concept. The word resilience has its origins from the Latin root word '*resilire*' which means to leap back or to rebound 'to recover from a position elastically' following a disturbance or disruption (Simmie & Martin, 2010). However, this research also recognises that resilience is elastic which can be used to account for how individuals or households can be sensitive to disturbances and shocks. Resilience is linked to the idea of adaptability and it is much richer in the evolutionary scope (McGlade et al., 2006 cited in Simmie & Martin, 2010). Therefore this research utilise the concept of evolutionary resilience in order to account for adaptability and coping by residents under precarious living conditions.

For the purpose of this research, disturbances such as evictions, unemployment, illnesses and the lack of basic services are seen as events that diminish the wellbeing of individuals and households. I argue that it is not possible for residents to leap back to pre existing states of wellbeing (or

equilibrium) but rather individuals can increase or decrease their wellbeing. Here wellbeing is accepted as the experience of a good quality of life (Chambers, 1995: 173).

In this research I use the concept of evolutionary resilience as a way to contribute to a more comprehensive understanding of informality and how informality can add to the positive adaptation of residents. Residents may employ strategies that are informal, irregular and outside of city by laws to engage in self-help activities in order to maximise their wellbeing. One of the reasons the concept of resilience is important to this research it is due to the positive connotations attached to the term capability. Amartya Sen's conceptualisation of poverty as capability deprivation, means poverty is the lack of the capability to live a minimally decent life (Sen, 2000:4) And people's ability, or power to do something about their circumstances may be reduced. By extension, people's ability to adapt to changes and shocks which is the potential to adjust to changing circumstances in an appropriate way may be affected (Simmie and Martin 2010:31).

Evolutionary resilience holds the potential for understanding social dimensions of living with adversity and change. The aim would be to understand the processes that may account for positive adaptation or outcomes in response to adversity (Pfeifer & Henley, 2010). This research aims to highlight the lived reality of residents of 'bad buildings' in order to make policy recommendations based on their cases. Even though this research does not seek to empirically measure vulnerability and resilience is a useful concept as it is important to shed light onto the lived experiences of residents of 'bad buildings'.

CONCLUSION

This chapter argues that apartheid laws systematically worked to displace and restrict black South Africans from living in urban areas and ultimately shaped the spatial geography that is inefficient and inequitable in Johannesburg. In terms of jurisprudence case law has established that the socio-economic right to housing is given expression in Section 26 as well as the PIE Act which extends substantive and procedural protections to individual's even unlawful occupiers. Furthermore, the

combination of the failure of urban regeneration policies, social housing and the reliance on the private sector has opened up a gap with respect to finding low cost affordable accommodation for residents of 'bad buildings'. Informality is underscored as an important aspect in building resilience for residents as vertical informal settlements such as 'bad buildings' provide low income households in the inner city with little support from the government. The concept of evolutionary resilience points to the many ways residents can continue to live in the inner city in the constant threat of evictions, lack of basic services and insecure tenure.

CHAPTER 4 LIVING CONDITIONS AND EXPERIENCES OF RESIDENTS OF 'BAD BUILDINGS'

4 INTRODUCTION

This chapter introduces the profiles of the four buildings in this research. Each building is profiled in terms its brief history as presented by the residents that were interviewed. The profiles were produced from observations, notes and interviews with residents and with the help from the staff at SERI. I present some of the ways in which residents obtain water and their sources of energy and the general conditions of the buildings. The profiles are a way of exploring the living conditions in each building and how these might change from one building to the next. The profiles reveal similarities and differences across the buildings.

For residents in the inner city continuing to live in 'bad buildings' means that they have access to transport, jobs, hospitals, schools and universities in close proximity. Over and above being close to social amenities residents benefit from using the buildings in which they live to generate incomes by using the home as a site of business such as spaza shops and crèches. Efforts by residents imply a very strong sense of belonging and a need to create a home for themselves. The inner city's 'bad buildings' are spaces where 'home making'⁷ activities are seen as 'a route to belonging' (Kellet and More 2003:124). According to Lombard (2014) informal settlements are complex spaces that are constructed over time through multiple influences. In this research I argue that residents use their 'home-making' practices to overcome exclusion. This is inspired by the argument advanced by Turner (1986) that a home should be appreciated for what it does rather than what it is materially.

In the inner city of Johannesburg the inadequate provision of basic services in 'bad buildings' often means that residents live in very derelict conditions. Tumwebaze et al., (2014) argue that the provision of sanitation in the developing world is slow which is worsened by increasing populations and governments that are unable to meet the demand for housing in urban areas. Residents of 'bad buildings' have to share the functioning toilets and taps they have as the majority of plumbing systems are broken which means toilets, pipes and sinks do not work. In this research I shall discuss how residents overcome the need for basic services which is a form of positive adaptation. Sharing

⁷ Home making is a process of making spaces more homely by for example decorating with family pictures and other means to make the house comfortable.

of resources, toilets and taps is the norm in informal settlements (Tumwebaze, et al., 2014). The lack of basic services for individuals and households has an impact on household vulnerability due to exposure to water borne diseases which may affect the health and wellbeing of residents.

One of the ways that urban dwellers are exposed to vulnerability is through unemployment. For some residents the home or flat is used for the dual purposes of running a business and as a place of residence. According to Kigochie (2001) this can help to address the broader issues of lack of affordable housing, poverty and unemployment. If residents are able to generate incomes they may be able to afford to move up the housing ladder. Tipple (2004) suggests that running a business from home can improve the environment, enhance income generation strategies, as well as the provision of shops and creches where none exist.

4.1 Khwezi Mansions⁸

Khwezi Mansions is situated in Joubert Park, Johannesburg. The building is unlawfully occupied. The owner is said to have passed away as well as the caretaker he had appointed at the time. The building is within walking distance to Noord Taxi Rank which is surrounded by informal street traders and the Johannesburg Art Gallery. Around 1997 the municipality appointed a property managing company called COPE⁹ and residents were paying rent to the company for about three years until the company disappeared (S'busiso Dlamini, Chairperson of the Khwezi Mansions Tenant's Committee, 4 May 2015, personal communication). According to S'busiso the residents discovered that the property managing company was not paying the City of Joburg (CoJ). In 2001 residents were still paying R560 for rent at Standard Bank until the residents stopped paying as their money was continuously returned to them by the bank. This ended up with the residents no longer paying rent altogether.

The residents of Khwezi Mansions pay for electricity after they obtained information about the account with the help of their lawyers. Initially the City of Joburg would not give them the details of the account as such information is only accessible by account holders (property owners). Each month the residents receive a bill from the City of Joburg and divide it by the number of units in the

⁸ All the names of the buildings including the interviewees have been changed.

⁹ The property managing company COPE emerged during the interviews and it is not clear if it's still operating and attempts to see if it still operates in the inner city did not yield anything.

building. Each household pays approximately R400 directly to the municipal office and has to produce the receipt to the committee as proof of payment (Tumi and Phumzile, residents of Khwezi Mansions, 15 May 2015). The committee does this to check against the households that are paying and the ones that are not. Some households don't pay as a means to protest because the electricity is cut off even after payments to the City of Joburg are made. The building owes the City nearly two million rands in service charges (S'busiso Dlamini, Chairperson of the Kwezi Mansions Tenant's Committee, 4 May 2015, personal communication).

Figure 2 Khwezi Mansions Foyer and Various Floors



Source: Author (May, 2015)

Bucket

Above is an image of the foyer which is sometimes utilised by the tenants as a space to hold their meetings. The ceiling is leaking due to the water from the fire extinguisher where residents collect water. The bucket in the picture is used to catch that water. In the foyer the ceiling and wooden wall panels are also ruined.

Through many years of neglect and no maintenance the building is in a state of decay and the lift is no longer working. Figure three below shows the extent of the water damage within the building's corridors and ceiling.

Figure 3 Khwezi Mansions corridors and ceiling



Source: Author (May, 2015)

Khwezi Mansion is a seven storey medium density building with 8 bachelor units on each floor which makes 56 units in total. There are an estimated 211 tenants living on the property. Due to the high arrears owed to the City of Joburg the building has no water and the electricity is routinely cut off whenever the residents don't meet the twenty six thousand rands (R 26 000) required each month.

Figure 4 Bachelor flat, balcony and enclosed balconies



Source: Author (May, 2015)

Enclosed balcony

The above picture Figure 4 on the left shows a typical bachelor unit in the building where sometimes up to six or more people live in a flat. The picture in the middle shows a balcony of one of the participants in the research. Because the flat is very small, two of her teenage brothers share this makeshift bed in their balcony as they don't want to sleep on the kitchen floor anymore. When this fieldwork was conducted it was in the middle of winter in 2015. The picture on the right shows some units that have windows installed by tenants so that they can be used as additional rooms.

Since there is no landlord or a care taker the building it is not maintained except for the efforts of the residents who clean the passages and stairs.

Figure 5 Waste collected by tenants



Source: Author (May, 2015)

The above picture Figure 5 shows waste that is left at the end of the corridor next to the lift that no longer works. One of the residents is paid by the tenants to take it downstairs where it is collected by Pikitup a subsidiary waste collection company of the City of Johannesburg. The tenants committee is responsible for the rules and regulations that the tenants abide by for example they started a 'Cleaning Day' which occurs every Sunday.

The residents of Khwezi Mansions do not have water in their units. Water is obtained from two fire extinguishers in the building. One of the fire extinguishers is on the 3rd floor and the other on the 6th floor.

Figure 6 Fire extinguisher on the 3rd floor and 6th floor



Source: Author (May, 2015)

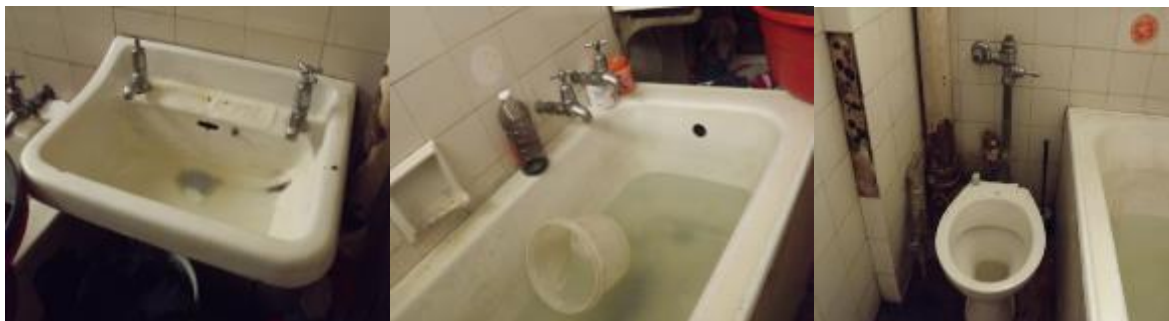
Once water has been collected in buckets it is used for cooking, washing, cleaning and flushing the toilets. Three 25 litre buckets can last up to a day in a household of four people. The residents of the building are affected by not having access to water in their bathrooms because drains and sinks are blocked. Water has to be collected from the fire extinguisher to be stored in the bath tub in order for it to be used for flushing the toilets.

