

The eThekwini Municipality Supplementary Roll April 2024

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INTRODUCTION

The eThekwini Municipality Supplementary Valuation Roll for April 2024 is currently open for inspection. This provides an opportunity for property owners and other interested parties to review and verify the valuations of properties within the municipality. The supplementary roll has been prepared in accordance with the provisions of the Local Government: Municipal Property Rates Act No. 6 of 2004. This roll pertains to all properties within the eThekwini Municipality area of jurisdiction. It will be open for inspection from 19 April 2024 until 31 May 2024. The roll itself is available for inspection electronically on the eThekwini Municipality's website.

It is the responsibility of every property owner to check the municipal property valuation and categorisation ascribed to their respective properties and if the valuation is not in line with market value, or the categorisation is inappropriate, to submit an objection before the closure of the objection period.

If your property value is incorrect, you should object and the municipal valuer will adjust it. You might want to object to the valuation roll for various reasons, such as:

- Incorrect property details (e.g., size, improvements, etc.)
- Disagreement with the property's market value
- Inaccurate zoning classification

This is critical should you not wish to be saddled with potentially high higher rates and taxes.

GENERALLY SPEAKING, HOW DO PROPERTY ROLLS WORK?

Property valuation rolls are quite complicated. Below is a brief explanation of how valuations and valuation rolls work.

WHAT ARE MY VALUATION AND CATEGORISATION FOR MY PROPERTY?

Every property is supposed to have a municipal valuation ascribed to it by the municipal valuer. You should see a value, represented in Rands, on the top right hand corner of your statement. Similarly, every property is meant to have a rating categorisation ascribed to it by the municipal valuer. The category is chosen by the municipal valuer from a list of categories that are set out in the eThekwini Municipality's Rates Policy, and for each category there is a corresponding tariff (a rate in the rand price). For example, business properties pay two point five to three times more than residential properties, and vacant and "illegal use" properties pay more than business properties, because their tariffs are higher.

I DON'T GET STATEMENTS. HOW DO I CHECK MY CURRENT VALUATION AND CATEGORISATION?

If you do not receive any statements, you will have to phone the eThekwini Municipality on 031 324 5000 and quote your account number and name, to determine what your municipal valuation and categorisation are. If you do know your pin and account number but are not receiving statements, you can phone and ask for this information. You can also register on the eThekwini Municipality's website to receive your statements electronically, on the eThekwini Municipality website.

WHY DO THE VALUATION STATEMENTS AND CATEGORISATION MATTER?

The amount that the eThekwini Municipality charges you for rates each month, is based on your municipal valuation multiplied by the tariff (rate in the rand price) that applies to the categorisation that you have been placed into. If the valuation is too high, you will pay too much for rates. If the categorisation is wrong, you will pay the incorrect amount for rates. For example, if your property is residential in nature but you are categorised as business, you will pay two point five to three times the amount that a residential property with the same municipal valuation that is categorised as 'residential' will pay.

WHAT IS A VALUATION ROLL AND WHERE DO I FIND IT?

This is a database in which the eThekweni Municipality stores the municipal valuations of all properties recorded on that particular roll. Every property in the eThekweni Municipality should (hypothetically) be on a general roll, but because properties are continuously coming into existence and ceasing to exist, and as such new rolls are created (these are referred to as supplementary rolls) to include any properties that have not been previously recorded on another, prior, general roll.

Each general roll is re-published once every few years (4 to 5 years depending on the municipality), and the property values updated at the same time. Depending on a number of factors, your property value may have stayed the same, or increased, or decreased, from the value contained on the last roll. The information on the valuation roll is used to calculate your rates and taxes each month.

Most valuation rolls are posted on the eThekweni Municipality's website. If you cannot access the eThekweni Municipality Supplementary Roll online for any reason, you can contact the eThekweni Municipality on 031 324 5000 for assistance.

THE PROPOSED SUPPLEMENTARY VALUATION AND CATEGORISATION OF YOUR PROPERTY

The eThekweni Municipality should give you notice if your property is appearing on a roll that is being published in the near future. This notice should tell you what your current municipal valuation is, what your revised municipal valuation is, the name of the roll that your property is now appearing on, the exist and proposed categorizations, and where you can inspect the contents of such roll. These rolls contain only municipal valuations, categorisations and the other pieces of information listed above; they do not contain reasons for the valuations and categorisations.

If you have received notice that your property is on a roll that is soon to be published, you should determine immediately whether you are satisfied with the municipal valuation and categorisation accorded to your property. If you are not happy, you should to object. See the section below on objecting for more information.

*Note that the eThekweni Municipality's failure to send you a notice telling you that your property is appearing on a roll, does not exempt you as the property owner of your obligation in law to check the roll and see whether you are happy with your property details as they appear thereon.

WHAT IS MARKET VALUE AND HOW CAN I DETERMINE WHAT IT IS?

'Market value' is generally explained as the price that a willing buyer would pay a willing seller on the open market for a property. However, there are a number of different methods that can be used to calculate market value. The most commonly used methods include the comparative sales method, the income yield method, and the depreciated cost method. The nature of these calculations are complex, and are usually done by professional valuers at a cost.

