



Addressing the Title Deed Backlog in South Africa – A Systems Perspective

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Abstract

The long-standing housing crisis in South Africa is exacerbated by the growing challenges of managing and administering housing subsidies for those who cannot afford conventional mortgage loans (Gordon et al., 2011). Aside from an inconsistent approach to subsidised finance in public and private sectors, there remains an additional gap in ensuring subsidy recipients obtain legal ownership of their homes through title deeds (Cirolia, 2015). Local municipalities face mounting challenges in processing these title deeds and delivering them timeously (Magagula & Mubangizi, 2019). Consequently, this study sought ways to respond to the title deeds backlogs within the subsidised housing market and identify opportunities to improve operational implementation gaps in the title deeds registration process.

Inductive reasoning and a constructivist approach through mixed methods, including interviews, case studies, and observations in a title deeds registration office, were used to examine daily work and operational processes as they occurred in the City of Johannesburg's and the City of Tshwane's title deeds offices. The main objective was to identify challenges in operational implementation in order to create a working model to improve efficiency (Lubell, 2017). These challenges include issues around the family house (Bolt & Masha, 2019; Mackay, 1996), deceased estates with linkages to family disputes, and the township proclamation process as key challenges in the long-standing title deeds backlog issues. A proposed operational model restructure was subsequently developed based on the findings. The proposed model addresses the gaps in the resolution of the backlogs by focusing on the specific actions that can be taken, and support structures available for stakeholders within the system. Given the limited capacity and resource constraints for innovation that generally affect the public sector (Bhatti et al., 2018), the proposed model was developed to have minimal cost implications.

Keywords: Title Deeds, Housing, Service Delivery, Operations Management, Systems Change

Acronyms and Abbreviations

AAD – Acting Assistant Director

BNG – Breaking New Ground

COJ – City of Johannesburg

COT – City of Tshwane

CAHF – Centre for Affordable Housing and Finance

DHS – Department of Human Settlements

DLRD – Department of Land and Rural Development

DRO – Deeds Registration Office

FLISP – Finance Linked Individual Subsidy Programme

FMF – Free Market Foundation

HiP – Housing Investment Partners

HOD – Head of Department

HoDiv – Head of Division

HSS – Human Settlements System

ID – Identity Document

NHFC – National Housing Finance Corporation

PM – Project Manager

POPIA – Protection of Personal Information Act

RDP – Reconstruction and Development Programme

RHLF – Rural Housing Loan Fund

SAMWU – South African Municipal Workers' Union

STO – Sales & Transfer Officer

UCT – University of Cape Town

USA – United States of America

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Chapter 1: Introduction

The housing crisis in South Africa has been a long-standing and complex issue affecting many households over generations. Many have especially been affected by the growing challenge of title deeds registration, which is the final step of establishing legal ownership of a house. The initial approach of this study was focused on exploring housing access as a means of building asset wealth. However, further review of the literature revealed that one of the most persistent issues around human settlements is the issuing of title deeds for subsidised housing. Therefore, this study focuses on examining the operations management and the systems involved in the title deeds issuing process for subsidised housing. The main research question asks:

How may stakeholders in the housing sector address the title deeds registration backlog within the subsidised housing market in South Africa?

This research, therefore, seeks to answer the following secondary research questions to try to understand what the challenges could potentially be:

- Are there enough staff allocated to the administration process? Who are the primary agents of change/stakeholders in the management of this process?
- Are there any operational gaps within the municipalities that hinder the administrative efficiency of the registration of title deeds?
- Where do the bottlenecks exist in the process?

With the City of Tshwane (COT) and the City of Johannesburg (COJ) as the cases for the study, this research engages the historical context of the housing crisis and examines operations management over time. Considering the cases of both municipalities, the approach is focused on how service delivery for title deeds is progressing in the subsidised housing sector and what can be done to improve it in response to the millions of issuing backlogs (Department of Human Settlements, 2021) that are continuing to mount. This study seeks to engage the operational aspects of the municipal processes in place to deliver title deeds using a systems change approach. The goal is to develop a working model to improve service delivery over time through systemic changes within the operational system. Using a mixed methods research design, and systems mapping, the proposed model aims to improve efficiency and service delivery by applying incremental changes to existing operations to address specific bottlenecks, and administrative delays. The model is also driven by fostering partnerships with advocacy groups to garner added support for implementing long-term structural changes. Finally, the model explores partnerships through inter-governmental and provincial government structures to address issues such as budgets and data management.

1.1 The Housing Backlog in Historical Context

The literature and research explore what the South African government is doing in response to the need for a more efficient process of registering title deeds for subsidised houses. The historic context of the housing and title deeds backlog is discussed as it provides essential insight into how the scope of this research is defined. When considering the history of housing and the burgeoning housing crisis in South Africa (Butcher, 2000; Cirolia, 2015; King et al., 2017), the timelines provide a perspective of the systemic nature of the issue. The following section explores the nature of the problem starting with some background on the overall housing issues in South Africa.

Colonial and apartheid systems deeply affected the availability of housing for Black people (Klug et al., 2013; Noyoo, 2007; Ross, 2010). Historically, indigenous practices of land ownership and living structures were communal. Though no formal registries existed in that period, there was an understood structure of land ownership and allocations that was handled through traditional processes (Cousins & Claassens, 2008; du Plessis, 2011; Odum & Iben, 2011). Largely driven by the communal relationships held in villages, these traditional structures enabled access to natural resources for communal agriculture and livestock rearing – rather than for economic benefit – on land available to serve all people living there. Each homestead was largely self-sufficient with decision-making centralised around the villages of around one thousand people (du Plessis, 2011).

In contrast, and following the introduction of the Natives Land Act of 1913, which only allocated 7% of land to Black people, rising to 13% of land allocation in 1936, land was (and continues to be) disproportionately allocated (Noyoo, 2007; Walker, 2002). Resettlements commenced in 1950 with the establishment of Bantustans or “homelands” through forced removals of people from land to be allocated to non-Black populations and for industrialisation (Barry & Whittal, 2016a; du Plessis, 2011; Walker, 2002). Though the displacement led many to live in rural areas, because of a pursuit of economic opportunity and a need for labour in urban communities (Mackay, 1996; Mlambo, 2018), rural-urban migration caused the increase in not only township communities (Marais, Hoekstra, et al., 2018), but informal settlements with limited or no municipal services available (Mackay, 1996; Niva et al., 2019). Housing backlogs were already a serious challenge then, dating back to the colonial time. They were worsened during the apartheid era and resulted in the formation and proliferation of squatting, backyard housing and informal settlements (Mackay, 1996; Ramutsindela, 2002).

In the 1960s, 500 000 four- and five-room houses were built in the townships (Marais, Hoekstra, et al., 2018) to start housing families from the homelands and move them further away from the cities and spaces designated for non-Black people. This meant they had to

commute daily to work (Wilkinson, 1998). Black people were allowed to purchase land in the late 1970s through a 99-year leasehold structure that had existed since the 1930s (Jackson, 1987; Wilkinson, 1998), but many could not afford to purchase this land and banks were unwilling to lend to those who could afford it (Mackay, 1996). In addition, there were complex requirements and definitions of a “qualified” person was that restricted access to these leaseholds (Jackson, 1987). Those who were already occupying the four- and five-room houses also had to have their lands surveyed and measured to be registered under the leasehold structure, which was an administrative challenge for which the government at the time had no capacity (Jackson, 1987). This administrative challenge was mainly the process of managing which houses had been surveyed and which ones were ready for registration for a lease or a bond; examiners were also not fully trained on the legal requirements, and this led to the applications for registration being rejected by the Deeds Office (Jackson, 1987). The 99-year lease structure had been abolished in the 1960s (Jackson, 1987; Wilkinson, 1998) and reduced to 30-year leases to curb the growth of township communities in urban areas like Johannesburg where removals were already occurring in Soweto and Alexandra townships to diminish the Black population in those areas (Wilkinson, 1998). When the 99-year lease structure was brought back in the 1970s, it created further administrative complications in surveying and registering the deeds for this land (Wilkinson, 1998).

The first documented instances of title deed backlogs started from these land leases and houses owned by Black people in townships (Marais, Hoekstra, et al., 2018). Here, Registrars had no capacity to administer the existing land leases, which were already backlogged – these were estimated to equal the number of land and title deeds already registered to non-Black people (Jackson, 1987). To give this context, Black people had access to 15% of individually owned housing compared to 75% for non-Black people who were only 14% of the South African population around 1983 (Parnell, 2003).

By 1994, approximately seven million people were living in shacks with around 2.6 million formal housing units available (Goodlad, 1996). Black people’s reluctance and mistrust of the government at the time also exacerbated the backlog in the registration process (Wilkinson, 1998). For those who were able to obtain land tenure or could afford mortgages, systems were not efficiently put in place to deliver these deeds in time (Jackson, 1987). The process was inefficient and there was a high shortage of staff, in addition to other functional issues such as expensive costs and insufficient legal support (Jackson, 1987). Administrators were under-resourced and lacked the expertise to register deeds correctly, compounding delays (Jackson, 1987). This was further complicated by a boycott of rental and bond agreements as part of the political fight against the oppressive government in the 1980s (Mackay, 1996).

The transition from pre- to post-1994 governments led to a worsening of the backlogs in housing provision as many people who were working in urban areas pre-1994 were not allowed permanent residence in areas occupied by non-Black people because of the Group Areas Act (Huchzermeyer, 2001; Marais, et al., 2018). Black workers who had been living in backrooms and informal settlements in these urban areas needed houses after the democratic elections (Mackay, 1996). There was already a housing shortage. In response to the basic housing needs and backlogs created by the past displacement of people, the Reconstruction and Development Programme (RDP) policy was initiated to facilitate mass delivery of houses (Mackay, 1996). In 2004, the country transitioned from the RDP to Breaking New Ground (BNG) (Department of Human Settlements, 2004). The programme had, according to the Department of Human Settlements (DHS), delivered approximately three million houses by 2010 (Levenson, 2014).

Although the RDP policy initiated a response to housing backlogs (Dugard, 2020), it also created the second instance of title deeds backlogs. The added pre-emptive clause that prevented beneficiaries from selling their properties in the first eight years of acquisition (Department of Human Settlements, 2004) exacerbated this. The clause further prevented market access for recipients of these subsidies. The clause prevented them from selling the houses and creating paths for wealth or unlocking further equity through formalised ownership of the house. This restriction contributed to propelling the already complex state of the informal property market that led to an administrative challenge in formalising property ownership legally (de Soto, 2001; Ganiyu et al., 2017). Title deeds issuance has since become difficult to resolve where the original homeowners cannot be traced – following informal and illegal sales of RDP houses (Ganiyu et al., 2017) – especially in cases where houses have changed hands multiple times (Magagula & Mubangizi, 2019).

The relationship between the government and banks in developing structured responses to housing and housing finance needs became more complex and the two parties hardly came to any agreements of mutual benefit (Mpehle, 2015). Though the banking sector opened access to low-income housing finance,¹ it was still limited. Fear of low-income households

¹ The National Housing Finance Corporation (NHFC) was formed in 1996 (Moss, 2003) to provide support to burgeoning middle-income households by investing an initial R42 billion to subsidise banks and create formal partnerships with them to structure suitable finance options for this market (Mpehle, 2015; Tomlinson, 2007). Alongside the NHFC was the formation of the Rural Housing Loan Fund (RHLF) which also provided capital for low-income households to build houses in rural areas. The needs in the rural housing landscape were found to be unique needs that the NHFC process could not support efficiently (Huchzermeyer, 2001). They required specific funding models based on savings instead of creditworthiness, microfinance for housing, and incremental housing construction. Both institutions support households with incomes above R3 500 per month (Mpehle, 2015; Tomlinson, 2007).

defaulting on their loans and inconsistent creditworthiness resulted in strict lending criteria being implemented (Mpehle, 2015) Thus, even though this allowed some households to access housing, there was not much relief to the housing or title deeds backlogs (Mpehle, 2015). Some additional causes of these persistent issues are examined in the following chapter.

1.2 Outline of the Dissertation

Chapter 2 reviews key literature, building on the historical context offered in this chapter to understand the extent of the title deeds backlog for subsidised housing in South Africa. Linked to this, the literature also explores general service delivery within municipalities. It specifically examines how this may inform the current service delivery in the subsidised housing market, the social effects of the family house, operations management, and systems change as factors in the persistence of these backlogs. Chapter 3 describes the research design with a focus on the mixed method approach and data collection from the two municipalities focused on in the study. Chapter 4 outlines the findings from the desktop research, case studies, interviews, and observations, mapping operational gaps and bottlenecks identified in the data. In Chapter 5, the proposed model, which is a key goal of this research, is presented and focuses on the key elements that were found to contribute the most to the backlogs. It also outlines why they have been prevalent for so long. This chapter also offers recommendations to address the research question. Chapter 6, the concluding chapter, offers a summary of the findings and recommendations. Additional reference material is available in the annexures. This material is referenced throughout the dissertation.

Today, both these institutions support access to capital for housing, but it is becoming increasingly difficult to sustain as affordability diminishes heavily with housing prices and external economic shocks affecting household income (Mpehle, 2015). The poorest people, i.e., those earning below R3 500 per month, have not been able to access this service (Huchzermeyer, 2001). Though the relationship with banks continues to be strained, partnership with the private sector is considered an important and vital aspect of ensuring a sustainable response to the housing backlogs and formalising informal housing markets (Mpehle, 2015; Tomlinson, 2007). Institutions like the NHFC and RHLF are vital to ensuring that capital continues to be available to meet banking institutions halfway. However, though this responds to the housing backlogs, it does not adequately address systems needed to address title deeds backlogs both existing and in the future as the institutions do not currently have the capacity or authority to address this issue (Magagula & Mubangizi, 2019).

Chapter 2: Literature Review

2.1 Title Deeds Backlogs in South Africa

The title deeds registration backlog has been a research topic in various contexts (Gordon et al., 2011; Ganiyu et al., 2017; Raji et al., 2017; Nzau & Trillo, 2020). Housing subsidy programmes have had growing challenges with delays in administrative delivery, slow-moving formal title deed registrations (Cousins et al., 2005; Maluleke et al., 2019), perceived and substantiated corruption in housing allocations (Rubin, 2011), corruption specific to the procurement of construction contracts for subsidised housing (Barry & Roux, 2016b; Maluleke et al., 2019), and slow policy implementation and execution (Barry & Whittal, 2016a; King et al., 2017). Today, title deed registrations are an increasingly significant impediment in the delivery of subsidised housing and exacerbate the illegal sale of subsidised houses (de Soto, 2001; Ganiyu et al., 2017; Gordon et al., 2011a).

Complete legal ownership of property is essential because it can unlock meaningful opportunities to leverage one's property to access equity and, therefore, other means of building wealth (de Soto, 2001; Tomlinson, 2007). When homeowners want to release some equity from their properties, they often sell their houses below market value, subverting the legal property sales process (de Soto, 2001; Ganiyu et al., 2017). The eight-year restriction on the sale of subsidised houses built through the RDP and BNG programmes, is largely why; especially when some cannot wait until the eight years have passed. Illegal sales jeopardise the growth of formal and low-income housing markets (Ganiyu et al., 2017) as it prevents the full realisation of the market value of these houses when sold without the title deeds (de Soto, 2001).

In contrast, which may be reflective of why there are currently administrative challenges in the issuing of title deeds, it had not been found that legal registration was a real impediment to homeowners being able to leverage their house in any way to reduce poverty levels (Cousins et al., 2005). This was because of the low housing ownership capacity at the time (Cousins et al., 2005). However, the urgency for a title deed has changed. Housing demand has increased, as evidenced by the growing number of informal urban settlements (Ganiyu et al., 2017). This is compounded by the rapidly growing number of housing projects being developed to meet the housing demand (Magagula & Mubangizi, 2019). The slower the process to respond to this gap, the more difficult it will be over time as the backlogs grow (Magagula & Mubangizi, 2019).

The legal registration of home ownership through the registration of title deeds is a continuing challenge for those who obtain housing through subsidies (Barry & Whittal, 2016; Gordon et

al., 2011a). The backlog in title deed registrations for subsidised houses currently stands at 2.7 million units (Department of Human Settlements, 2021). This is almost double what the backlog was in 2011 when it stood at an estimated 1.4 million houses (Gordon et al., 2011a). Currently, provinces and municipalities do not have sufficient capacity to respond to this backlog, mainly because this process requires several specialists to support the verification of titles, including land surveyors, lawyers, and town planners (Gordon et al., 2011a). The registration of title deeds is also costly, and this in conjunction with other factors such as people's municipal debt, further delay this process (Gordon et al., 2011a). The delays create a significant challenge for people already subsidised to purchase a house or register the house they already own (Barry & Roux, 2016a; Barry & Whittal, 2016; de Soto, 2001).

Given that the registration process is not currently digitised (Simbanegavi, 2021), the logic follows that the backlog will likely increase faster than it is being resolved. Policy challenges also affect this, with national policy, provincial and municipal guidelines often changing (Gordon et al., 2011a). As a result, the Deeds Registration Office (DRO) often receives inaccurate applications from municipalities (Gordon et al., 2011a). Processes around the content within the paperwork submitted is usually under dispute between municipalities and the DRO rejecting applications because of mistakes on the forms or information they deem to be incomplete (Gordon et al., 2011a).

The applications are captured manually and sent to the Deeds Office for capturing. Where there are mistakes in the manual capturing, the municipalities have access to the Deeds Registry system but cannot make changes after they have sent it to the DRO (Magagula & Mubangizi, 2019). An additional challenge is that both municipalities and the DRO have staff capacity challenges (Magagula & Mubangizi, 2019), including a lack of the requisite skills needed to strengthen service delivery (Mantzaris & Pillay, 2019). The DRO only has eleven deeds registries across South Africa's nine provinces (Agriculture Land Reform and Rural Development, 2022; Magagula & Mubangizi, 2019). These deeds registries service a total of 257 municipalities across the country (Department of Cooperative Governance and Traditional Affairs, 2022). Thus, on average each deeds registry services approximately 23 municipalities.

The municipalities do not have a way of tracking the progress of applications once they are submitted (Gordon et al., 2011a; Magagula & Mubangizi, 2019) as they use the same central system to register title deeds (Magagula & Mubangizi, 2019). Their timelines do differ though, because the capacity of each municipality and the numbers of staff allocated to the title deeds processes are different (Gordon et al., 2011a). However, there is no known evidence to show that more staff allocated to this process means that there is more efficiency as issues around the training of staff and whether enough of them have the requisite skills often crop up (Gordon

et al., 2011a). Accuracy in filling in forms and ensuring private sector stakeholders who are part of the process have submitted relevant documents is one of the main issues. This training concern has been identified by both municipalities and the DRO as having added to the delays in the process (Gordon et al., 2011a; Magagula & Mubangizi, 2019).

2.1.1 Titles Deeds Registration for Subsidised Housing

The process for the registration of title deeds for subsidised housing is currently unclear. A basic outline of the known steps is indicated in Figure 2.1 below. It provides a visual overview of the conventional process that is followed in South Africa when buying a property versus the process of issuing a title deed for a subsidised house.

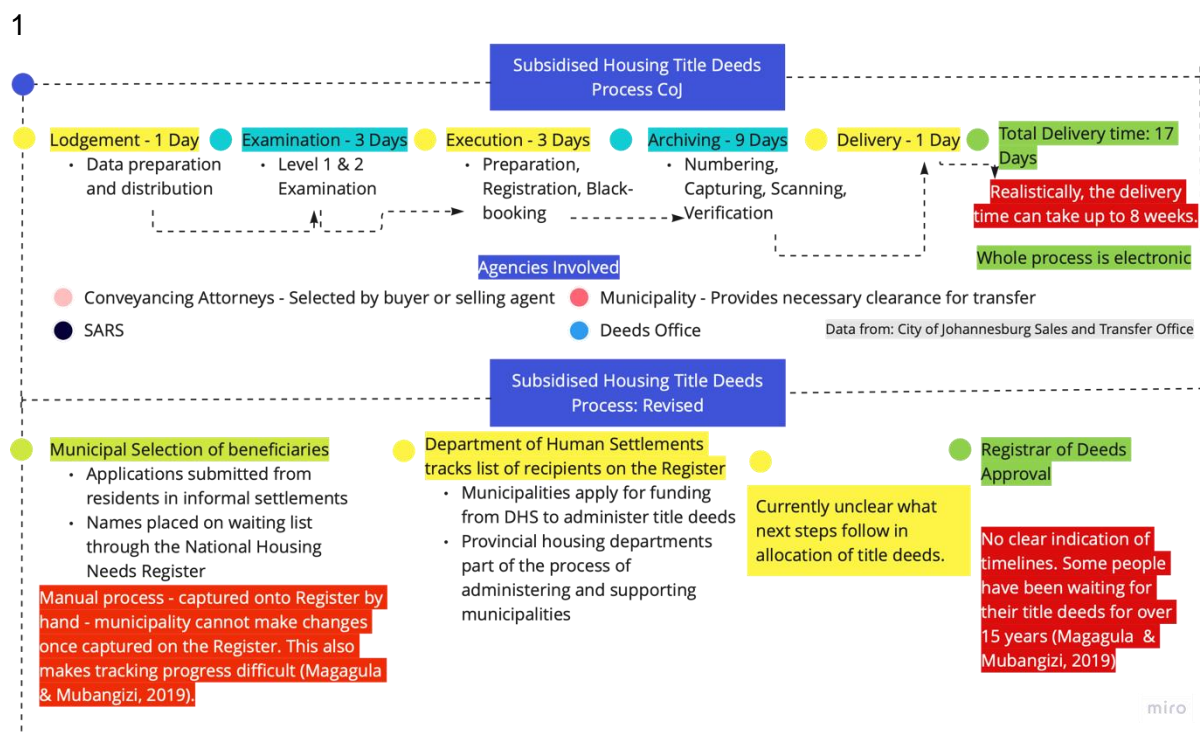


Figure 2.1: Current Documented Title Deeds Process

[Source: own with data sourced from Magagula & Mubangizi (2019); Agriculture Land Reform and Rural Development (2022)]

Title deed issuing for subsidised houses does not seem to follow the same allocation process that a traditional purchase does. In both cases, however, several actors are involved in the process from the developers to the homeowner and conveyancing attorneys. Each actor engages differently with municipalities in the handover of the subsidised houses as well as the processing of title deeds (Magagula & Mubangizi, 2019). In comparison, the title deeds registration process for mortgaged housing is very clear with specific timelines that rarely take

longer than the set six months for land transfers (Gordon et al., 2011a) and six to eight weeks for property titles (Department of Human Settlements, 2021). Often, an intermediary, working together with the buyer, engages the different actors on the buyer's behalf in this process. Additionally, the extent and consistency of the timelines cannot efficiently be measured as all municipalities apply this differently (Gordon et al., 2011a). An additional growing challenge has been that recipients have become more difficult to contact to attend to the legal processes of finalising their title deeds with the lawyers (Gordon et al., 2011a; Magagula & Mubangizi, 2019). This has added to the high cost of conveyancing processes; the costing of which many subsidised homeowners have not necessarily factored (Gordon et al., 2011a).

In the context of the backlogs, why title deeds are needed for subsidised houses at all has been in question (Barry & Whittal, 2016a; Gordon et al., 2011), especially given that the steps can be complex and the process often has no clear steps to follow or support structures available (Barry & Whittal, 2016a; Gordon et al., 2011). One of the reasons is that these houses have often unofficially changed hands multiple times and the current people living in these houses may become displaced in the process of accurately issuing the title deeds (Barry & Whittal, 2016). The administrative costs for municipalities would also be just as prohibitive given their financial capacity is constrained as it is (Harper, 2022; Motubatse et al., 2017). However, with this approach, the challenge is that should title deeds not be issued at all for these houses, the owners might never leverage their properties as an asset in the formal housing market or to get access to other financial services (Barry & Whittal, 2016). The weight of these costs is high, no matter the perspective.

An additional opinion that is offered in the study by Magagula & Mubangizi (2019) is that when developers have completed the building, the handover of keys to the municipality should include the issuing of a title deed so the recipients can obtain both at the same time and reduce the administrative challenges. This process is often unclear and while some of the sentiment may be influenced by perceptions from current and potential beneficiaries (Rubin, 2011), neither the Deeds Registration Office nor the Department of Human Settlements are explicitly clear about how the process works for title deeds registrations of subsidised houses (Gordon et al., 2011; Magagula & Mubangizi, 2019).

There are several administrative challenges that affect how services are provided successfully for issuing of title deeds. Much of this is due to a myriad of service delivery challenges that are already affecting the municipalities and provincial governments (Davids et al., 2019). The systems used by municipalities and the Deeds Registration Office are a combination of manual and electronic but is not optimised to reduce capturing mistakes or ensuring the approval process can flow swiftly (Magagula & Mubangizi, 2019). Municipalities do not have a way of

making changes to the applications once submitted for processing. Instead, the Deeds Office often finds errors in the manually captured information received from municipalities and some of the submissions are missing information from other stakeholders involved in the process (Magagula & Mubangizi, 2019). The municipalities also complain that the Deeds Office often rejects their applications with no reason, and this affects the process of closing the issuing of title deeds (Magagula & Mubangizi, 2019). The Department of Human Settlements also has no consistent records of the full scope of the backlogs – only an approximation of these numbers as it relies on information from municipalities that are under-staffed and often experience administrative delays as a result (Magagula & Mubangizi, 2019).

The literature points towards issues within the system and that blockages may exist in navigating this process for almost all stakeholders involved including municipalities, legal practitioners, developers, and the Deeds Registration Office itself. These are some of the factors that are examined in this study as well, including an approach to how creating operational shifts can be done in this context. It is important to understand whether the operational challenges indicated above slow title deed approval process, administrative and record-keeping discrepancies or if there is slow progress in new housing developments issuing title deeds. These challenges are considered worth pursuing to improve efficiency of the title deeds registration process.

2.2 Service Delivery and Operating Systems in South Africa

The South African Constitution does not explicitly define service delivery but it can be summarised from Section 195 to be the obligation of government to provide basic services like water, electricity, healthcare, housing, healthcare, education, and sanitation (The Constitution of the Republic of South Africa, 1996). This is also the generally accepted definition of service delivery (Reddy, 2016) with some definitions emphasising a focus on each country's constitution to define service delivery contextually (Shittu, 2020). The South African constitutional definition is the one applied to the context of this study. These services are closest to local government or municipalities in relation to communities (Ndevu & Muller, 2017) and that will also be an additional consideration.

South Africa has a long-standing challenge with efficient systems for service delivery (Managa, 2012). Local government structures are significantly constrained by various challenges mainly due to governance failures in their systems including accountability for the usage of funds, irregular expenditure, poor understanding of legislative systems that govern administration, and corruption (Motubatse et al., 2017). Suitable governance structures are understood in

private sector spaces as proper guidelines to manage performance, improve revenue streams, and manage staff capacity, amongst other factors (Motubatse et al., 2017). Good governance practices also encourage transparency, and when it comes to service delivery issues in the public sphere in South Africa, accountability and governance issues have been a growing problem resulting in only 27 municipalities out of a total of 257 receiving clean audits in 2019/2020 (Ntaka & Brown, 2021). In 2022, the governance issues had not changed, with only 16% of the municipalities in South Africa receiving clean audits in the 2020/21 financial year and an overall regression in the financial management standards of municipalities over the past five years (Harper, 2022). This number has declined to 13% in the 2022/23 financial year (Nyathi, 2024).

Following suitable governance structures is a valuable risk management tool that also unlocks operational capacity (Matei & Drumasu, 2015). This, in turn, ensures that efficient systems are in place to deliver services and meet regulatory mandates (Matei & Drumasu, 2015). Appropriate governance ensures not only clean audits but also builds efficient operational systems. However, because of poor leadership, ethical oversight of the implementation of good governance practices is difficult to attain in South Africa (Dzomira, 2015; Magagula & Mubangizi, 2019; Matei & Drumasu, 2015). An additional examination is also about whether budgets and budget allocations align with the needs of municipalities to meet the demands of title deed allocations.

Part of the past thinking and research (Maluleke et al., 2019; Monteiro & Adler, 2021; Pillay et al., 2021) on service delivery and public sector administration examines the processes that many people rely on to gain access to basic needs such as housing in the South African context – with one instance by Pillay et al. (2021) comparing South Africa to India. In other bodies of research, some scholars have also considered a lack of good leadership as a factor of poor service delivery (Dzomira, 2015; Matei & Drumasu, 2015; Monteiro & Adler, 2021). Following an analysis of South African municipal audits dating from 2011 to 2014, part of the challenge of municipalities providing efficient service delivery lies in the inconsistent and lacking ethical governance of operations (Dzomira, 2015; Matei & Drumasu, 2015; Pillay et al., 2021).

The importance of efficient operating systems is that they can improve service delivery and address essential aspects of poverty alleviation (Managa, 2012). A lack of or inadequate service delivery weakens sustainable and meaningful social and economic mobility and participation (Marais & Cloete, 2017). Participation in this context, is defined as equitable and stable access to services (Marais, et al., 2018). Economic mobility considers long-term economic participation and wealth creation towards reducing the reliance on social welfare

(Sevenhuijsen, et al., 2003) but also aligns with the Constitutional right to access adequate housing (Kabir, 2002) from a South African context. The South African government and government-backed structures for housing delivery, their legislative systems, and policy implementation in the issuing of subsidies, continue to underperform (Magagula, et al., 2019). There are beliefs that valuable opportunities are available to uphold wealth sustainably for low-income households starting by improving service delivery systems (Koelble & Lipuma, 2010; Lombe et al., 2014; Pillay et al., 2021). Home ownership is deemed particularly important (de Soto, 2001; Tomlinson, 2007) when considering service delivery as it creates opportunities to leverage property to access equity and other means of creating wealth (de Soto, 2001; Donkor-Hyiaman & Owusu-Manu, 2016; Tomlinson, 2007). However, Litheko et al. (2019)² have found that property ownership does not necessarily lead to people coming out of poverty, mainly due to the time it takes to realise property investment value (Litheko et al., 2019). This is backed up by Dougherty et al., (2015) who state that inclusive finance practices and access to credit do not necessarily lead to poverty alleviation. Oluwatayo & Babalola (2020)³, in further contrast have found that asset ownership had a positive influence on improving poverty standards. Oluwatayo & Babalola (2020) also assert that poverty alleviation requires asset ownership and access to jobs together as a singular approach to making a difference (Badev et al., 2014)⁴.

Growing backlogs slow down the steps or any further action that can be enacted to improve the system (Magagula & Mubangizi, 2019). Reflective of the backlogs is overall under-delivery being a sign of inefficient implementation and reflects the issues of administration that are running through the housing subsidy programmes managed by the government. This under-delivery only exacerbates the challenges of housing that have been escalating for years. Any further planning around improving the systems of delivery weaken efficiency unless the systems of delivery and the administration are the focus of improvement. An additional challenge is how asset ownership is delayed by the slow process of legal registrations of title deeds (de Soto, 2001). This delay has inadvertently led to illegal sales on a broader scale (Barry & Roux, 2016a) and the assets have become a greater liability than an asset to owners who cannot leverage it for greater economic access (de Soto, 2001).