'I have three buckets and they don't last very long. Water is very important – if you have to take a bath you use a lot because you want to mix the hot and the cold water' (Thoko, 21 Khwezi Mansions, May, 2015)

When residents have to do their laundry they have to make several trips and sometimes children are sent to go and fetch the water. If you have no money to give to the children you have to do it yourself.

'I have to go myself because I like to remain clean especially when I have to go to church. I live on the fifth floor and they get the water from the fire extinguisher on the sixth floor. Yey kuya hlutshekwa apha emafathini! [life is hard here in the flats] but I think this flat is one of the cheapest' (Thoko, Khwezi Mansions, 21 May, 2015)

Figure 7 Collection and storing of water for ablution facilities



Source: Author (May, 2015)

The plumbing systems are not working due to years of water being disconnected by the City. As shown in the picture some of the water that is collected from the fire extinguisher is stored as shown in the picture in Figure 7.

Figure 8 Blocked kitchen sink and cooking area



Source: Author (May, 2015)

The pictures Figure 8 above show a kitchen and how this particular unit is affected by not having running water in the flat. The sink does not have a tap and the household relies on 25 litre buckets of water. When there is no electricity which is a situation that occurs frequently the stairs and passages are left very dark.

'Firstly, our flat does not have lifts. Our windows are broken. The walls have been written on and you are not sure whether its blood or not. If you go up the stairs it's dirty. If you were to bring your friend from Soweto they'd think that people from the flats are dirty. They would ask if this is a flat or hostel' (Tumi, Khwezi Mansions, 15 May 2015)

The tenants of Khwezi Mansions are involved in a dispute with the City of Johannesburg because the building's electricity bill is in arrears of nearly two million rands (S'busiso Dlamini, Chairperson of the Kwezi Mansions Tenant's Committee, 4 May 2015, personal communication). According to S'busiso (2015) one of the reasons for the dispute is that some tenants don't believe they should pay for the historical debt as some of them were not living on the property when the debt was generated years ago. If the tenants don't come up with at least half a million they will have their electricity cut off on a regular basis (S'busiso Dlamini, Chairperson of the Kwezi Mansions Tenant's Committee, 4 May 2015, personal communication).

'It's cold. We are not comfortable because its winter and we live in the dark. And we seem like people who don't want to pay rent...its tough; I've even taken my child to my sister's place because I can't make them their bottle. My child is a year old and I can't make them a bottle with cold water. So if the electricity comes back I will call my sister to bring her back' (Phumzile, Khwezi Mansions, 15 May 2015)

4.2 Shaka House

Shaka House is an unlawfully occupied building in the Central Business District (CBD) of Johannesburg. The building is within walking distance to the Fashion District, Carlton Centre and Smal Street. The building has two floors and there are approximately 53 people that live on the property. Shaka House is situated along a busy main road. The owner was man named Rodney Smith who is said to have passed away around 1995. He had appointed a caretaker named Edgar and he

was a Zimbabwean man that lived on the second floor (Thami, Chairperson of the Committee, 3 June 2015, personal communication).

The building is very dark inside even during the day and there is stagnant water on the pavement, tenants and others around the neighbourhood call it *em'nyamandawo* which is a Zulu word meaning a place devoid of light.

'It's not nice to live without electricity because sometimes you are so broke you don't have money to buy a single candle and a litre of paraffin is R12. This would cause me to look for odd jobs... but this is our situation as the people of em'nyamandawo we don't have water or any services. The government can see our situation but we don't have a relationship with them. We would also like to have electricity because I could buy an prepaid electricity card for R30...whatever little money I make I have to support my family at home. My child's grant money of R300 has to support my grandparents and my sister's kids because she passed away. I also have to buy food' (Zandile, Shaka House, 4 June 2015)

Figure 9 Shaka House foyer, corridors and ceiling



Source: Author (June, 2015)

The building has not had electricity from as far back as the early 1990s. As it can be seen in the pictures above the building has dark walls, ceilings and corridors. There is a very characteristic darkness that envelopes the entire building day and night. The lack of electricity makes the building an easy target for crime.

'There are many things that are bad, as dark as it is some people come here to do criminal activities. They make it look like it's the people from this building. They [the criminals] do their crime elsewhere. These are the things that make us feel sad' (Zandile, Shaka House, 4 June 2015)

'There is a lot of crime – it is chaotic. People like Bra Sbu would get mugged because our passages are dark so they would get mugged in the building. They [the criminals] would get here and search everywhere and turn our beds' (Thami, Shaka House, 3 June 2015)

Figure 10 Transformer and broken fire extinguisher



Source: Author (June, 2015)

The above picture shows where electricity cables used to be. The transformer in the basement of the building was flooded by a leaking pipe and the electricity was never restored. The water was never drained and it remains there. There are no fire extinguishers in the building which poses a risk to tenants in case of a fire.

Figure 11 Shaka House corridors, walls and ceiling



Source: Author (June, 2015)

The residents do not pay for rent and they use gas stoves, candles and paraffin as sources of energy for heating and cooking (Thami, Chairperson of the Committee, 3 June 2015, personal communication). The lack of electricity and the threat of evictions affect the residents' income generation strategies such as informal trading. An example is Zandile, she is an informal trader that used to sell food.

'No I don't work. I used to cook food but I don't have a fridge. When they used to abuse us and kick us out, my food would be cooking on the prima stove and I stopped because my food would spoil. I decided to stop because around June we know they are coming' (Zandile, Shaka House, 4 June 2015)

Figure 12 Sources of energy, storage of water and cooking areas



Source: Author (June, 2015)

The above pictures show how residents keep their homes clean. Pots are kept in a shiny condition even if it means they will get blackened by soot from the prima stove. Keeping the flat clean is also about convincing the authorities that the residents are able to maintain and look after the property.

'...but even if you could be kicked out the next day, should you live in a dirty place? Should you live in a place that is in that state? would you look after yourself and neglect your flat? It does not matter if you buy paint and paint today and get evicted the next day you have done the right thing. Even the government wants to know if we live in a clean place. If they came to inspect the building, and we kept this place clean it would convince them that we are serious about this place. The health workers from Esselen Clinic and social workers come here and sometimes they bring groceries. Even if this is a dark building they help us because we keep it clean' (Zandile, Shaka House, 4 June 2015).

Outside the building sit a group of women. Shaka House is being used as a brothel. Some of the women live in the building and others come from elsewhere in the city and surrounding townships. Some of the tenants are not happy about this as they believe it attracts crime (Thami, Chairperson of the Committee, 3 June 2015, personal communication).

Figure 13 Boxes of condoms and the 1st floor room



Source: Author (June, 2015)

The pictures above (Figure 13) show a box of condoms supplied by a mobile clinic. The picture on the right is the room that is used by the women.

'This business that is run here [prostitution] downstairs, it does not sit well with us. That is Thuli's business, they are not working they are dealing in this business. Thuli who brought

you here, she gets paid R10 by these girls when they bring men. There are three rooms downstairs that have mattresses. That's where they do this business. We don't have that business here on the 3rd floor' (Lindiwe, Shaka House, 5 June 2015)

There is no water in the units within the building residents obtain water from a single tap behind the building. The source of the water (see Figure 14) is a fire extinguisher valve from the pavement on the street. The residents have attached a long pipe and a tap and the end of that pipe to open and close the tap.

Shaka House has no water and all the former toilets are broken, blocked and collect waste. There are only two toilets that are situated at the back of the building. The two toilets were installed in 2014 as part of an initiative by an international humanitarian organisation that worked to install toilets in 'bad buildings'. Before the toilets were installed residents used to walk more than 200 metres to get to a toilet and the residents used to pay R2.00 to use the toilet from a shop in Knox Street.

Figure 14 Tap and laundry being washed

Figure 15 Two toilets



Source: Author (June, 2015)

Piper connected to valve – leading to the pavement

The above picture shows a tap that is connected from a fire extinguisher. The estimated metre of the pipe can be 50 metres to 80 metres to the fire extinguisher valve. The picture on the right shows only two toilets available for tenants. The tap and toilets are situated at the back of the building. At night a hose pipe is inserted into the toilet to clean the waste by allowing it to flow into the drains on the street.

'The toilets we have are like the ones from the village, you know – the ones with the pit, we pour acid to dissolve the faeces inside the toilet. But since they used a plastic like material inside the pit we are afraid that the acid will dissolve that plastic as well. So what we usually do, we have a woman who lives here and she works for the hospital, she brings us gloves and masks. In the evening when it's not so busy in the street, one of us puts a hose pipe down the toilet to flush out all the stuff in the toilet until it flows all way to the street to make sure it reaches the drain in the street.... the toilets don't flush so without what we are doing it would be a real problem the toilet would be filled up to the toilet seat. They told us that the acid is very dangerous and it could dissolve everything and we would be left with the toilet seat only. We only do this in the evening to reduce the smell that comes from the toilet. Some tenants don't help, if you ask them to help you because the toilet gets in a state' (Zandile, 4 Shaka House, June 2015)

Figure 16 Broken toilet that is collecting waste



Source: Author (June, 2015)

The above picture shows the state of the toilet that is no longer used by residents.

The picture below (Figure 17) shows the remains of a wall that collapsed at the back of the building. The wall collapsed as the result of years of waste that was thrown out of windows by residents.

Figure 17 Rubble behind Shaka House



Source: Author (June, 2015)

The tenants say that the waste caused many tenants to get Tuberculosis (TB) and their flats were infested with rats.

'...the rubbish was a big as the building. There was a wall at the back that separated us and the shops on Knox Street. People would throw rubbish across the windows until the wall collapsed. A lot of people had TB and I am one of them and my wife too when she used to live here' (Thami, Shaka House, 3 June 2015).

'This place was very dirty – when you look at it, you might think it's dirty but we think it's clean as you see it now. There used to be rubbish that we as tenants used to throw through the windows... in summer we couldn't open the windows for some fresh air. It smelled very badly. We do like to fix this place we just can't afford it' (Zandile, Shaka House, 4 June, 2015)

There have been a number of attempts to evict the residents of Shaka House. In November 2011 there was an eviction brought by Khaled Ahmed Properties CC. The eviction left the residents homeless however; the tenants were assisted by Inner City Resource Centre to prevent the destruction of property and the eviction. The City of Johannesburg did not provide alternative accommodation. But the tenants still live on the property because they are waiting for the provision of alternative accommodation.