However, you can ask your local estate agent for an estimation as to the market value of your property, based on comparative sales and the agent's experience of what the property would sell for in the area concerned. Agents don't charge for providing these estimations.

You can also extract "automated valuation reports" from a number of different software packages designed to estimate market value, such as Windeed. However, in some instances there will not be enough information available on the system to arrive at an estimated valuation, and because these reports are automated and there is no human interaction involved whatsoever, any subjective features of a property that would enhance or negatively affect its value are not taken into account. This can render the accuracy of these kinds of valuations less effective than valuers' or agents' valuations.

The general principle is that the higher the market value of the property, the more likely you will be to need to involve a professional valuer (at a cost) to assist you. The costs of incorrectly estimating your own property value can be significant, because of the time that it takes to resolve disputes regarding the valuation and the charges and interest that are billed while that dispute is pending, as well as the potential costs involved if it becomes necessary to involve attorneys.

Valuers can also advise you of the most appropriate rating categorisation for your property, but in a complex dispute you may need to approach an attorney that specialises in this type of law, within the jurisdiction of the eThekweni Municipality, for assistance.

WHAT DO I DO IF MY PROPERTY VALUATION IS NOT IN LINE WITH THE MARKET VALUE OR IF MY CATEGORISATION IS INCORRECT?

If you are of the opinion that your municipal property value is higher than market value or your rating categorisation is inappropriate, you can lodge an objection with the eThekweni Municipality against the information contained on the Supplementary Roll, giving reasons for same. The eThekweni Municipality will then assess your objection, and notify you of the outcome of same. If the eThekweni Municipality finds

that your objection is valid, it will revalue and/or re-categorise your property in line with your objection. If it finds that your objection is not valid, it will advise you of same and your property valuation/categorisation will remain unchanged.

If you are able to access the Supplementary Roll online, and your property appears on it when searching on the eThekweni Municipality's website, you will be able to lodge an objection electronically through the website. If this option is not available to you, you can obtain copies of the objection forms from the eThekweni Municipality's Valuations Department and submit a hard copy.

HOW DO I LODGE AN OBJECTION?

You can do this by completing and handing in the prescribed form together with any information you have in support of your objection. The form for lodging of an objection will be obtainable at the following address:- Valuation Roll, Real Estate Unit, 5th Floor, 199 Anton Lembede, Durban or at the Sizakala Customer Centres and will be available for download from the website:- www.durban.gov.za. Objections can be e-mailed to: val.roll@durban.gov.za, hand delivered or posted to the eThekweni Municipality.

WHAT HAPPENS IF MY OBJECTION IS REJECTED?

Concerned ratepayers who do not agree with the valuation of their property have 30 days from the date of publication to object to their valuation in writing to the Municipal Manager. This written letter must contain the reasons why the ratepayer objects to the valuation (i.e. disagreement with market value etc.)

On receipt of the objector's letter, the Municipal Manager has 14 days to refer the matter back to the valuator and the Municipal Manager must acknowledge receipt of the objector's letter. Within 21 days the valuator must reply to the Municipal Manager with reasons for either agreeing or disagreeing with the objection. The valuator must then write to the Municipal Manager stating either agreement or disagreement with the objection and the Municipal Manager must advise the objector of the valuator's opinion. Should the objector still disagree with the valuator, the matter can then be referred to the Appeal Board.

Requests for referral to the Appeal Board must be made in writing by the objector to the Municipal Manager. Matters referred to the Appeal Board bear a fee to be paid by the objector which is prescribed by the Board. The Board must, within 60 days, do an evaluation of the objection to make a ruling on the matter and this ruling is final. Rates cannot be applied to the following financial year until all valuations have been approved.

You may appeal to the Valuations Appeal Board within a certain, prescribed time period, usually 30 days from date of receipt of notification of the outcome of the objection. The forms for appeals are available at the eThekweni Municipality from its Valuations Department, and should also be available on the eThekweni Municipality website.

The Valuations Appeal Board is only convened once every few months, but at the next meeting your appeal will be considered and either accepted or rejected by the Board. You will be given written notification of the outcome of the appeal. The forms to lodge an Appeal are obtainable from the, Valuation Roll, Real Estate Unit, 5th Floor, 199 Anton Lembede (Smith) Street, Durban.

WHAT HAPPENS IF THE APPEALS BOARD REJECTS MY APPEAL?

If the Appeals Board rejects your appeal and you are of the opinion that your appeal should have succeeded, you will need to approach an attorney for assistance to take the matter further legally. One possible option is to approach a court to review the decision of the Appeals Board.

CAN I OBJECT OR APPEAL OUTSIDE OF THE PRESCRIBED TIME PERIODS?

If there has been an error in the calculating of your valuation or your category is wrong, you can still approach the Municipality Valuations Department to rectify this error outside of the prescribed time periods for objections in terms of section 78 of the relevant Act.



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