According to Ganiyu et al. (2017), there is no solid regulation or mandate set against the illegal resale of a subsidised house. Illegal sales are significant to consider in the varying

² Selected based on where they lived – explicitly looking at townships and some historically non-Black neighbourhoods in Bloemfontein where the Black middle-class lives.

³ The study expanded the definition of assets to include houses, vehicles, businesses, and finances, examined 9 619 households across South Africa.

⁴ The study also considers the household size and income as household sizes determine how easily households can move out of poverty (Oluwatayo & Babalola, 2020).

complexities of this system because they reduce housing market values (Ganiyu et al., 2017) and depress other property markets surrounding those communities. A solution offered by Ganiyu et al. (2017) and Cirolia (2015) to reduce illegal sales is that there is a need to consider government programmes in educating people on housing finance and property valuations. Hamzat (2017) backs up this logic and states that asset and wealth education would contribute to asset poverty alleviation.

To solve challenges related to the illegal sales, the Department of Human Settlements has implemented the Title Deeds Restoration Grant. This is a three-year project to support municipalities in addressing their current title deeds registration backlogs (Department of Human Settlements, 2021). The grant programme is in partnership with the provincial housing departments and municipalities who obtain funding from the Department of Human Settlements to support the issuing of title deeds (Magagula & Mubangizi, 2019). Davids et al. (2019), through their survey on citizen satisfaction with basic service delivery by municipalities and the cause of failures in service delivery, have found that the quality of services provided by municipalities remains below adequate and often leaves recipients dissatisfied (Davids et al., 2019). In addition, the survey found that even when there is infrastructure available to receive services such as water and electricity, these services are not consistent. Subsidy recipients specifically complain about the quality of houses they receive as they have structural issues such as weak or cracking walls and leaking roofs (Barry & Whittal, 2016a; Davids et al., 2019; Levenson, 2014). McDonald & Pape (2002) examined similar parameters for service delivery and integrated the cost of services and how it affects efficiency reflecting that the racial divides linked to service delivery still remain. Additionally, the findings showed that the capacity of residents to pay for municipal services affected the consistency and quality of the provision of services to them over time; with those in low-income areas having poorer quality services (McDonald & Pape, 2002). Although there is an increased drive to create access to services for poor communities (McDonald & Pape, 2002), the cost of accessing these services is a continuing challenge as these costs escalate beyond what most people can afford (McDonald & Pape, 2002). In addition, issues surrounding these service delivery challenges often result in heavier additional costs, not just to society, but also to local municipalities, private companies, and infrastructure as poor service delivery can be linked to the rise in service delivery protests (Davids et al., 2019). No real measure of interruptions to services currently exists in South Africa for any municipality and service interruptions are not being reported frequently or for every occurrence; consequently, statistics regarding this are unreliable and inconsistent (Davids et al., 2019). This creates difficulty in measuring the full impact of service delivery interruptions or creating a complete understanding of what gaps continue to persist (Dzomira, 2015; Motubatse et al., 2017). However, these gaps seem to be

glaring when it comes to housing and the provision of adequate housing both by municipalities and the national government. When there is no adequate measure for these gaps, there can be no sustainable systems built to improve the response to them or reduce inefficiencies (Mantzaris & Pillay, 2019).

Instead of an overhaul of the system, given the level of complexity, incremental change should be considered. Incremental change applies to a process of applying solutions over time to ensure that change is sustained and that complex challenges can be given time to change (Suoheimo et al., 2020). This approach appreciates that the challenge – much as in the context of service delivery in the subsidised housing sector – has had long embedded complexity created over time including slow progress, poor administration, and resource constraints of municipalities (Davids et al., 2019; Niva et al., 2019; Noyoo, 2007). Also, following the guidance of the literature and the extent of the system's challenges, more drastic change will likely take time and could overwhelm the system and create further collapse (Bhatti et al., 2018). Waiting for drastic change can exacerbate the present service delivery issues in the South African subsidised housing sector.

2.3 The Family House

Data provided by the historical context of the housing backlogs in South Africa includes reflections on how the effects of the issue have been multi-generational (Mackay, 1996). That includes the impact of these historical housing issues on many households who still do not have registered title deeds, sometimes after decades (Bolt & Masha, 2019; Mackay, 1996). A consideration of some of these housing challenges in the context of this study is also how the family house is an important social asset for many households. A family house can be defined as a house that has historically been passed down through generations as they became privately owned after the transition from the apartheid system (Bolt & Masha, 2019). In the context of this study, reference to the family house assumes that it is located within a township. Due to the breakdowns in the administrative processes following the transition into democracy (Jackson, 1987), many of these houses have since been passed down unofficially especially as the first generation of recipients is aging and passing away (Bolt & Masha, 2019).

Overall, the legal definition of a family house is difficult to verify as a few legal cases have shown. The first is the case from the Gauteng High Court *Shomang v. Motsose and Others* (Case No: 6990/2022 High Court of South Africa Gauteng Division, Pretoria, 2022). The case outlined that the family house has created challenges in ownership due to apartheid-era practices which registered family homes in the name of one individual despite the families'

tacitly agreed collective ownership of these houses. Thus the legal challenges that the family house poses today as many households consider the home to be owned collectively while the law does not explicitly recognise a family house. The Conversion Act⁵ shifted the ownership of property from leasehold (as per the 99-year leases outlined above) to ownership which often requires only one person to be listed as a registrant of a property within the family. The case ruling from the court stated a need to align the formal legal system with customary law and reflect the collective nature of family ownership while address the continuing conflicts that arise from the lack of alignment (*Case No: 6990/2022 High Court of South Africa Gauteng Division, Pretoria, 2022*). Additionally, the case entrenches the challenges created by the apartheid-era property registrations with the present-day family ownership structure highlighting that a renewed approach to property law that seeks to address historical injustices linked to property ownership is required.

A 2017 legal proceeding (*Case No: A5009/2017 High Court of South Africa Gauteng Division, Johannesburg, 2018*) has further shown that there is no formal definition of a family house in property law. Even a written agreement by the family for the property to remain a family house did not have a legal standing when the occupants were not legally registered as owners of the house. Only one person could be appointed as a “custodian” of the property allowing them the right to have the title deed registered in their name (*Case No: A5009/2017 High Court of South Africa Gauteng Division, Johannesburg, 2018*). The ruling of the court stated that the house, once sold by the single title deed registrant without the knowledge of the rest of the family, could no longer be legally held as a family house. The sale by the title deed holder was ruled as valid even if it contravened the wishes of the broader family who occupied the house. This ruling meant that the family which previously occupied the property since 1970 had to move out. A more recent ruling, however, has created a landmark decision which protected a family house under similar circumstances to *Case No: A5009/2017* and allowed a family which had been previously evicted from their home to maintain the property as a family house (Lawyers for Human Rights, 2024). This rule contested the structure of sole ownership and required the title deed to be amended with a caveat that the property was a family house and disallowed any one person from making a decision about the house unilaterally. This ruling further affirmed the need for statutory law to better align with customary law. With the goal to protect the rights of families and their properties from further dispossession following the historical challenges faced around housing and property ownership in the apartheid era (Lawyers for Human Rights, 2024).

⁵ Conversion of Certain Rights into Leasehold or Ownership Act under the Gauteng Housing Act 6 of 1998. The Gauteng Housing Act provides the legislative framework for housing in the Gauteng Province and the Conversion Act operates within that framework.

The family house serves a variety of social and economic functions for many households and is first a reflection of social organisation and kinship (Madhavan et al., 2014; Spiegel, 2018) for many households. Kinship is defined as the connectedness of people to one another through blood relation, marriage, and adoption as well as the expectations from the formation of those relationships (Madhavan et al., 2014; Sahlins, 2011). With many households holding multiple generations in one dwelling (Bolt & Masha, 2019; Nord, 2022; Ziehl, 2001), there are a variety of dynamics that the family house provides relationally and in strengthening kinship ties (Spiegel, 2018). These dynamics include cultural practices, rituals (Bolt & Masha, 2019; Hellemann, 2021), economic activity, both formal and informal and social ties internally in the household and externally within the community (Spiegel, 2018). The family house could provide a perspective to why the title deeds issues being resolved is vital for many households based on some of these dynamics. The investigation of these linkages and understanding could shed light on why the challenges with the title deed registration backlogs are taking so long to resolve (de Soto, 2001).

The family house as an economic function is reflected in the many households that rely on the availability of the property to provide income through activities such as farming, spaza shops, and other small businesses (Fox & Sohnesen, 2012). These activities have represented an opportunity for many families to become economically active and circumvent the challenges of poverty by being self-sufficient through leveraging the property or the land with which it comes to supplement income (Fox & Sohnesen, 2012). This is an aspect of the family house that extensively represents the dependency of many households on its existence and continuity for their livelihoods in addition to other benefits it provides. The family house is also an important aspect as a central place for rituals and cultural practices such as weddings, births, funerals, and other ceremonies (Hellemann, 2021). In many instances, the family house becomes the central location for these practices even when some members of the household obtain their own homes, get married and move out, get formal jobs, and live in the city or other provinces (Hellemann, 2021; Spiegel, 2018).

The family house also helps to create an understanding of family power dynamics considering the decision-makers (Pillay, 2020) and decision-making processes (De Maret, 2012) for households, conflicts, and conflict resolutions, as well as succession (Bolt & Masha, 2019). The decision-making process in many households could help to bring an understanding on how the power dynamics (De Maret, 2012) affect issues such as decision-making, succession, and how the ownership of the house is passed down from generation to generation (Bolt & Masha, 2019; Hellemann, 2021). The issues around succession may be of particular interest in the context of this study as it could reflect on how the informal succession processes reflected on above may influence how the backlogs in title deeds registrations persist

(Hellemann, 2021). The legal structures around the rights of men and women have changed to be more equal and inclusive including around the ownership of properties over time (Bolt & Masha, 2019; Hellemann, 2021). However, these legal changes have not necessarily factored in the cultural practices of many families typically handing over ownership of properties and other possessions to the men in the family or instituting communal ownership of the house by the entire family (Bolt & Masha, 2019; Hellemann, 2021). This is also reflected in some of the legal cases presented above.

The cultural practice of passing ownership to men, though not necessarily representative of the tenets of gender equality, could reduce disputes around succession especially where no formal wills are in place (Bolt & Masha, 2019). However, this can create its own challenges should a male successor opt to sell the house without engaging the family. Additionally, families have not always followed the patriarchal succession structure but have also passed on assets, houses, and possessions to siblings jointly to ensure an equal share (Bolt & Masha, 2019; Hellemann, 2021). These perspectives may also shed light on whether the issues are more systemic in relation to the municipalities and their own operational challenges or if the family dynamics themselves also influence the pace of the resolution of the backlogs (Hellemann, 2021). Conflicts may also create an understanding of the challenges which may create further complexities as the heads of households (whether men or women) pass away or their successors get married and new family dynamics are introduced (Hellemann, 2021). Disputes over the ownership of these houses has especially become a challenge (Bolt & Masha, 2019) and have been long running in most instances given the current backlogs. The conflicts may also help create an understanding on how deceased estates may be getting handled by the families and whether they enlist any professional and advisory services to handle these issues (Bolt & Masha, 2019). This is including if there are wills in place to determine further successors and how the house's ownership should be handled after the passing of the original title deed registrant (Hellemann, 2021).

In reflecting on these aspects of the family house, the value of the house is far greater than its financial value for many households (Barbarin & Khomo, 1997; Lemanski, 2011). Additionally, the linkages to the resolution of the title deeds registration process and backlog issues are especially vital for the sustainability of these houses and the families living in them (Hellemann, 2021). Considerations of all these factors are also inclusive of the colonial (Hellemann, 2021) and apartheid influences on the dynamics of Black families in South Africa including migration (Spiegel, 2018) linked to the availability of jobs, the ownership capacity and economic participation of women, and land tenure systems (Hellemann, 2021). All these issues could be considered in how they have helped develop responsive policies that have been

implemented and how those policies were informed by or undermined the traditional housing practices of many households (Bolt & Masha, 2019).

2.4 Operations Management

In the South African context, with continuing policy implementation challenges (Lubell, 2017), there is a need to develop an understanding of how implementation can be improved as opposed to pursuing more policy reform, which is a commonality in South Africa (Powell, 2012). Barry & Roux (2016b) have found that the best approach to developing service delivery processes that are effective is through better operations management processes instead of legislative or policy changes (Boyne, 2002; Radnor & Noke, 2013). This is considered useful for unearthing how government structures can manoeuvre their way out of excessive red tape but also find better ways within them and create efficient structures to deliver services (Boyne, 2002; Lubell, 2017; Radnor & Noke, 2013).

Operations management is being considered as a potentially suitable solution for building efficiencies through the statutory systems of government and municipalities, which can often be complex even for trained practitioners who work within the system (Mantzaris & Pillay, 2019). Operations Management offers a layered approach that can examine the processes within a system and their efficiencies to determine their effectiveness to respond to operational shortcomings (Radnor & Noke, 2013), in this case, that is service delivery challenges. The argument and challenge, however, is that operations management, or any business practice applied to the private sector, cannot be used multilaterally by the public sector as they may succeed better in the private sector mainly because of bureaucratic process differences (Boyne, 2002; Radnor & Noke, 2013). Though Boyne (2002) argues this point, it is important to note that the same study concludes by noting that the study was too narrow to fully back up this hypothesis as it empirically examined bureaucracy, the materialistic nature of public organisations, and organisational commitment primarily in the United States of America (USA), with smaller data sets including Australia, Canada, England, and Israel (Boyne, 2002). Additional parameters that are suggested in the paper are that the wider scope should include a broader range of countries, and an expansion of parallel public and private service sectors to create a greater comparative study with stronger outcomes (Boyne, 2002).

A later study by Radnor & Noke (2013), which included data from Europe, Australasia, and the USA, considers the complexity of the public sector overall with the increasing pressure that it is facing in ensuring more efficient delivery. The research examines the application of operations management in relation to the public sector, of practices in the public sector specific

to health care service delivery, local government, and policing. Radnor & Noke (2013) do not offer any conclusive results as they state that the thinking around operations management in the public sector still needs further development. They, rather, state that future studies should focus on the public sector and solely on how operations management applies to it and not how it compares to the applicability in the private sector or attempting to adopt private sector practices for the public sector. Further observation at the time also stated that operations management in the public sector is still new and needs to grow especially in considering the context and complexity of the public sector as continuous challenges affecting operational capacity (Radnor & Noke, 2013). This operational capacity has the potential of improving efficiency and helps the system to better respond to the delivery of outcomes for beneficiaries. This understanding of efficiency is important to clarify the scope of how much change needs to occur and in what areas of the system that change must happen.

The best characterisation of what operational efficiency, as defined in the literature, can look like is depicted in **Table 2.1**. Operational efficiency is plainly defined in this context, as a way of delivering title deeds to subsidised homeowners within a reasonable period of up to 3 months, like that of conventional mortgages. This is also based on the title deed registration for a mortgaged house as outlined in **Figure 2.1** above.

Table 2.1: Overview of Title Deeds Efficiency Pain Points

[Source: own]

Delivery of subsidised housing at scale	Identifying Beneficiaries	Title Deed Registration Process Flow
<p>Pain point: Municipalities are not presently able to sustainably manage the process of constructing houses at the scale needed – they especially do not have the financial resources to ensure this (Gordon et al., 2011)</p>	<p>Pain point: Management of the beneficiary database is inconsistent (Gordon et al., 2011) – tracking of beneficiaries on the national system is difficult as changes cannot be made when submission is completed (Magagula & Mubangizi, 2019)</p>	<p>Pain point: The process of issuing title deeds for subsidised houses is not currently clear (Gordon et al., 2011). Beneficiaries do not have the ability to track the process. Municipalities also do not have much contact with the Deeds Registration Office to keep track (Magagula & Mubangizi, 2019)</p>

The factors being considered in the context of this system for efficiency include:

- Consistent policy-aligned delivery of subsidised housing at scale linked to the national department-set targets (Nell et al., 2011). The Department of Human Settlements has set each municipality a target to reach to submit applications for title deeds and issue approved title deeds. The targets are linked to the extent of the backlogs; it is also

linked to the number of new subsidised houses delivered versus what title deeds have already been delivered (Department of Human Settlements, 2021).

- Clear process flow of the issuing of title deeds when the construction of houses is completed (Magagula & Mubangizi, 2019). Such a process flow should:
 - Define a process for identifying beneficiaries.
 - Define the steps on where to get support throughout the process.
 - Outline all stakeholders and their role(s) in the process.
 - Have a clear, realistic, or approximate timeline of when the title deeds will be issued.
 - Have a (working) system to track the progress of applications.

To better understand this approach to operations management and how it applies, an understanding of a simple structure of operational efficiency is defined graphically below. To provide context to the systems and its current challenges, the system as it is currently understood is mapped in **Figure 2.1**. An extension of this is **Figure 2.2**, which is a map that includes historical context and the occurrences of policy changes and amendments. The frequency of policy change has been alluded to as a factor in the challenges of efficiency. Part of the backdrop of the examination of this study is to understand how the system of title deeds for subsidised housing has responded or adapted to policy changes from an operations perspective.

From the literature, it follows that some gaps that have not been fully examined currently exist especially in the administrative steps and in the process of creating a transparent and clear process towards title deeds registrations for subsidised housing. Though the exploration of these gaps is extensive in research studies (Ganiyu et al., 2017; Gordon et al., 2011b, 2011a; Lubell, 2017; Magagula & Mubangizi, 2019; Nzau & Trillo, 2020), there is still an opportunity to explore how the operating systems at the Deeds Registration Office currently work in relation to municipalities, the National Department of Human Settlements, and other parties who form part of the system of registering the title deeds for subsidised housing.

Title Deeds Systems Map & Timeline Overview

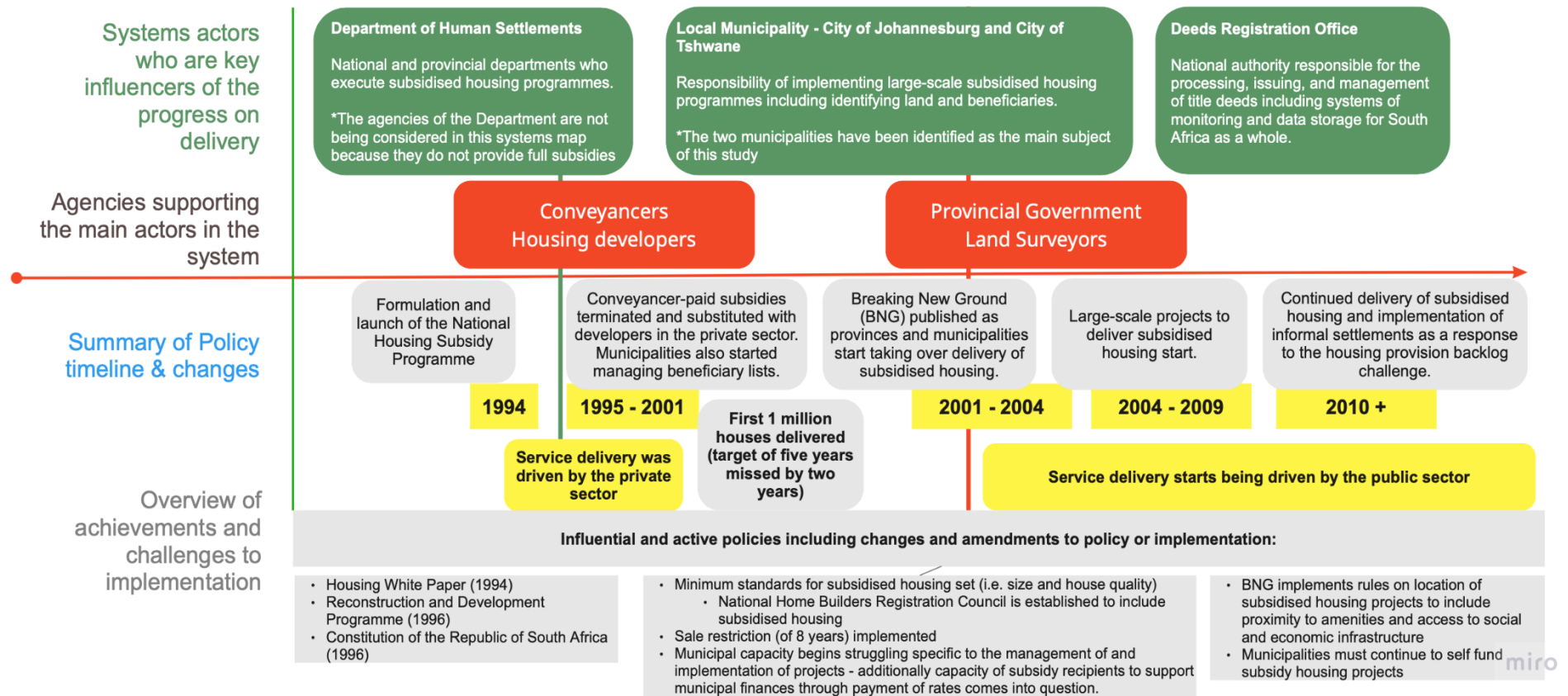


Figure 2.2: Title Deeds System Outline & Policy Structure Overview

[Source: own – with information and data from Magagula & Mubangizi (2019) and Nell et al (2011)]

Lubell (2017), who studied local government housing programmes implementation in the USA, has found that there is a need to focus on strengthening the capacity of local government to implement programmes or projects better. This is where operations management could have the potential to support in developing models and splitting bottlenecks to understand their cause and impact, and to understand the quality of systems and their capacity to deliver on service needs. One such framework is depicted in **Figure 2.3**, which expands on the operations management approaches that could work in the public sector through *Norman Faull's 3S Implementation Model*. The 3S Model could potentially help to identify areas of misalignment, bringing an understanding of the quality of systems available in the registration of title deeds, and the coordination required to make the system work more efficiently.

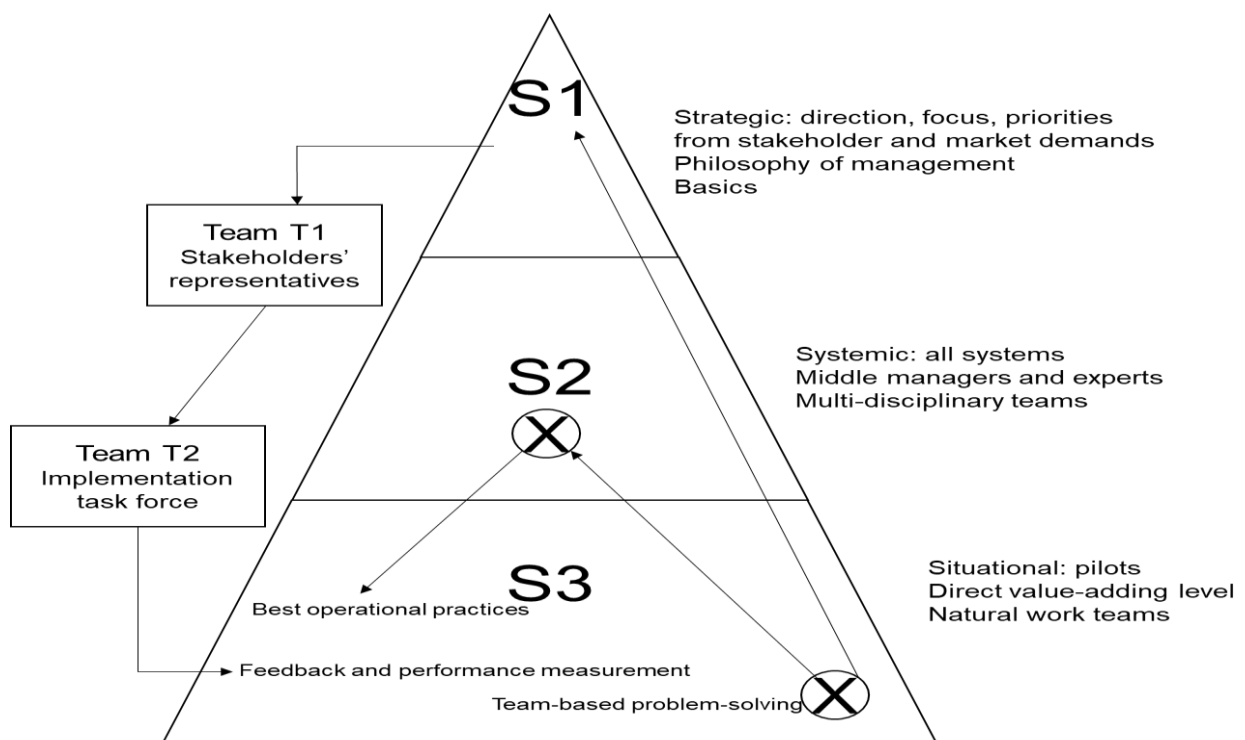


Figure 2.3: Norman Faull's 3S Implementation Model

[Source: (Faull, 1998, p. 227)]

2.5 Systems Change

As a companion to understanding operational challenges, defining how systems change can be used in practice to help define where systems need to change and be re-examined to operate more efficiently (Foster-Fishman et al., 2007; Mingers & White, 2009). A system can be defined as a variety of complex parts and how they interact as part of a whole, and how they function within those systems (Churchman, 1968; Ramovha, 2022); systems change is

then the continuum of shifts within the system to create realignment or shifts towards a specified goal to improve it (Foster-Fishman et al., 2007). This can be done through changes in behaviour, policies, relationships, or shifts in power and values (Foster-Fishman et al., 2007). This perspective considers the consequences of policy change to the efficiency of implementation from an operations and systems view. Having that view can define the linkages between the influence of operations (driven by policy) to how the system behaves for suitable outcomes for the delivery of title deeds for subsidised housing. Much of systems change practice has been used to improve systems of service delivery and design new ways of working to change processes. This is also a way of thinking that assumes that change cannot happen without the improvement of a system where set objectives are being sought (Cohen & Lavach, 1995; Foster-Fishman et al., 2007). By defining a system fully first and understanding its working within the whole (Mingers & White, 2009), the thinking is that the parts within a system that do not effectively function can be appropriately identified, no matter how complex that system is (Foster-Fishman et al., 2007; Jackson, 2003). Systems thinking can therefore be a way of understanding complexity and simplifying solutions based on that understanding (Ramovha, 2022).

Usually, complex systems of service delivery can create general societal problems (M. Jackson, 2010; Koelble & Lipuma, 2010; Ramovha, 2022) such as is seen in the problem brought forward by this study. Systems change also creates an opportunity for knowledge translation (Bernardes & Hanna, 2009; Kitson, 2009; Mingers & White, 2009) which can support the interpretation of complex systems. This can improve operational capacity and develop staff ability to respond to the pressures of providing efficient service delivery or produce high-quality results (Crawford et al., 2003; Jackson, 2010; Kitson, 2009). It is argued, therefore, that systems thinking has the potential to create the opportunity to develop operational efficiency and functionality in a complex system (Boisot & Child, 1999; Churchman, 1968; Ramovha, 2022).

However, a counter argument to the overall systems thinking practice is that though systems thinking may be useful, the public sector may not necessarily be motivated to apply it in practice (Tõnurist et al., 2020). The argument is that the introduction of systems change in an expansive public system that is not functioning optimally may render it unsuitable in practice (Tõnurist et al., 2020). This is especially relevant when considering that much of the research cited above has been largely applied to management science in the private sector and not in the public sector.

Applying systems thinking in practice also requires creative thinking to adapt (Jackson, 2003) and this creates further complexity as the application of creativity in government structures

can prove to be difficult to pursue because of general regulatory confines though it is not impossible to attain (Houtgraaf, 2022). In addition, the public sector requires extensive stakeholder engagement to enact change, and this may affect the efficiency and pace of that change (Kitson, 2009; Thorpe, 2014). Systems thinking requires agility to yield sustainable change (Bernardes & Hanna, 2009; Kitson, 2009). This is not often characteristic of many public service systems (Boyne, 2002; Davids et al., 2019; Radnor & Noke, 2013) and it creates additional complexity to navigate how change is introduced and effectively managed thereafter. The recommendation here is that there needs to be a concerted effort to design around the boundaries that exist within the public system (Tönurist et al., 2020).

Complex adaptive systems thinking is an aspect of systems thinking that considers structures that require multi-agent interactions to operate fully and how they adapt to external factors that could potentially compromise their full operation (Boisot & Child, 1999; Ramovha, 2022). The level of in-depth complexity pursued determines the ability to adapt effectively and respond to set goals within a system without having to change too many aspects of it (Boisot & Child, 1999). To understand these complex systems in the context of service delivery and how efficiency can be designed into it, one can utilise the Iceberg Model. The Iceberg Model is one of many systems change tools that can help to break down complexity and create an

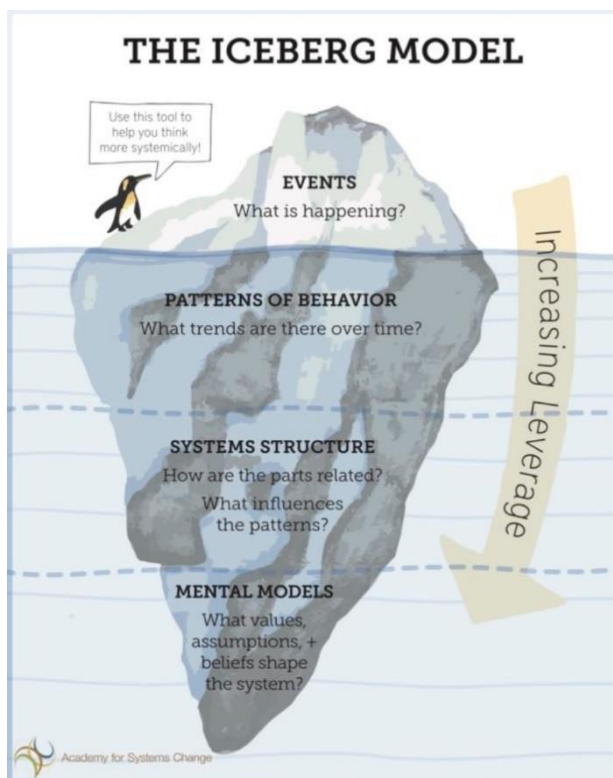


Figure 2.4 The Iceberg Model

[Source: Academy for Systems Change]

understanding of the problem to define how to better design for change within the system (Suoheimo et al., 2020). The model can be applied as an analytical tool to typify the problem but also to define potential approaches to how solutions to a challenge could be defined. This approach is to also diagnose the deeper causality of why the system is not functioning as it should (Suoheimo et al., 2020). A simplified Iceberg Model is depicted here to define how it can assist in breaking down complexity.