4.3 Intsika House

Intsika House is situated in the Johannesburg Central Business District (CBD). It is a high density 16 storey building with approximately 520 people that live on the property. Intsika House was initially used for commercial purposes and it was later used as a residential building without any conversions or alterations. The first owner Mr Price was the landlord and he consented for people to move in and to pay rent in the early 1990s. His office was on the 12th floor of the building (Thando, Member of the Tenants Committee, 25 September 2015, personal communication). The conversion or alteration for residential purposes did not occur as it was promised and it was said that it formed part of the reason why tenants are refusing to pay rent (field notes). The residents do not pay rent to anyone since the winding up of Alex Investments CC in 1998. Mr Price abandoned the building after which the City of Joburg sent a notice threatening to disconnect services on the property. The tenants are not paying rent in part because they have not agreed on an amount with the new owner (Nomzamo, SERI, 2015 personal communication). The residents agreed to contribute monthly to the maintenance of the building and they only pay for the electricity and water that they are using.

Figure 18 Intsika House foyer and parking lot



Source: Author (September, 2015)

The picture on the left shows Intsika House with cardboard and other materials that cover the windows. The picture in the middle is a parking lot and the picture on the right is a foyer.

The residents have two toilets on each floor and these are shared by the residents of the respective floors. However, the toilets are kept locked to prevent people from other floors from using them.

Figure 19 The locked toilet on 8th floor and kitchen used to collect water on 8th floor



Source: Author (September, 2015)

The residents fetch water from the kitchens situated on each floor. Each kitchen is used by tenants to collect water in buckets and store in their rooms.

'We last had water on Tuesday – I fill up all the buckets that I have including the cups because I don't know when the water will return... where we get the water its very dirty and can harm us...each floor has a tap. The problem is that the water cannot go up from the ground floor because the pipes have been damaged. Things are better here on the 8th floor because we lock our toilets and we get the water' (Mr Radebe, Intsika House, 18 September 2015).

The residents on the ground floor use the toilet on the picture below. This toilet is never locked and it is in a poorer condition when compared to the toilets that are locked.

Figure 20 Toilet used by residents of the ground floor



Source: Author (September, 2015)

Zanele and her family (her mother, two daughters 5 years old and 7 months, and her brother (17) live on the ground floor). Zanele is affected by the state of the toilet on the ground floor because her daughter who is 5 years old is not allowed to use the toilet because it remains dark all the time. The light reflected here is from a camera's flash light.

'I used to clean the toilet because I have a child but we don't let her go to the toilet. We let her use a pottie...if she wants to use the toilet we give her the pottie to use... It is very dangerous she could be a victim of rape at any time. We could be sitting here and someone could attack her in the toilet' (Zanele, Intsika House, 21 September 2016)

The electricity is routinely cut off and at the time of the interviews it had been off for six months. The tenants use paraffin lights, gas stoves and candles as sources of energy. The residents that are operating shops within their flats use generators. The owner of the shop Mr Radebe charges tenants R5 to charge their cell phones in his shop (Mr Radebe, resident, 18 September 2015, personal communication).

Figure 21 Paraffin light during the day and sources of energy such as gas stoves and generator



Source: Author (September, 2015)

Living without electricity is hard for residents that have to keep their candles burning the whole day and night.

'It has not been a pleasant experience – as you can see, it's during the day and we have the candles on. In our culture you only light a candle during the day when there is a death in the family and you are waiting for the body of your loved one to arrive before they are buried. But here we have them on the whole day and night. If we don't do this it's so dark that you cannot see a fly...the fumes from the lamp hurt our eyes. We try to cook outside but it's not always possible to do that because it's so dark in the corridor – I don't want to lie to you, we are not healthy. We live here because we are poor' (Ms Tshabalala, Intsika House, 21 September 2015)

The residents agreed to contribute monthly to the committee for maintenance of the building and payments to the council for services that they are using. The residents approached the municipality about making payment but one of the challenges is that the municipality will only engage with property owners (Thando, Member of the Tenants Committee, 25 September, personal communication). The residents decided to form the Intsika House Tenants Committee to address the issues with the municipality.

The municipality opened an account for the residents for payment of the service/consumption charges. In 2015 the residents were able to collect a total of R70 000 from some of the households living in the building. This money was paid to the municipality in order to restore the electricity but, at the time of the interviews the electricity had been cut off for six months. According to Mr Radebe each unit had to contribute R500 and he believes that if every household had paid they would have

exceeded R100 000. When they got to the municipality things did not go as planned and the electricity was not restored. The building owes the municipality R320 000 for electricity – excluding water. The committee continues to receive threats of disconnection (Thando, Member of the Tenants Committee, 25 September, personal communication).

This is Mr Radebe's spaza shop on the 8th floor that he has been operating since 1997. Mr Radebe has divided the flat in half with a curtain to separate where he sleeps and the shop.

Figure 22 Mr Radebe's shop on the 8th floor



Source: Author (September, 2015)

'The shops are dwindling –there are only two shops left - there were many before... as many as 8 but there are only 2 shops left. It's the electricity' (Mr Radebe, 18 September, Intsika House, 2015)

The impact of not having electricity has meant that other shop owners have had to close their shops.

4.4 Naledi House

Naledi House is situated in Berea. Along the same street is a private clinic and there is a school and a park nearby. Naledi House is a twelve storey building with 55 single bedroom units and 22 two bedroom units which makes up 77 units in total. On the roof of the building are what used to be servant's quarters. The lift is in working condition. The building has an owner and a care taker who are still involved in the building however, not all the tenants have leases.

The tenants are paying rent of R842 per month for a bachelor unit, R1 852 per month for a 1 bedroom unit and R2 400 per month for a 2 bedroom unit. The owner has installed pre-paid meters where it is measured and paid for by the tenants. All the units except for the bachelor units have water meters. The building is overcrowded due to subletting by the tenants in order to share the rent. The relationship between the landlord, caretaker and tenants can be described as antagonistic. The tenants complain of unfair practices of among others, locking out of tenants, cutting off electricity, intimidation and excessive increase of rent (Isaac, Chairperson of the Tenants Committee, 28 April 2015, personal communication). On the issue of excessive increase of rents, the tenants have taken the landlord to the Housing Tribunal where the matter, at the time of writing the report, was still deliberated. In 2010 a written agreement between the landlord and tenants was entered into where there would be a moratorium on rental increases until 2016 but in 2013 the rent was increased for all units by 9%. Some tenants refused to pay on the grounds that it was in breach of the contract they entered into earlier. The increase meant that rents would increase by R918 (excluding utilities) for a bachelor, R2 019 (excluding utilities) for a 1 bedroom flat and R2 616 (excluding utilities) for a 2 bedroom unit (Lwazi, Candidate Attorney at SERI, February 2017, personal communication).

Those who refused to pay 'non-payers' were charged higher rent than those who were allegedly intimidated into paying. According to the Tribunal Ruling, the 'non-payers' were victimised and harassed by the owner. As a result the 'non-payers' were charged R1 028 per month for a bachelor unit, R2 260 per month for a 1 bedroom unit and R2 928 per month for a 2 bedroom unit. The increase did not apply to those tenants that had agreed to pay the increased rent in 2013 so it meant that they continued paying the existing rent. The tenants wanted the rent to be the same for all the tenants. The landlord allegedly claimed have increased the rent in 2013 on the basis of the increase of rates, taxes and wages (and related costs), insurance of the premises, maintenance and the upkeep of the building. Before 2010 some of the tenants stopped paying rent and services charges

which prompted the landlord to initiate eviction proceedings against those tenants. The Housing Tribunal ruled that the landlord is prohibited from charging separate rentals for tenants and that all tenants must pay the same rental for their respective units. The landlord subsequently sold the building and it is under a new property management company. The building is in a relatively good state (Lwazi, Candidate Attorney at SERI, 2017February, personal communication)

CHAPTER 5 DISCUSSION OF FINDINGS

5. INTRODUCTION

This chapter is the discussion of findings that emanate from the themes developed during the analysis of data. These are responses from the perspective of the residents who participated in this research. The findings highlight the precarious living conditions residents of inner city 'bad buildings' often live under. The chapter is grouped into three sections with subsections within. Section 5.1 looks at the kinds of difficulties, threats and vulnerabilities that residents are facing. Section 5.2 looks at the various response invoked by individuals and or households in response to the vulnerabilities they are confronted with. Section 5.3 looks at the group or collective strategies employed by residents to cope and adapt to continue to live in the inner city's 'bad buildings'.

5.1 THE KINDS OF DIFFICULTIES, THREATS, AND VULNERABILITIES PEOPLE ARE FACING

5.1.1 Insecure Tenure and Associated Risks

'Secure tenure is about: Defendable rights and enforceable duties to property and benefits flowing from it. Rules, procedures and systems for managing these property rights and duties' (Royston, 2009:4)

Insecure tenure can be directly related to certain risks such as displacement and social and economic exclusion. The risk of insecure tenure exposes residents to the attending devastation often caused by evictions and displacement. Kellet and Moore (2003) describe a situation of concealed houselessness as a subset of homelessness where people live with the threat of eviction as well as those that live in substandard housing.

5.1.2 Status of Tenure as Defined by Residents of 'Bad Buildings'

According to Maass (2010) the tenant-landlord regimes in South Africa in terms of the current tenure rights of urban dwellers are largely based on common law and which is associated with weak tenure security. Furthermore, Maass (2010) argues that the laws are limited with respect to providing access to rental housing especially as an option to address the shortage in housing. The shortages in housing and weak tenure security are among the key challenges in the inner city of Johannesburg for residents of 'bad buildings'.

Due to a variety of reasons some residents in this research consider themselves to be lawful occupiers of the buildings while others in stark contrast consider themselves to be unlawful occupiers of the building they occupy. This arises out of a complex situation associated with the initial occupation of buildings by residents. Some residents moved in when the owner was still present and as such had verbal, tacit or written lease agreements. The data indicates that most residents knew someone before they occupied the building such as a family member or relative that left the flat/unit to the current persons living in the flat. When residents were asked to describe their tenure situation and what they think of such a situation the following range of responses were made, bearing in mind that the data is not generalizable to the whole population of the inner city's 'bad buildings'.

'...the owner left me here. I don't know a lawyer who could call me unlawful. The problem is the owner and the municipality. So no one can say I am trespassing when they have found me here...I am lawful because I lived here while the owner was still alive' (Thami, Shaka House, 3 June 2015)

'She [Tumi's mother] is living here lawfully because when the people from room 301 left, the caretaker was still alive and then she moved in. So I think she is the owner' (Tumi, Khwezi Mansions, 15 May, 2015)

'Yes, we are living in an unlawful manner because we are not paying rent' (Tumi, Khwezi Mansions, 15 May 2015)

‘That situation is not right, living in a place in town and not paying is not right. But I found the situation like this here and I was scared in the beginning but I eventually got used to it. We would attend meetings after meetings and I eventually calmed down.’ (Ntombi, Khwezi Mansions, 20 May 2015).