The different levels from Events to Mental Models defined by the Iceberg Model identify the parts of the system that can be leveraged to initiate how change could occur (Academy for Systems Change, 2023; Guynn et al., 2022). The idea is to consider the aspects of the system in which change

might occur and potentially start a process of restructuring the system to make it more optimal. The Iceberg Model could be applicable to the title deeds registration system being studied especially understanding how complex and long running these problems have been (Butcher, 2000; Cirolia, 2015). One of the additional benefits of this model is that it also assumes the perspective of beneficiaries of the system and how they relate with it; this could help respond to how solutions can be sought from the perspective of delivering service (Suoheimo et al., 2020).

One layer of complexity that seems to be creating further challenges in the resolution of backlogs is the allocation of budgets and how it links to the township proclamation or township establishment process. Township proclamations are a land registration process that is required by the Department of Land Reform and Rural Development. It is defined as the process of registering land designated for use towards anything else outside of agricultural purposes including residential use (Midvaal Municipality, 2020). The proclamation process is inclusive of a variety of town planning and engineering conditions plus environmental assessments, road, and other infrastructure being up to municipal codes and land registration requirements (Mashego, 2017; Midvaal Municipality, 2020). The process is finalised by opening a township register at the deeds office which allows for the issuing of title deeds to residents of that community or township (Mashego, 2017). Township proclamation is also important because it ensures land tenure (Mashego, 2017). The township proclamation process appears to exacerbate the title deeds backlogs because the municipalities cannot issue title deeds in any townships with incomplete proclamation processes (Mashego, 2017; Van Wyk, 1992). Further to this, since this process has several regulatory requirements (Van Wyk, 1992), municipal human settlements departments are not likely to have capacity to handle the budget needs of meeting the process alone (Magagula, 2017; Paulse, 2013). (Paulse, 2013). An additional challenge is that municipalities and provincial governments have had to circumvent procedure to rush the process of delivering houses due to the housing delivery gaps (Magagula, 2017). Title deeds issuing is further delayed, and the backlogs continue to grow as there is a lag in completing the township proclamations (Paulse, 2013).

This title deeds problem has become so complex, affecting municipal budgets to the point that the Department of National Treasury has started to pay attention through initiatives like the Cities Support Programme (CSP). The CSP is an initiative of the National Treasury to support urban transformation and development in a variety of ways including through policy with one of the interest areas being the issuing of title deeds (Duminy et al., 2020). The initiative has a particular focus on municipalities and is piloting projects around addressing title deeds backlogs in townships starting with Khayelitsha (Duminy et al., 2020). The budget issue partly stems from the challenges of planning in the municipalities for the township declaration

processes and at which point this process should be initiated in the housing delivery timelines (Myeni & Okem, 2019). Though grants towards this requirement exist through programmes like the CSP (Turok et al., 2023), it is not clear that the municipalities are using them effectively to eradicate this problem (Myeni & Okem, 2019; Rubin, 2011). Additionally, there is a focus on upgrading infrastructure in informal settlements which is another systemic challenge that municipalities must concurrently address (Huchzermeyer et al., 2019; Turok et al., 2023).

Given the above, arguments on the title deeds registration process for subsidised housing and the overall housing deficit stated in this literature review, the system can be considered complex (Ramovha, 2022). This is because of the need to interact at different levels with local and provincial governments, the construction sector, legal representatives, and others including the DRO (Gordon et al., 2011a; Magagula & Mubangizi, 2019). The complexity is then compounded by the complexity of the legislative process that does not always translate to simplified execution. The current challenge that is explored using systems thinking in this research is whether the title deeds registration system for subsidised housing is adaptive enough to respond to changes within its environment (Ramovha, 2022), or whether the current systems in place respond effectively to the complexity of the title deeds registration process. Based on the evidence from the literature on service delivery and title deeds backlogs, with an implied need for administrative support to streamline operations, the inquiry examines what a study in operational management with an application of systems thinking can do to improve service delivery. Part of the focus of the study is to understand where bottlenecks currently exist in the system for issuing title deeds for subsidised housing.

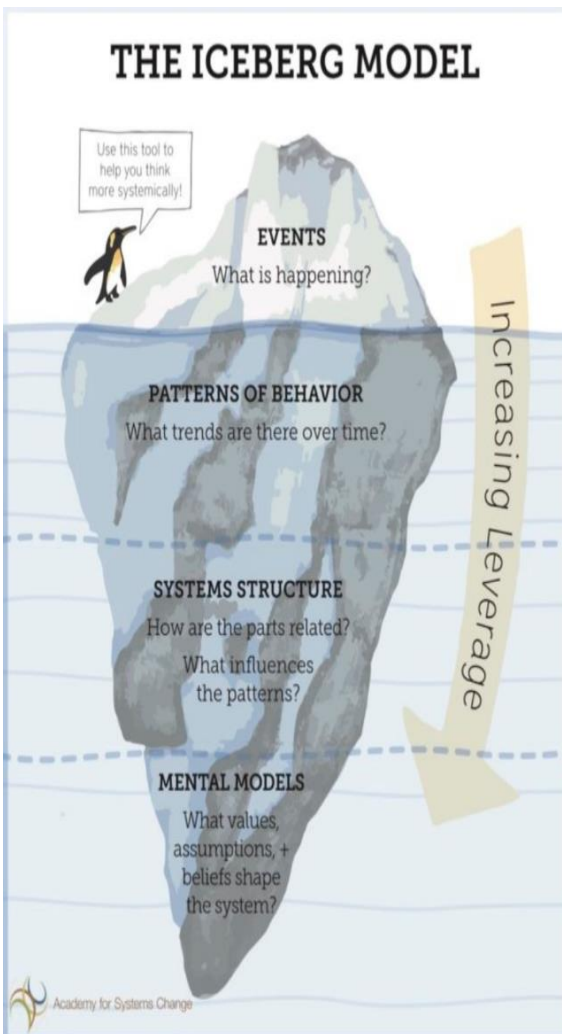
2.6 Conclusion

The literature has led the study towards title deeds allocation systems, as one of the leading system gaps which is the focus of this research. The study focuses on understanding service delivery challenges in implementing subsidised housing in South Africa. However, the literature reviewed also shows that there are gaps in understanding why legislation in subsidised housing cannot seem to reconcile the needs of the subsidised housing recipients both in execution and sustainability. The social and cultural connectedness of recipients to their houses is also something worth consideration in contextualising the issues and bringing further understanding to why the issues remain. The examination of the family house especially brings about some perspective on how the role of the recipients influences the system and how progress can be made.

Additionally, although some financial solutions (largely through government support, although support from the nonprofit sector has been indicated by the literature review) are working to some extent. There is insufficient support in ensuring ownership is documented through the registration of title deeds after the finance and subsidy transactions are completed. This research, therefore, engages the parts of the housing system that make housing acquisition through title deeds more complex from an administrative perspective. The housing system view aims to develop a model to fast-track the movement of title deed registrations without having to rely on improving the whole system. This approach is seeking to respond to an urgent need that cannot wait for a whole systems change process to take place.

The greater challenge lies in the perceived linearity of the problem at least from the perspective of government where solutions appear to be applied to one aspect of solving the issues. An example is providing the Title Deeds Restoration Grant without ensuring that staff capacity was available to run the process or ensuring that progress can be tracked effectively in applying the grant. Others include interventions that have been explored as indicated by the title deeds systems outline in **Figure 2.2**. Though some responses were necessary fixes, only one aspect of the system was addressed and as these changes occurred, the system's operations management gaps were beginning to reveal weaknesses. The solutions were also developed as and when issues arose, and their potential to work was not necessarily at a systemic level but in response to the singular challenge identified. These solutions does not necessarily support municipalities based on their holistic needs to respond to the challenges and sometimes only appear to either allocate more funds or change policy. Neither of these has shown to make much of a significant change in improving some of the most long-lasting title deeds challenges.

The Iceberg Model expanded on below explores the complexity of the issues as outlined in the literature. Using the Iceberg Model as a basis for understanding the complexity (Suoheimo et al., 2020) and the non-linearity of the challenge, each level of the system is outlined in the context of the title deeds registration process for subsidised houses. Considering the system outline of the title deeds process for subsidised housing, the Iceberg Model serves to summarise the issues identified in the literature that will be explored as part of the study. Operations Management through a Systems Change lens will specifically be explored as an opportunity to explore the non-linearity of this challenge and the best solutions available for addressing the challenge.



Recipients of subsidised houses are experiencing growing backlogs in the issuing of their title deeds and cannot leverage property ownership for economic mobility or use it viably as an asset. Progress is consistently slow and timelines are growing difficult to quantify the longer the issues stand.

There is a growing backlog of title registrations and slow progress in issuing and collection of the title deeds. No clear administrative system is in place for all stakeholders to interact. Policy response has not been consistent to help stakeholders know how to effectively respond to the challenge of the backlog. There is no municipal capacity to administer this process effectively – municipalities are over-burdened with multiple service delivery challenges.

There is an inconsistent approach to subsidised housing administration by the Government with three key role-players (Department of Human Settlements, Municipalities, and the provincial government) in the process do not have a singular working system to communicate, track progress, or manage the title deeds workflow for subsidised housing across all three stakeholders and for beneficiaries.

Recipients of subsidised houses do not have a way of tracking the progress of their applications. Additionally, recipients do not know where to go between the three stakeholders to get support.

The Department of Human Settlements gives money to support municipalities to be able to respond to the backlog, but there is no effective way of tracking that the grant from the DHS is yielding any results.

Recipients of subsidised houses sell their houses at below market rates and ownership records become nearly impossible to track after some time and the houses have changed hands over multiple time.

Figure 2.5: Iceberg Model Outlining the System as Defined in the Literature

[Iceberg image source: Academy for Systems Change, Adapted from (Gynn et al., 2022).]

Chapter 3: Research Methodology

3.1 Research Design

The approach to the research design was first considered through the lens of constructivism. Constructivism is a paradigm of learning that applies the value of interpretation to develop an understanding of the problem presented (Cobern, 1993). It leads to how research can be applied to practice (Mir & Watson, 2000). With a constructivist approach, my goal was to interpret the data in a way that could effectively address the research question and improve the operations management process of the municipalities. This approach aimed to link theory and practice (Mir & Watson, 2000) to understand if there is room and scope to improve the operational systems as defined in the literature. This was applied specifically so that a suitable and practical model might be developed to improve the operations or systems processes. A constructivist approach can be applied to the research question focusing on the intersection of actors (Mir & Watson, 2000)– referred to as stakeholders in this research – within the system, who form a key part in determining the implementation of solutions from a strategic perspective (Mir & Watson, 2000). The role of stakeholders is key to the implementation of all the potential solutions. This understanding shaped how the data was collected and analysed, guiding the research design to evaluate the outcomes.

The paradigms for the analysis of data were linked to the constructivist approach applied to operations and systems management. Constructivism also supports learning through inductive reasoning (Hassad, 2020). To draw conclusions from the observations and interviews, inductive reasoning was selected as the best approach for developing theory from the outcomes. Empirical data was crucial to the research design, as it informed the interview questions and served as a basis for evaluating the observations. Inductive reasoning was used to identify actionable data patterns (Edmondson & Mcmanus, 2007; Mir & Watson, 2000) from observations and interviews as the chosen data collection methods.

The analysis of the data collected was used to develop a suitable model to accelerate and improve administrative processes to address the operational needs related to the legal registration of title deeds.

3.2 Research Method

The study applied a mixed research method approach. This approach applies both quantitative and qualitative data collection design methods to understand the problem (Cresswell & Creswell, 2017; Mackey & Bryfonski, 2018). The method was specifically applied to the study because of the complementary benefits of qualitative and quantitative data. The quantitative

data provided context to the qualitative data analysis to layer the varied perspectives on the issue (Mackey & Bryfonski, 2018). Desktop research served to provide both qualitative and quantitative data for the contextualisation of the problem before and after the data collection through interviews.

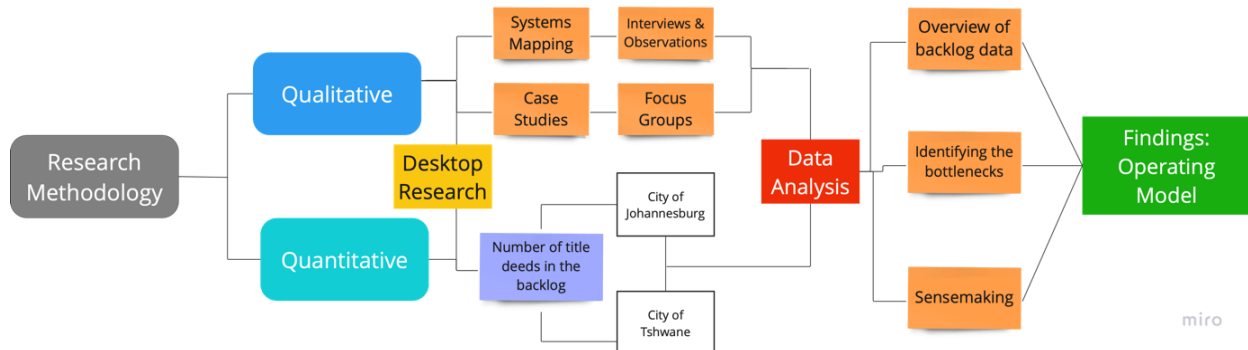


Figure 3.1: Overview of Research Methodology

[Source: own]

As depicted in **Figure 3.1**, the qualitative data was collected using a variety of approaches including systems mapping which was identified as a need in the review of the literature. The observations aimed to assess whether the systems worked in practice as defined in theory through the mapping process. The interviews were conducted to follow up the observations, providing additional contextual data based on the experiences of stakeholders. The interviews also helped interpret the quantitative backlog data, by understanding how stakeholders perceived it within the context of the system. Case studies were used as an additional layer to contextualise the quantitative backlog data by embedding the qualitative data to understand how the backlogs became so entrenched for both municipalities. Focus groups further enriched the understanding by revealing how stakeholders navigated the system and understood its operations together. They also highlighted how the system was configured to deal with issues such as disputes and administrative delays in issuing title deeds.

The research used a sequential embedded design meaning the qualitative and quantitative data were collected in different phases (Mackey & Bryfonski, 2018); followed by the interviews and focus groups for gathering qualitative data after the systems mapping process. Case studies and desktop research provided quantitative data, supplemented by additional quantitative insights from the interview process, which were followed up later. The quantitative data, though not the central focus, served to support and validate the collected qualitative findings (Cresswell & Cresswell, 2017; Mackey & Bryfonski, 2018), and was expected to lead to a comprehensive understanding of the qualitative data (Sadan, 2014). The combination of qualitative and quantitative data benefited the study by providing a layered understanding of

the findings (Riedy, 2008; Sadan, 2014), and formed a solid foundation for interpretation (Mackey & Bryfonski, 2018; Sadan, 2014).

This data collection approach can pose some challenges, however, because the analysis of data can become complicated due to the diversity of data sources and the possibility of conflicting information, complicating the interpretation of the findings (Johnstone, 2004; Mackey & Bryfonski, 2018). To address this, the case studies were used to help create a deeper level of understanding of the problems and their embedded nature within the system (Mackey & Bryfonski, 2018). Case studies were selected in this research based on the issues identified in the quantitative data. The design of the research questions aligned with how each municipality handled the issues. This alignment was also the reason semi-structured interviews (further elaborated below) were conducted.

The collection of qualitative and quantitative data simultaneously has the disadvantage of being time-consuming, both in the data collection and analysis (Mackey & Bryfonski, 2018; Sadan, 2014). However, the use of quantitative data in this study was primarily comparative (Ganiyu et al., 2017); its use was to complement and validate the qualitative data, thus avoiding the need for extensive statistical analysis.

3.2.1 Mixed Method

Qualitative research data is information gathered through observation that is visual, oral, or written (Bailey, 2008). The qualitative data I sought to collect was in relation to the workings of the system of title deeds registration and the operations within the municipal and government structures. This kind of data can be collected through interviews, observations, and small focus groups, amongst others (Ganiyu et al., 2017; Mackay, 1996; Nell et al., 2011). Quantitative data is often collected through surveys and the collection of statistical or numerical data (Ganiyu et al., 2017; Gortzen, 2017; Litheko et al., 2019). In this study it helped to define the parameters of the challenge so that the qualitative inquiry could be kept within the scope defined by the quantitative. The quantitative approach to data collection – based on the definition outlined above – was not applied explicitly as only existing quantitative data was used to support the analysis of the outcomes.

This research used a qualitative research design and conducted a comparative data analysis (See Section 3.4 Analysis of Data). Magagula and Mubangizi (2019) used a similar approach. Instead of municipalities, they engaged community members through one-on-one discussions in a singular township community affected by the backlogs. A study by Barry & Roux (2016b) to understand the process of land administration in subsidised housing was similar. It applied a qualitative methodology using key-informant interviews with beneficiaries and housing

project managers in the designated municipality. An additional study conducted by Barry & Roux (2016a) followed the approach of studying the functions of systems that manage land tenure in subsidised housing through case studies and a comparative analysis of tenure data. The approach also considered two towns within the same province, although the focus was on rural areas. A study by Ganiyu et al. (2017) that focused on the private sector to investigate housing gaps in South Africa used a mixed method but interviewed stakeholders such as banks and housing developers in the private sector only. These papers provide perspectives on the research instruments that could be used, although applied to different studies. There was a slight shift from the various approaches indicated above because this investigation was different in its focus. The research conducted by Gordon et al. (2011b) employed interviews, primarily conducted over the phone with relevant stakeholders, following a desktop review. This current study seeks to adapt this methodology and incorporate some of its recommendations. The approach used focus groups alongside key informant interviews to gain a deeper understanding of the problem and explore potential solutions.

The research began with an understanding of the historical context from which the overall housing problem stems, focusing on one specific challenge within the system: the issuing of title deeds for subsidised housing. A systems approach partly informed the research design, aiming to examine the operational process within the system as a method of collecting qualitative data. While the wider system may have its own challenges, this study identified the title deeds backlogs as the key point of inquiry requiring focused attention. Historical context formed an important part of the data collection process. Using the causal layered analysis method (Inayatullah, 2014), the research design embedded the history of the challenges outlined in the literature. Causal layered analysis is a futures methodology applied to address complexity, defined as a research theory that assumes that there are differing layers of reality and knowledge, which are useful for developing effective policies and strategies applicable to both governments and the private sector (Inayatullah, 2004). Causal layered analysis is structured through an epistemological lens allowing for an understanding of what is missing within a system through a layered approach (Inayatullah, 2004; Riedy, 2008). The method can be integrated with ethnographic methods (Inayatullah, 2014); which formed part of the data collection process through observations of the administrative team at the City of Johannesburg. This approach also facilitated triangulation of data from multiple sources, mitigating the risk of interviewees selectively providing information that aligned with their own specific narratives or interests.

The systems change perspective of the study further justified a qualitative design approach. This study explored a system broadly defined by two housing financing solutions:

- Option 1 – Government-backed financing solutions: Home Loan Guarantee Company; Finance Linked Individual Subsidy Programme (FLISP); Housing Investment Partners (HiP); and the National Housing Finance Corporation. The process and timelines followed to obtain a title deed using these structures – the “traditional” process of obtaining a title deed. This was examined in the literature.
- Option 2 – Subsidies: Houses delivered through government programmes that fully subsidise home ownership and the processes involved in obtaining title deeds for the houses. This option was examined for the purpose of this study. It was investigated through municipal records from the City of Tshwane (COT) and the City of Johannesburg (COJ) focusing on the title deeds registration backlog.

Therefore, a key question within this study was how stakeholders operating within the subsidised housing system could address the backlog. A qualitative study was selected as the most suitable approach to capture solutions driven by information collected from these stakeholders, given their day-to-day interactions within the system. Their perspective and experiences from within the system provided solutions that would be relevant and applicable to their context.

As indicated in **Figure 3.1**, the collected information and data were used to determine how a suitable model for subsidised housing might be developed to address the title deed registration backlog. Solutions developed in similar studies reflected on financing models and interviews with relevant stakeholders (Ganiyu et al., 2017), as well as analysis of existing Deeds Registry data and interviews with stakeholders (Nell et al., 2011). Additionally, a study from Magagula and Mubangizi (2019) applied a qualitative approach to a singular community and its beneficiaries focused on relevant stakeholders within the system under study. This study was similar in approach as it considered local, provincial, and national government stakeholders of the system and how their roles affected the delivery of title deeds for the selected community.

By comparing two municipalities, this study aimed to analyse whether their systems operate similarly and whether an operations management approach would yield a more efficient system model.

3.2.2 Systems Mapping as Method

First, the process of data collection sought to map the system. Based on the gaps identified in the literature, a systems map was identified as a need to help identify the different parts of the system and how it operates, specific to policy and the status quo. With this map, the goal was to determine how the stakeholders link and engage within the system. The potential gaps were identified using the processes defined in the literature as part of the methodology of

systems thinking. The systems map (see **Figure 4.1** and **Table 4.1**) was also an important part of determining who the main stakeholders within the system are and helped to clarify the effectiveness of the system as it stood. It also helped to identify the main stakeholders within the system.

Following this, was an examination of operational structures within the registration systems to determine how delivery happens case by case, and whether the process is efficient based on the definition provided in the literature. This examination also sought to understand any differences in efficiency as understood by the stakeholders involved in processing the title deed applications. At this stage, quantitative data was used to add value to the collection of qualitative data. As defined in the literature, the system was investigated for operational efficiency within an operations management theoretical framework using systems thinking to understand gaps and create a full picture of the structures in place. This operations management approach also aimed to determine if the theory as outlined within this study was applicable in practice.

Following the mapping of the system in full, insights from interviews by the relevant municipal officials were used to examine where potential issues were understood to exist in the system. An advocacy group representing beneficiaries and community actions related to this issue was also included in the stakeholders interviewed. With the operational efficiency defined, the system's efficiency was evaluated based on the literature-defined standards, recognising that it might differ from theoretical expectations. The qualitative data collected helped to restructure the title deeds registration map developed in **Figure 4.1**.

Part of the inquiry in this study focused on understanding the system design of the title deeds registration process for subsidised housing. Understanding the historical context of the backlogs in the registration of title deeds as outlined in the literature, provided insights into how the challenge in the administration came to be. But it did not necessarily clarify how the process could be simplified or redesigned to meet the needs of the recipients. This system design method aimed to address the challenge of clarity in process. That clarity would help create a responsive model to help the growing number of people needing their title deeds registered to obtain legal evidence of property ownership (Gordon et al., 2011).

3.2.3 Case Study Method

According to the sociological definition, case studies are the examination of a single class of phenomena; though that singular examination cannot be relied upon to provide all the necessary information, it can be used as an investigative channel as it informs hypotheses that can be tested over a wider subject scope (Abercrombie et al., 1984; Flyvbjerg, 2006).

Having determined that the study would include a comparative analysis of data, case studies were chosen as an approach to add a layer of data to inform the model's development more decisively (Flyvbjerg, 2006; Johansson, 2003). The purpose of the case studies was to determine how the operational model, as one of the outcomes of this study, could work when applied in practice (Yin, 2006). Case studies were also used as a tool to evaluate whether the system was operating in practice as it was designed to in theory (Flyvbjerg, 2006; Yin, 2006).

The case studies that were observed were also examined as part of reflecting on the historic quantitative data to inform the present challenges and guide solutions around them (Flyvbjerg, 2006; Yin, 2006). Linked with the ethnographic approach of the study, the quantitative data also applied to how the interview questions would be directed, specifically in seeking to understand the operational activities of the municipal offices. Considering the perspective of an advocacy group supporting the process of registering title deeds, the cases examined also helped to define the workings of the system from third parties' perspectives (Johansson, 2003). This was also to mitigate the risk of relying on a singular and, arguably, subjective perspective (Flyvbjerg, 2006; Johansson, 2003). The challenge with case studies is that data from this methodology can be difficult to generalise, though it is not impossible (Yin, 2006). To remedy this, the case studies were used specifically as a foundation for generalising based on the theoretical perspective of the study (Flyvbjerg, 2006; Yin, 2006) while considering the municipal contexts. This was to determine how the model could potentially be applied across municipalities, considering the complexity of the long-standing challenges in issuing title deeds. An additional challenge was the over-reliance on documented information with the assumption that it is absolute truth (Yin, 2006). The diversity in the kinds of data collection methods allowed for this disadvantage to be circumvented.

The case studies examined in this study were mainly collected through the focus groups, reflecting the experiences of the administrators in both municipal offices. The reliability of this information could be verified though the information gathered from the desktop research and literature. Additionally, the selection of key informants supported the reliability of the information provided through the case studies (Yin, 2006).

3.3 Research Techniques

Several research techniques were utilised to collect the data. These techniques included non-participant observation, key informant interviews, desktop research, and focus groups. Using the constructivist approach described in Section 3.1 provided a foundation for structuring the interview questions. This approach guided the research techniques to return specific outcomes related to the research question. This was done by focusing on stakeholders and

the operations systems they influence within the municipalities. Additionally, careful consideration was given to selecting stakeholders – or the actors (Mir & Watson, 2000) – who would be the right fit to best inform on the subject and potential solutions. These stakeholders were also considered for how they might influence the implementation of the solutions from a strategic approach within the municipalities and how they could contribute to a revised operating model. These techniques are discussed more expansively below.

Another factor in developing the research techniques involved the needs of the process of knowledge translation, as defined earlier for complex systems. The process was designed to create an understanding of the complexity while refining the data collected from the application of the research techniques in practice. Given the overview of the system and the operational challenges as identified in the literature, it was important to create structures for understanding the data, defined in this context as knowledge translation.

3.3.1 Overview of Data Collection

Data for this study was collected from a total of ten participants who were split across the City of Johannesburg, the City of Tshwane, and one non-profit advocacy organisation, the Centre for Affordable Housing (CAHF). The two municipalities were mainly chosen because of their proximity to the researcher for ease of data collection. Additionally, the two municipalities have similar spatial planning challenges as affected by the apartheid system with both affluent and high-density, low-income areas (Turok & Borel-Saladin, 2013) that could help outline general urban housing gaps suitably for the sake of the study objectives. Given how differently these municipalities appeared to have handled these backlog challenges at the onset of the study, they also offered opportunity to compare contrasted approaches and their effectiveness, especially in instances where the City of Tshwane was perceived to manage inner city and townships “better” or as “best practice” based on the examinations of provincial government (Huchzermeyer, 2011). The interviews took place between September and November 2023. Among the participants were six women and four men. Table 3.1 provides an overview of the participants:

Table 3.1: Data Sources and Profile of Participants

Organisation	Interviewee Code	Date	Genders
City of Johannesburg	AAD	14 September 2023	Female
City of Johannesburg	STO1	22 September 2023	Female
City of Johannesburg	STO2	22 September 2023	Female
City of Johannesburg	STO3	22 September 2023	Male
City of Johannesburg	STO4	22 September 2023	Male

City of Johannesburg	HOF	22 September 2023	Male
Centre for Affordable Housing	PM	13 November 2023	Female
City of Tshwane	HoDiv	22 November 2023	Female
City of Tshwane	HOD	22 November 2023	Male
City of Tshwane	Admin	22 November 2023	Female

The participants of the focus group at the City of Johannesburg were inclusive of all interviewees listed above as STO2, STO3, and STO4. The participants, STO1 and STO2 also had individual interviews with STO2 also joining the focus group following the individual interview. The participants at the City of Tshwane were all in a focus group interview. Due to the time constraints and capacity limitations within the City of Tshwane at the time of the interviews – mainly because of the municipal strike action – the interviews were conducted solely in a focus group structure. The strike action involved employees affiliated with the South African Municipal Workers Union (SAMWU) downing tools demanding salary increases; this strike action was illegal according to the municipality (Mkentane, 2023). The strike action started around July 2023 and ended in November 2023, a few days after the focus group interview was completed (Mkentane, 2023). The main effects of the strike were staff shortages where senior managers and administrators had limited capacity due to the non-availability of workers to fill in vital service delivery functions in the municipal daily activities (Mkentane, 2023). These shortages made it difficult to schedule office observations as many staff were not at work and managers did not have time for full individual interviews. One participant was interviewed from CAHF.

3.3.2 The Cases: Tshwane and Johannesburg

The sub-cases represented two separate issues affecting the state of backlogs in both municipalities and how these issues reflected the complexity in attempts to resolve the title deeds issuing progress: identifying the effectiveness of the process in relation to the perceived complexity of the problem. Both sub-cases consider only the households benefiting from subsidised housing as the study seeks to examine this financing mode as opposed to the traditional finance which was identified as having clearer processes and timelines. The following sub-cases were observed, focusing on long-standing title deed issues that remain unresolved or are still under dispute according to the records of the two municipalities:

Table 3.2: Sub-cases Examined at the Municipalities

Case Location	Stakeholder	Sub-case
Soweto	City of Johannesburg	Deceased estate – family continuing to live in the house, but title deed still registered under the name

		of the deceased family member. No consensus in the family on rightful recipient of the deed.
Mabopane	City of Tshwane	Township proclamation – the administrative process of ensuring a new residential area is compliant with town planning standards is incomplete, and the municipality is not able to issue title deeds until this process is completed.

These were examined specifically to understand the challenges by individual household beneficiaries requiring support from the municipalities. The cases were examined and collected from the issues brought up in the interviews as consistently challenging for both municipalities. The cases represented a long-standing title deed issue for each municipality.

Table 3.3: Additional Data Sources

Data Type	Data Source	Date Collected
Observations	City of Johannesburg	14 September 2023
Sub-case Study 1	City of Johannesburg	22 September 2023
Sub-case Study 2	City of Tshwane	22 November 2023

Two sub-case studies, as **Table 3.3** indicates, were taken from the interviews with details outlined in **Table 3.2** to help understand some of the complexities experienced around the backlogs. The sub-cases allowed for the evaluation of the empirical evidence and its ability to translate into an operating model. These sub-cases provided guidance on the potential opportunities to improve the operational management of the system. From the literature, there was an understanding that innovation can be difficult to enact in structures that are resource constrained (Bhatti et al., 2018) as seen in both municipalities. The interview questions sought to understand how stakeholders, whether in the municipalities or from the advocacy groups, innovated within those constraints.

3.3.3 Non-Participant Observation

Observations were conducted over one day for 45 minutes prior to the start of the interview process at the COJ and were followed by the mapping exercises. Understanding how the stakeholders interacted was important to establish the basis of how the data could be interpreted for the most accurate solutions. Observations also offered insights into who the key stakeholders were that could potentially adapt the system to respond to the gaps that were identified. Observations were recorded through a process of transcription using a guideline for understanding the operations based on the Iceberg Model and how the literature has shown

it to apply in **Figure 2.5**. The main aspects that were considered included how efficiency was defined and how that compared with the observed office operations. Some specific areas of focus included how the observed record-keeping and electronic systems were functioning, the competence of the current systems to attend to all persons at the office, the systems' ability to support efficiency within the office, and the number of staff allocated in relation to the perceived workload.

The observations were conducted solely at the City of Johannesburg Human Settlements Office from 10:30 AM – 11:15 AM in the Sales and Transfer Office. The office specifically serves residents of the City of Johannesburg with escalated or complex title deed disputes, both long-standing and recent.

Non-participant observations can have limited preparation scope, and time allocation can be sporadic with no practical way of setting the length of observation (Cooper et al., 2004). Due to time constraints, a full day of observation in the office was not possible, which affected the depth of contextual understanding that could have been created from a full day of study (Cooper et al., 2004). Further, limited planning capacity and time constraints restricted the number of residents that could be observed being serviced by the office, reducing the number and variety of cases that could be known. Additionally, not being able to conduct similar observations at the City of Tshwane diminished the comparability of this set of data between the two municipalities. This limitation, and the responses to it are detailed in Section 3.6 (Limitations of this Research).

Some additional context on the observations also includes the following.

- People that were helped in the office were walk-ins and not necessarily by appointment or referral from the ward councillors or local offices.
- A total of four (4) people were helped in the time spent during observations.
- There were six (6) administrators working in the office at the time.
- Three of the clients in the office were elderly with one appearing to be accompanying one of the clients to support in the issue brought to the office.
- A computer was used once to check if an area the client had a question about was being serviced yet. The administrator appeared to know from memory that this area was not yet being attended to by the municipality, but the computer was likely used to reassure the client and help them understand this.
- The office desks were covered with files and papers with some administrators' workstations not having any computers, while others had computers that were completely shut down.

- The clients brought some papers but did not have any comprehensive files in hand. It was later learned through the focus group and interviews with the administrators that these files are important for help to be provided at the head office (the files should be provided to the clients at the local office to bring to the head office where observations took place). It was also later learned through interviews that some files are kept at the head office while others are kept at the local offices by ward councillors.
- The main interactions that the clients had were with the administrators. No managers were in the office during the entirety of the observations.
- Overall, it appeared that a lot of information flows between communities by word of mouth as the clients all mentioned that they had heard about someone else getting help in registering their title deed and that led to them coming to the office as well.
- The administrators did not capture any information for filing or tracking of client queries at any point in the observed interactions.

Observation provided insights that may not have been directly communicated by participants in the interviews and focus groups. Observations also served as a useful instrument during the collection of data by applying parts of ethnographic inquiry to understand the workings of the stakeholder groups in the workplace (Cooper et al., 2004). In conjunction with interview data, observations helped assess whether the operational workings of the system were adequate to meet the needs of the affected recipients and households most affected by the issue.

3.3.4 Semi-structured, Individual Interviews

Key informant interviews, specifically structured, individual interviews, are defined as one-on-one interviews with relevant actors within the system of title deeds registrations in the context of this research. These key informants were stakeholders identified through the mapping process as persons who could identify the gaps under enquiry in this research. Key informant interviews can be beneficial in applying a form of ethnography without necessarily establishing long-term relationships or requiring invested time to engage the informant (Lokot, 2021).

Adapting the study and question design by Gugiu & Rodríguez-Campos (2007) using semi-structured interviews specifically for the development of a model, the interview process followed a similar approach. The study applied paradigms like those pursued in this research but in the context of youth development programmes. This approach was considered appropriate because of the complexity of the challenges involved, as structured interview questions might not yield the necessary data. Probing questions, serving as a clarity-seeking measure beyond the structured interview questions (L. Barriball & While, 1994; Gugiu & Rodríguez-Campos, 2007), were thus utilised to move away from structured interviews.

Additionally, asking probing or follow-up questions was an important aspect of ensuring that valuable data was collected to facilitate the necessary knowledge translation after the interviews. It was important to ensure that even though the questions were structured, the interviews were conducted through a semi-structured approach, creating margins for follow-up questions that came up during the discussions.

The benefit of this approach was that it allowed the key stakeholders to inform the understanding of the important elements of the system and how it operates; these stakeholders were especially important because of the role they play as decision-makers and even administrators of the process of service delivery. The semi-structured interview process can have its challenges as it assumes that respondents will always use the same language in answering questions (Barriball & While 1994), when this is not likely to be the case. This would similarly create complexity in data analysis as with interviews as stated above. The benefit of this approach, however, because it allows for probing, is that it creates the opportunity to clarify any gaping language differences to ensure data remains consistent with the sought outcomes of the study. What was important was to ensure that in the asking of questions, the meaning would always be clear for all participants (L. Barriball & While, 1994).

Considering the complexity of the challenge of title deeds, an ethnographic approach – one that involves long term engagement and observation in addition to interviews (Marshall, 1996; Vindrola-Padros & Vindrola-Padros, 2018) – could have potentially fared better in the collection of data. However, given the challenges of time constraints and the costs associated with a more immersive ethnographic approach (Marshall, 1996), the key informant interviews served to provide a faster process of data collection than the ethnographic approach (Vindrola-Padros & Vindrola-Padros, 2018). Additionally, the observations during the data collection served as an opportunity to apply a form of ethnographic study given the time limitations. Though this process is faster, it can still yield information as key informants hold a depth of knowledge that is valuable to the collection of data and can still produce the required findings for knowledge translation. The key informants were important for the study as they were directly engaged in the work of either compiling applications, administering, or budgeting for the issuing of title deeds for subsidised houses. Interviews themselves are widely accepted in qualitative research for data gathering (Fontana & Frey, 2005). They can also provide rich and detailed data during the collection period, although this requires a researcher to listen well (Alshenqeeti, 2014). Interviews are also beneficial for allowing interview participants to speak freely and openly on the issues (Alshenqeeti, 2014).

Key informant interviews are not without faults as they have been said to affect how sampling is done, and how findings are interpreted as a result (Marshall, 1996; see sections 3.4.5 and

4.1, respectively). Additionally, interviews tend to produce an excess of data which take a lot of time to transcribe and review for quality-tests for analysis (Alshenqeeti, 2014). Therefore, a coding process was important to ensure effective data analysis (Alshenqeeti, 2014). In addition, repeated questions to similar stakeholders may limit response diversity (Fontana & Frey, 2005), adding support for using semi-structured interviews with open-ended questions to allow for meaningful discussion and engagement (Alshenqeeti, 2014; Fontana & Frey, 2005).

Five individual key informant interviews were conducted with relevant officials identified using the sampling techniques outlined in Section 3.4.5. These officials, listed including seniority levels in **Table 3.4** below, represented the following stakeholders identified as key actors in the administration, processing, and issuing of title deeds:

- Local government officials of the City of Johannesburg and the City of Tshwane as the landowners and custodians of the subsidised housing programmes. The two municipalities may be relatively similar, however, the study of both was considered to provide comparative data to create a more suitable model as part of the outcomes.
- An advocacy representative at the Centre for Affordable Housing to gain some perspectives from beneficiaries of the system and how the non-profit sector or third-party actors are supporting communities.

Table 3.4: Municipal Departments and Seniority Levels of Stakeholders Interviewed

Stakeholder Category	Department/Division	Seniority Level	Interviewee Code	Participation Type
Local Municipality – City of Tshwane	1. Human Settlements Administration 2. Human Settlements Administration 3. Human Settlements Administration	1. Head of Department 2. Senior Manager 3. Administrator	1. HoDiv 2. HOD 3. Admin	1. Focus group 2. Focus group 3. Focus group
Local Municipality – City of Johannesburg	1. Human Settlements: Finance 2. Human Settlements: Sales and Transfer 3. Human Settlements: Sales and Transfer 4. Human Settlements: Sales and Transfer 5. Human Settlements: Sales and Transfer 6. Human Settlements: Sales and Transfer	1. Head of Division 2. Head of Department 3. Administrator 4. Administrator 5. Administrator 6. Administrator	1. HOF 2. AAD 3. STO1 4. STO2 5. STO3 6. STO4	1. Individual interview 2. Individual interview 3. Individual 4. Individual interview + Focus group 5. Focus group 6. Focus group
Community Representatives and Advocacy Groups	1. Centre for Affordable Housing Finance in Africa	1. Senior Manager	1. PM	1. Individual interview

Considering that part of the complexity of the title deeds registration process was mainly created by the large number of stakeholders involved in the process (Lubell, 2017; Radnor & Noke, 2013). The theory of systems change also includes how to build a system that needs to adapt to complexity when there are multiple agency actors (Foster-Fishman et al., 2007; Kitson, 2009). The theory of systems change essentially reflects on how change could be applied to reach optimal systems efficiency as defined by the actors within that system (Kitson, 2009). Thus, part of the interview process sought to understand to what extent the stakeholders, and especially the agents of change, understood the actions that are needed to improve the systems and implementation gaps that exist. Responses to questions posed in relation to improving the system gaps informed how effectively the existing operations model worked to ensure service delivery as well as the kinds of changes that are needed. The expectation was that the identification of weaknesses in daily implementation processes could inform the creation of a new operational model to improve efficiency (Lubell, 2017). In addition, and in accordance with observations, identified gaps informed the approach to understanding the system challenges in the title deed registration process, related to the following parts of this process:

1. The **administrative process** of title deeds registrations for subsidised housing. The main question was how this process aligned with how efficiency had been defined based on the literature and the review of the map of the system.
2. The management and **tracking of the database and backlog data** to understand the stakeholders' view of the gaps and the severity of the backlogs.
3. **Service delivery** and the systems in place to drive this efficiently. Understanding what operational systems were in place in the administration and tracking of the database alongside the processing of applications from beneficiaries.
4. **Operations management** and how the stakeholders in the process understood it and whether it responded to the needs of beneficiaries, including the internal structures to ensure the delivery of the following services:
 - a) Budget allocations for the registration process and how resources were being allocated to manage the backlog.
 - b) Staff allocation and availability to complete the work given its wide scope and capacity needed from stakeholders as the literature indicated.
5. **Systems change** and how the map of the system and its stakeholders reflected operational efficiency as well as how it could resolve the gaps that exist.

The interview questions were designed to create an understanding based on the five processes above. Not only was this data being generated to respond to the research question, but it was also generated to understand the mechanisms available to mitigate service delivery

inefficiencies in the public sector. This was particularly relevant given the growing housing issue across the country, with the City of Johannesburg and the Gauteng province facing a greater challenge than most metropolitan cities and provinces in South Africa (King et al., 2017). Insights into improving operations management for municipalities and complex issues such as the title deeds for subsidised housing were sought to provide a view into the applicability of systems change or innovation in government structures. This was applicable considering the resource constraints of both municipalities with the applied theory on governments with resource constraints (Bhatti et al., 2018). The resource constraints are among the underlying reasons for the budgeting and staff availability questions.

Part of the mechanisms of implementing systems change effectively include knowledge translation which is a part of deconstructing complex systems but also ensuring that the actors within the system can fully articulate the fragments within the system that hinder service delivery. This was specific to the operational gaps that they could have potentially identified as well as their reflection on the system status quo and how it could be improved. An understanding of the perspective of stakeholders and how they translated knowledge in the system would help to also identify the best change agents from the stakeholders to support a potential change in the operational model. The interview process was guided by all these perspectives, with questions structured and asked according to the specific functions of each stakeholder.

3.3.5 Focus Groups

Two focus groups were held with key informants at the City of Tshwane and the City of Johannesburg. The focus groups were also the only form of interviews held with the City of Tshwane due to challenges the municipality was facing at the time (See section 3.6). Focus groups are similar in structure to interviews but are conducted with a group of participants at the same time (Sim & Waterfield, 2019). Interviews with focus groups can be useful to understand the responses to questions as well as the way the groups interact (Sim & Waterfield, 2019). The group interactions were beneficial in helping to create an understanding of non-systemic aspects that contribute to the workings of the stakeholders addressing the issue under consideration (Parker & Tritter, 2006; Sim & Waterfield, 2019). Focus groups allow for insights into participants' ease of interaction, their common knowledge of the subject, how they pick up on each other's knowledge and responses, as well as any non-verbal and social interactions they have (Parker & Tritter, 2006). This format provided an immersive interview process while creating an overview of the team dynamics.

One of the challenges with focus groups is that there could potentially be a participant who is not as vocal or expressive as others. In such an instance, it was important to ensure that they

were intentionally given the space to speak freely in relation to others in the focus group. This was achieved by engaging the focus group to acknowledge the potential power dynamic that existed in the interview as well as ensuring the informants felt comfortable and assured of their anonymity in how their responses outside of the focus group would be presented in the research study. It was assured that their names or any other identifying factors would not be used in the presentation of the data collected. At the beginning of the data collection process, the participants were also asked if they were happy to participate in the focus group with their peers, including the recording of the session. This required clarification on how their anonymity would be preserved outside the focus group (in the presentation of findings in this study) which they accepted. Focus groups also have less predictability than one-on-one interviews and can derail from the topic or questions related to data collection (Sim & Waterfield, 2019). It was therefore always important during the focus group sessions to manage time and the content of the discussions.

The focus groups served to provide insights into the potential capacity of the stakeholders to foster innovation and apply systems change-driven solutions in the government context. Even though these two are significantly large municipalities in South Africa, both have some budget constraints affecting overall service delivery. This was always a consideration to observe whether any restructuring in the system would be accepted by the staff members who would do the bulk of the implementation. The focus groups also served to help identify if the team dynamics would be conducive to the recommendations that would be provided later in the study.

3.3.6 Secondary Data

Secondary data is collected over time through other sources not related to the study. Secondary data is vast in its forms and is available from public or private records and is inclusive of news media, and Internet sources amongst others (Walliman, 2010). This data includes both qualitative and quantitative data. For this study, both quantitative and qualitative secondary data was collected. Secondary data is advantageous as data that has been gathered over a long time, which student research time may not allow. This data is also useful for the purpose of comparison over time and identifying trends (Walliman, 2010). However, this data can also be misaligned in context as it may have been initially collected for different outcomes. It also misses out on the benefits of in-person interviews to create additional and suitable context (Walliman, 2010). The relevance of the data over time can also be limited as circumstances over time tend to change. Additionally, the data in question for this study may not have been entirely reliable due to the record-keeping challenges identified in the literature (Magagula & Mubangizi, 2019). With this issue, there are also chances that the way the data

was collected or reviewed may have been inconsistent, also affecting its reliability (Walliman, 2010). Existing backlog data and case study data was available through municipal records (See Annexure 5⁶ and Annexure 6⁷). This data was also used similarly to help identify the level of systemic knowledge about the backlogs. It was also used to gauge how much understanding non-governmental agencies and advocacy groups had of the current title deeds registration backlogs for subsidy recipients.

Part of the quantitative data was collected from both the City of Tshwane and the City of Johannesburg with each municipality having a regional deeds registry regional office with data available for review. This approach was used to verify the number of backlogs as they exist in the specific municipalities. The numbers represented a holistic view of the estimated backlog numbers. Part of this process was also to understand the extent of the gaps here if there were any. Additionally, this data served to ensure a comparison of the accuracy of the data by the municipality, compared to what was publicly available. CAHF was one institution from which this data was collected as it publishes research annually that evaluates housing gaps and housing service delivery across the continent. The organisation advocates for the efficient issuing of title deeds for subsidy recipients and runs partnerships at municipal and national level to drive this work. The usage of data from CAHF was deemed valuable as the organisation has a variety of other partnerships at national and local government level to engage in advocacy around this work. It was also important to remain within this organisation's scope to maintain the parameters of the study.

The evaluation of data from the municipality versus what CAHF had was also to measure the connections of the data available from the municipalities and advocacy groups supporting families on the ground. This comparison also served as a measure of operational efficiency in the system as a whole and to help identify gaps, if they existed in that part of the system. One of the main challenges of the title deeds registration for subsidised housing is the absence of a full scope of accurate data for many of these households. This perspective was informed by the literature as it identified the gaps that may exist within the system and may represent operational process failures (Magagula & Mubangizi, 2019; Nell et al., 2011). This consideration was critical to test from a quantitative perspective as well.

⁶ Annexure 5: City of Johannesburg Title Deeds Backlog Breakdown

⁷ Annexure 6: City of Tshwane Title Deeds Backlog Breakdown

3.3.7 Sampling Techniques

The determination of the key informants relevant to the process was undertaken with the perspective of identifying the most relevant stakeholders to support the mapping of the system. Because the literature and desktop research could not adequately serve in mapping the system without the inputs of the key stakeholders, the key informants were vital to the mapping of the system and its key role-players. The sampling at the City of Johannesburg was first guided by the City Manager's office who approved the data collection process. Through informal engagements with staff in the City Manager's office, the stakeholders were identified within the Human Settlements department. Additionally, relevant managers within the department also provided guidance on who the best key informants would be, based on the research outcomes presented in the research proposal submitted to them. For the City of Tshwane, more effort was required to determine the key informants and senior managers by engaging in other, unrelated departments known to the researcher. Those department managers provided the support to engage the department of human settlements within the municipality, but a similar process as that of the COJ was followed thereafter, beginning with informal discussions to help identify the best sources of information.

The key informants indicated in **Table 3.1** were therefore selected using purposive sampling. Purposive sampling is the deliberate selection of research participants based on what the researcher judges as the most appropriate for the study based on the perception of their knowledge of the issue under study (Campbell et al., 2020; Taherdoost, 2016). This approach was based on whom the researcher assumed would be the best placed people to respond to the channels of inquiry as well as what was advised by stakeholders within the system. Because it is based on perception, samples for qualitative studies are generally small (Campbell et al., 2020), thus a non-probability sampling method was used, resulting in the sample not being representative (Rai & Thapa, 2015). This meant that the information gathered had the potential to be limited in scope to the perspectives of the few and was not fully representative of the system in its entirety. This could affect the scope of the applicability of the findings; however, the theoretical understanding of qualitative studies sampling (Campbell et al., 2020) was relied upon to support the relevance of the data and the applicability of the findings. This process is also convenient and may be subject to bias affecting the potential quality of data outcomes (Campbell et al., 2020; Taherdoost, 2016). This is also the reason support was sought from stakeholders within the system (Campbell et al., 2020) on the best possible participants to engage in the interviews. This approach served to confirm that the sampling technique was adequate to identify the right participants and was backed up by the relevant experts within the system in question (Rai & Thapa, 2015). Further, purposive sampling is useful because it reduces the randomness in the selection of

participants. This approach also creates scope to generalise based on the sampling (Rai & Thapa, 2015). Purposive sampling also creates the opportunity to understand whether issues require further investigation or not (Rai & Thapa, 2015) – this is also why other data collection methods were included in the sampling and collection process.

Focus group participants at the City of Johannesburg were identified with the help of the manager who was interviewed first. This is referred to as snowball sampling which is a random, non-probability, and convenience sampling technique that is taken from a finite population with existing participants identifying other participants (Etikan et al., 2015; Goodman, 1961; Naderifar et al., 2017). This process of current participants identifying future subjects is what creates the snowball and can continue until the data has reached saturation (Naderifar et al., 2017). This method is especially useful when there is limited time available during data collection, taking advantage of the existing relationships between the participants in the study. This method is also helpful when participants are not easily accessible (Etikan et al., 2015; Naderifar et al., 2017). These were the reasons why this sampling technique proved valuable for this study especially in the case of the COT.

On the other hand, snowball sampling can create the exclusion of some vital participants due to the biases of the initial subjects who may have limitations in their own scope of understanding (Etikan et al., 2015). This approach also limits the ability of the samples to be random, which may affect representation either by race, gender, or other criteria which can distort the research process (Parker et al., 2020). The attempt to mitigate this was to create a variety of sampling techniques and data collection methodologies to reduce biases and the potential distortions of the data. The first manager at the COJ interviewed provided advice on the best staff members to interview in the focus group based on the additional information that was required. The focus group participants included all the administrative staff who were at the office during the interview period which was a total of five at the City of Johannesburg.

Despite the challenges with the strike action at the City of Tshwane, sampling there still followed the snowball technique similar to that of the City of Johannesburg with the manager selecting the relevant additional participants in the focus group. Though the strikes caused some limitations related to focus groups, the information gathered from the City of Johannesburg helped to identify similarities which the City of Tshwane focus group were able to confirm as accurate. However, in the City of Tshwane focus group, the same questions as those posed at the City of Johannesburg were asked to ensure consistency.

A few advocacy agencies were also approached to participate specifically to get a contextual understanding of the system from their perspective as those who seek to alleviate the challenges in a third-party standpoint. The Free Market Foundation (FMF) and CAHF were

the identified organisations. However, after initial inquiry with FMF, CAHF was the only viable organisation engaged.⁸ The study had already been preset to compare only between the cities of Johannesburg and Tshwane. The knowledge and data obtained from CAHF helped to provide an understanding of how they identified and approached households or homeowners in need of their support. CAHF also provided additional context regarding the backlog for subsidised housing, as well as insight into the extent to which they had been able to provide support to subsidy-recipient households needing their title deeds registration services. One person from CAHF was interviewed as the team is not as large as the municipality, given that it is a non-profit organisation. The administrator who was a part of this team who could have potentially been interviewed was not suitable as they worked only in the City of Cape Town. Additionally, the data collected from the one participant from CAHF was deemed sufficient to provide perspective, especially because of the scope of work that the organisation does within the context of this research question. The purpose of approaching the organisation was to also engage with third parties who are not directly involved nor influential to the municipal systems but still need to operate within them to advance their work.

The full details of the research questions and approach to data collection can be found in Annexure 1.⁹ The sample ethics consent form that was provided to each interviewee is included in Annexure 3.¹⁰

3.4 Analysis of Data

The first point of analysis was to understand the backlog data. This data comprised information on the beneficiaries from the municipalities – individual households that are subsidy recipients – at any stage of the process, waiting to obtain legal registration of their housing title. The backlog data was used to identify at what point in the process the registration process most often gets stalled. This backlog information served as a point of inquiry to understand what the interviewees consider to be the gaps from their perspective. This data would also be required to help identify if there was an effective system that existed within the municipalities to contextualise the full scope of the backlogs that exist and therefore identify the operational efficiency within their systems.

The expected challenge was that there could have been difficulty in mapping the system completely because the literature had revealed that the process for subsidised housing is not

⁸ The Free Market Foundation was sought as a potential advocacy group to be included in the study. It runs initiatives for the allocation of title deeds based on their own database. However, their data was not used because their scope of work was not within the municipalities being studied.

⁹ Annexure 1: Research Questions and Approach to Data Collection

¹⁰ Annexure 3: Research Consent Form (Sample)

very clear (Magagula & Mubangizi, 2019). Even though an ideal structure of operational and systems flow could have been formed at the start of the process of mapping, it did not mean that following data collection, any data collected could inform the building of an efficient model. How this would be interpreted depended on the analysis of data as that could be reflective of design challenges or an indicator of operational gaps resulting in the bottlenecks. The analysis and collation of data had to be designed to determine this clearly.

Though some quantitative data was collected, it was primarily utilised to identify trends and to make sense of the qualitative data collected. It was also used to define the correlation between the quantitative data and how the system is responding practically based on stakeholder qualitative feedback. Qualitative data such as the observation notes, and interview transcripts were reviewed through thematic analysis and sensemaking similarly to determine trends. Thematic analysis is a qualitative method to organise and identify patterns through a systematic approach to derive meaning to specifically identify commonality (Braun & Clarke, 2012). This approach is advantageous to responding to a particular research question regarding a specific phenomenon by creating a depth of understanding from a data set through the identified patterns or themes (Braun & Clarke, 2012; Riger & Sigurvinsdottir, 2016). It is especially applicable to the analysis of the data in this research because of its complexity. Identifying patterns was one way to create understanding where there was extensive complexity in the problem facing the system.

However, using this analysis method can lead to a limited usage of the data and can lead to the data not being analysed but just arranged in themes without a perspective on whether there may be data that could be contradictory to the identified patterns (Riger & Sigurvinsdottir, 2016). To avoid the pitfalls of this approach, the usage of the 3S Model to reviewing additional data beyond the themes identified allowed for a broader scope of the data, rather than limiting it to just themes or patterns. The 3S Model approach supported a broader understanding of the operational and systemic challenges, providing insights that addressed the full research question and not just a particular aspect of the research question. The thematic analysis approach allows for flexibility to data collection and deriving meaning from the data collected (Clarke & Braun, 2017) and was applied to link to the semi-structured interviews to help derive the patterns within the system following the data collection. The thematic analysis approach was used in the process of coding the data following the data collection – through the use of NVivo, a data analysis software tool. The interview transcripts and focus group data were uploaded to NVivo allowing for an immersive view of the data (Riger & Sigurvinsdottir, 2016) and allocation of specific information to codes to identify key patterns across all interview data. To mitigate the disadvantages of the use of thematic analysis as stated above, NVivo was used to allocate all the data to codes to allow for a more realistic picture of the data

encompassing all the themes, even though some ended up not being relevant or applicable to the study. Two samples of the coded data are available in Annexure 4.¹¹

Sensemaking is a part of systems change that has been built to respond to crisis situations; it allows for the examination of a crisis and how it can be prevented, or its impact reduced by organisations (Maitlis & Sonenshein, 2010; Mingers & White, 2009). Though it is typically used to respond to the short-term impacts of a specific challenge, the title deeds issues under study are part of a long-standing crisis. Nevertheless, sensemaking is still a useful tool as it includes the examination of past data to inform the development of a solution from a systems perspective (Maitlis & Sonenshein, 2010).

Sensemaking was applied to historical data that existed (Maitlis & Sonenshein, 2010) to determine if there was a better way of responding to the challenge. This process was useful in helping to create understanding of the challenge of the backlogs as the different perspectives were defined by the participants (Helms Mills et al., 2010). It served to create different iterations of the stakeholders' understanding of the problem and how they defined potential solutions for it. This helped to strengthen the argument for a new model to respond to the challenge. Additionally, this approach was applied to understanding the system challenges that affected the delivery of title deeds registrations for subsidised housing. This approach was useful in the examination of the historical quantitative data and to create a trend analysis. Sensemaking was particularly applied to the review of the data provided by the municipalities (Annexures 5 – 8)¹² outlining their backlogs over time, progress around addressing them, and issues impeding progress such as the township proclamation process. By applying sensemaking alongside thematic analysis, the perspectives on why the backlogs exist and continue to persist could be identified and included how the model was constructed in response to the identified challenges. Additionally, recommendations from the analysed data could be considered from this approach to make the proposed model more relevant and practical for operational use.

Applying the 3S Model referenced in **Figure 2.3**, the following approach was applied to the collected data to identify the operational gaps in a simplified way by seeking to understand the strategic, systemic, and situational aspects of how the teams operated and delivered services. With respect to the **strategic (S1)** aspects, the aim was to identify if there was any misalignment in the understanding of the capabilities (staff, budget, and other

¹¹ Annexure 4: Samples of NVivo Coded Data

¹² Annexure 5: City of Johannesburg Title Deed Backlog Breakdown
Annexure 6: City of Tshwane Outstanding Title Deeds and Township Proclamations
Annexure 7: City of Johannesburg Human Settlements Budget
Annexure 8: City of Tshwane Human Settlements Budget

systems/operations) within the municipalities. S1 gave an overview of all the objectives of the municipalities and if they are fully understood by the stakeholders within the system. **S2 (systemic)** assessed the level of communication and coordination within the operational model to clarify the functioning of the teams, stakeholders within the system and how they relate to the progressive work to ensure the delivery of outcomes. Lastly, the **situational (S3)** aspect identified where service delivery is occurring and how that can advance or be improved. This last aspect also highlighted the need for implementation to be effectively communicated to ensure all stakeholders within the system are equipped to fully respond to the gaps, ensuring operational efficiency and continuity.

- **S1** – the data collected from the management personnel that were interviewed helped to bring an understanding of whether there was sufficient capacity within the team to respond to the identified challenges. Data on budgeting and staff allocations was applied to this aspect of the model. The questions related to the workings of the system, i.e., what the office does on a day-to-day basis, were also applied to this part of the model. Insights from this data served to inform the key stakeholders who can support changes within the system and whether there was sufficient capacity for change to be implemented both in human and financial resources.
- **S2** – the data collected from the observations was plugged into this part of the model. This is based on what is perceived to be the working parts of the operations of the system as observed by the researcher. Data from the observation of the focus groups was also important for this part of the model to help formulate an understanding of the strength and cohesiveness of the teams as observed during interviews. The insights from this data served to inform which parts of the system had the biggest gaps and therefore the parts in the system that potentially needed change.
- **S3** – this is the information gathered from all stakeholders on where and how they interact with the communities or beneficiaries affected by the challenge in question. The data collected from the individual interviews and the focus groups provided insights on how the stakeholders interact with the relevant communities both in their offices where interviews took place and on the ground. These insights served to inform the model's approach on the geographic reach of the implementation of change – whether the work needed to mainly happen within the municipal offices or closer to where the communities are located through, for example, site offices.

3.5 Limitations of this Research

Complete coverage of all the unique challenges of all homeowners in this system could not be achieved in this research. Therefore, the challenge of ensuring inclusion holistically is

considered the first limitation. The limitations of the scope of this study were acknowledged to ensure that the necessary aspects were addressed to meet the requirements of the study outcomes. This is relevant given the limited time available for this research to be completed and that not all aspects could be covered in a single study. Additional considerations for how this study could be further pursued are included in the conclusion (see Chapter 6: Conclusion of the Study).

Though the COT was not a site for observations as with the COJ, the focus group served as an opportunity to observe important interactions that could inform the workings of the office. The relationship between three different levels of seniority among the interviewees present allowed an understanding of how they may relate in the workplace and how that could affect efficiency. The most junior participant in the team was not as vocal but was observed to generally agree with what was being discussed throughout. Similarly with the administrators at the COJ, there were some aspects that were discussed over which the administrator had no view or perspective – issues such as budget allocations, for example. Additionally, the administrators' perspective and inputs were extensive in relation to understanding the process blockers that were discussed in Section 4.2 as they interact with these issues daily in their work. However, though the research sought to ensure diversity in the approach of all relevant stakeholders, there may still have been ongoing constraints to inclusion because of the limited scope of the study. Though the data collection approach and analysis attempted to ensure that diverse perspectives were sought, bias and the limitations of a small sample could still have applied to limit the full scope of what a relevant solution could look like. Additionally, the limitations of this study were considered, particularly its focus on only two municipalities in cities that have some of the most economically active populations of South Africa. This may not be representative of the national challenge of title deeds issuing for subsidy recipients in rural and more operationally challenged municipalities.

In addition, a complete analysis of household needs and their perspectives was not included in the study scope. Though it could provide additional context to fully understand the unique needs of these individual households (Cirolia, 2015), to limit the research focus to what was possible in the time provided, some aspects of subsidised housing were not necessarily covered. With the constraints of collecting the relevant data within time and remaining within the geographic scope of the study, the interview with a representative from an advocacy group served to counteract a potential lack of diversity. The role of housing developers is critical in the process of allocating houses as well as the final delivery of the houses (Kulundu & Muller, 2020; Magagula & Mubangizi, 2019); however, the scope of the study did not delve into this aspect and time constraints necessitated that I limit the scope of the study to municipalities. While they are an important factor especially as ward councillors work closely with them in

managing the beneficiaries, the research approach did not extend to their influence in depth. However, the potential role they could play in fast-tracking title deed issuing with less red tape was something that was expected to come up in the interview process with municipalities.