As the quotations indicate some residents see that it was the owner that changed a former functioning situation and as the tenants they are still in the right. The interviews reveal the difficult situation residents often find themselves where the landlord is absent as is the case in Khwezi Mansions and Shaka House. When the owner has abandoned their property tenants find themselves in broken rental agreements where municipal account payments are not met and access to basic service is compromised. Interviews with residents suggest that they are acutely aware of their tenure situation and how this leaves them with uncertain tenure rights.

Residents of Khwezi Mansions, Intsika House and Shaka House have not been paying rent for a long period of time. This points to the limitations residents are confronted with when they have tried to pay rent and when there is no landlord or property managing company to collect the rent on behalf of the owner.

‘We are not living here unlawfully because we used to pay money into an account – no one has said here is an account we must pay to. Nobody has given us an account’ (Thoko, Khwezi Mansions, 21 May 2015)

As mentioned above residents describe the uncertainty of their tenure situation including the legality of their occupation in different ways. However, this also shows how the resident’s failure to pay can be attributed to an absent landlord or a property managing company.

Many residents of the inner city’s ‘bad buildings’ don’t have lease agreements while others have tacit lease agreements. The residents that were living on the property while the owner was still alive or present now find it difficult to honour those lease agreements by paying rent. Without a legitimate owner or property management company residents are unable to pay rent. Their occupation is now subject to possible evictions despite efforts to try to remedy the situation such as when tenants committees approach the municipality to obtain the water and electricity accounts, usually only owners have access to the municipal accounts.

The lack of secure tenure in the inner city directly affects the residents' access to basic services (Wafer et. al., 2008). Shaka House has not had electricity since the dawn of democracy and two of the properties in this research collectively owe the municipality millions of rands and have their electricity cut off for months at a time. Despite this residents have not illegally connected electricity instead they try to pay off what they can afford. For example in 2015 the residents of Intsika House were able to collect a total of R70 000 from some of the households living in the building. This money was paid to the municipality in order to restore the electricity but, at the time of the interviews the electricity had been cut off for six months. According to Mr Radebe each unit had to contribute R500 and he believes that if every household had paid they would have exceeded R100 000.

5.1.3 Risks Associated with Living in a 'Bad Building'

In disaster research risk involves both the hazard which is a potentially harmful event and vulnerability involves people's capacity to cope, anticipate, resist and recover from the impact of a hazard (Obrist and Pfeiffer, 2010:284). Some 'bad buildings' are structurally unsound however, there are other risks associated with living in such a building.

In this research the residents of the selected buildings experience community based risks in the form of evictions and life event risks such as illnesses as described above. Evictions are as the result of a combination of factors one of which is the non-payment of rent. The evictions in Intsika and Shaka House have been instigated by private property owners who have bought the buildings at an auction. In Khwezi Mansions the eviction is sought by the CoJ due to large arrears of rates and service charges.

The data suggests that this is the result of absent landlords and or collapsed sectional titles. The reality of living in a building without paying rent presents many challenges for residents of the inner city's 'bad buildings' which includes living in fear and anxiety, homelessness and displacement.

'...it is a risk to live here. We must always be prepared for the worst. People have tried to sort this out [issue of paying rent]. But we are in a situation where people are used to not paying rent some people have even passed away without this issue being resolved' (Zanele, Intsika House, 15 May 2015)

'We are always living in fear because, we don't have a problem with paying rent, we just don't know where to pay' (Phumzile, Khwezi Mansions, 15 May 2015)

Residents speak of their situation in terms of it either being right or wrong which suggest a moral point of view. However, some residents also point out that they are prepared to pay and such a willingness to pay rent must be construed as a way to make 'right' the situation that is 'wrong' in their eyes. This also shows how residents are living in fear of being evicted and one of the ways to address this fear would be to start paying rent.

'You see if we pay rent then we can stop living in fear. If we wake up one day and there is a Trafalgar board [property managers] out there, the City would be obliged to tell us if we are being evicted or not and if there is a manager that will set us free from fear because right now we are afraid of buying things for the flat' (Ntombi, Khwezi Mansions, 20 May 2015)

'...people have even indicated what they think it is fair to pay. Some have said R1200 is a fair amount to pay while others said R1050 or R850. People don't have a problem with paying...I am receiving a child support grant from the government and paying rent would not be a problem.. I can pay rent knowing that I will not be living in fear – I will know that I am safe. (Ntombi, Khwezi Mansions, 20 May 2015)

The interviews reveal a couple of things, firstly a willingness to pay rent and a desire to be managed and secondly the amount of money residents think they will be able to afford to pay as rent. Paying rent represents peace of mind and sense that there is an obligation by property managers to inform residents if they were being evicted. This can be seen as a desire by residents to have working relations and functioning lease agreements between themselves and those who can manage them.

5.1.4 Humiliation and Powerlessness: the construction of living in *em'nyamandawo* a 'bad building'

According to Chambers (1995) powerlessness and humiliation can result from abuse, insults and helplessness, pain and these are other dimensions of poverty. The data indicates the negative impact on residents of 'bad buildings' and how this affects how they and others around them see the residents. The data explores how residents describe their reality and the experience of living in a building called 'em'nyamandawo' a Zulu word meaning a building devoid of light. During the

interviews residents across all four buildings used the term 'em'nyamandawo' to describe buildings in the inner city that are 'dark' *ezi'mnyama* (devoid of light). Residents are describing buildings that are in a state of decay, where residents have no access to water, electricity, and where criminals are supposedly living. When compared to the widely used definition of 'bad buildings' popularised by Zack et. al. (2009) the concept 'em'nyamandawo' fits this definition. Residents were asked describe the term em'nyamandawo and to explain how are buildings considered 'bad buildings' are perceived by residents and the general urban public.

'These flats have been in the dark before I even came to Joburg in 2003.... We are even afraid of walking past them because they have been in the dark for many years. We feel bad for them for living in that situation [others that live in a 'bad building] because they have been in the dark so long that Izimpisi [which means hyenas] are living there' (Thoko, Khwezi Mansions, 21 May 2015)

'...I believe if someone had a choice they would not be living here. We are staying here because we don't have an option' (Sakhile, Khwezi Mansions, 14 December 2016)

When residents speak of 'bad buildings' it is in terms that indicate a sense of fear of crime and illegal activities that occurs within the buildings. And when residents were asked how they felt about living in a building that is called *em'nyamandawo* the responses given indicate a very hard life and a strong sense of despair because many have nowhere else to go or the options they have to choose from are very expensive.

'It's hard my sister. It is very hard I don't know how to respond to your question. I feel like an outsider like I have no responsibility. I'm not sure how to put it. First thing, you must be responsible but I am unable to because I live in this place. If the government could at least help us because some of us are not here because we want to...I can say I am excluded because I am a South African and being a South African who has voted but now I don't have a responsibility because if I was responsible and the government cared about me I would not live in a place like this' (Thami, Shaka House, 3 June 2015)

The interviews suggest that residents are feeling excluded because of their social status, to the extent that residents feel like foreigners. As an adult Thami feels like his situation hinders him from reaching his full potential as a grown man who is expected to take responsibility for his life.

'...If we were not neglected I am sure the municipality would have made sure that this building has electricity, toilets and we would have nice things. We feel like we are foreigners, they even live better than us. We vote but look at us we are very poor. Those who come from outside live a better life. When the foreigner has been here for two weeks only, they open a shop and ask me to sweep [to work as a cleaner]...siya khala (We are crying) we are not looked after..We are called names, when people walk past our building they say "yeiy kuhlala abantu la?" [do people live here?] "kuhlala abantu la noma izigebengu ezi thathela abantu amagbag?" [do people live here or are they criminals that grab our bags?] You can see that we live like we are oppressed; we don't like it and is why we say the government has neglected us' (Zandile, Shaka House, 4 June 2015)

Residents point to the sense of neglect they feel because of the lack of water and electricity which heightens the resident's feelings of exclusion from society. The word *em'nyamandawo* has negative connotations attached to it and by extension those who live in 'bad buildings' are also seen in the same light.

The interviews highlight spatial exclusion – which is a dimension of deprivation where processes of segregation associated with criminality, drug dependence and conditions of squalor exclude some members of those communities (Kabeer, undated). The interviews reflect harsh living conditions and how these in turn shape the perception of others and how these processes work to exclude residents of 'bad buildings'. Exclusion takes various forms and as a concept it can be used to analyse various aspects of deprivation. In this context it is used to highlight the variety of deprivations faced by residents of 'bad buildings'. 'Bad buildings' are vulnerable to crime and are often the site for crime (Zack et. al., 2009) however, this research also shows how residents of 'bad buildings' are also victims of crime, which is also what (Zack et. al., 2009) says and it is confirmed here too. The slow or no response from the police because of perceptions affects residents.

'...Sometimes people hide their stolen property and hide it here because we don't have security. The police would come here to get those who have committed crimes outside [in other buildings or in the vicinity] because this is emnyamandawo the criminals just go to the roof to hide. People say that criminals live in this building because criminals hide here. If we had security we would rest assure that these things don't happen. Even when we report to

the police, when someone's bag has been snatched, they police say criminals live there'
(Zandile, 4 June 2015)

With respect to neighbourhood dynamics the interviews show that sometimes there is an 'us' and 'them' or 'othering' of residents of 'bad buildings' by others due to the reputation of some of the buildings. Residents point to the difficulties of being stigmatised by their neighbours and the general public. Stigma and humiliation can be associated with dimensions of poverty and vulnerability (Chambers, 1995). People can feel isolated when they are excluded from the broader society. Neighbourhood exclusion is not separate from identity, disadvantaged groups that inhabit physically deprived places (Kabeer, undated: 3). This may affect how residents of 'bad buildings' see themselves or what they think others see them.

'...whenever something happens here everybody looks at us. All the people from the buildings surrounding us come out to look at us. They look at us through their windows. It's not right..' (Lindiwe, Shaka House, 5 June 2015)

Lindiwe points the glare from outsiders and how being looked at through a window reflects feelings of mistrust among the neighbours which makes her uncomfortable.