The potential political complexities of understanding service delivery issues at the municipal and national government levels were considered additional limitations. Municipalities are invariably linked to political actors within their system. Decisions around the resourcing of their work can sometimes be linked to politically motivated actors. There was no direct way of discerning the influence of this to interviewee responses and there was no question that could be asked around this without potentially alienating participants. For this same reason and for their self-preservation, there was also consideration that the municipalities may not have been forthcoming with backlog data; this was especially because there was no clear backlog data that was readily available to the public following the desktop research. However, the municipalities must continually report on these backlogs as they use them to motivate their funding needs to the provincial government. This was learnt from the interviews and served as a rationale for believing that the information provided was as accurate as possible. Regardless, the inaccuracy of this information could have jeopardised the comparative data available to identify the delays in the operations or the parts of the title deeds registration process that did not work for subsidised housing.

There was no way of identifying if some participants were not forthcoming with information. There were also considerations that some junior-level or administrative employees could struggle to respond truthfully for fear of a potential threat to their job security. To circumvent this, focus groups and interviews with administrators were conducted in the absence of managers where possible to ensure openness. Additionally, the process of triangulation helped to ensure that there were different sources of data to verify or add information that would be important for this study's data.

Further research on the more inclusive and diverse perspective can be done beyond this research. There was also a reliance on past studies that followed similar methodologies on this subject. The limitations were documented throughout the research process to ensure full context.

3.6 Research Ethics

Gaining the trust and rapport of the research study participants was critical, necessitating careful management of personal information through the 2020 Protection of Personal Information Act (POPIA). Ethical clearance was obtained from the University of Cape Town

(UCT) Ethics Committee (see Annexure 2: Ethical Clearance)¹³, which also provided adequate conditions under which the study could proceed to ensure it was conducted in an ethical manner. Of particular importance was to ensure all participants gave informed consent. Informed consent is a requirement for research involving human participants and is defined as the process where all participants are informed of all the steps of the research (Nijhawan et al., 2013). This process allowed for all participants to understand the role they would be playing in the study and how their information would be used. The participants were also informed that their identifying traits such as names would be anonymised. This was done so that they would not feel restricted in answering the questions freely and openly to ensure accuracy in data collection. As an additional measure, all participants were provided with an informed consent form to sign as part of the interview process to ensure they understood the process fully. The consent form sample is shown in Annexure 3.¹⁴

It was also essential to ensure that interviews were not held solely with junior-level or senior-level employees but a combination of both. Additionally, it was also necessary to interview stakeholders who were representatives of the beneficiaries and were not directly employed or funded by the municipalities. This was important to also ensure that data was not collected from the municipalities' perspectives only. It was important to ensure that triangulation was used in the data collection process. This served to reduce biases and the risk of data collected from similar sources limiting the perspectives from which solutions could be derived. This was especially addressed by the application of the data collection methods employed, which proved impactful in creating triangulated results. Finally, in understanding the importance of inclusionary practice and development, the ethical approach to managing this research was vital in ensuring the potential beneficiaries of the final model to be developed were not prescribed a solution (Cirolia, 2015) but rather included in the engagement around the model's development. Data collected throughout the process was stored in the UCT cloud storage – Microsoft OneDrive – which was limited in access to the researcher through a secure password with two-factor authentication enabled. Additionally, transcriptions and recordings from interviews were stored in the same cloud storage. During the transcription process, the information was accessed strictly from the cloud with any related documents also added on the cloud service.

3.7 Conclusion

As part of this research paper, I argue that the issues around finding more sustainable housing accessibility processes for low-income households will likely only create an escalation to the

¹³ Annexure 2: Ethical Clearance

¹⁴ Annexure 3: Research Consent Form

housing backlog in South Africa if it is not addressed, especially given the current challenges with governance, and waning efficiency in service delivery. Additionally, systems for better records management are explored as an avenue to understand the level of systemic challenges in delivery. The argument is that systemic intervention could help improve the delivery of title deeds to manage the logs and process of delivery. This argument is made in consideration of systems mapping to identify operations management gaps to understand the context of the research approach and design. These arguments create the basis for investigating the problem from a systems change perspective, aiming to build a more suitable working model; this is the underlying factor driving the pursuit of this research.

Chapter 4: Findings

This chapter presents the findings from the study. The data collected responds to what the Iceberg Model (**Figure 2.5**) highlights as some of the most challenging issues. The data collected from the ten interview participants and the focus groups is analysed in this chapter. This chapter also provides an overview of the findings in the context of what the literature highlights (Barry & Roux, 2016b; Nzau & Trillo, 2020), what bottlenecks exist, and a picture of the main stakeholders who can support change through the implementation of a new model. Therefore, this chapter answers the research questions which seeks to understand where opportunities lie for stakeholders to address the title deeds registration backlog for subsidised housing in South Africa.

4.1 Mapping the Process

As indicated in Section 3.3, a mapping process was initiated when the interviews began and the overview of the findings from the mapping process follows.

4.1.1 Title Deeds Allocation Process

Magagula and Mubangizi (2019) note that the system of allocating title deeds for subsidised housing is not currently clear (See **Figure 2.1**). The initial map had some elements in the process that were not as clearly defined as the “conventional” title deeds allocation process through a mortgage. The process outlined in **Figure 2.1** served as a basic guideline on how the process should ideally flow to ensure the process map is clear; it ensures similar timelines are met for the processing of title deeds for subsidised housing as with mortgaged houses. An overview of this map for subsidised housing is depicted below informed by the observations, focus groups, and interviews.

Figure 4.1 depicts the revised systems map for the title deed registration process in subsidised housing as confirmed by both the City of Tshwane and the City of Johannesburg. This process clarifies the steps each housing subsidy recipient goes through when the registration of a title deed begins. The mapping process helped to clarify the timelines, identify why the backlogs exist and where the bottlenecks are. Throughout the map, there are indicators of whether processes are manual or electronic. This, as Davids et al. (2019) and Pillay et al. (2021) argue, also helps bring understanding to whether or not manual processes could be adding to the challenges of the administration process. Assuming a straight-forward process with zero or minor issues, the process outlined in **Figure 4.1** begins once the subsidy has been approved.

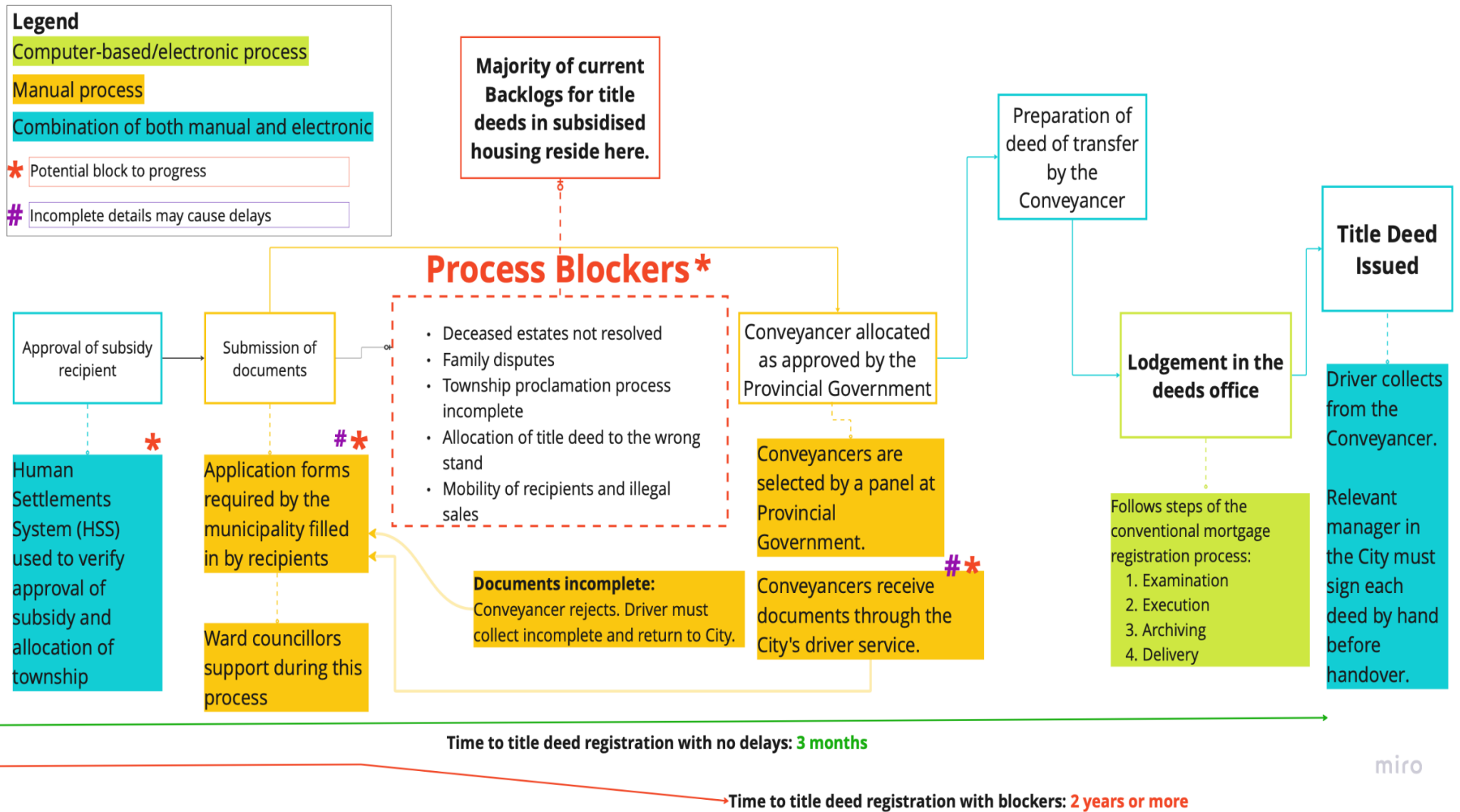


Figure 4.1: Title Deeds Registration Process Map and Timeline for Subsidised Housing

[Source: own using data collected from interviews]

4.1.1.1 Step 1: Approval of subsidy recipient

The approvals and allocations of subsidies are done by a different department – the Allocations Department within Human Settlements – which then provides the approvals to the Sales and Transfer Department that handles the title deeds registration process (see also **Table 4.1**). The department receives the approval list then verifies the specific townships where the subsidised housing projects have been allocated and released to the beneficiaries.

Table 4.1: Stakeholders Involved in the Issuing Process

[Source: own, with data collected from interviews]

Process/Step	Stakeholder(s) involved
Approval of subsidy recipient	<ol style="list-style-type: none"> 1. Provincial government which manages the subsidy programmes on behalf of the municipalities. 2. Allocations department in the municipality.
HSS Systems online check	<ol style="list-style-type: none"> 3. Administrators in the human settlements transfer office. 4. Division manager in human settlements division.
Submission of documents	<ol style="list-style-type: none"> 5. Administrators
Filling in of applications	<ol style="list-style-type: none"> 6. Recipients 7. Administrators
Submission to conveyancers	<ol style="list-style-type: none"> 8. Administrators 9. Division manager 10. Driver 11. Conveyancers
Preparation of Deed of Transfer	<ol style="list-style-type: none"> 12. Conveyancers 13. Deeds Registration Office
Lodgement in the Deeds Office	<ol style="list-style-type: none"> 14. Conveyancers 15. Deeds Registration Office
Issuing of title deed	<ol style="list-style-type: none"> 16. Administrators 17. Division manager 18. Local community office 19. Ward councillors 20. Provincial government

Once the allocation of houses is completed and recipients have been identified, the Human Settlements System (HSS) helps to verify the legitimacy of the recipient(s) and to which township they have been allocated. This process is electronic, and the administrative teams need to only input the identity number of the recipient into the system. They then verify that the information captured on HSS corresponds with what they have on record based on the

allocations process. Once the information is confirmed, the recipient documents are compiled for submission to conveyancers. In some instances, with older housing projects or housing projects not managed by the head office, the ward councillors hold the recipients' files at the local office and would be the ones who support in the submission of relevant documents to head office for processing. These documents include the identity document(s) (ID) of the beneficiaries, and the application form provided by the municipality.

4.1.1.2 Step 2: Submission of documents

Once the documents are received, the municipality sends them to the conveyancers. This process is entirely manual and requires that the administrative teams compile the documents. Observations particularly at the COJ support this, with the Sales and Transfer office staff desks being covered with piles of files at every desk and very minimal computer usage happening when clients came in for assistance. The manager in that team then checks that all the documents are correct. Once the manager has checked and confirmed the documents are in order, they are sent to the conveyancer via the department's drivers. The conveyancers are selected and appointed through the provincial government and municipal procurement processes. The process that the conveyancers follow is largely electronic though the municipalities do not know it step-by-step (COJ – AAD, interview, 14 September 2023; COT – HOD, focus group, 22 November 2023).

What the City of Johannesburg did mention is that the system of the conveyancers is more reliable for the tracking of progress and for providing accurate reporting (COJ – HOF, interview, 22 September 2023). The COJ have not yet found a way to create efficiency in their internal operations to produce more reliable data and reports on progress. Inputs around this, as stated by one interviewee (COJ – HOF, interview, 22 September 2023), indicate:

“That one is our biggest shortfall in Sales and Transfer. Everything that we do is- we don't really have systems. We don't have integrated systems to manage and to control...that process is not properly managed because you rely mainly on what you get from those conveyancers than what we generate from here. The reports that they generate.”

The City of Tshwane appeared to have more of a handle of their data management internally. This is based on the numbers of the outstanding title deeds and the number of townships with outstanding issues that was provided which showed a clear overview of gaps and progress (see Annexure 6: City of Tshwane Outstanding Title Deeds and Township Proclamations)¹⁵. Observations between the two municipalities also support this finding. The COT had a better picture of their backlogs and could also articulate the numbers more by identifying which

¹⁵ Annexure 6: City of Tshwane Outstanding Title Deeds and Township Proclamations

townships had the most difficult issues and where their interventions were having a positive effect.

The COJ was not as clear about the status of this data or how it looked even though they had a full scope of the present title deeds registration affected by process blockers. When asked for a specific number of the backlog, one interviewee (COJ – HOF, interview, 22 September 2023) was immediately able to answer with a breakdown in written format (see Annexure 5: City of Johannesburg Title Deeds Backlog Breakdown)¹⁶ thereof in written format and also verbally stating: “It's just over 50 000. Just over 50 000.”

4.1.1.3 Step 3: Appointment of Conveyancers

Once the documents reach the conveyancers, the process follows what is indicated as the “conventional process” of issuing title deeds for mortgaged households in **Figure 2.1**. Both municipalities (COJ – AAD, interview, 14 September 2023; COJ – HOF, interview, 22 September 2023; COT – HoDiv, focus group, 22 November 2023) confirm that this process takes up to three months to complete, which is also the maximum amount of time that the Deeds Registration Office provides for mortgaged title deeds. The City of Tshwane (COT – HoDiv, focus group, 22 November 2023) indicated: “...Every month you get title deeds in, but you also issue the title deeds so the figures will play around...”. The COJ (AAD, interview, 14 September 2023) was more specific about the timelines stating: “It depends on whether there are no problems with the property – town planning, schemes, everything has been done. Township establishment has been done. Then it takes about 3 months...”

4.1.1.4 Step 4: Preparation of Deed of Transfer by the Conveyancer

Once the title deed lodgement process is completed and the deeds are ready, the manager in the Sales and Transfer office signs each one individually and they are handed to the recipients. This process of signing the title deeds one-by-one by hand was observed during the interview with the AAD at the COJ (14 September 2023) where the manager also explained what was happening and that they had just received these title deeds from the conveyancers.

4.1.1.5 Step 5: Issuing of title deeds

The title deeds are handed over to the recipients through formal handover ceremonies where an ID must be brought to officials at a local community hall or designated gathering. Here, the official handover of the original title deed takes place. These are usually supported by ward

¹⁶ Annexure 5: City of Johannesburg Title Deeds Backlog Breakdown

councillors as they are largely involved in the communications process with beneficiaries. Both municipalities spoke to this process:

“Yes. Even with the processing of title deeds, we [COJ] go to the communities and hand out application forms.”

(COJ – STO1, interview, 22 September 2023)

“... but it's a culture that we have adopted. In the City of Tshwane, we refer to that as Title Deed Fridays. And we go out and see how best we can issue those title deeds because it's a very important document, you understand?”

(COT – HOD, focus group, 22 November 2023)

Following a full understanding and mapping of the process, one of the pertinent questions of this study, i.e., what the process of issuing title deeds for subsidised housing is – has been clarified. The main things clarified were the length of time it takes for a subsidised house to get a title deed registered, as well as the steps taken from beginning to end and the relevant stakeholders involved in the process. The timeline provides a clear picture with an overview of stakeholders as reflected in **Table 4.1**, and the process the municipalities take to allocate title deeds to subsidy recipients. The next question is then to understand what the bottlenecks are and why they may exist.

4.1.2 Dissecting the Backlogs

This section serves to expand on the issues highlighted in the map as “process blockers” to which the municipalities have attributed the backlogs. The process blockers are a significant finding to help create a better understanding of the backlogs which were not clearly understood just based on the literature. The issues include deceased estates, family disputes, township establishments, and the misallocation of stands when capturing recipient data on application forms.

At the start, the interview participants revealed that manual capturing was not necessarily an impediment, stating that there are very few capturing mistakes for the two municipalities. The COJ noted that they do not have any backlogs when it comes to any of the new subsidised housing projects that have been launched. This is despite these also being captured manually. One manager in the municipality (COJ – AAD, interview, 14 September 2023) commented as follows:

“Backlogs were mainly linked to us not having conveyancers and the panel of conveyancers had not yet been selected so we had backlog of issuing instructions...We do not have a backlog at the moment. We used to have it at the beginning of the year [2023] but now we do not have.”

And another (COJ – STO1, interview, 22 September 2023):

“The backlog, on our side, I wouldn’t call it a backlog. Because the title deeds we have right now, everything is done. They are registered and most they received their title deeds. The only title deeds that are left, it’s those with disputes.”

The COT also stated that their current backlog challenge primarily stems from having title deeds that have been processed and are ready for issuing, but due to a variety of challenges, these have not yet been collected (COT – HOD, focus group, 22 November 2023). The COT is specifically faced with the issue of slow collection rates, and this may be linked to the illegal sales and mobility of people (COT – HoDiv, focus group, 22 November 2023). This is not necessarily a listed process blocker because the COT has been able to complete the allocation process even though collection is slow; therefore, it is not a backlog as defined by this study. The COJ did not specify this as a challenge that they face (COJ – AAD, interview, 14 September 2023). But the COT stated that the number fluctuates around 10 000 in their collections backlog:

“...It’s not in the actual issuing of title deeds. And I know most people think that’s where it is... We sit, at the moment, with approximately 10 000 uncollected title deeds. Approximately, because they fluctuate from month-to-month title deeds in all seven regions of the city. Now, the main reason for property is not, or title is not being collected. There’s a historical background to this. Remember, these properties were allocated many years ago.”

(COT – HOD, focus group, 22 November 2023)

The literature also highlighted this as a challenge (Gordon et al., 2011a; Magagula & Mubangizi, 2019). The challenge appears to occur to a greater extent than what the literature describes, especially for the COT who repeatedly stated this challenge as occurring. The literature stated that the number uncollected in 2008/2009 in COT was around 7 000 (Gordon et al., 2011a; Magagula & Mubangizi, 2019).

4.1.2.1 Deceased estates

One of the biggest challenges that the municipalities have faced regarding the backlogs has been around deceased estates which often lead to family disputes when the original title deed registrant or recipient passes away without a will in place to clearly identify the heir of the house. In some cases, these houses already have a title deed, but it is in the name of the person who is deceased – this problem therefore also affects early developments post-1994 (COJ, HOF, interview, 22 September 2023) more than more recent mixed-income developments. Transfer of ownership to a living person becomes complex with families having to decide amongst themselves the one person under whose name the title deed will be registered after the passing of the previous registrant. The cases examined in the literature have outlined the complexity of this challenge (Bolt & Masha, 2019; *Case No: 6990/2022 High Court of South Africa Gauteng Division, Pretoria, 2022*; *Case No: A5009/2017 High Court of*

South Africa Gauteng Division, Johannesburg, 2018). The municipalities both confirmed that this is a consistent challenge they face and is the cause of some of their longest standing title deeds backlogs. One interviewee (COT – HOD, focus group, 22 November 2023) states:

“...Of course, the unresolved estates, the people, passes on. And if the process of the master's office has not been concluded and a letter of authority issued to the surviving family, there's no way we can issue that title to any person. Only when they come with a letter of authority from the master's office, we will then give the title deed to the executor or the executor estate of that registered... Master's office is such a chaotic situation now, it takes months and months for them to issue a letter of authority.”

To this, the COJ (HOF, interview, 22 September 2023) adds:

“But the other...main issue that we that we normally encounter is deceased estates, even in the... backlog. I mean, we shouldn't be having a backlog in older Township, well established Townships like Soweto. But we still have, I think it was last time it was about 9000. I mean, the processes has started I think in 1996 or 1998 [the deceased estates and disputes].”

The process for deceased estates requires that the family members of the deceased obtain the relevant authority from the master's office – which is run by the Department of Justice (DOJ) – to change the title deed ownership. This is the context of sub-case study 1 as indicated in **Table 3.1**. However, this gets complicated when there is no will in place. Administrators and managers in both municipalities who were interviewed spoke extensively, as above quoted, about how challenging this issue is for them. Firstly, they are not able to speed up the families' processes to gain consensus on the singular person to be registered. In most cases, it has been noted that the fear amongst family members is that the person in whose name the deed gets registered might turn on the rest of the family and forcibly remove them from the property and they would lose their family home (COJ – STO1, interview, 22 September 2023). The cases referenced above also reflect this as being a realistic fear. Consensus is very difficult to obtain with families at times, with many opting to keep the peace by deeming the property a family house as outlined by Bolt & Masha (2019). This does not, however, resolve the challenges that the municipalities face because until the change of ownership is done, these title deeds remain listed as backlogs or remain uncollected. The COJ (HOF, interview, 22 September 2023) indicates that:

“...They say it's just a family house. So...now if the ... if a person [is] deceased before we could transfer, the same thing happens. People simply say no, this is a family house. That's it, and no one wants to stand up and say "what is it that we must do?" So, they just leave things as they are and because they don't want to give to one person. Previously, when they started, I think they used to encourage people to have one person that will be responsible, that created problems.”

Secondly, the municipalities cannot track if every household has a will in place. Neither are they necessarily seeking to attend to the social and cultural complexities surrounding this as many households hold different beliefs. The COT mentions that they conduct awareness programmes around title deeds, but they mostly focus on the importance of the title deeds and keeping them safe (COT – HOD, focus group, 22 November 2023) stating:

“... And that's where our efforts then try to curb that problem is to conduct consumer education workshops where we explain to them the importance of a title deed, the importance of the safekeeping of a title deed...the cost implications linked to a title deed, and obviously the law of succession as well. So, we try to explain all of them. But like I said, you really don't have control over a person who do not respond on calling letters, et cetera.”

The COJ also provides communities with application forms for title deed registration as part of their awareness campaigns (COJ – STO2, interview, 22 September 2023). Neither of these approaches specifically responds to succession planning.

4.1.2.2 Family disputes

Family disputes in addition to the deceased estates can also include disagreements between separated couples who were married in community of property and the title deed needs them both to agree on the signing over of the house upon separation. In other instances, a member of the family may be aware of the deceased estate process and pursues the deeds registration process alone without telling their siblings or other potential heirs of the estate (COJ – STO1, interview, 22 September 2023). By doing this, they can proceed to register the title deed after obtaining a letter of authority from the DOJ then working with the local ward councillor to register them as the sole recipient. Because the file would arrive from the ward councillor in order, the sales and transfer office at the municipality is only made aware of other siblings or family members when they come and lodge a dispute at the office (COJ – STO1, interview, 22 September 2023). In this instance, the deed would have to be cancelled, which is a process the municipality can carry out. But, even when the cancellation is done, there must be agreement amongst the family members on how to resolve the issue and under whose name the title should be re-registered (COJ – STO1, interview, 22 September 2023). This returns the case to the backlogs list until it is resolved. Family disputes tend to affect older housing developments for low-income households although some disputes continue on a smaller scale when it comes to the dissolution of marriages but not to the extent of long-term family disputes linked to allocating ownership to a singular family member.

All four administrators in the focus group at the COJ mentioned that they have each experienced this issue, though it is not necessarily as common as the deceased estates. Sub-case study 1 from the COJ reflects on the combination of the deceased estates and family

dispute challenges. The title deed is yet to be registered in this case and is still listed by the municipality as part of the backlog (COJ – HOF, interview, 22 September 2023). The municipality cannot reasonably predict when a resolution could be reached by the family so that a title deed can be registered to a living recipient (COJ – HOF, interview, 22 September 2023). There are also no known interventions in place by the municipality to help resolve this challenge that could be obtained from the interviews. It is important to note that this challenge is not faced solely by the COJ but that the COT (HOD, focus group, 22 November 2023) also mentioned experiencing this issue in their municipality as well:

“...So without that letter of authority, we are stuck with that title deed. Because we can't give it to you, because we like you. You must have the documents to prove that you are entitled to collect that title deed.”

4.1.2.3 Township proclamations

Township establishments – another process blocker – specifically reflect as an issue experienced almost similarly for new mixed-housing developments and housing establishments built right after 1994 especially with the responsibility for the delivery of some housing projects shifting from provincial government to municipalities (HoDiv, focus group, 22 November 2023). In sub-case study 2, new developments in Mabopane in the City of Tshwane have not yet been fully proclaimed although houses have been handed over. The COT (HoDiv, focus group, 22 November 2023) depends on the support from provincial and other internal departments to respond to the infrastructure requirements of the township proclamation process stating:

“...So, there is that process that's underway. But as I say, another division is dealing with that. We were trying to deal with some of the pre proclamation issues, but we really didn't have capacity to do it. And so, it's been moved back to the planning division and they're now dealing with this.”

Additionally, the COT is awaiting financial support to issue title deeds to the townships which have met the declaration requirements; the province's allocation is limited annually – the limits differ per municipality depending on what the Urban Settlement Development Grant (USDG) allocates based on the business plans received – this also makes the registration process slow (COT – HOD, focus group, 22 November 2023). The USDG is a fund created by the National Department of Human Settlements to support municipalities with capital towards human settlements projects including title deeds (Department of Human Settlements, 2021). The municipalities are funded through the USDG to respond to the title deeds allocations and backlogs (COJ – HOF, interview, 22 September 2023; COT – HoDiv, focus group, 22 November 2023). Both municipalities stated that they have experienced complex challenges

when it comes to the USDG allocation process and that it contributes to the backlogs they are currently experiencing (COJ – AAD, interview, 14 September 2023; COT – HOD, focus group, 22 November 2023). The COJ (HOF, interview, 22 September 2023) mentioned that Annexure 5: City of Johannesburg Title Deeds Backlog Breakdown over 22 000 out of the 50 000 title deeds in the backlog are due to township proclamation challenges (see Annexure 5)¹⁷. The COT data (see Annexure 6)¹⁸ showed that 53 establishments located in new sections of some of their townships were currently not proclaimed, with an additional eight (8) being fully established but not having any title deeds yet transferred – in all the areas, there is no house that has a title deed yet. An interview with the COJ (HOF, interview, 22 September 2023) outlined the issue as follows: “...And depending on the complexity, because some of the backlog relates to complex un-proclaimed Townships, which takes up to more than two years to resolve”.

The COT (HOD, focus group, 22 November 2023) also commented:

“...So, a lot of work must all be done before you get to a stage of proclamation and opening of township registers. So, there's a one thing dealing on its own, but that's more linked to your city planning processes and another division in our department that deals with the planning. And we have another one dealing with the infrastructure, implementation of projects, et cetera. Then with regard to a property that's now already transferred there, you also have backlogs.”

The main challenge with this proclamation process is around the need for engineering and town planning services which means the communities required a variety of infrastructure projects to first be implemented. This has budget implications, and a wider scope of stakeholders are involved (COT – HOD, focus group, 22 November 2023). CAHF (PM, interview, 13 November 2023) also commented:

“...the way the national Department of Human Settlements looks at the barriers is they say we can't process title deeds for projects where there's no bulk infrastructure because that contradicts the legislation.”

The COJ (HOF, interview, 22 September 2023) also backed this up:

“You'll find that I'll give you an example of the Bram Fischerville, and also in Region G. Areas like Orange Farm and all that...You had to tar the roads properly and do that before you can even issue the title deeds...”

These infrastructure projects include sanitation, electricity, running water, roads, stormwater drainage, and land tenure projects (Mashego, 2017). Both municipalities stated that the townships can be at any given level of progress in these infrastructure projects from nothing

¹⁷ Annexure 5: City of Johannesburg Title Deeds Backlog Breakdown

¹⁸ Annexure 6: City of Tshwane Outstanding Title Deeds and Township Proclamations

yet started, to some having been started, or some with only one or two projects outstanding (COJ – HOF, interview, 22 September 2023; COT – HOD, focus group, 22 November 2023). Though the municipalities are providing some basic municipal services (e.g. trash collection) to the communities, the title deeds registration process remains stalled until all the infrastructure is completed, and the township register is submitted to the deeds office. These title deeds then also remain in the backlog until the township proclamation process is completed.

“Yes [there is service delivery]! you know, even- even if... I don't know if you know this Diepkloof Hostel this part of unproclaimed. That new developments there is still unproclaimed. They can't allocate people properly until they fix some other things. But they have been working on it.”

(COJ – HOF, interview, 22 September 2023)

Related to the proclamations, and something that compounds the challenges around the backlogs, is the fact that the provincial government went on several campaigns building houses over the years in response to housing demand (COJ – HOF, interview, 22 September 2023). Though this can be celebrated by many communities who now have adequate housing, the municipalities perceived that there was no consideration of the township proclamation process:

“... So, what I think what province did, because...mostly it was province that built those houses they just went on uh massive projects, both Region G and also that areas Bram Fischer, Tshepiso and all that. Yeah, they were massive projects. But, but you didn't follow the proper township proclamation issues and all that. So they just build. But now...when it's supposed to transfer, they said no, "you still have to do this", "you still have to do this". That's why it took so many years. That's why we are having so much backlog into now.”

(COJ – HOF, interview, 22 September 2023)

This is a greater challenge in the City of Tshwane, which has newer townships:

“... For instance, the New Eersterust one. These issues around areas [that] haven't been proclaimed as correctly as they should be. Land reserves and also servitudes and things....So this is where our major backlog is. It's not in the actual issuing of title deeds. And I know most people think that's where it is.”