5.1.5 Diminished Wellbeing: child and female headed households in the inner city's 'bad buildings'

This research did not originally set to examine the experiences of children and female headed households. However, upon analysing the data, the realities of the young people and female headed households became evident. 'Wellbeing' is the experience of a good quality of life (Chambers, 1995: 173) and wellbeing is a normative concept encompassing both subjective (feelings, prestige, self-worth, freedom) and objective (income, housing, education) criteria. Wellbeing is contextually determined with no fixed definition (Rigg, 2007:33). The lack of access to water and electricity heightens the specific vulnerability females and children experience. The wellbeing of child and female headed households in the inner city's 'bad buildings' may be threatened on both subjective and objective fronts. The lacks of income from unemployment and living with the threat of looming evictions are realities that may affect the wellbeing of child and female headed households. Wafer et al., (2008) make reference to women having being forced into transactional sex with men in order to

obtain water. In this research we can see how women have to navigate difficult situations to continue to live in the inner city.

Phumzile is young girl who came to live in Johannesburg with her sister when she was still alive. When her sister passed away Phumzile had to look after her sister's four kids, two of them are teenagers.

'I look them after because things are bad here, the toilets get blocked and so I come to check if they are doing well in school. I stress about this and the impact of not having electricity and if they will be able to study...' (Phumzile, Khwezi House, 15 May 2015)

Phumzile is in her twenties and she is unemployed she relies on her boyfriend and government social grant.

Nonhlanhla's husband passed away in 2007. She lost her job in 2015. She lives with the two children Bongani (17) and Zanele (23). Zanele has two daughters Angela (4) and Olwethu (7 months). Nonhlanhla is unemployed and suffers from diabetes and hypertension and in 2010 she had Tuberculosis (TB).

'...since I lost my job I cannot live in the street with my kids. I am still staying here because we don't have to pay for anything in this flat. I cannot depend my daughter if her boyfriend asks her to move in – who will stay with me? I do stress about this. When I think about all of this at night I just lose my sleep. I am depending on God' (Nonhlanhla, Intsika House, 18 September 2015)

'It is really hard for me – like I've had to apply for a grocery voucher because it's been really steep for me. Things are not coming together... I am still waiting to see if we won't be evicted' (Nonhlanhla, Intsika House, 18 September 2015)

Ntombi is a self-employed 43 year old mother of six children and she looks after five kids in her flat. She comes from KwaMaphulo in KwaZulu Natal. She was widowed when her husband was attacked and he died of his injuries. In her bachelor flat she operates a day care centre where looks after 5 children that belong to her cousins and their friends. Ntombi was unemployed before she moved to Joburg until she started a business as a street trader. Due to ill health she stopped her business.

'A person like me with many kids...I have nowhere else to go - we are seven in this flat. There is no place I could go to. What could happen is that my kids could go back home and I could stay here but there is no place to go' (Ntombi, Khwezi Mansions, 20 May 2015)

The women and children that live in 'bad buildings' are affected by various threats and stresses that expose them to vulnerabilities. The loss of income, an illness or death of a spouse or absence of a co-parent can expose residents to a variety of deprivations. The data points to the ways in which women and children's ability to cope in the face of adversity may be constrained or even weakened by exposure to adversity (Obrist and Pfeiffer, 2010). This research shows how women and child headed households are particularly vulnerable due to threats and risks such as unemployment, illness, the death of a spouse and the prospect of a possible eviction.

5.1.6 Diminished Wellbeing: young people's experiences of living in the inner city

There is a glaring absence of literature of the experiences of young people that live in Johannesburg inner city's 'bad buildings'. According to Dawson (2014) young people, those under 35 in South Africa, bare most of the brunt of the housing and job shortages. The majority of the South African youth is unemployed the youth remain the group of the population with higher unemployment rates (Stats SA, 2017). The young people in the inner city's 'bad buildings' are no exception. The young people in this research are under pressure due to youth unemployment, stress, anxiety, teenage pregnancy and drug abuse. For young people such as Zanele (23) living in a 'bad building' has not been easy.

'I feel tortured – it's like trauma because a lot of kids especially the young people here [in Intsika House] have given itself up to alcohol. Young boys get into crime. It's ghetto like. Everyone is doing their own thing it's out of control' (Zanele, Intsika House, 21 September 2015)

'Jobs are very scarce. At the moment I am still waiting to get a job – I finished school a long time ago but even those who finished before me are still waiting. A friend of mine is doing domestic work and she makes R50 a day. I have not given up there are many of us in this flat who have completed school' (Vuyo, Intsika House 21 September 2015)

'I am trying to get a job – this year was bad for my family we went through a lot. I got pregnant while I was in school' (Zanele, Intsika House, 21 September 2015)

'The last grade I did was grade 11. I fell pregnant so I went back home [North West] to finish my schooling but I did not complete my matric. I had my baby then I came back here to look for a job' (Tumi, Khwezi Mansions, 15 May 2015)

The youth in this research point to a situation of both desperation and hope. The environment has not been conducive to their overall wellbeing and has affected them as young adults. The lack of employment opportunities may lead women to become vulnerable to sexual favours as identified by Wafer et al., (2008).

'Most of the kids get involved with dagga and drugs. All of that does not sit well with us. It makes the flat seem like criminals live here...in other places it's not easy to see someone injecting themselves with drugs but outside this building you can see that here on the street. Our young kids get exposed to that – children easily become drug addicts. Even my brother Bongani, he's house breaking was largely due to the environment' (Zanele, Intsika House, 21 September 2015)

Zanele blames her brother's delinquent behaviour on the environment and points to the easy access to drugs that got him nearly arrested in school uniform at a park. Bongani had been bunking school for nearly two months when the police found him.

'No he's never been arrested but he came very close - the only reason the police did not arrest him was that they found him wearing school uniform. But, in school they said they did not see him for two months while he left here every morning saying he was going to school but he never did' (Zanele, Intsika House, 21 September 2015)

One of the reasons cited by residents as the advantage of living in the inner city is the proximity to schools however, even in that situation social conditions lead to the dropping out of pupils such as drugs and early teenage pregnancy.

5.1.7 Risks of Sharing and Subletting

In this research residents shed light into some of the challenges they face that are brought about by subletting and or sharing their flats. This is the other side of the lived reality of sharing which can be potentially dangerous. Residents can share or sublet their flats to support their livelihoods (see Mayson and Charlton, 2014). This research supports this claim, however it also indicates the exposure to risk that is experienced by women who choose to share their flats with men.

At the time of the interviews Thoko was sharing her flat with two men who were desperately looking for a place to live. She allowed them to move in with her and she took the balcony that is covered by a long curtain to provide her with privacy.

'No I don't feel safe because I am a woman and they are men. They could say "this woman is not our relative, let's rape her". You see, I'm not safe...they have been here for a week now. Nothing was missing from my flat. But I was told they brought in a lot of women. They don't respect my place. On Tuesday night one of the men brought a women here. I told him not to do that again. I woke up that morning to reprimand him. The whole night – they were having sex – the sound of the bed and what was coming out of her mouth - the noise was too much for me. Abantu aba hloniphi (people don't respect other people) Someone had told me that these guys are bad news and this person said if I allow them to live with me, I will see their bad behaviour with my own eyes and I believe I have and now it's too late' (Thoko, Khwezi Mansions, 21 May 2015)

Thoko's story shows how fragile relationships between people that share their flats can be as well as the potential dangers that exist for women who share with men. While people can be confronted with difficult situations in terms of sharing others seemingly live in harmony with each other.

5.2 HOUSEHOLD OR INDIVIDUAL STRATEGIES FOR COPING: What Kinds of Responses Do People Invoke?

5.2.1 Coping and Living with the Threat of Evictions

‘Positive adaptation is the outcome which is substantially better than what we would be expected given the exposure to risk’ (Luthar 2003, 515 cited in Obrist and Pfeiffer, 2010:286).

Simone (2004:85) argues that urban residents must live in a constant state of preparedness. Planning is about preparing for potential ‘crisis’ situations, responding in time (Mehmood, 2015: 409). This is a necessary strategy in building resilience against adversity (Obrist and Pfeiffer, 2010). In this research residents of ‘bad buildings’ undertake planning and adaptive behaviour that enables them to continue to live with evictions and the constant threat of evictions. They do this in several ways such as splitting their families which involves taking their kids to live with relatives. Some residents prepare to pack up and leave and other residents take some of their belongings home in the villages.

Even now I’ve bought a big Machangani¹⁰ bag so that if anything happens if the Red Ants¹¹ come here - I can pack my things and leave’ (Ntombi, Khwezi Mansions, 20 May 2015)

‘At some point when there were rumours that we would be kicked out. I took some of my stuff and I put them on a train to send them home because of this situation. This flat used to be full but I have sent some of my stuff home. This took four days– I went home but I came back after I heard that it was not true’ (Thoko, Khwezi Mansions, 21 May 2015)

‘..every year around June the Red Ants come. If it’s not end of June it’s the middle of June and we know to expect them. Around that time it’s either we send our kids home or we send them elsewhere to our siblings because our kids could get harmed’ (Zandile, Shaka House, 4 June 2015)

¹⁰ A machangani bag is a big oversized bag that is woven with plastic material, they are very durable and popular because of their oversized nature.

¹¹ The Red Ants are a private security company that is contracted to undertake evictions.

Residents try to cope and to mitigate the impact of an eviction on their lives in various ways some of which may not be captured in this research. Residents in the inner city often try to get help from Non-Governmental Organisations (NGO) such as the Inner City Resource Centre that helps residents fight evictions. Whatever preparation efforts initiated by residents, this points to engaging in activities that offer them whatever little protection they can get from the devastation of an eviction. Coping with the threat of an eviction means that a mother must protect her family by sending her children home in the village or transporting their furniture by train. These activities cannot be cheap for people whose livelihoods may be irregular or threatened. Even if the eviction does not occur residents have to spend money on protecting their properties and families. All three out of four buildings in this research have been served with an eviction order and for residents of these buildings an eviction is a real threat.

5.2.2 Adaptive Behaviour: tenants cleaning and maintenance of buildings

In the absence of landlords or property management companies' residents have taken over the function of maintenance and other home owner obligations however, these initiatives remain constrained due to the lack of secure tenure. Residents have expressed the desire to have the City of Johannesburg play a greater role in providing them with basic services and helping them manage the buildings. Studies show a positive correlation between secure tenure and home improvements in informal settlements (Kornienko, 2014; Nakamura, 2016). A direct relationship between home improvements and secure tenure, even without full property rights, was found to have positive outcomes for households (Nakamura, 2016).

'Yes when I got here this place was in a bad condition so I tried to paint and when the lights would go off I stopped painting. We even tried to fix the doors. As tenants we sweep the corridors' (Ntombi, Khwezi Mansions, 20 May 2015)

'... a lot of people complain that they can't fix a place – while you are fixing it –people come here and tell us to get out' (Zandile, Shaka House, 4 June 2015)

It must be said that one of the biggest barriers for residents' capacity to invest a lot of money into maintaining the buildings is affordability and the fact that residents do not own these buildings.