(COT – HoDiv, focus group, 22 November 2023)

Because the proclamations require the improvement of infrastructure to ensure compliance, the process is taking very long to move forward (COJ – HOF, interview, 22 September 2023; COT – HoDiv, focus group, 22 November 2023). With the issues around township proclamation processes, it is also worth noting that the houses without title deeds in those communities are not necessarily included by either one of the municipalities in their backlog statistics (COJ – HOF, interview, 22 September 2023; COT – HoDiv, focus group, 22 November 2023). This means that the literature is accurate in stating that the backlogs are

growing continuously and that their resolution becomes more complex the longer the backlogs last (Magagula & Mubangizi, 2019). Additionally, based on this data, it can be easily assumed that the full scope of the backlogs is not really known by the municipalities and that the documented 2.7 million across South Africa is not necessarily the total number, but what the municipalities can realistically quantify based on their data. An administrator (COJ – STO2, interview, 22 September 2023) stated the following to verify this:

“No, we do that [register title deeds] if the scheme is open for us to do that. But if the scheme for that particular place is not opened, we cannot be able to... Then they [the municipality] provide us with that information that now, this place is open for [title deed] registration, therefore we go on. But unless that- even if you can come from a place where the scheme is not opened, we cannot be able to do that [issue a title deed].”

The observations (COJ Sales and Transfer Office, Observations, 14 September 2023) at the COJ also supported this finding. One male resident and their companion were from Alexandra township. They had a long-standing issue of a transfer from a deceased estate of a relative. The resident was told that the area in question was not yet being serviced for title deeds and was asked to return once the notices had been sent out by the municipality. The resident was referred to the street committees and councillors who would be able to support with the receipt of notifications from the municipality. The administrator also asked that the street committees should self-organise to create a group appeal to the City to accelerate the process of titling in their area. One of the residents complained that the ward councillor does not have the information that they need and that was why they came to the head office. The discussion with the two residents continued beyond the observation period as there was a dispute on the information provided and when the client would get the help that they needed.

In relation to this, the COT (HoDiv, focus group, 22 November 2023) stated:

“...And although we know that the newer townships, we would have much better success in, and the longer we take to deal with the old townships, the more challenges we have faced as well. So, one of the issues is, yes, we must experiment with the new townships to make sure that we can then issue title deeds. But we've waited so long with the old townships that we've got to deal with them.”

The findings further indicate that the provincial government, which is a key stakeholder, is at times sporadic in how it engages in different parts of the process where they do not necessarily have ownership of the land or the development projects (COJ – AAD, interview, 14 September 2023). Another two residents observed (COJ – Sales and Transfer Office, Observations, 14 September 2023) at the COJ appeared to have been confused by a notice they received from the provincial government about title deed registrations in the area. There appeared to be confusion around the role of the province versus the municipality. The main issue with this query was that they had heard that some people received their title deeds from the Province.

However, it turned out that the project was handed over by the provincial government to the municipality without the issuing process being completed. The administrators mentioned that the process had now shifted to the municipality, and the residents had to wait to be helped when the City notified them. A specific challenge is that there is a perception by both municipalities that there are differences with the provincial government about who takes ownership of the success of this issuing process when things go well (COJ – HOF, interview, 22 September 2023; COT – HOD, focus group, 22 November 2023). This underlying conflict appears to affect how efficiently the process can move forward and how the stakeholder can act at any given time in the process. The interview with one of the participants (COJ – HOF, interview, 22 September 2023) revealed:

“...in some cases, the province...when they want to lead, they want to be exclusive. And then you find they're getting a push back... Collaboration is still not 100%... But I think to me also, now when the funds become available, that is who's gonna be responsible. You understand funds come with power... Particularly now that we've got also a government of local which in its sense, is different political parties. And... politics also factor in. About who must be seen to be doing something. So those are the kinds of complexities that delays.”

The City of Tshwane (COT – HOD, focus group, 22 November 2023) stated:

“...province decides across...and we get a small percentage of it, but their budget must cover the whole province. And there's no mechanism for us to then say, although we do submit the list to them, they choose as they will. I don't know what criteria they will share.”

And the HoDiv (COT, focus group, 22 November 2023) also stated further frustrations:

“When province does the projects, like yesterday's one, they would put additional funding in. Yesterday we had marquee, we had chairs. Not that it really was useful. They even had a DJ. I have no idea what it was. Such a noise.”

Overall, the conflicts with the provincial government do not appear to be highly impactful on the effectiveness of the process although they do contribute to frustrating progress for the municipalities. The proclamation process is the core issue that causes these long-term backlogs with the provincial government being involved in creating some of the complications surrounding them. However, the provincial government itself is faced with a complex challenge of delivering housing faster than other infrastructure required for the proclamation process can be completed as these projects are clearly not completed at once.

4.1.2.4 Administrative and capturing errors

The misallocation of stands is another issue that came up during interviews as one of the process blockers. This issue is not highly prevalent but one that affects the backlogs, nonetheless; affecting both old and new developments as they all have to be captured

manually when their turn for title deeds allocations comes around. During the focus group with the administrators, one (COJ – STO2, focus group, 22 September 2023) mentioned:

“But even though it can go to the lawyers, if there are mistakes, the lawyers bring them back to be rectified... It’s not always, I can say from 100% about 10% [are sent back for rectifications].”

The rectification process affects the timeline when the incorrect stand is allocated to an applicant, or the documents are incomplete or contain mistakes. It appears there are capturing mistakes that occur when the ward councillor’s office is allocating the recipients of the houses to the beneficiary list. A specific instance of how this affects the timelines was mentioned by the COJ (HOF, interview, 22 September 2023):

“...Like rectification process may take up to...two or three years depending on because it’s once we have issued that title deed and it’s wrong, it depends on particularly if they’ve mixed the stands, it depends on the other one [the person to whom the stand actually belongs] ... Then we must now go through...the High Court and that process is too long.”

One of the reasons that this issue is not necessarily a bigger challenge is because the ward councillors carry out inspections of the properties and sites prior to moving the process of title deeds applications forward. The focus group discussion revealed this as one administrator (COJ – STO4, focus group, 22 September 2023) commented:

“Yes, local [the local office led by the ward councillor for that ward] have to do the inspection first before they can fill the form and then drop it at this – at 222 Smit Street Housing. So, they have to check the property at the local – I mean at the local areas, and then after that, if then the property is, the owner – if maybe there is the right owner [if the correct owner is confirmed]. Then...they can fill the clearance form, and then they can give it to me... Then you can fill the title deed application form.”

The mistakes then seem to occur when the capturing happens after these inspections are done in the Sales and Transfer office; the findings indicate this one point along the process where capturing mistakes happen. In other parts of the process, though mistakes can happen, they are easier to fix as the conveyancers or internal quality assurance identifies them (COJ – AAD, interview, 14 September 2023; COJ – STO1, interview, 22 September 2023). The capturing errors also came up in the literature as a potential problem (Gordon et al., 2011a; Magagula & Mubangizi, 2019). Both the municipalities (COJ – AAD, interview, 14 September 2023; COT – HOD, focus group, 22 November 2023) confirmed that their procedures for processing the applications and storage of files are largely manual, with no reliable way of tracking the progress of the title deed registrations:

“Computerised is only if we [COJ] send instructions to conveyancers. But the information is kept in the files. We then package this file and send it to the

conveyancers... in paper form. We have messengers who must come and collect because if there are any mistakes we can fix the mistake.”

[COT] “... You must remember, the issuing of title deeds is a manual process. There's no automated system that can associate with it – the physical issuing.”

This could be an escalating challenge in the future as the potential for the backlogs growing wider over time is a continuing likelihood as the literature also outlined (Magagula & Mubangizi, 2019).

4.1.2.4 Informal/illegal sales and movement of recipients

The informal/illegal sales and the movements of recipients is the final challenge that both municipalities mentioned facing extensively. This challenge affects a mixture of the older and more recent housing developments but leans more towards older developments established through the RDP programme. The City of Tshwane specifically mentioned that the movement of people has affected how quickly the backlog can be resolved (COT – HOD, focus group, 22 November 2023) stating:

“...But as I was explaining, the main reason why we are stuck with this massive total of uncollected title deeds is because these properties were allocated many years ago. But the proclamation process only happened a few years later. By the time the properties get transferred into the name of the successful applicant or the approved beneficiaries, that person, because of economic reason[s], migrated to another area for better work opportunities.”

The non-profit organisation (CAHF – PM, interview, 13 November 2023) supporting communities also mentioned the following about informal sales:

“...Then you've got the secondary transfer backlog, which is people who've been transacting their houses informally and recording it as affidavits with the street committee or with Sanco [South African National Civic Organisation] or someone like that. Or they go to the police station and they have it stamped. We've seen people who have taken their title deed and whited out the name of the person who's on the title deed and put their own name on. And so, there isn't a sense that goes into a registry that is held and that documents ownership. So, what is a title deed in that context?”

However, people cannot be faulted for continuing to live their lives while waiting for the municipality and provincial government to resolve the issues around the backlogs – having no idea how long it will take to resolve. A specific example from COT (HOD, focus group, 22 November 2023) follows:

“The third reason is the informal sale of these houses. In other words, remember the first scenario, Person X left me here. She went to Pietermaritzburg. The third scenario is you enter into a...informal sale where money gets exchanged, but there's no written agreement. It's just informal you move on, you forget about this

now, this person's occupation for 20, even 25 years. But we can't issue that title to that person. We can't regularise that person into that house because a private property is in private ownership. We do not have any jurisdiction over a private property. That's why that title will remain with us..."

The literature also highlighted the illegal sales (Ganiyu et al., 2017) and the movements of recipients for economic and other reasons (Magagula & Mubangizi, 2019) as a consistent challenge for the long-standing issuing backlogs. This challenge creates the urgency for responding to the backlogs faster and ensuring issues around the township proclamations are completed before the houses are handed over to recipients. If the issue is not resolved, the challenges the municipalities listed will continue to affect how efficiently they can reduce backlogs. However, this brings into question issues of budgeting and project planning, further emphasising the need for better operations management and planning; which will be explored further in Section 4.2 to follow.

The timelines on the resolution of all these challenges is unclear in a lot of instances, though an estimation was often two to three years by the interviewees (COJ – HOF, interview, 22 September 2023; COT – HoDiv, 22 November 2023). Evidence, however, shows that it takes much longer – just based on the information both municipalities provided on their numbers and how long they have sat with some of the backlogs. However, understanding the process blockers has brought clarity to the challenges that the municipalities are facing and why they are so long-standing. The municipalities are grappling with many system and operational challenges in resolving these challenges. The approach to potential resolution could be focused on developing structures for incremental change as suggested in the literature (Suoheimo et al., 2020). The next section will consider the findings based on the literature on operations and systems management.

4.2 Overview of Operations and Systems

4.2.1 Findings from the 3S Model: Effectiveness of Implementation Systems

It has already been established in the literature that policy changes may not necessarily be the main issue that needs attention (Lubell, 2017; Radnor & Noke, 2013). **Figure 2.2** shows how much policy intervention there has been over the past few decades and yet the problem continues to persist and escalate. This section reviews an alternative approach already introduced earlier in the paper around the key aspects of operations and systems to potentially improve efficiency; using data collected from observations, the secondary data. Based on the 3S Model, key aspects from the interview data outlined staff capacity and budgets as key

operational aspects that were affecting delivery capacity internally. These specifically address systemic and strategic approaches to operations management (Faull, 1998).

From the interviews, the municipalities are clearly aware of some of the operational gaps that they have. The COJ (HOF, interview, 22 September 2023) mentioned that it is working to streamline some of their processes like ensuring that for new projects going forward, when a key to the house is handed over to a recipient, they also receive their title deed:

“They're [title deeds for new housing projects] not necessarily resolved immediately the same month, but within two or three months. That's what we're working on. But ideally, ideally, what we want is that when you allocate the person a title deed- That's what we're still working on. But we're hoping that maybe the next financial year we'll have closed our gaps between us and our allocation department to make sure that they don't just give a person a key. They give a person the key and a title deed.”

This approach would create room for the system to respond to the more complex and long-standing registration issues. Though this is a process still needing a lot of work and internal alignment, it is a challenge that has been recognised as needing attention to reduce future backlogs. This was also a recommendation observed in the literature as made by Magagula & Mubangizi (2019).

The City of Tshwane is also trying to find ways to work around the delays caused by the involvement of the provincial government and their financial dependence on them to deliver title deeds (COT – HoDiv, focus group, 22 November 2023):

“...So, over the last three years, we used some of that funding [from the Urban Settlements Development Grant] to start a pilot project in New Eersterust. We're trying to see how we can do it as a city so that we can contribute to the numbers going out. So, by January, February at the latest, we will have about 2000 title deeds...”

However, their continuing budget constraints affect how they can effectively pursue this at a larger scale, which is what they need. Operational solutions therefore need to be as low budget as possible for both municipalities because of the budget constraints.

Clear information on the backlog data or an explanation of how the process works could only be found through direct contact with the main municipal offices in the interviews. The literature specifically outlined this as a challenge with only snippets of the process being gleaned from it (Gordon et al., 2011a; Magagula & Mubangizi, 2019). This reflects how difficult it is to manage data efficiently when the processes are manual— specifically to track progress. The literature also emphasised this as a serious challenge affecting the functionality of the deed registration process (Magagula & Mubangizi, 2019). Interviewees (COJ – STO1, interview, 22 September 2023; COT – HOD, focus group, 22 November 2023) outlined that they regularly

carry out community engagements and information drives to engage with recipients on title deeds. These initiatives aim to improve information access as one way of mitigating the challenges around access to information:

“So, we've [COT] adopted this Title Deeds Friday campaign where we try on every Friday, the officials go out, whether it's in small groups, whether it's a big event, but it's a culture that we have adopted. In the City of Tshwane, we refer to that as Title Deed Fridays. And we go out and see how best we can issue those title deeds because it's a very important document, you understand? I mean, there's only [one] proof of ownership that the people have and it's in the form of a title deed.”

“...Because sometimes, we [COJ] also go out to see them [in their communities].”

However, if a person is not able to attend these sessions, it would still require a lot of effort for them to get access to this information. The literature also supports this perspective on the accessibility of information with Barry & Whittal (2016) highlighting the issues of the accessibility of information and the recipients' challenges following the steps. The COT (HOD, focus group, 22 November 2023) argues, though, that people are not responsive to their requests to attend information sessions:

“...people just not to respond on calling letters. It can be for work reasons, they can't get off from work, I don't know. But you say because our officials will send out calling letters on a regular basis from time to time, but people just don't respond. They're still in occupation of the house, they didn't sell the property, but they're just not concerned. So, it tells me they might not have a clear understanding on the importance of that title deed.”

The perspective from the literature suggests that the reasons for poor responses and low engagement are also linked to the issues of mistrust around other service delivery challenges (Davids et al., 2019). Regardless of the lack of engagement by communities, these community programmes require a lot of effort, and it is not certain from the progress municipalities have made on the backlogs, if these initiatives are creating any significant or sustainable impact on diminishing the backlogs. The literature, in contrast, states that there are issues of understaffing in municipalities (Magagula & Mubangizi, 2019). But the efforts by both the COJ and COT show this is not an impediment to their efforts to reach out to communities as they engage beneficiaries quite often. The dichotomy between municipal efforts and the responses of recipients is where some of these operational gaps continue to exist – where staff capacity and resources are allocated to efforts that do not necessarily yield the desired outcomes, as outlined by the COT (HoDiv, focus group, 22 November 2023):

“...So what we do to overcome that challenge, we embark on an advertisement campaign in the local media. We spend in excess of 1.7 million Rand to advertise [for people to come in and collect their title deeds]... But it did not yield the desired results. So it was, as far as I'm concerned, really a waste of money.”

Something that also needs to be considered as people engage with the system is that many people have lost trust in it and no longer want to engage with the system at all as they continue to see no results from promises made by the government, which the literature also confirms (Motubatse et al., 2017). This could be pointing to issues around a lack of planning for the most effective interventions as indicated by CAHF (PM, interview, 13 November 2023):

“...What that [issues around township proclamations] does, and this is a really important point, which is so hard to communicate administratively, but when there are all these properties for which you can't transfer title because there are technical reasons that you can't do it, that undermines trust in the whole tenure system, so that even those who do have title don't really engage with it [the system] in the same way.”

In the literature, Nell et al. (2011) also states that efforts should focus on targeted planning aligned with policy-driven outcomes to improve systems, such as in planning for the township proclamation process. Consequently, the system and stakeholders were examined in terms of their influence on strategies by rethinking how operations management is implemented. The discussion on this follow below.

4.2.1.1 Staff capacity and availability

An issue that the literature highlighted was around the skills needed for the title deed issuing process (Magagula & Mubangizi, 2019). While this is likely to be true, the interviews with administrators at both municipalities showed that they are well-informed about the process of applications, how the backlogs work, and issues around the disputes (COJ – STO 1-4, focus group, 22 September 2023; COT – Admin, HOD, focus group, 22 November 2023). This is why the mapping of the process in **Figure 4.1** was developed so clearly. The administrators also interact easily enough with their managers based on the office observations throughout the interviews and office visits. The challenges stated by both municipalities were more around staff capacity or the number of people available to support the process in their offices, instead of skills. The COT (HoDiv, focus group, 22 November 2023) stated:

“We also have 19 offices, and of those, I think about five or six are closed because of capacity issues, because we haven't been able to fill posts for about four years.”

There were challenges specified around the internal process of getting the appointment of some key personnel in the management team at the COJ (HOF, interview, 22 September 2023):

“...with all the positions from assistant director upwards, we cannot fill it until it has been approved by our political principals... I requested to say that this is a critical position so, I think it's now about how many weeks back, it's about three weeks back. So, I've done everything possible. So just waiting for the for the for...the

signature. Yeah, and then that's system will go. So, we'll be able to appoint that position.”

This key position that the HOF mentioned is that of the Assistant Director for which the AAD interviewed at the COJ on 14 September 2023 was in an acting position. Some literature (Magagula & Mubangizi, 2019) indicated that staff capacity is a particular challenge, often linked to the availability of staff – a persistent challenge that the municipalities face. The COT specifically mentioned challenges with the number of administrative staff appointed (COT – HOD, focus group, 22 November 2023):

“And those positions are not being filled to the extent that you have some of the regional offices where there's only one official dealing with, say, for instance, title deeds. Now, you can imagine if that person is on sick leave or that person is on vacation leave, everything comes to a standstill. And you can't pull people from other offices because they have exactly the same problem. One official there, two officials here. So, it has a major impact on the specific KPI [Key Performance Indicator], the physical issuing of title deeds.”

Further to this is that should strike action occur and be protracted, the problem of staff availability becomes especially acute; as indicated by the challenges of the COT at the time of the interviews. They (COT, HoDiv, focus group, 22 November 2023) stated that some additional challenges in staff capacity at local offices:

“So, just in our division, there's twelve vacancies that have arisen this year [2023]. People that have either taken early retirement, passed on, or gone on retirement just from one division. And we can't fill any of those posts. So that gives you an idea of the difficulty we're working with. I mean, twelve people leave, but there's nothing we can do to fill those posts. And so more and more of regional offices become empty, and nobody's there to help the public...”

This does not deny that skills development may be needed, however, there are bound to be mistakes when the system is so heavily reliant on a manual process with such limited staff capacity. One study (Magagula & Mubangizi, 2019) also indicated issues around the staff not having the requisite skills to meet the demands of delivery, but observations of interview participants, including focus group engagements, indicate that this is not a pressing issue. The staff at all levels of seniority interviewed were competent when responding to questions around the process of issuing title deeds and were adept in the knowledge of issues around what the backlogs are and why they exist. However, this was not with the same level of depth of knowledge as the more senior members generally had more perspective. This may indicate a matter of access to information due to seniority more than a lack of skill.

“We don't have any communication with the lawyers, but communication with the clients. The lawyers they communicate with-with the bosses...”

(COJ – STO2, focus group, 22 September 2023)

It is also worth emphasising that, while the issue of staff allocation needs attention, in the greater context, the budget allocation to address the backlogs seems to require higher priority based on the overall emphasis from management interviewees (COJ – AAD, interview, 14 September 2023; COT – HoDiv, focus group, 22 November 2023) – a discussion on the budgets follows.

4.2.1.2 Budgeting and funding availability

Both municipalities stated that they obtain most of their funding for title deeds from the USDG (COJ – HOF, interview, 22 September 2023; COT – HoDiv, focus group, 22 November 2023). Each department head in the municipal human settlements division must put together a business plan including a budget which must be signed off by the municipal management structures including the Chief Financial Officer and City Manager (COJ – HOF, interview, 22 September 2023); this budget is inclusive of the targeted allocation of title deeds for the municipality in a year:

“So basically that’s...about I can say 90% of our budget. The rest, we get it from council-owned funding. And then that’s where we fund that’s where we fund the title deed. Yeah, so on a yearly basis, that one it depends on what we put on a business plan.”

Another interviewee (COT – HoDiv, focus group, 22 November 2023) stated:

“Over the last at least three years, we’ve given province like a list of over 150 townships where title deeds are required. I think in this latest business plan, there are five areas that province has out of it, less than 10% is actually being budgeted for.”

An additional aspect of the operational issues that was revealed during the interviews was whether the municipalities had enough financial resources allocated to attend to the backlogs. This links back to the literature (Magagula & Mubangizi, 2019) around the availability of financial capacity that facilitates efficiency. At the same time issues from the literature around municipal audits and continued mismanagement of funds in most municipalities across South Africa (Ntaka & Brown, 2021), also raise questions about whether budget allocations are sufficient or whether they are being used effectively (Dzomira, 2015; Matei & Drumasu, 2015). Both municipalities stated that their budgets are sufficient for the issuing of title deeds but not necessarily for other aspects around the backlogs (COJ – HOF, interview, 22 September 2023; COT – HoDiv, focus group, 22 November 2023). Some literature (Dzomira, 2015) highlights a contrasting perspective reflecting on poor budget planning leading to present challenges of inefficient service delivery. Some research (Rubin, 2011) suggests that budget inefficiencies are also affected by corruption in the housing system. However, issues of

corruption in the title deeds allocation process did not necessarily come up in the interviews with participants. The City of Tshwane did mention some fruitless expenditure in attempts to respond to the backlogs (COT – HOD, focus group, 22 November 2023). However, because the backlogs and where they originate are so complex, budget constraints have a significant impact on progress and efficiency:

“...to register a title deed is not an expensive exercise. But in some cases, ...there needs to be some work before...we can do a title deed. Some planning work or some compliance work that needs to be done. That's where the problem is... But generally, for transfer. The budget...for that is adequate just for registration and transfer.”

(COJ – HOF, interview, 22 September 2023)

The allocation of time and budget for the infrastructure programmes and the responsibility for meeting the township proclamation then come into question:

“...So, in other words, if we reach that stage where the project is at a stage where they just need to appoint a service provider to do the opening of the township register and proclamation, we regard that as a quick win project...But we do not have the financial means to do all the township registers internally. There is no way. It's going to take us millions of years to get to that stage.”

(COT – HOD, focus group, 22 November 2023)

It is a safe assumption that when housing projects are conceptualised, there is enough budget allocated to include the required infrastructure to align with legislation (CAHF – PM, interview, 13 November 2023). Identifying accountability for how the allocated funding was utilised proved challenging in the interviews with municipalities. The literature (Dzomira, 2015) highlights the same issues around budget accountability affecting delivery. The main reason for this is the challenge of interdependencies across the departments in charge of the infrastructure developments related to the proclamation process which the literature also highlighted (Gordon et al., 2011a; Magagula & Mubangizi, 2019). The interviews could not establish who was financially responsible for these infrastructure aspects – especially because the scope extends beyond the budget allocations for the human settlements departments in both municipalities (COJ – HOF, interview, 22 September 2023; COT – HoDiv, focus group, 22 November 2023). This calls into question the management of resources for housing projects which the literature also extensively discussed (Rubin, 2011; Dzomira, 2015; Magagula & Mubangizi, 2019). A comment from CAHF (PM, interview, 13 November 2023) stated:

“it's like a complete mess and we don't have a budget to put in the bulk infrastructure, which begs the question where the budget went, because once upon a time there was a budget for bulk infrastructure...”

Additionally, as was at first the provincial government that delivered the housing projects that are currently stuck in backlogs, the urgency for delivering housing sometimes overrode the need to follow legislative procedures as the need for housing has always been great (CAHF – PM, interview, 13 November 2023):

“...[the initial thinking was that] there was no real reason to give someone a title deed because they couldn't sell their house anyway. Obviously, there's a real reason to give someone a title deed. But the motivation for it was lacking in that context. And then there was this pressure for delivery, and houses were being delivered literally without general plans, without bulk infrastructure, without all sorts of things.”

The literature also covers the housing need widely, detailing the large gaps in delivery (Gordon et al., 2011a; Ganiyu et al., 2017, Magagula & Mubangizi, 2019) which backs up what CAHF said. This still leaves the municipalities helpless and faced with uncertainty on how to take responsibility for the township proclamation issues or how to move forward in resolving them. Until ownership of this process is clearer, this problem will continue to plague the effective response to the backlogs. One of the interviewees (COT – HoDiv, focus group, 22 November 2023) outlined this challenge as follows:

Then they [Province] hand it [the housing project] over to a second division which deals with the infrastructure and project implementation. When they're done with all those required works and the necessary certificates, your section 82, 101, et cetera, has been issued. That's the time when we get involved at the end tail of the value chain...is there a dedicated budget to appoint service providers? Because without a budget, you can plan and you can do whatever you want to, that's where you're going to stop...

If there is no budget for bulk infrastructure allocated in the first place, the question is then why this is not allocated when it is a legislative requirement. This may go back to the need to equip staff around their knowledge of the work which the literature highlighted (Mantzaris & Pillay, 2019). It may also reflect on what the literature highlighted about whether service providers are using the funds allocated for these projects the way they should and how the project managers are holding them accountable for expenditure (Rubin, 2011). Additionally, issues of corruption cannot be fully ruled out as this issue of budget accountability remains quite grey. The complexities around this issue pose a challenge that both municipalities did not seem to have an answer for, compounding the difficulties in addressing the backlogs (Myeni & Okem, 2019; Turok et al., 2023). The interview participants stated that there are continuing tensions around who is responsible for the infrastructure budgets linked to moving this process forward (COJ – HOF, interview, 22 September 2023; COJ – AAD, interview, 14 September 2023; COT – HoDiv, focus group, 22 November 2023).

Further reasoning from the municipalities for the need to resolve the backlog challenge is that they cannot get the rates and taxes from these homeowners until the title deeds are registered; this has a direct impact on the budgets the city has available to deliver services more efficiently. CAHF (PM, interview, 13 November 2023) outlined this issue:

“...but the second thing is that the city can't tax somebody who doesn't own the property and then they also can't charge water and services.”

The COT (HoDiv, focus group, 22 November 2023) is also aware of this issue and states:

“...And that includes opening municipal accounts as well. So that means that more and more people are not opening the municipal accounts. Therefore, the city is losing funding with that.”

The issues around this are also of interest to the National Treasury as they consider how municipal budgets could be better managed and how effectively they can raise operational funding through rates and taxes with initiatives like the Cities Support Programme (CAHF – PM, interview, 13 November 2023). The literature (Huchzermeyer et al., 2019; Myeni & Okem, 2019; Turok et al., 2023) also highlighted the role of the National Treasury in this issue given the layered complexities (Boisot & Child, 1999; Ramovha, 2022). CAHF has been able to garner support towards addressing backlogs through the CSP (CAHF – PM, interview, 13 November 2023). By demonstrating the discrepancy between the cost of municipal services provided and what residents pay in rates and taxes, CAHF (PM, interview, 13 November 2023) created realistic data highlighting the need for support from National Treasury for this work of allocating title deeds for subsidised homeowners:

“When we raised the issue to the finance department, we got real traction. When we showed them all of the bills that they have to return and the money that has to be written off. And when we then presented it to the City Budget Forum at National Treasury, then we got traction...we approach housing and the subsidised housing programme as a social asset... but it's also a functional part of a working urban market. And that has financial implications which the Human Settlements Department doesn't engage with.”

Whether these households can actually afford to pay rates and taxes is addressed later in the paper although it is an important matter to consider when thinking about effective solutions. Nevertheless, the motivations for resolving these issues are growing in importance with municipalities having more reason to ensure that the operational structures and their systems are geared towards resolving the backlogs. It could yield benefits both to their current budget issues as well as to the perceptions of how they improve service delivery in resolving the backlogs.

4.2.1.3 Partnership building for improved outcomes

An important aspect of the 3S Model is the consideration of the best operational practices available and how these could come about through multi-disciplinary teams that can engage with the approach to implementation (Faull, 1998). One of the considerations for what these partnerships can look like is based on the findings from the interview with CAHF which serves as an advocacy and implementation partner in different ways. CAHF (PM, interview, 13 November 2023) outlined some aspects of their work in this space as follows:

“We try to elevate the story into the ears and the minds of the policymakers and to look for a policy response. And there's a diagram in one of the presentations about the PM [CAHF], which shows that the [organisation] focuses...its responsibilities to the citizen, it isn't responsible to government... It's [responsible to] the household, so that they have someone that they can tell their problem to and then it [CAHF] goes, engages. But in order for it to engage with the government or the private sector, there is an advocacy that's needed to raise this as an issue. So that's what we do.”

The advocacy group also offers insights on how the issues specifically affect households, and being able to provide this context is valuable for driving effective policy change. The cases examined in the literature (*Case No: 6990/2022 High Court of South Africa Gauteng Division, Pretoria, 2022; Case No: A5009/2017 High Court of South Africa Gauteng Division, Johannesburg, 2018*) have also outlined the misalignment in the law around managing the issues affecting title deeds recipients although these instances are linked to the family house, they are worth keeping in mind. These cases are also important to the work of other advocacy groups such as Lawyers for Human Rights (Lawyers for Human Rights, 2024). The approach of CAHF working this issue through National Treasury links to what the literature also highlighted through the role of the CSP (Myeni & Okem, 2019; Turok et al., 2023) which could help drive the effectiveness of this advocacy. Specific stories of change such as the one below were also provided:

“... But they [households] can't afford it [the cost of issuing title deeds] because they're income poor, asset rich. So we said, you're the president, you deal with it, you've got a cabinet. So the president has a programme for that called Operation Vul'indlela, which is like breaking the red tape... So they've adopted this and now we've got a steering committee that includes housing, the deeds, registry, justice.”
(CAHF – PM, interview, 13 November 2023)

This is an important contribution that the organisation can make to improve trust with communities, engage with government structures representing the interests of recipients, and ensure better progress towards resolving the challenges the municipalities face. This is especially important given the success that CAHF has found with National Treasury and their work having less of a regulatory burden. A comment from CAHF (PM, interview, 13 November

2023) outlines some of their innovative approaches that could create avenues for problem-solving:

“Engaging with GIS seemed to give us traction, partly because they really liked the stickiness of the problem. So, it was kind of like fun to solve. Right? And they didn't have any political baggage about who did something wrong. And I think housing carries quite a lot of political baggage around it.”