Residents are living under the constant threat of eviction. Self-management and the desire for greater intervention from the authorities were underscored although residents seem to believe that any intervention by the government will invariably increase their rents. Residents suggested amounts of rent they thought they might be able to afford given their various incomes. Residents suggested amounts that they felt would be affordable.

'... you cannot pay R5 when you cannot afford R2. It is about willingness to pay. I think that R900 is reasonable' (Sakhile, Khwezi Mansions, 14 December 2016)

'If we have water and electricity at least R800 - that is affordable. You could live with someone and share the rent' (Vuyokazi, Intsika House, 21 September 2015)

Some residents feel that they should be given the first option to buy the buildings instead of having them auctioned and sold to private owners and developers. Tenants improve their flats by painting and fixing broken items but these are not large scale projects like painting an entire building. One of the things that inhibit people from improving or investing a lot of money in their flat is the difficult relationship they have with the owner or the city.

5.2.3 Using Property to Generate an Income in a Building Without Electricity

The inner city is characterised by high levels of unemployment and people have had to find ways to earn a living often in the informal sector (Kigochie, 2001). One of the ways in which residents of the inner city's 'bad buildings' earn a living includes using the flat for dual purposes as a home and a place of business. These are empowerment strategies that encourage residents to subvert laws, regulations in order to maximise self-help by appropriating buildings and property to earn an income.

The buildings in this research are being used for income generation purposes and perhaps not according to regulations. Some residents in this research are running spaza shops in their flats among other activities that generate an income. Most African urban residents have to make what they can out of their bare lives (Simone, 2004) Residential buildings increasingly house informal businesses, one of which is provision of short term accommodation (Simone 2005 :362). In Hillbrow,

Berea and other parts of the CBD the use of residential spaces to earn an income have been documented by (Silverman & Zack, not dated). In Yeoville the various uses of residential properties as spaza shops and for earning an income have been documented by Charlton (forthcoming).

In Nairobi informal settlements were found to benefit from home based businesses by providing services that were not available or provided by the public sector. People were found to benefit as their income generating strategies were increased and households with secure tenure had positive outcomes (Kigochie, 2001). The income that is generated from these activities is sometimes used to improve living conditions or buying homes (Tipple, 2004). Ntombi from Khwezi Mansions runs a crèche from her bachelor flat where she looks after five children;

'No, they don't live in this flat [the children she looks after]. They arrive in the morning with their parents and they leave in the evening...they are five all together. I charge them fees. I charge the two older ones R250 each and the three younger ones R300. The price depends on their needs and age the older they are the less the price...when I lived in Wolmerans Street I made a living in Park Central as a street trader. I did that until I arrived here [Khwezi Mansions in 2013]. The City gave us stalls and things went well but I can't sell in the street anymore because of my poor health. From the five kids I look after I am able to get about R3400 [per month]' (Ntombi, Khwezi Mansions, 20 May 2015)

One of the difficulties in running a business in a 'bad building' is related to the challenges of the lack of basic services. Residents indicate that they have had to close their businesses due to the lack of electricity.

'...before the electricity got cut off I used to run a small spaza shop. I sold food and cool drinks. And I stopped selling since we don't have electricity. My shop was downstairs so when people passed by they would buy food. I had a deep freeze and a table in my shop' (Thando, Intsika House, 25 September 2015)

'They are dwindling [spaza shops in Intsika House] there are two that are left, there were many, as many as 8 but there are only 2 left. It's the electricity' (Mr Radebe, Intsika House, 18 September 2015)

The use of flats by residents to run businesses points to the need to overcome unemployment and a strategy to continue to live in the inner city. One of the ways residents have done that is to enter into the informal sector. Residents in this research have explored work in the informal sector such as street trading, informal crèches, domestic work, and car washing some within the building and some elsewhere in the inner city.

5.2.4 Building Resilience: coping without electricity and water

According to Obrist and Pfeiffer (2010) resilience is the ability of households and individuals to recover from shocks and avoid a decline in wellbeing. In Child Development Psychology the concept of resilience is described as a dynamic process encompassing positive adaptation within the context of significant adversity characterised by good outcomes in spite of serious threats (Luthar et. al., 2000 cited in Obrist and Pfeiffer, 2010:285). One of the major reasons cited for unequal access to basic services in developing countries is the inability of governments to keep up with increasing urbanising populations (Tumwebaze, et al., 2014). In this research residents show how they have had to be ingenious to overcome living without basic services in a way that can be described as self-help. Residents have self-made taps that are connected to fire extinguishers and valves. Water is obtained from unsanitary sources which increases the risk of water borne diseases.

Some of the practices adopted by residents are to preserve the limited facilities they have. Toilets, sinks and plumbing are a key challenge for the residents in this research. In order to keep toilets clean usually by those who take the initiative, they are kept locked. In Uganda Tumwebaze et al., (2014) found similar practices and when they examined the intention to clean by households. The research found that this was a behavioural hygiene practice. Although not all the toilets in the research were kept locked – this indicates that buildings differ from one another - however, they share the common practice of sharing toilets and or taps. Studies show that unequal access to basic services worsens the vulnerability of individuals and households (Crawford & Bell, 2012).

The residents of Shaka House have never had electricity and water since the dawn of democracy. The other buildings Intsika House and Khwezi Mansions have electricity routinely cut off for months at a time sometimes. Prior to the installation of the only two toilets in Shaka House residents used to have to walk to a shop on another street (behind their building) and pay R2 to use the toilets. In

order to access water residents of 'bad buildings' have had to use among other sources fire extinguishers such as in Khwezi Mansions and others have to share a single tap.

'It was hard, there was no other way– we would get water from an exposed man hole/fire hydrant. People would get sick from drinking that water because we did not know where it came from' (Nonhlanhla, Intsika House, 21 September 2015)

In all the buildings in the sample none of them had illegal electricity connections instead residents relied on sources of energy such as candles, paraffin stoves and generators which can be very costly if a person is unemployed.

'It's not nice to live without electricity because sometimes you are so broke you don't have money to buy a single candle and a litre of paraffin is R12. Whatever little money we make, we have to support our homes with the little money that we make. My child's grant money of R300 has to support my grandparents and my sister's kids because she passed away. I also have to buy food' (Zandile, Shaka House, 4 June 2015)

5.2.5 Resident's Relationship with their Buildings

The residents in this research have lived in the inner city's 'bad buildings' for a long time and as stated by Kellet and More (2003) a person may feel at home' due to a long period of stay as well as a high level of dependency on that place of residence. Having lived in the inner city for such a long time it thus indicates a very strong sense of belonging and permanence. The residents in this study consider inner city's 'bad buildings' a home.

'It is precisely within these spaces, where anything might happen, the most vociferous claims of belonging emerge' (Simone, 2004:82)

'... when I moved here Mbali was only a year old and today she is 23 years old – so we have been here for a long time...' (Nonhlanhla, Intsika House, 18 September 2015)

Residents in this research display a very strong sense of belonging in relation to the buildings they live in and strong sense of permanence in the inner city as a whole. According to Simone (2004) this can be attributed to the residents growing up, raising families, and those who have 'devoted themselves to some form of occupation or way of life without moving' (Simone, 2004:85). The inner city is called home by some people who do not consider living elsewhere because the inner city and the 'bad buildings' meet all that they need for it to be called a home despite their derelict conditions. Residents also reveal a preparedness to live without access to water and electricity because the buildings offer them access to other infrastructure such as clinics, hospitals and schools when compared to where they come from in rural areas. However, it must be stated that preparedness to live without basic services does not mean resident do not want intervention from the municipality.

'We have lived here for a long time – if a person were to leave, including those who left as the result of the electricity being cut off – they left people in their flats so they can come back because this flat is close to their jobs and its situated in the inner city close to opportunities'
(Radebe, Intsika House, 18 September 2015)

5.3 GROUP OR COLLECTIVE STRATEGIES FOR COPING

There are strategies of coping used by individuals at the household level as well as strategies that are used by groups of tenants collectively. In this section I discuss the strategies for coping that are used by tenants as a collective.

5.3.1 The Role of Tenant's Committees in Managing, Maintaining Buildings

The residents' committees in this research show a high level of cooperation and collaboration with tenants within their building and tenants of other buildings in the inner city. These relationships show how tenants' committees are playing a critical role in drawing up for rules of living together described also by Royston (2009). Residents establish the ways of living, resolving matters and advocating for issues. Tenants' committees in this research indicate how they work to mobilise and lead tenants. The residents in this research indicate a high level of social capital trust, safety and networks among each other which is very important for residents to be able to live in harmony with each other.

'...if someone died like it has happened before,...someone died and we didn't know their family. We try to help and participate where we can by trying to find their family. Sometimes we would donate money – just so that we can show that this person lived among other people 'uphuma ebantwini' [the person lived with decent people] (Thami, Shaka House, 3 June 2015)

The tenants committee might also facilitate entry and occupation into the building. If any person wanted to move in permission would have to be sought from the committee. The residents may also be asked to weigh in on the matter to give their blessing and only then would a person be allowed to move in. This is a means to control and manage the demand in the context of acute shortages of accommodation in the inner city (Royston, 2009).

'There is a person on the 2nd floor who moved in around April last year [2014]. He also followed the same procedure [asked for permission to move in from the committee]'(Thami, Shaka House, 3 June 2015)

In properties managed by private companies, background and credit checks are conducted before tenants can be granted access which is the opposite in 'bad buildings' – here entry is almost exclusively at the preserve of the committee or when someone leaves their unit to another person if the initial occupier decides to leave the inner city and go back home. The data also indicates that a unit can be 'inherited' or 'change hands' between family members or friends.

'My sister used to live here. When she got sick she went back home. So she asked me to move in here so I've been here for two years' (Ntombi, Khwezi Mansions, 20 May 2015)

The tenants committees also ensure that rules are written and followed by everyone in the building. They usually entail rules such as the cleaning of common spaces, maintenance, noise levels and security matters. The committee also ensures that service charges are paid over to the municipality.

'The electricity bill shows an amount of nearly two million rands but the service charge was nearly R26 000 for the month of April 2015. The bill is divided by the number of units in the flat where each unit pays approximately R400. Each unit pays to the municipality and the

committee checks the receipts on a specified date to ensure everyone has paid’ (S’busiso, Khwezi Mansions, 4 May 2015)

‘We could make sure that each floor had its own rules and a committee and there was a big committee to oversee all these committees [in previous years]. We had rules such as; you could not wear your political parties T-shirts like Inkatha and the rest. You could not pour water over the window’ (Thando, Intsika House, 25 April 2015)

5.3.2 Litigation as a Strategy to Claim the Right to the City

The residents display a good knowledge of their rights and the use of this knowledge to defend their rights. As a response to continue to live in the inner city, under difficult conditions residents are engaged in legal disputes in an effort to fight eviction orders. This is a way to fight for the right to live in the inner city.