The organisation has not necessarily had the best support from the municipalities in engaging on these issues and in changing public perceptions. CAHF (PM, interview, 13 November 2023) expressed their perspective on municipal efforts to enhance efficiency:

“I think a big constraint is that this is called a human settlements issue and it's not. They can't solve it. They created it, absolutely, but they can't solve it. And I feel that they kind of get in the way, actually, because they're not interested in a functional market. They just want to tick off that they put through a title deed. So like Ekurhuleni, they said, we delivered 8000 title deeds, but when we went and looked, 5000 people we couldn't find. They still get the KPI...”

Advocacy groups can therefore form an important implementation partner and stakeholder in responding to the challenges, and supporting in the monitoring of deliverables; especially as they are willing participants to resolving the challenges with less political baggage. A partnership approach could also prove the potential strength of complex adaptive thinking to solve deep systemic challenges which the literature highlighted (Boisot & Child, 1999; Ramovha, 2022).

4.3 Summary of Findings

The findings have created a clear understanding of the process and timelines applied by the municipalities to issue title deeds. The system experiences continued challenges in addressing family disputes and deceased estates with the challenges related to them. The municipalities have different perspectives on how these issues manifest but whether it is slow collection processes, the migration of people, illegal sales, or the actual disputes about the transfer of the title deeds, a response to the challenges needs to consider these holistically. This is because the problems represent the bulk of where the municipalities have stated their recorded backlogs being located (COJ – HOF, interview, 22 September 2023; COT – HOD, focus group, 22 November 2023). Though there is an awareness around these issues as with the others highlighted above, the data collected from interviews did not indicate that the municipalities know how to best respond to them. However, operational matters around the running of the office, improving efficiency, managing staff capacity, and even budgeting all yielded some ideas on how they may be resolved. The observations informed the potential

pathways to the implementation of change. The information gathered through this process informed the structuring of the model that is being proposed to help in closing some of the identified gaps. Based on the above considerations, the system and the participants interviewed show some level of openness to accepting change. The most enlightening finding was that the issue with the backlogs is not where it has always been assumed to lie. That is, it is not related to the assumptions that the municipalities have weak operational systems. This finding is also supported by the literature indicating that operations management in the public sector should not be likened to that of the private sector as these systems have not been developed enough (Radnor & Noke, 2013). Though it is clear that the municipalities are heavily constrained, the more structural issues are specific to family disputes and the resolution of deceased estates. The issues around township proclamations have also not been extensively included in existing literature as an inter-governmental challenge. They are a persistent administrative challenge to addressing the backlogs and they are not often stated explicitly in existing literature as a part of the reason for the backlogs.

Overall, the analysis of the data from municipalities and CAHF has shown that the issues are clearly understood internally but may not be fully documented or communicated externally beyond the stakeholders involved. The persistent challenge is where staff capacity to apply innovative thinking to solution-making is really available. There were no inputs from either municipality that indicated that innovation is an approach they incentivise or apply to responding to the challenges. An organisation like CAHF working independently of the municipalities to help solve their very challenge is indicative of that – neither municipality expressed that any non-governmental partnerships were active or being pursued towards responding to the backlogs. This is not even complex innovation but an open-minded approach to resolving the problem. Staff capacity and room for innovation remain continuing challenges for both municipalities, which the literature highlighted as an indicator of resource constraints. This is an important aspect to consider in creating better avenues of strengthening partnerships but also academic or industry solutions that could help in diminishing the problem and its impact. The next section, which explores the model, will make use of some of those considerations as an approach to implementing change

Chapter 5: A Suggested Model and Related Recommendations

5.1 A Suggested Model

When considering the process blockers and how a new model might help to reduce these challenges, the first consideration was how the municipalities might respond to the three main challenges highlighted above. With the perspective provided by the literature on implementing change or innovation in the public sector (Bhatti et al., 2018), consideration had to be given to what might be the most accessible and sustainably implemented change for the municipality. This is the application of sensemaking (Maitlis & Sonenshein, 2010) as a systems change tool to understand where change can have the most effect given how expansive the problem is. This resulted in an examination of how three aspects of the backlogs can be improved specifically through the administration process of capturing applications and issuing of title deeds, township proclamations, and family disputes and deceased estates. The best possible stakeholders, parts of the operational system, and recommended structures of change will follow. These have been made in relation to the expressed need for some form of change and the frustrations of the managers interviewed.

The goal of this is to improve efficiency. Additionally, it involves assessing what their operations are not currently focused on resolving, based on what the interviews revealed. The proposed operational model is presented in **Figure 5.1**. With sensemaking helping to understand the core issues, the solution of the proposed model is using complex adaptive thinking as discussed in the literature (Boisot & Child, 1999; Ramovha, 2022). The problems and their solutions in the model are depicted from left to right based on the impact they have on the backlogs following the findings from the data. The issues depicted on the left in black (administration) have some impact on the backlogs, but data has shown it is the least of the long-standing challenges that the municipalities face. In contrast, when considering township proclamations – in orange – and deceased estates and family disputes in red, these represent more significant obstacles for both municipalities and homeowners in different ways.

None of these issues are being diminished in their impact on the backlogs; rather they are reflected based on the current data based on how long-standing the backlog data is per issue. An extension of complex adaptive thinking is also considering the multi-agent factors (Ramovha, 2022), which the model depicts as action support networks. These action support networks can be useful stakeholder groups being considered to support the implementation of change within the system.

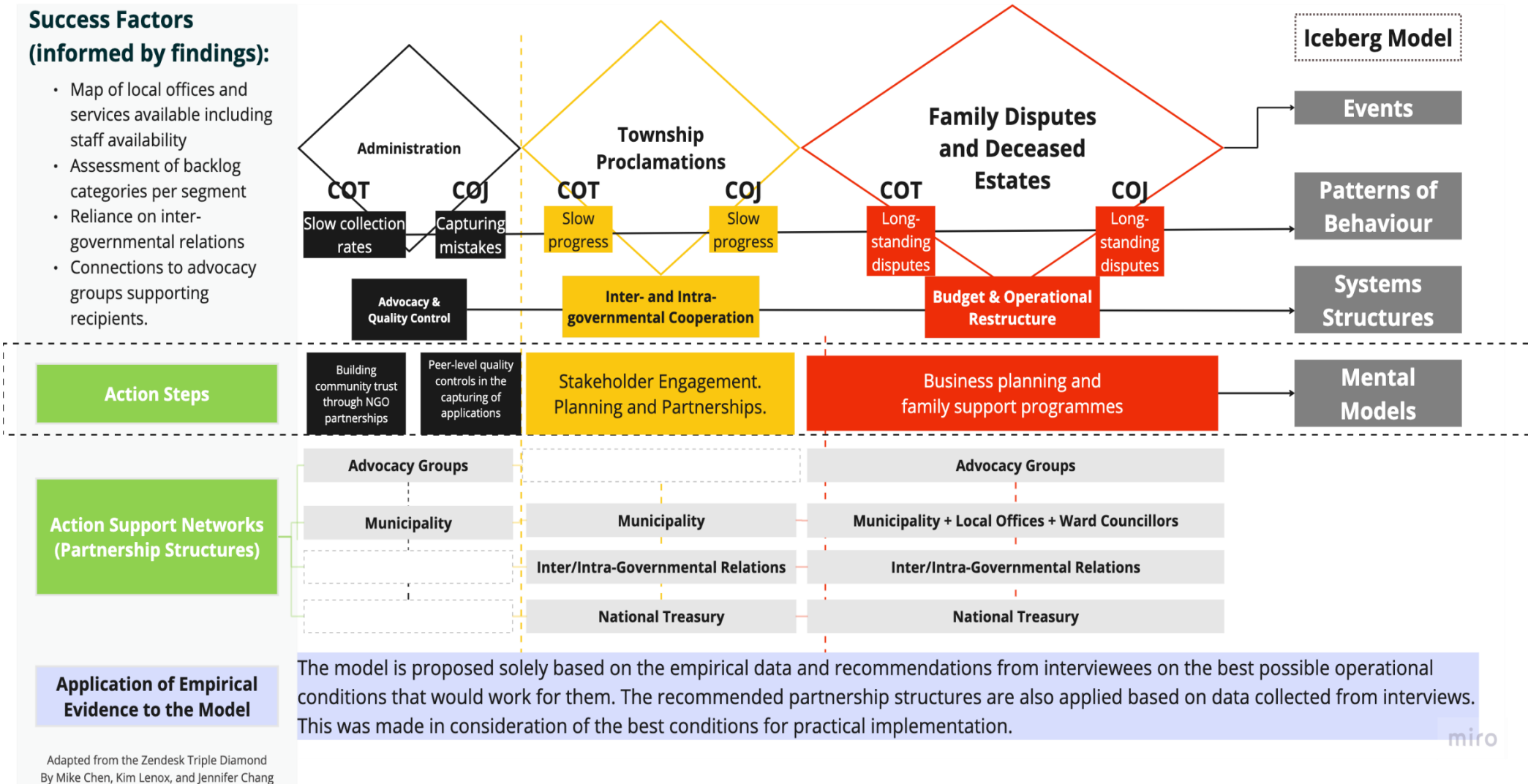


Figure 5.1: Proposed Model to Improve Progress in Addressing Backlog

[Source: own with structure adapted from Zendesk Triple Diamond structure provided by Miro]

The Iceberg Model in **Figure 2.5** was used to respond to the different aspects of the challenge as outlined in the literature review section. A discussion on each aspect of the Events and subsequent patterns from the Iceberg Model follows.

5.1.1 Deceased Estates and Family Disputes | Events

The challenge of deceased estates and family disputes is one of the longest-standing challenges that the model seeks to address. The municipalities have not indicated any level of engagement with attempting to resolve this problem. It appears to just be a waiting game with the hope that the families will come to a resolution on their own. However, as time has indicated and as shown in the literature (Bolt & Masha, 2019), many households opt not to address the issue to maintain peace or reduce conflict. With the municipalities unable to make progress in the resolution of the backlogs related to this matter, the challenge requires the involvement of more stakeholders who are active within the system.

The first approach to address is how budget allocations for addressing the backlogs seem to be mismatched based on the problems outlined in the findings (COJ – HOF, interview, 22 September 2023; COT – HoDiv, focus group, 22 November 2023). A system response should be on placing a portion of the budgeting towards addressing the more long-standing backlog issues like family disputes and deceased estates. The problem especially lies in the reliance on the provincial government to decide which communities are prioritised without the relevant context from municipalities (COT – HoDiv, focus group, 22 November 2023). This is not helping the resolution of the backlogs. Municipalities need to respond more proactively to these issues especially given how likely it is that they will continue and compound over time. Though the issues may be complex, there are avenues that are currently unexplored by both municipalities to seek support without over-extending their capacity or budgets:

- **Business Plans** – municipalities have an opportunity to provide the provincial government with their annual plans for addressing and issuing title deeds to obtain relevant funding. Instead of this being a standard business plan within which annual targets are issued, empirical data suggests there needs to be a shift in how the budgets are applied and allocated. With this being a process that they implement annually, it is a good way to engage with the municipal leadership structures. Additionally, the inter-governmental structures exist to support on the issues that these backlogs create through unresolved family disputes and deceased estates. Both municipalities possess the data to provide sufficient evidence for why the business planning must focus on these aspects of the backlogs and especially on community interventions.

- **Family support programmes** – a proactive response to the different aspects of family disputes are needed:

“...things like that [family disputes] ...are a big challenge because we can't move until there's some kind of consensus [between the families]. I think also this lack of understanding on how they must work... in terms of deceased estate...because many people really don't know that without [a] letter of authority, we can't issue to anyone.”

(COJ – HOF, interview, 22 September 2023)

“.. Now, unfortunately for us, we cannot issue that title deed to other buyers or other family without the necessary documents just to improve our stats, to reduce our backlog stats. No, we can't because that thing can come back to haunt us in court proceedings. Why would you give Person X the title deed for Person Y?”

(COT – HOD, focus group, 22 November 2023)

Community care and family support programmes such as estate planning, the drafting of wills, and education around succession planning have arisen as important avenues for exploration to support the families locked in these disputes. This can also be a pre-emptive approach. Many households do not appear to have the necessary information clearly available to them and require both inter- and intra-system interactions by the stakeholders to support them to gain access to it. Leveraging the trust that advocacy groups have with the communities and the local offices of ward councillors as the basis for operational structures that can be put in place, interventions can be implemented to support households. These family support programmes must be inclusive of the care support that is needed to start having important conversations in the household around estate planning. The central aspect of this approach is leveraging partnerships with like-minded organisations like CAHF to drive forward this common goal.

Though the municipalities have both engaged in community education programmes, these have been specific to just the title deeds and not necessarily to providing support from other stakeholders within the system who can support the response to this issue. Simple services such as mediation support are also important for supporting the families to transition to a clearer path forward. These services need the leveraging of support from all stakeholders within the system to create sustainability, with every stakeholder taking responsibility for their part. Considering the support that the National Treasury might provide, being able to rally resources and extended advocacy group partnerships through their intervention could also be helpful in delivering these programmes to communities.

Overall, the two issues with family disputes and deceased estates require the greatest attention by all system actors to reduce their impact and diminish their potential for becoming a continuous future problem. The model creates avenues for the responses to engage different

stakeholders and leverage the inter-governmental relationships that the municipalities are already working at strengthening. The core of the model's response is also ensuring that there is minimal operational change that is needed by the system to ensure that incremental change can effectively happen.

5.1.2 Operations Management | Patterns of Behaviour

The literature reflects on the impact that weak operational structures – including poor administration – have on the effectiveness of service delivery (Managa, 2012). The COT expressed specific challenges with the slow collection rate of title deeds issued. The municipality reasoned that there could be issues with people not being able to get off work to come and collect or some may have moved and are no longer contactable (COT – HOD, focus group, 22 November 2023). Through the application of sensemaking, the model addresses the issues related to slow collection which is identified as a behaviour pattern through the Iceberg Model. Given the issues expressed in the literature around service delivery and what CAHF mentioned about the communities losing trust in the municipalities, a safe assumption is that recipients have low levels of engagement with the municipality (CAHF – PM, interview, 13 November 2023). The model then responds to the need for external partnerships with trusted advocacy groups to make a difference. The efforts of the COT to engage beneficiaries have not yielded the results they had hoped for (COT – HOD, focus group, 22 November 2023). The recommendation is to lean on the trust that a third-party like the advocacy group could obtain with recipients. This would require low effort and low budget commitment by the municipality where they already engage recipients with their Title Deed Friday initiatives. The assumption with this recommendation is that non-governmental organisations (NGOs) will have the staff and financial capacity needed to offer this support. This is a potential stumbling block in the proposed solution as most NGOs do not have significant staff or financial resources. Given the findings, however, this is a similar challenge that is faced by the municipalities and combined resources are being considered as likely to be more effective for both than individual actions. Overall, the efforts are considered likely to be strengthened through seeking non-government entities to support in community outreaches and getting recipients informed about the availability of their title deeds. Some of the successes of CAHF and even that highlighted in the literature of the case supported by Lawyers for Human Rights show that significant progress can be made even under resource constraints through advocacy actions.

The COJ, on the other hand, has expressed challenges with capturing mistakes as a behaviour pattern usually resulting in the misallocation of a title to the wrong stand. A simple

and low-cost response to this issue that the model applies is to create peer-level quality control measures to reduce capturing mistakes. Because the process is manual, a peer-level quality control is an easy behavioural shift. The process of application submissions already requires the approval of a senior manager. However, the check does not appear to always be efficient in catching all the capturing mistakes, especially when there is one manager for several administrators. The added step of having a peer check the applications before they are submitted to a manager can create a better process of improving quality and reducing capturing mistakes. This approach may also affect the turnaround times, potentially making them longer. The operations management process will need to factor this into how improvements are being implemented to ensure the management of timelines for delivery. This could also create indirect cost implications should there be an administrative delay in the peer-review process. However, given that mistakes are not happening that often (COJ – STO2, focus group, 22 September 2023), it should not have too much of a cost-implication in the long term. Given that the COJ specified that they do not have any backlogs of the active communities they are currently servicing – specifically those that are without complications (COJ – AAD, interview, 14 September 2023) – this indicates that they have a good operational process in place for their new projects. Adding this small step of peer-to-peer quality control could make it flow more smoothly and reduce the number of instances that the conveyancers would return the applications for rectifications.

The patterns of behaviour by the municipalities (specific to operational approaches) from the long-standing disputes require system structures that respond to the cause of the challenges. Overall, the administration challenges require incremental changes to how partnerships are leveraged. Additionally, the complex adaptive systems applied require stakeholder interactions within the system (Ramovha, 2022), such as the municipality administrators doing each other's quality controls. The interactions with NGOs related to the work of issuing title deeds requires partnerships that may be hierarchical (Ramovha, 2022) with the municipality directing actions, with the outcomes pursued aligning with both. These steps may appear minimal, but they could contribute to improving the operational systems for both municipalities and helping them to reduce their backlogs – especially in instances where delays can be prevented – and improve output of title deeds within the 3-month timeframes while increasing collection rates.

5.1.3 Township Proclamations | Systems Structures

The event and pattern of behaviour around the proclamations as a systems structure are a result of the complexity that the infrastructural demands of the township proclamation process

require. This challenge is exacerbated by the murkiness of the issues around with whom the responsibility to respond to the legislative requirements lies. The municipalities feel this responsibility belongs to the province – especially because many of the projects affected were funded and completed by the provincial government (COJ – HOF, interview, 22 November 2023; COT – HoDiv, focus group, 22 November 2023; CAHF – PM, interview, 13 November 2023). The municipalities are already struggling with resource constraints and cannot effectively ensure that the infrastructure needed for compliance can be developed solely through their budgets. Additionally, much of the work needed for compliance requires internal alignment and alignment with the provincial government as well.

To address these issues, the model proposes that the system's structures respond more proactively to strengthening what the Inter-governmental Relations (IGR) initiatives – which include Cabinet Ministers and Members of the Executive Council (MECs) – are attempting to do. This applies the complex adaptive thinking methodology that engages the system internally (within the department itself) and across the boundaries of the system (Ramovha, 2022) with other departments, provincial and national government. The urgent address of this issue is vital for reducing a significant portion of the backlogs and freeing up the capacity of the municipalities to attend to the communities they have not yet reached.

“...But things are now improving because of this IGR... They are trying now to [resolve this], through the MinMEC – the Minister calls the MECs in the metros. So that's where they try to resolve this. It is not easy. But...we started to see synergies and collaborations. Collaboration is still not 100%...”

(COJ – HOF, interview, 22 September 2023)

Additional to structures put in place by the IGR initiatives and the engagements between ministers and MECs, efforts to lobby for support in responding to the backlogs can be more targeted. The involvement of other divisions within the municipality including the town planning and engineering teams is vital to structuring how this can improve the overall municipalities' ability to provide services. The identified mental models should shift towards a focus on how senior managers are positioned in and think differently about fostering stronger stakeholder engagement both internally and externally towards solving their problems. Mental model shifts reflect on how systems structures can be changed in a variety of ways and changes in patterns. The fragmented partnership structures create a diminished effort towards resolving infrastructure issues that the township declaration process requires.

“...it involves so many different departments and no one's engaging with it holistically. Everyone's doing their little piece, or they do nothing at all, because if they do their piece, it isn't valuable unless everyone else does the thing that they're supposed to do.”

(CAHF – PM, interview, 13 November 2023)

Partnership building is an important mental model shift and practice to continue until the system finds a way to deliver all required infrastructure fully prior to the handover of housing projects. With infrastructure being a more complex and expansive system issue, the efforts to strengthen partnerships can be made with stronger planning efforts within the municipal departments to start making incremental changes. This is alongside the formation of partnerships at national and provincial government levels. This approach is especially important for the potential revenues the municipalities can collect from being able to open municipal accounts for the households once they are titled. The considerations of the affordability of many households and their ability to pay rates and taxes may come into question, but this cannot fully be known until the houses can have municipal accounts. Additionally, should effective measures be taken to improve service delivery, there could be a better case for building trust with communities creating an avenue to improve willingness by residents to pay rates and taxes. Even with that consideration, the costs of not taxing these houses are higher mainly because of the contrast in budgets allocated for resolving these backlogs versus the growth of those backlogs over time. The revenue perspective is a strong basis for lobbying for support through the stakeholder engagement structures that exist especially if it could lead to improved relationships and trust with communities.

“...So then about two, three years ago...we've been supported by National Treasury in this work, by the City Support Programme, and their interest in it is multiple... So, the City Support Programme was interested because the city is having to write off water and electricity and rates for all of these properties. And some of the properties have now become more valuable than the rates threshold. So, people should be paying some form of rates...”

(CAHF – PM, interview, 13 November 2023)

Neither of the municipalities mentioned the National Treasury in the discussions about the budget and proclamation issues. However, CAHF has been able to engage the National Treasury through its Cities Support Programme (CAHF – PM, interview, 13 November 2023). The initiative is one that the National Treasury has been able to fund, supporting the progress of issuing title deeds. There is also an opportunity to explore property as an asset, which can help grow property markets overall, thereby creating more economic opportunity for recipients and the communities in which they live (Marais & Cloete, 2017). The building of trust and increasing economic opportunity could also create avenues to structure rates and taxes for these households as residents become more positively engaged with the system.

The approach of this aspect of the model requires effective leveraging of stakeholders, along with operations management that is structured to respond in a more focused way to represent the needs of the municipality in addressing this aspect of the backlogs. This is also important because the municipalities do not have full control of the process nor the budgets for it (COJ

– HOF, interview, 22 September 2023; COT – HoDiv, focus group, 22 November 2023). Shifting the mental models more effectively will allow for the systems structures to respond more cohesively to the issues. Part of this shift would be how senior managers put consideration into how to engage structures like the IGR to advocate for a holistic budget that is inclusive of infrastructure planning as part of housing project builds, for example. Through the leveraging of just internal relationships, additional funding capacity could be unlocked which can fund the infrastructure needs to close off the township declaration processes. Additionally, this shift could also help the municipalities deliver on their service delivery mandates more proportionately as the mental model shift also requires better internal collaboration.

5.1.4 Success Factors | Mental Models

In the proposed model, some aspects around implementing basic operational practices were taken into account. These have been included with an awareness of the present strengths of the municipalities. In reflecting on the staff capacity and ability of the municipalities to respond to operational changes, the first aspect is considering the local offices that are available to drive the provision of services to the recipient communities. All the success factors were specifically considered keeping in mind the findings outlined as challenges and what will be needed to create a conducive approach to effective implementation. Being able to map the local offices and staff available in each area will direct where and how resources from partner stakeholders are allocated for the best efficiency. From their website, the COJ has 33 local offices or walk-in centres located across its seven regions (see Tables 5.1 below). Not all these offices handle title deeds issues for subsidised housing; these were not explicitly mentioned in the interviews and specifics about which offices manage these issues are likely only accessible through direct inquiry at the local offices themselves. From their website, the COT has 25 regional offices, of which 19 specifically deal with human settlements issues (see Table 5.2 below).

Table 5.1: City of Johannesburg Overview of Regional Offices

[Source: [City of Johannesburg](#)]

Region A – 6	Region B – 3	Region C – 3	Region D – 5	Region E – 3	Region F – 7	Region G – 6
1. Midrand 2. Rabie Ridge 3. Ivory Park 4. Ebony Park 5. Mayibuye 6. Diepsloot	1. Randburg 2. Riverlea 3. Claremont	1. Florida Park 2. Roodepoort 3. Cosmo City	1. Jabulani 2. Diepkloof 3. Eldorado Park 4. Meadowlands 5. Orlando East	1. Alexandra 2. Modderfontein 3. Sandton	1. Eureka 2. Braamfontein x2 3. South Hills 4. Booyens 5. Vrededorp 6. Johannesburg Central	1. Lenasia x3 2. Orange Farm 3. Ennerdale 4. Eldorado Park

Table 5.2: City of Tshwane Overview of Regional Offices

[Source: [City of Tshwane](#)]

Region 1 – 9	Region 2 – 3	Region 3 – 4	Region 4 – 3	Region 5 – 2	Region 6 – 3	Region 7 – 1
1. Akasia 2. Beirut 3. Bodibeng 4. Mabopane Block A 5. Mabopane Block X 6. Ga-Rankuwa 7. Rosslyn 8. Soshanguve Block F 9. Soshanguve Block X	1. Sinoville 2. Temba 3. Hammanskraal	1. Fortsig 2. Atteridgeville 3. Umthengi (Tramshed) 4. Sammy Marks	1. Centurion 2. Laudium 3. Olievenhoutbosch	1. Rayton 2. Refilwe	1. Eersterust 2. Mamelodi 3. Shere	1. Bronkhorstspuit

Next, is the matter of each municipality having a full scope of the different backlog categories. Generally, the municipalities have knowledge of these different categories even at estimate levels which could be sufficient to help contextualise each of them. Reflecting on this data will ensure that the allocation of resources and focus of effort are linked to the correct backlog category to create the greatest impact. In reflecting on the collected data, it is clear that not all operational approaches are directed at responding to the right categories of the backlogs. Reviewing this categorised data will help clarify next steps and how the model could be applied for their specific contexts. Thereafter, it is essential to ensure that there are efforts to strengthen inter-governmental relations that are already in place with both municipalities. This model has reflected on how these can be strengthened to ensure that there is integrated stakeholder engagement and partnerships that will lead to the successful implementation of solutions at all levels of intervention. The conflicts that currently exist around the responsibilities and the perceptions of the municipalities towards provincial government need to be overcome to focus on the issues pertaining to the backlogs. The IGR factors in as an important approach to sustaining the full operability of the proposed model.

Lastly, the insights from the data have shown that advocacy groups are attempting to reach out to municipalities to support this work of addressing the backlogs, but the municipalities have not necessarily proactively worked at building partnerships in a successful way (CAHF – PM, interview, 13 November 2023). Given the efforts and understanding of the issue by non-governmental organisations like CAHF in this process, these partnerships are key to making the model work and increasing the capacity of the municipalities for greater reach.

5.2 Recommendations

Following the proposed model, as outlined in the literature and findings, there needs to be an operations management approach to facilitate the application of the systems change recommendations. The application of the contextualised 3S Model depicted in **Figure 5.2** below simplifies current complex systems without the requirement of additional resource allocations that could make implementation difficult. The 3S Model has been applied to outlining the key findings, and now the 3S Model is being applied to the final step of the mapping process – taking into consideration the stakeholders and the recommendations in the model. This has been done with the following in mind:

- **Strategic** – identifying if there is any misalignment in the understanding of the capabilities within the municipalities. To understand if all the objectives of the municipalities in question are fully understood by the actors who need to drive change.

- **Systemic** – the level of communication and coordination within the operational model that helps to create a picture of the functioning of the teams, agents, and actors within the system and how they could work together towards the successful delivery of outcomes.
- **Situational** – the space wherein service delivery occurs. Here, the implementation process must be communicated to ensure all stakeholders/actors within the system are equipped to fully respond to the outcomes set to ensure continuous operational efficiency.

As depicted in **Figure 5.2**, efficient operations management for responding to the backlogs is organised through a structured approach. The strategic focus is on how the backlogs are classified and budgets allocated within the business planning process. The business planning process helps the municipalities to structure a plan for allocating title deeds based on the current needs per year, creating incremental operational improvements. By presenting active challenges to the executives in the municipality who sign off on changes and budget allocations, incremental changes are promoted, responding effectively to the bottlenecks identified. This approach emphasises strategic partnerships which can strengthen the capacity to implement recommendations – this is also how mental models can start to shift; as innovative solutions are presented, actions may begin to change. The application of the 3S Model incorporates the best operational practices by allocating staff to undertake the implementation of changes as required. This operations management model is also recommended because of how it can assist to align the systems with strategy.

The implementation taskforce is recommended for focus around the allocation of staff like administrators in the head office, who capture the applications and deal with recipients and the challenges they face around the issuing of title deeds. The recommendation around the mapping of the staff available at the local offices is one of the focus areas to strengthen the allocation of a taskforce. This will ensure that every area where the problems lie is allocated to specific staff to attend to the implementation of change in the operational structure. The proposed model represents this throughout as Action Support Networks which are inclusive of the specific actors who can drive or support implementing change. This is taking into consideration all the stakeholders active within the process as the data has determined from the interviews. The specific actors within the Action Support Networks should be identified based on the need for representation across the system. They can be introduced to executive management structures such as the IGR, engagements with the Minister at Human Settlements, and the relevant MECs. This would require the initial advocacy of senior management of the municipalities to the IGR structure to create an understanding of the challenge and how the Action Support Network can help drive change.

3S Model applied to Findings and Recommendations

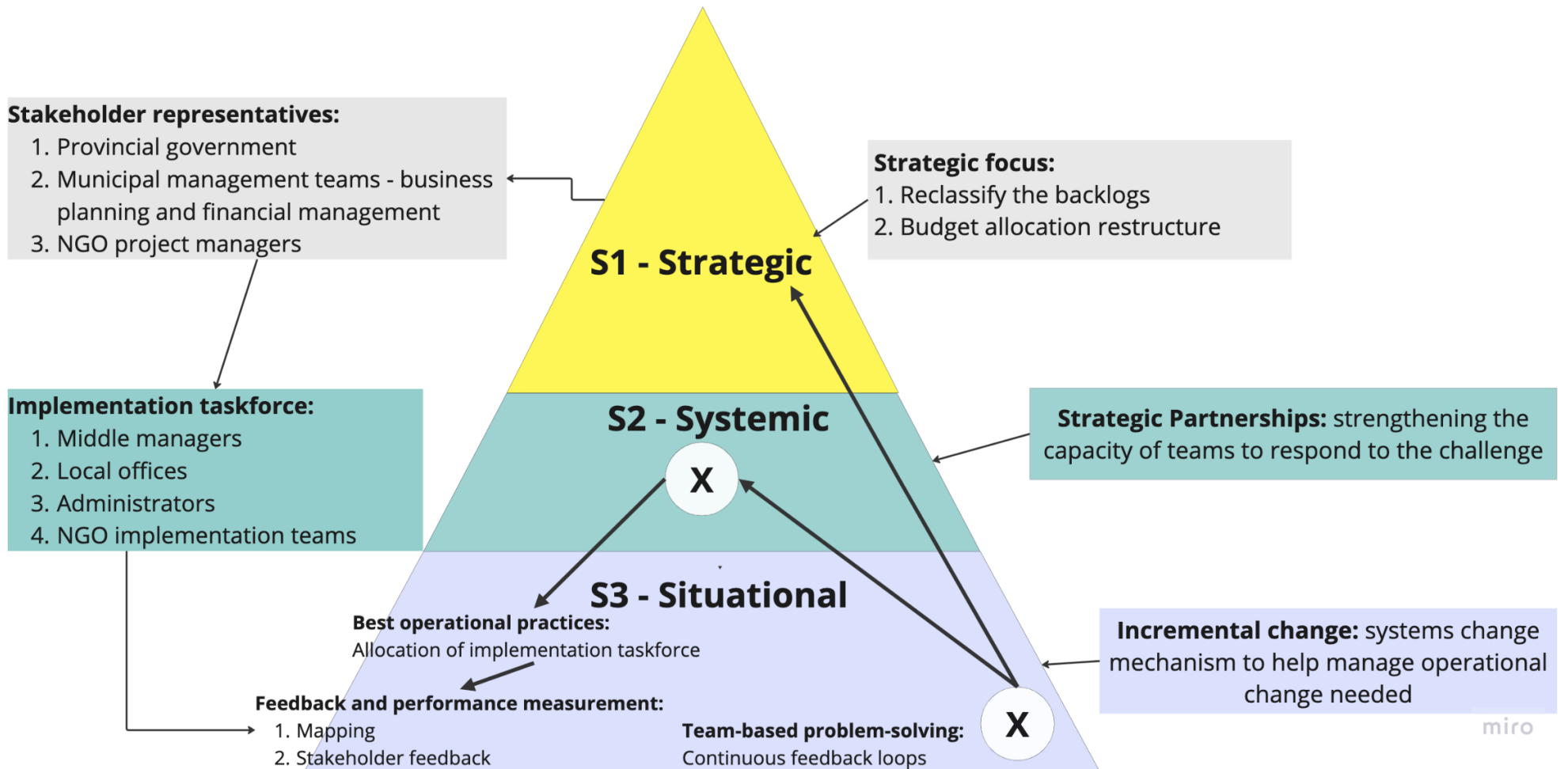


Figure 5.2: Findings and Recommendations through the 3S Model

[Source: Own adaptation of the 3S Model (Faull, 1998, p. 227) from empirical data]

The Action Steps, also indicated in the model are the recommended actions that the implementation taskforces can begin with and drive forward. The effectiveness of shifting the Mental Models requires the implementation taskforce and action networks to drive decision-making and inform other actors so change can begin to occur. By creating feedback structures, the implementation taskforce can continuously engage in problem-solving throughout the operations process. Feedback can also be created through a measurement of performance – this is also where some of the recommendations that follow are focused, to ensure that a more effective measurement process is created. In applying the findings and the outline of the 3S Model as it applies to the model – further recommendations follow next on how to make the implementation of the model more practical and yield results.