‘When you do not know your rights then that’s the problem. City cannot evict us without alternative...my rights are freedom of expression, human dignity (I must be respected and must be respected), freedom of movement, right of association. When people think you know your rights they treat you differently ... Like the municipality you have to let them think they are in control. We were lenient letting them think they are in control but we were waiting to bring our demands. We must be persistent ...they have made empty promises and used scare tactics. They will take you to court using legal procedures to scare us but they were not following through with the legal procedures’ (Sakhile, Khwezi Mansions, 16 December 2014)

This interview reflects how important it has been for residents to know their rights and to act on them if they are potentially threatened. It also shows how the relationship between the local authorities and residents of ‘bad buildings’ can be fragile at times hostile. The tenants committees play an important role in conflict resolution among the tenants if any of the rules are broken.

‘..we don’t have the right to kick someone out when they don’t follow the rules. We try to speak to them. When a person is not listening to us the committee we take those matters to

the elderly people and it depends on what they think is the right thing to do. We believe people respond differently to older people’ (Thami, Shaka House, 3 June 2015)

5.3.3 Tenuous Relationships between Tenants and Landlords

The tenants of Naledi House highlight the fact that their relationship with their landlord has its challenges. For instance they have launched a case at the Housing Tribunal as the result of unfair practices by the owner where electricity is routinely switched off and when the rent is increased higher than what is recommended by the housing tribunal. In Naledi House the owner had increased the rent above what the tenants thought was fair.

‘We have taken him to court for some issues like the service charges and we won that case. Currently he wants to increase the rent and we were calculating the increase, if he goes ahead with the increase it will amount to about 18% and we think this is not fair. I think the government should regulate the rental increases’ (Isaac, Naledi House, 28 April 2015)

This also indicates that people explore legal avenues that are available to them and residents can secure their rights to live in the city.

‘He was told at the tribunal that “you don’t switch off the lights” and “you don’t lock them out” he was told that if he has problems with tenants he must speak to them directly. So it has become[switching off lights and locking people out] a means for him to punish tenants’ (Isaac, Naledi House, 28 April 2015)

The unfair practices, as defined by the Rental Housing Act, as amended, range from locking people out of their flats to switching off electricity which is a common thread with all the building in our sample. In the three buildings where the landlord is absent, the City routinely cuts off the electricity due to indebtedness. This is despite the efforts of the residents to pay services charges.

In some instances, the landlord of Naledi House has used the caretaker to fight his battles with the tenants. Isaac describes their situation with their care taker as the ‘Berlin Wall’ that they had to take down. According to Isaac the caretaker and the residents did not get along and they believed he was responsible for them not having access to the owner. The relationship between the tenants and the

caretaker has broken down irretrievably. Isaac says that one of the reasons they did not get along with the caretaker was due to intimidation by him.

‘We don’t get along with the care taker because he used to be like the “Berlin Wall” that we had to take down’ (Isaac, Naledi House, 28 April 2015)

5.3.3 A Building with a Present Landlord (owner)

Naledi House provides an interesting contrast when compared to the other three buildings that are in the sample. It sheds light onto some of the experiences and realities of residents when the owner is still involved with the building. It also indicates that the some problems that remain across all the typologies whether there is an owner or not. When compared to the three buildings in our sample Naledi House still has running water, electricity and toilets that function well. An assumption can be made that when an owner or landlord is still present tenants will have access to basic services as opposed to when the owner or landlord is absent. When compared to the other three buildings whose owners are absent, it seems that the tenants committees’ role in the building where owners are present can be more necessary. This is indicated by some of the functions that tenants’ committees assume and these may include ensuring that tenants have rules regulating the levels of noise, subletting, and keeping the flat clean. These rules vary from one building to the next.

5.6 Government Intervention and Support

There are very few affordable housing alternatives for residents of ‘bad buildings’ within their range of affordability (COHRE, 2005) with the most recent proposals from the Inner City Housing Implementation Plan (ICHIP) to look into providing a variety of housing options such as emergency housing for evictees and low cost rentals however, the viability of these alternatives is still going to be researched by CoJ. The residents of three buildings in this research (Khwezi Mansions, Intsika and Shaka Houses) face a high probability of eviction and or relocations pending the outcome of the ongoing respective legal cases. These buildings have existing orders for eviction however, at the time of writing this report all evictions in the city were stayed pending a Constitutional Court judgement

on the Blue Moonlight case (see Chapter 2). The residents indicate a concern about the impact of a possible relocation on their livelihoods and access to job opportunities. The threat to livelihoods due to relocation is an established one (Massey, 2014). This can have devastating outcomes for households.

Responses in this study suggest that residents would welcome initiatives by the local government or the City of Johannesburg to improve their living conditions and to look for housing alternatives rather than relocation. In the case of Shaka House, residents indicate that they would welcome a decision to move them to a safer building as the current building is structurally unsafe without any electrical cabling. Residents know about the impending relocation however, they also express the concern that they might be moved too far away. According to Zandile,

‘If the government were to relocate us we don’t want to just be dumped in the township. Even the situation in the township is not good as people are living in poverty and they fight each other because they have no money to travel from the township to try to make a living here in the city. We, as the residents of Shaka House say that the government must help us to stay in the city so that we can try to make a living here in the city and not in the township because it’s hard there’ (Zandile, Shaka House, 4 June 2015)

Chapter 13 of the Housing Code contains the Upgrading of Informal Settlements Programme (UISP) which was made policy in 2004. The novelty in this policy is that it envisages poverty alleviation, job creation and economic growth (Klug & Vawda, 2009). Given the shortages in housing and earlier housing policies that focussed on ‘housing for all’ (Charlton & Kihato, 2006:254) an argument to initiate informal settlement upgrading in the inner city would mean that the goal of providing housing in the inner city would be interpreted in the same way as envisaged in the Breaking New Ground Policy that housing policy should seek to address poverty eradication, reduction of vulnerability faced by households. If the City of Johannesburg would give expression to the UISP programme in the inner city, this would indicate a significant move away from urban policies that only emphasises an orderly planned city towards embracing informality.

With respect to housing alternatives, residents were asked if they have considered applying for an RDP house. The responses point to the reality that firstly, if they could move out of a ‘bad building’ they would have done so a long time ago and secondly, residents live there because there is nowhere else to go.

'No there isn't a place I could go that is why I am fighting this [referring to the court case]'
(Thami, Shaka House, 3 June 2015)

'According to the South African law these people must find a place. Unlawful evictions have been stopped so if you evict me, there has to be a place you must move me to as a person who has lived here for more than 20 years. Even if I lived here for 6 months they have no right to evict us without an alternative place. They have to follow the rules. I want to have a voice and power. I should not be treated like an outsider like I feel. Whether I am a South African or not I am human. I cannot be thrown out just like that – I have lived here for a long time. That is why I fight for this building. I have no hope of going anywhere...but because I have no other place I will fight for this place' (Thami, Shaka House, 3 June 2015)

If in-situ upgrading can be adopted in the inner city, this strategy can turn unlawful occupiers into ordinary residents thus ensuring that citizenship is affirmed through 'land occupation, land use and inclusion in decision making, the increase in people's ability to make choices – increase their choices of livelihood strategies (Baumann, Huchzermeyer & Mohamed, 2004; 26-27).

CONCLUSION

The discovery of gold in Johannesburg led to unprecedented migration and development of the city. It was the combination of the process of racial segregation and legal apartheid that worked to systematically displace and restrict black South Africans from living in the city. The Johannesburg inner city's economic and social development was shaped by its history from segregation, apartheid and later democracy. The repealing of laws and dismantling of apartheid together with forces of migration and urbanisation opened up the opportunity for Black, Indian and Coloured South Africans to live in the city. The result would be a demand for a variety of housing options and access to basic services. Like many cities in the developing world Johannesburg experiences shortages of affordable accommodation and adequate access to basic services. The emergence of 'bad buildings' is the result of many factors among which include the abandoning of properties by owners and disinvestment in the maintenance of buildings which contributed to the collapse of sectional titles. 'Bad buildings' like other forms of informal settlements are the symptom of rapid urbanisation and the lack of affordable housing options. The local municipality faces the challenge of properly addressing 'bad buildings' through legal and policy frameworks and decades of attempts through urban regeneration policies and other interventions have yielded very little change.

This research is exclusively concerned with the lives of inner city residents of 'bad buildings' and provides insights and perspectives from within the selected buildings. The research analyses the lived experiences of 15 randomly selected participants that were obtained by asking in-depth qualitative questions through a semi-structured interview guide. The participants in this study were randomly selected men, women and young people of four buildings in the inner city of Johannesburg's Central Business District (CBD), Berea, Hillbrow and Joubert Park.

Entry was negotiated and facilitated with the help of the Socio Economic Rights Institute (SERI) a public interest law firm that provides legal aid for residents of the inner city. I was based at SERI from April 2015 to September 2015. The role of SERI was to broker introductions, advice and information about the selected buildings. This included a list which was provided where the four buildings were selected. The selection of the buildings was based on criteria consistent with the widely accepted definition of 'bad buildings'. Aside from this definition, I was looking for prospective buildings that;

- a) have been abandoned by their owners and were at one stage sound physically, properly managed but have become dysfunctional in many ways.
- c) where residents were either served with a notice for eviction notice or not.
- d) had their basic services such as water and electricity disconnected with or without a court order.

As part of the methodology interviews were recorded and later transcribed and translated into English. Where permission was obtained photographs of living spaces and general commons spaces such as corridors, lifts and courtyards were taken. Photographs were important as visual representations of the lived reality of residents and how flats/units are used as homes and living spaces. A recorder was used with the permission of the interviewees. Notes that were taken during the fieldwork were also used in the data analysis process. Using the preferred language of interviewees was very important in this study, I observed that it enhanced entry, trust and an openness when interviewees could express themselves freely in their language. The use of the language of the interviewees enable us to uncover concepts such as 'em'nyamandawo' instead of the widely used term 'bad building' within the community of residents of the inner city.

The concept of evolutionary resilience is used in this research as an analytical framework to explore the strategies and ways in which individuals and household's use in an ongoing process, instead of recovery to pre-existing states, to respond to changes, shocks and adversity and how these circumstances shape evolutionary resilience over time. The concept of resilience is taken as an 'adaptive ability' (Simmie & Martin, 2010:31) especially in informal contexts where adaptations occur easily without the constraints posed by formality (Weakly, 2013).

The research shows the precarious living conditions of residents in the four selected buildings, it sheds light onto resilience that is developed over time through coping with and reacting to challenging conditions. The study also sheds light onto how individuals and households change and adapt to constantly changing environments and threats such as evictions, illnesses, lack of basic services and social and economic challenges.

Key Findings:

The risk of insecure tenure exposes residents to the attending devastation often caused by evictions and displacement. The lack of secure tenure in the inner city directly affects the residents' access to basic services where water and electricity are disconnected by the municipality. All the buildings in this research owe the municipality millions of rands in service charges. The situation is complicated

in abandoned buildings. It is not always clear or easy to determine who the owner of a building is and due to a variety of reasons some residents in this research consider themselves to be lawful occupiers in the sense that the owner was present at initial occupation while others in stark contrast consider themselves to be unlawful occupiers of the building since they would have moved in when the owner was no longer there. When the landlord has abandoned their property those tenants with tacit or codified lease agreements find themselves in collapsed rental agreements due to an absent landlord. Payments to municipal accounts are not met and access to basic service are often disconnected. Evidence in this research suggests that residents are acutely aware of their tenure situation and how this leaves them with uncertain and weak tenure rights which further exposes them to evictions. Residents in this research have demonstrated a willingness to pay for service charges however, even these efforts are constrained by an absent landlord and a municipality that prefers to engage with lease holders. Where residents are paying for service charges (not rent, since the landlord is not present) there are legal battles to obtain details of accounts. This also points to the weakness and the inability of formal institutions to accommodate informal ways of accepting payments by tenants.

In disaster research risk involves both the hazard which is a potentially harmful event and vulnerability involves people's capacity to cope and recover from the impact of a hazard (Obrist and Pfeiffer, 2010:284). In this research risk arises out of structurally unsound buildings, possible outbreaks of water borne diseases and other environmental hazards brought about by blocked toilets and the use of fire extinguishers as sources of water.

Residents point to the sense of neglect by the City because of the lack of water and electricity which heightens the resident's feelings of exclusion from society. Other sources of exclusion include spatial exclusion – which is a dimension of deprivation where processes of segregation often associated with perceptions of criminality, drug dependence and conditions of squalor exclude some members of those communities (Kabeer, undated). The interviews reflect how these living conditions shape the perception of others who do not live in the inner city's 'bad buildings', and how these processes work to exclude residents. Residents of 'bad buildings' are also victims of crime and this is often overlooked because of the perception that 'bad buildings' are dens of criminality.

The lack of access to water and electricity heightens the specific types of vulnerability faced by females and children headed households. The wellbeing of female and children headed households

in the inner city's 'bad buildings' may be threatened on both subjective and objective fronts. This stems out of the experience of feeling unsafe, unemployment, drug abuse and illnesses.

Residents in the inner city must live in a constant state of preparedness where planning and preparation for potential crisis situations and responding in time are important strategies and these are established practices in resilience studies. These strategies have become necessary in building resilience against adversity. In this research residents of the selected 'bad buildings' undertake planning and adaptive behaviour that enables them to continue to live with the constant threat of evictions. They do this in several ways such as splitting their families which involves taking their kids to live with relatives. Some residents prepare to pack up and leave and other residents take some of their belongings home in the villages. Residents try to cope and to mitigate the impact of an eviction on their lives in various ways some of which may not be captured in this research.

The residents' committees in this research show a high level of cooperation and collaboration with tenants within their buildings and tenants of other buildings in the inner city. These relationships show how tenants' committees are playing a critical role in drawing up for rules of living together. Residents have established the ways of living, resolving matters and advocating for issues that affect them and this research has shown how committees work to lead and mobilise tenants around issues that affect them. The residents in this research indicate a high level of social capital trust, safety and networks among each other which is very important for residents to be able to live in harmony with each other. The tenants committee might also facilitate entry and occupation into the building.

Residents have expressed a desire to have the first option to buy the buildings when they are placed on auction. In this way residents can employ self-managing strategies, with the help from local authorities to strengthen the efforts that residents undertake to manage their property. However, the possibility that any intervention by the government will invariably increase their rent is underscored. This does not take away the need expressed by residents to have their needs addressed by appropriate and targeted policies.

One of the ways in which residents of the inner city's 'bad buildings' earn a living includes using the flat for dual purposes as a home and a place of business. These are empowerment strategies that encourage residents to subvert laws, regulations in order to maximise self-help by appropriating buildings and property to earn an income. One of the difficulties in running a business in a 'bad

building' is related to the challenges of the lack of basic services. Residents indicate that they have had to close their businesses due to the lack of electricity.

The concept of resilience is described as a dynamic process encompassing positive adaptation within the context of significant adversity characterised by good outcomes in spite of serious threats (Luthar et. al., 2000 cited in Obrist and Pfeiffer, 2010:285). In this research residents show how they have had to be ingenious to overcome adversity and eke out a living in very precarious conditions. Some of these ways can be described as self-help and some of the practices adopted by residents are to preserve the limited facilities they have.

After having learned the various manner in which residents respond to vulnerabilities and precarious living conditions this research makes the following recommendations.

RECOMMENDATIONS

1. This research recommends that the City of Johannesburg's indigent policies for Free Basic Water and Free Basic Electricity be implemented and extended to qualifying individuals and households in the inner city's 'bad buildings'.
2. Increase rental and communal living options for tenants of income ranges of less than R2 000 per month particularly those who work in the informal sector. This is particularly, important where private developers are not providing housing units. This can be done through buying some of the properties and managing them through a trust.
3. This research recommends that the City of Johannesburg support the initiatives undertaken by residents to clean, and maintain the buildings as this might slow down the pace of deterioration of buildings. This support could entail minor incremental installation of taps and electricity cables where non currently exist and for Pik it Up to help clean within the some of the buildings affected by years of neglect and decay.
4. This research recommends that where residents are making payments for water and or electricity the City of Johannesburg should attempt to work with residents and or tenants committees to establish proper channels of payment, legitimate bank accounts and facilities.

5. This research recommends that wherever possible, the City of Johannesburg should support residents by recognising the informal ways of paying for service charges used by the residents to continue to live in the inner city.
6. This research recommends that where owners and or landlords cannot be traced the City of Johannesburg should expropriate the buildings.
7. Where possible the City of Johannesburg should consider allowing residents to buy buildings and or flats.
8. Where possible the City of Johannesburg should look into providing comprehensive social protection for female and child headed household beyond social grants that are provided by the national government. This could be done by improving access to social infrastructure in the inner city such as skills development centres and community cooperatives.
9. Questions for further research:
How can City of Johannesburg implement a housing programme specifically for inner city poor residents?

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ANNEXURE_A Interview Guide

MOTIVATION

Can you tell us about your life's story until you arrived here in this building?

How did you come to live in your home?

Do you fear eviction?

Have you occupy another home without the permission of the owner before?

Did you speak with any individual or group before occupying your home?

Under what circumstances would you leave your home?

IDENTITY

How would you describe your tenure situation?

Are you a home owner, renter or something else?

What is your opinion about home owners?

RELATIONSHIP WITH OWNER (or owner's representative i.e. landlord)

Who is the owner?

What is your relationship with the owner?

Has the owner ever tried to physically evict you?

Have you ever received a letter from the owner?

When is the last time you saw the owner?

Has the owner initiated legal proceedings?

LEGALITY

Is your occupation of your home legal?

What happens when these laws are not enforced?

Do you think if you have lived in your home long enough, you will receive ownership?

Has anyone given you information about the law?

What are the owner's rights?

INVESTMENT (financial/emotional)

What is the state of your home (physical description)?

Have you improved your flat (or the building with others) in any way?

How do you feel about your home?

Does your fear of eviction affect your willingness to improve your home?

What would it take you to spend more than you currently do to improve your home?

Are you interested in owning your property?

What are the obstacles to ownership?

Is someone helping you upgrade/renovate your home (financial, labour)?

How do you find service providers to do work on your home?

Who takes care of the maintenance?

Are there any illegal electricity/water connections?

ALTERNATIVES

How long have you been living in your home?

Do you have plans to occupy another home (flat or building) after this one?

Where did you live before?

How long do you plan to stay in your home?

If you were not living in your present home, where would you live?

Have you considered living with family, RDP housing, public housing, shelter?

Why did you decide against these alternatives?

What are the upsides and downsides of your current housing situation vs. your alternatives?

Have you had a conversation with anyone about your alternatives?

SOCIAL CAPITAL

Who can you rely on when everything hits the fan?

Is there anyone you can stay with if you move from your current home?

Where is your family?

Do you have friends you can rely on in the neighbourhood? In Johannesburg?

Do you have any family outside of Johannesburg?

SOCIAL SAFETY NET

Do you receive any type of government aid?

Do you receive pension, social, or disability grant?

Have you ever resided in a shelter?

Are you able to use your current address to access services?

ACCESS TO BASIC SERVICES

Where do you eat your meals?

How do you cook dinner?

How do you stay warm in winter?

How do you get electricity?

How do you get water?

Are your children enrolled in the neighbourhood schools?

How did you find out about how to access gas, water and electricity?

NEIGHBORHOOD DYNAMICS

Did you know any of your neighbours before you moved in?

How would you describe the physical condition of your neighbourhood?

Are there schools and day care centres nearby?

What does living in this neighbourhood give you access to that living in other neighbourhoods would not?

Do you know your neighbours?

Would you describe your relationship as antagonistic (drama filled), cordial, or neutral?

Do your neighbours know that you are not the title owner?

Has anyone threatened to report you?

Are there other people in your building who are living there w/o permission of the owner?

Do you share information with these people?

What do you need from your neighbours?

Does your building affect the neighbourhood? In what ways?

INITIAL OCCUPATION

How did you come to occupy your flat (former tenant, scoped out flat)?

How did you initially get in the flat?

SAFETY

How do you make sure no one steal your furniture and other personal items in the home/flat?

Do you feel safe in your home/flat and neighbourhood?

What measures do you take to feel safe?

Have you ever had a dangerous incident?

Are you afraid someone will evict you? Who?

Does your fear of eviction affect your life in anyway?

Do you work with others to keep yourself safe?

LIMITATIONS OF CURRENT OCCUPANCY STATUS

Can you sell the flat or rent the flat?

Can you call the police if someone intrudes in your flat?

Can someone other than the owner come and share the flat with you?

Who can enter your flat?

What types of activities are you allowed to do in your flat?

What types of activities are you not allowed to do?

IDEAL TYPE

What type of housing would be perfect for you?

What amenities do you wish you had in your flat and neighbourhood?

What do you and your family need in the flat or neighbourhood to flourish?

LIFE HISTORY

Work

Family

Civic involvement

Health

Home/flat history

Description of home/flat (s) they grew up in

Other places they have lived

Have you even been homeless?

SURVEY QUESTIONS

Years in Johannesburg

Gender

Race

Number of dependents

Marital status

Citizenship status

Age

Number of people in house

Employment status

Income range

Physical Disability