5.2.1 Reclassifying the Backlogs

The backlogs need to be reclassified to fit specific contexts and categories classified under a single title deeds registration backlog. The complexities demand that the backlogs be differentiated to help create better context for problem-solving. With the limited capacity for implementing innovation, the model approaches the recommendations by limiting them to what can realistically be implemented within a short space of time. The model targets three key areas of backlogs, suggesting that municipalities could provide the public and recipients with more context on why these challenges persist. Contextualising these issues publicly could foster understanding, trust, and possibly encourage recipients themselves to address some aspects within their control, like family disputes.

Additionally, communicating these challenges openly could increase awareness in national government to help create better, more responsive actions towards addressing the backlogs. This work requires strategic partnerships beginning with senior management and strategic planning stakeholders within the municipalities as a start. These stakeholders are the key decision-makers; they have influence over how the provincial government – who allocate budgets – perceives the challenge through the business planning process. These stakeholders – because of their roles – are also able to build partnerships with NGOs that can support the implementation initiatives that were included as part of the proposed model. The same stakeholders hold the role of representatives, ensuring that the implementation of the model is done effectively, but they are also the custodians of the strategy as well. They have the ability to champion the implementation of the strategy and the allocation of resources accordingly – including the mapping of the resources and staff allocations.

The challenge with this could be the resource constraints such as staff capacity. However, based on the data, it can be argued that significant efforts towards reclassification could

support a more efficient and strategic allocation of resources in the future. An operations management structure that is applied this way would simplify the process and reduce the pressure on dealing with the backlogs for staff in the long term. Categorising each of the challenges separately would also help with responses to budget needs to allocate resources for better efficiency.

5.2.2 Budget Allocations

The budget needs of the municipalities also require restructuring. The 2023/2024 Human Settlements budgets for both municipalities are outlined in **Figures 5.3** and **Figure 5.4** respectively. As confirmed through the interviews, the title deeds allocation process is largely funded through the USDG (COJ – HOF, interview, 22 September 2023; COT – HoDiv, focus group, 22 November 2023) making up around 63% of the capital budget at the COJ and around 44% for the capital budget of the COT (comprehensive budgets are included in Annexure 7¹⁹ and Annexure 8²⁰). Though these are significant budgets, they are directed at issuing title deeds rather than resolving backlogs; budget allocations target current title deeds rather than historical problems (COJ – HOF, interview, 22 September 2023; COT – HOD, focus group, 22 November 2023). The budgets do not specify the allocation for backlogs; and interviews highlighted that there is not much allocated towards this area and no specific percentage of budgets are earmarked for backlog reduction. The cost of addressing the backlogs is not clearly known from interview insights.

Capex

Source Of Funding	Approved Budget 2023/2024 R'000	Approved Budget 2024/2025 R'000	Draft Budget 2025/2026 R'000
External Loans	R 3 000	R 0	R 0
Cash CRR	R 16 000	R 38 000	R 5 000
USDG	R 921 737	R 1 094 074	R 1 643 067
UISP	R 515 075	R 747 187	R 547 187
Total	R 1 455 812	R 1 879 261	R 2 195 254

Figure 5.3: City of Johannesburg Capital Expenditure Summary

[Source: [City of Johannesburg](#)]

¹⁹ Annexure 7: City of Johannesburg Human Settlements Budget

²⁰ Annexure 8: City of Tshwane Human Settlements Budget

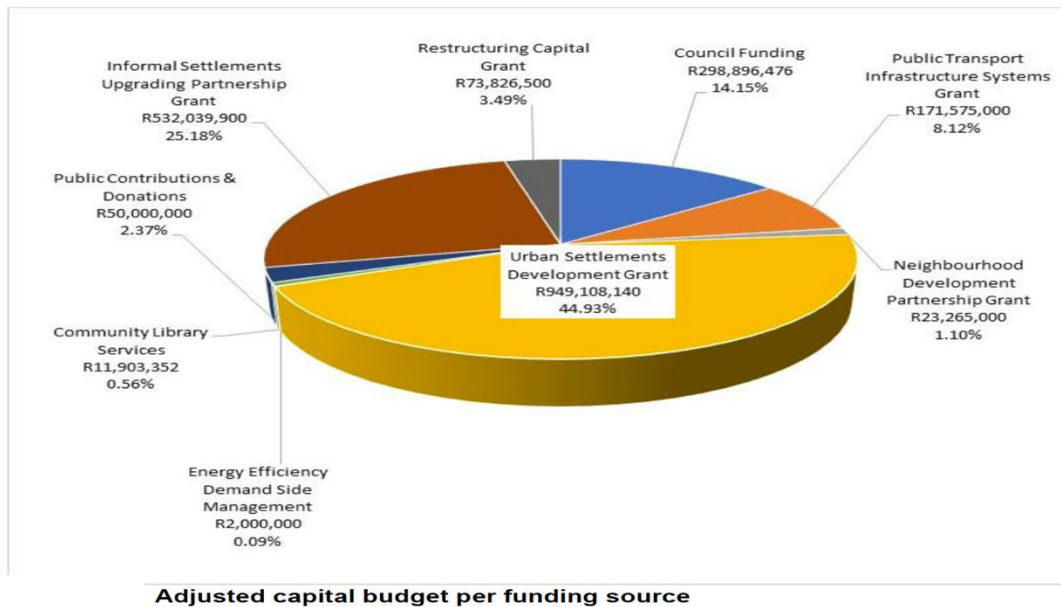


Figure 5.4: City of Tshwane Capital Expenditure Summary

[Source: [City of Tshwane](#)]

The budgets should be split across the full spectrum of activities related to addressing the backlogs and not just on the allocations of the title deeds for active projects. By allocating a more explicit budget to the backlogs, the magnitude of the budget needed will likely become clearer over time. The municipalities have established an operational rhythm (as outlined in **Figure 4.1** through the mapped process that has no delays) for allocating current title deeds; though it is not perfect, there is a continuing title deeds allocation process that the municipalities have attested is relatively inexpensive (COJ – HOF, interview, 22 September 2023; COT – HOD, focus group, 22 November 2023). The focus, therefore, needs to be on ensuring that the backlogs do not begin to increase exponentially by addressing existing backlogs and preventing the emergence of new ones.

With no specific budget currently allocated to support an effective response to the backlogs for subsidised housing, it is difficult for the operations to address them as needed. Additionally, because the problems vary significantly, the budgets must also be allocated differently to address them. The reclassification of the budget needs in the business planning process must therefore be restructured. Given that the township declarations and the family disputes require different budget allocations and scope of work, the budgeting needs to be more intuitive to these challenges. This process may not necessarily require any additional resources internally, but instead calls for strategic planning that is more accurate. This includes collaboration among the stakeholder representatives indicated in the 3S Model in **Figure 5.2**.

5.2.3 Implementation Approach

Internal and external partnerships are vital for ensuring that there is effective progress. By engaging external stakeholders through the relevant advocacy groups, the partnerships can help drive change faster and strengthen overall capacity. The connected municipal departments must be engaged together in making this process a priority. This is especially vital with the budget constraints that they all face. Additionally, a united front towards solving these challenges can also help in the IGR engagements to strengthen their cause for appropriate budget allocations and strengthened capacity to respond to the backlogs.

Structuring taskforces that will be strategically placed to respond to the areas where bottlenecks lie will help ensure that there is an allocation of responsibilities for stakeholders outside of the management teams. This also ensures that the skills capacity is distributed well to improve service delivery. Within these taskforces – including IGR and NGO partnerships – is the need to structure and strengthen reporting and data management which has been a long-standing issue for the COJ in particular (COJ – HOF, interview, 22 September). Continued engagements across the implementation taskforce will strengthen the ability to problem-solve across the system. The process should begin with mapping activities, such as mapping current offices, staff allocated to each, and assessing where the most complex to the least complex issues lie to develop an approach through the operations management recommendations outlined.

5.3 Conclusion

Through the mapping process informed by the data and the literature as the baseline, an outcome of this research to develop a model has been achieved. The development of the model has created a better picture of the magnitude of the challenges, and identified the most prevalent process blockers hindering effective delivery. The recommendations that follow the presentation of the model specifically address the best possible approach for ensuring that incremental change is applied given that the system has a variety of restrictions and barriers to innovation. By applying a systems change perspective, the approach to innovation can respond to the restrictive aspects within the operational environment. This has helped to contextualise the depth of the systemic and operational issues which were not entirely clear at the beginning of this research study.

Chapter 6: Conclusion

The study has revealed valuable information that was previously unclear or unknown about the title deeds backlogs in subsidised housing. The research question the study sought to answer is:

How may stakeholders in the housing sector address the title deeds registration backlog in South Africa?

This question was prompted by continuing challenges in resolving the provision of housing for the poor as discussed in chapters 1 and 2 and the impact of title deeds provision for subsidy recipients on overall service delivery. The question also sought to explore pathways for better service delivery systems in housing to better respond to the dire housing gaps that South Africa is facing, specifically concerning the title deeds backlogs.

Additionally, the study aimed to understand why municipalities are not addressing this growing gap fast enough. The research argues that the lack of timeous delivery of title deeds for subsidised housing is a systems-related service delivery issue. Furthermore, it contends that relevant actors in the institutions responsible for addressing the challenges do not have the full operational capacity to respond effectively, including staffing (number of people servicing recipients), allocation of funding resources to address the backlogs. It further stands against the actors having a vague understanding of the reasons behind the backlogs. The bottlenecks were investigated to find the gap in issuing title deeds for subsidised housing. **Figure 6.1** outlines how the findings and recommendations have been applied to respond to the research question.

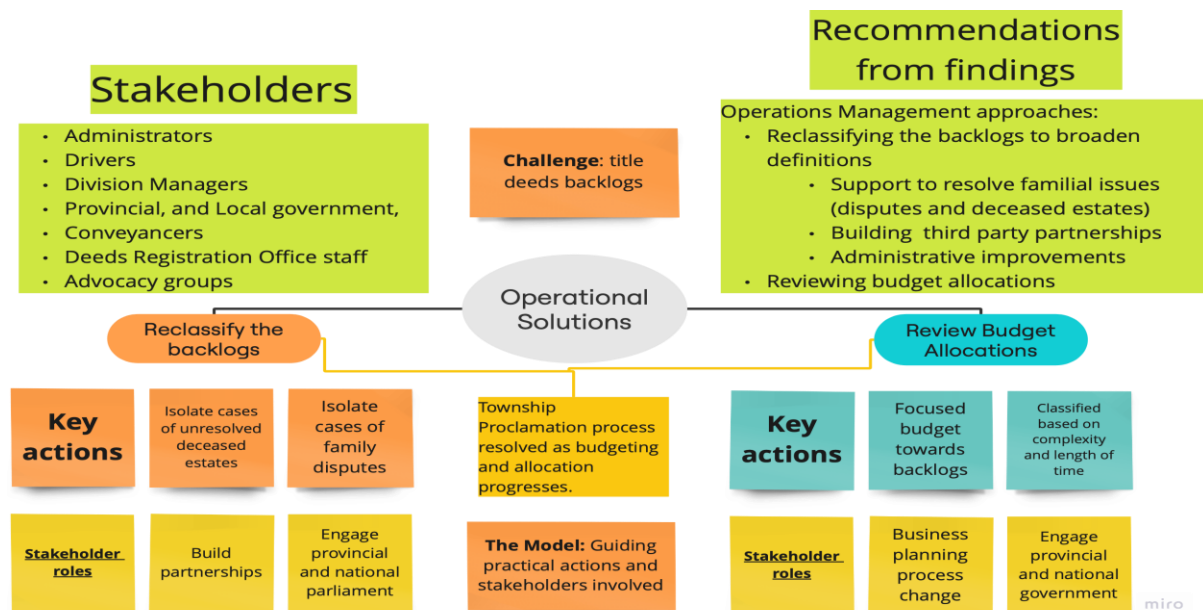


Figure 6.1: Summary of Findings and Recommended Actions

[Source: own]

The findings as summarised above outline key system-focused approaches that may support the stakeholders within the municipal systems linked to the issuing of title deeds. In considering the stakeholders outlined in the findings, the outcomes highlighted administrative challenges. A common challenge for both municipalities is the manual capturing process which hinders the ability to track the progress of the issuing process and sometimes leads to capturing errors. Data showed that municipalities – with internal stakeholders at varying levels of seniority interviewed – have a solid understanding of the policies and relevant knowledge around the issuing of title deeds for subsidised housing. Their perspectives also indicated that better service delivery methods – like improved administration processes are needed for more efficient operations management; they demonstrated having put thought into how solutions could be implemented for improvement.

The issue of staff capacity was brought up, especially the challenge of hiring for critical roles at both management and administrative levels. The first level of stakeholder actions thus focused on internal staffing and operational capacity within the title deeds issuing system. The literature outlined that a lot of the implementation challenges are around the internal staff capacity rather than a need for policy reform (Lubell, 2017). However, it appears the challenges are more related to operations management gaps, with the system struggling to adapt to the growing complexity of the problems linked to the backlogs. An additional summation of existing implementation challenges from the literature also reflected poor ethical leadership (Pillay et al., 2021) as it is sometimes difficult for stakeholders in the deeds issuing process to track expenditure and delivery of services, as well as corruption related to construction contracts (Maluleke et al., 2019). While these matters were not extensively discussed in the interviews, the study sought to focus on the operational changes needed to create more structured implementation capacity within municipalities (Radnor & Noke, 2013; Simbanegavi, 2021). This approach showed the gaps identified in the literature also outlined and helped provide feasible measures to implement change. Overall, the issue of corruption cannot be ruled out, but more operational challenges were identified as priority.

As a critical response to the research question, the model presented an overview of the stakeholders involved. The mapping of stakeholders created an overview of the manual and automated processes linked to implementation to help define how a model should be structured for the best possible success rate in implementation. This mapping step was also applied given the staff capacity and availability of automated systems. Understanding the tools available to implement change by the stakeholders helped define how to make the model practical for application to bringing change where the systems gaps exist. This consideration is why the model acknowledged the role of external stakeholder partnerships as a factor in facilitating suitable change.

The study found that responding to long-standing backlogs (deceased estates and family disputes) requires building of trust with communities and households. The interventions recommended for these specific issues is where the trusted partnerships are most required. The municipalities face many challenges related to mistrust that extend beyond title deeds to overall service delivery. Therefore, supporting and advocating for households in planning for their estates may be more effectively accomplished by trusted third party stakeholders like CAHF. Given that the family disputes and deceased estates are significant challenge in how quickly and effectively the backlogs can be resolved, stakeholder partnerships across a variety of sectors within the municipalities and through third parties were found to be key for driving the prevention of future backlogs.

Further to this, findings revealed that current operational management systems as they exist are inadequate to respond to the backlog challenges. The examination of operations management revealed that a few studies (Barry & Roux, 2016b; Barry & Whittal, 2016; Magagula & Mubangizi, 2019) have sought to understand these challenges, examining efficiency of database management and the capacity of municipalities to handle construction projects (Gordon et al., 2011a; Magagula & Mubangizi, 2019). Overall, several reasons for the existence of backlogs were identified including difficulties in tracking and tracing recipients over time (Bolt & Masha, 2019; Magagula & Mubangizi, 2019), and the inadequate attempts of the democratic government to rectify the legacy of the apartheid system on housing allocations (Levenson, 2014; Mpehle, 2015). These issues were in addition to the service delivery challenges already stated.

Also, issues around family assets and social dynamics affect the resolution of succession (Bolt & Masha, 2019). The findings revealed that because of the operational gaps, the reasons for the backlogs are known but not all of them are clearly defined in a transparent manner, reflecting on poor tracking systems and inconsistent measures of impact. It was clear from the data collected that operational gaps are present and vary in complexity depending on the municipality and the state of the backlogs.

Reviewing budget allocations was a specific solution. Though it seems complex, when implemented over time, budgeting was considered as the opportunity to create better operational capacity for the municipalities to respond to the backlogs more efficiently. While this process would still need patience, clearer budget allocations can improve backlog management particularly in areas where budgets are not explicitly allocated for addressing the backlogs in their identified categories as the findings presented.

Family disputes and deceased estates represent the longest-standing challenge and have proven to be the most confounding to the municipalities, requiring significant operational restructuring, such as the allocation of staff for community campaigns which may strain the municipalities financially and in terms of time capacity. However, when the business planning process related to the budgets is clearer on this need, long-term investment could be better considered to respond as the context of the backlogs continues to become clearer with more data available. The business planning process is done annually and would serve as a key reflection point to assess the impact of the budget against the results (Annexure 5²¹ is a specific example of a business plan). This aligns with the literature outlined on incremental change (Suoheimo et al., 2020) and an important systems change approach to ensure that even in complex systems, there can be operational transformation.

The reclassification of the backlogs focused on isolating family disputes could help create a more contextual understanding of the backlogs. The specific approach involves distinguishing between the different levels of backlogs considering factors such as complexity, cause, and expected time to resolution or time it has been standing unresolved. These are important measures that will inform budget allocations and could result in better planning. This planning could be for staff, partnerships, engagement with provincial and national government, and may even help improve public perceptions on why these challenges persist. The business planning process should specifically engage structures that already exist through the IGR relying on engagement with provincial and national government as strategic decisions are made and approved. The reclassification of the backlogs is a key action that, through partnerships like CAHF, could create sustainable solutions by leaning on the strengths that they have shown in being able to gather important data to track progress.

Building partnerships is therefore a key operational response that will help the municipalities cover persistent gaps in the response to the title deeds backlogs. Alongside more focused budget allocations, the findings clearly stated that the question of how the solution can be implemented requires collaboration and inter-governmental partnerships to ensure systemic change begins to occur. Both the step of the budget allocations and reclassification of the backlogs can also help to bring attention to the planning and inter-dependencies linked to the township proclamation process. Both the budgeting and reclassification approaches directly engage with the township proclamation challenges which also go beyond just the capacity of the municipalities. The linkages could be made clearer as the partnerships are reviewed in this aspect as well.

²¹ Annexure 5: City of Johannesburg Human Settlements Budget

The model sought to address some of these challenges with a focus on strengthening stakeholder partnerships. By connecting the challenge with needed actions and the partnerships required to achieve this, the model helps to paint a better picture of what planning for smoother operations can look like. This process can also help to map all dependencies; by breaking down the different events and linked system structures, the model can help to problem-solve through internal and external stakeholders. By integrating important success factors, the model also helps to create an understanding of how to monitor and evaluate progress. The model also applies the process of reclassifying the backlogs easily and could help municipalities visualise the problem better to improve targeted approaches to resolving the backlogs. By this delineation, budgeting can also be better justified through the business planning process. The model is therefore the key to how the findings of this study can be effectively applied. Additionally, the model suggested approaches to engaging advocacy groups and NGOs to partner in addressing the challenges around family disputes by supporting households to plan for succession and ensuring that they have wills in place. Slow collection rates can be addressed similarly through advocacy groups supporting community education to raise awareness about the urgency of collecting title deeds.

This study has contributed to scholarship specifically by deepening the understanding of the subsidised housing title deeds registrations backlogs. **Figure 2.1** in the literature review revealed that the issuing timelines for title deeds was not fully clear, nor the timelines known from just an examination of the literature. The literature revealed a limited overview of the process that municipalities follow; what it did help to do was show that the processes municipalities follow is not as readily accessible for subsidised housing as it is for mortgaged housing (Gordon et al., 2011a; Magagula & Mubangizi, 2019). The literature also revealed how difficult it is to obtain the information and related timelines especially for beneficiaries. The literature also created a valuable overview of the gaps that exist in the operations (Lubell, 2017; Magagula & Mubangizi, 2019; Nzau & Trillo, 2020), and service delivery issues (Motubatse et al., 2017; Pillay et al., 2021), potentially explaining the lack of information (Magagula & Mubangizi, 2019). While some issues were vaguely understood, the data collected provided significant clarity on where the challenges lie. The data revealed the actual timelines and processes implemented by both municipalities in issuing title deeds for subsidised housing. This was an aspect that the literature particularly could not fully capture and affected how timelines for the issuing of title deeds in this context were understood. The data also revealed the main aspects that create and exacerbate the backlogs within the system particularly identifying administrative issues (such as capturing mistakes and slow progress in issuing), and township proclamations are two of the three major contributors to the backlogs.

The third identified challenge which has led to the longest-standing backlogs is that of family disputes and deceased estates. Many families do not have wills in place to communicate succession plans and the allocation of assets. Additionally, disputes often arise when families cannot agree on a singular person to receive the title deed, fearing that potential conflict could jeopardise the family house. Therefore, when the original title deed registrant passes away, there is no decision on moving this forward and this is why these disputes have stood in the way of resolving the backlogs for decades. The model in **Figure 5.1** created key outlines on how this challenge can be addressed through incremental change and declassifying the backlogs – this is a valuable addition to scholarship especially given that this perspective was not necessarily found in the literature. The model developed also sought to address the challenges that the literature and data collected revealed by ensuring that a clear process flow was created. Data collected clarified the steps and defined relevant stakeholders and areas of support that could be available for recipients, including partnerships. Overall, the study has not only aligned with the existing literature but has also deepened the understanding of the problem, corroborating much of what was previously found and clarifying what was not fully understood.

This study also revealed several challenges in the system that were not specifically within the scope of the study and were therefore not fully examined. The more complex challenges around the migration of recipients and the struggles of the municipalities to contact them thereafter is an aspect that this study did not delve into. This is an issue that requires deeper research inclusive of an evaluation of poverty, economic development and the factors driving economic migration decisions. Additionally, this challenge would likely require its own systems-level response with more complex operational changes required. Additional opportunities for future research based on this study could include a focus on the process at provincial government level since the municipal processes are directly dependent on them. The role of developers and contractors has not been included in the scope of this study. Given the role they play in the delivery of housing – linked to both provincial and local government – there is an avenue of further study that could examine their role, specifically how they may be leveraged in supporting efficiencies in the process. The issues around corruption, effective service delivery and how these two are linked to community trust and how the public engages with local government initiatives is also an outcome of this study that was beyond the scope and could lead to further research. Further study may also focus more deeply on mental models and how shifting behaviours can affect systems change in the context of how housing service delivery is being driven forward. This could be related to the ways that the magnitude of the complexity in the system affects a willingness to drive solutions and implement new approaches. Other system-related issues affecting housing delivery also need further study

such as the township proclamations process and how the budget allocations for projects do not seem to be corresponding to the regulated requirements for the proclamations process. Further study could consider why these discrepancies exist and how that affects budget allocations and challenges in meeting targets in the future.

The research process presented some enlightening information to understanding the challenges faced by this complex system. Seeing how the offices operated and engaging with all levels of staff built a lot of empathy to the complexity of the challenges as stated above. The historical context and how it led the municipalities to where they are now also brought new perspective to why the challenges continue to persist. The observations in the municipal offices especially informed how the model might work best – without having had that experience, it is likely that any model developed would have been out of touch with the system and its challenges on a practical level.

The review of the literature lead to the observations being an added approach of the study with a lot of surveys and interview styles having been done in past research in this field. The model itself was a challenge to develop and took a number of iterations to become cohesive and responsive to the needs identified in the research – one challenge was to think within a limited scope because of the limited capacity that was identified in the municipal offices – all this meant was being realistic about what model could work to respond to the operational challenges the municipalities faced. The need to be practical was also informed by the challenge it was to obtain interviews in both municipalities given some of the time constraints that the interviewees had on top of the strike action that was active during interviews at the City of Tshwane. Bringing nuance to this topic also informed how the study was approached in the end, which is also why a model was one of the outcomes that was sought especially from an operational perspective. The solutions for this level of complexity do need to be simplified and thinking at that level can be a challenge while also trying to be innovative. Overall, this study was a rewarding experience and greatly informed the understanding I have of the kinds of obstacles the municipalities have to work around on a daily basis; the hope is that simplified solutions such as the model will find the right champions to help drive them forward to create better efficiency in delivering services to the people most in need of them.

Annexures

Annexure 1: Research Questions and Approach to Data Collection

Research aims	Question 1 per category	Question 2 per category	Question 3 per category	Question 4 per category
1 Seeking ways to respond to the title deeds backlogs for subsidised property owners and identify opportunities to improve operational implementation gaps in the title deeds registration process	What do you experience to be the administrative process that follows the registration of title deeds for subsidised houses? What are the steps as you know them?	How do you find this process to be for the subsidy recipients? Do they understand it and follow it clearly?	How has your experience been working with (x stakeholder) in this process?	Do you feel that this process can be changed in any way? What would that look like, in your opinion?
2 Compare how the metros allocate budgets, manage procedures, and engage with the national government on housing provision.	What is the current budget allocated by the Municipality to ensure registrations of title deeds?	What is the general understanding you have of the relationship the municipality has with the Department of Human Settlements and how title deeds budgets are allocated?	How do you find availability of budget to be in managing this process? Do you find it to be enough?	How often do you have to revise the budgets for this process? Do you have any room to motivate for more if you need it?
3 How do relevant stakeholders respond to the challenge of creating a working system that will accommodate the growing number of people needing their title deeds registered to obtain legal evidence of property ownership	What are the current systems in place to capture the application information related to the beginning phase of the title deed registrations for subsidy recipients?	How are you experiencing the department's capacity to handle the list of persons needing their title deeds registered? How is your experience of this capacity?	How is the budget allocated across the different tasks/responsibilities? Where do you find that the shortfalls lie? What has your experience been with the resource allocations?	
Examine whether the two metros mirror each other with distinct operational and administrative challenges that could determine the timeline outcomes of the registration processes.	Will not be asked in interviews - will be examined as part of the analysis process after the interviews above are completed.			
Developing a simple model for streamlining the operations gaps in the registrations of title deeds for subsidy holders				
Research question				
How may stakeholders in the housing sector explore solutions to address the title deeds registration backlog in South Africa?				
Sub (focus) questions				
1 How do the permutations within two comparative cities differ based on systems in place to register title deeds?	For analysis post interviews			
2 Are there any operational gaps currently existing within the housing markets that hinder the administrative efficiency of the registration of title deeds?	For analysis post interviews			
3 Where do the bottlenecks exist in the process?	For analysis post interviews			
4 Who are the primary stakeholders in the management of this process?	For analysis post interviews			
5 Mapping the system following feedback from the interview participants	During and post interviews			

Annexure 2: Ethical Clearance



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13 10 2022

Nontuthuzelo Nikiwe

Graduate School of Business

University of Cape Town

REF: REC 2022/10/012

Resolving Title Deeds Registration Backlogs in subsidised housing: a systems approach

We are pleased to inform you that your ethics application has been approved. Unless otherwise specified this ethical clearance is valid until 31-Dec-2023 .

Your clearance may be renewed upon application.

Please be aware that you need to notify the Ethics Committee immediately should any aspect of your study regarding the engagement with participants as approved in this application, change. This may include aspects such as changes to the research design, questionnaires, or choice of participants.

The ongoing ethical conduct throughout the duration of the study remains the responsibility of the principal investigator.

We wish you well for your research.

A handwritten signature in black ink, appearing to read 'JRousseau'.

2022.10.22
18:47:09 +02'00'

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"Our Mission is to be an outstanding teaching and research university, educating for life and addressing the challenges facing our society."

Annexure 3: Research Consent Form (Sample)



MASTER OF PHILOSOPHY IN INCLUSIVE INNOVATION

INTERVIEW CONSENT FORM:

Participant name:

I volunteer to participate in a research project conducted by **Nontuthuzelo Nikiwe** as partial fulfilment of the requirements for the MPhil Degree at the Graduate School of Business. I understand that the research is designed to gather information about **title deeds registrations backlogs at the City of Johannesburg and the City of Tshwane through the Deeds Registration Office** and that I will be one of approximately **twenty (10)** of people being interviewed for this research.

Background and purpose of the research

This study seeks ways to respond to the title deeds backlogs for subsidised property owners and identify opportunities to improve operational gaps in the title deeds registration process. This is specifically to respond to the challenge of creating a working system that will accommodate the growing number of people needing their title deeds registered to obtain legal evidence of property ownership (Gordon et al., 2011).

Ethics approval

Ethics consent for the study has been approved by the *UCT Commerce Faculty Ethics in Research Committee*

Participation and confidentiality

I understand that my participation in this research is voluntary, that I will not be compensated and that I may withdraw at any time.

The interview will take approximately 45 – 60 minutes to complete with each participant from the following informants: municipalities, legal practitioners, construction professionals, bank officials, and non-profit organisations in the housing sector.

I understand that I will not be identified by name in any reports using information obtained from this interview and that my confidentiality as a participant in this study will



remain secure. Subsequent uses of records and data will be subject to standard data use policies which protect the anonymity of individuals and institutions.

Consent

I consent to participate in this interview, based on the terms outlined above and subject to the following additional condition of my own (if any).

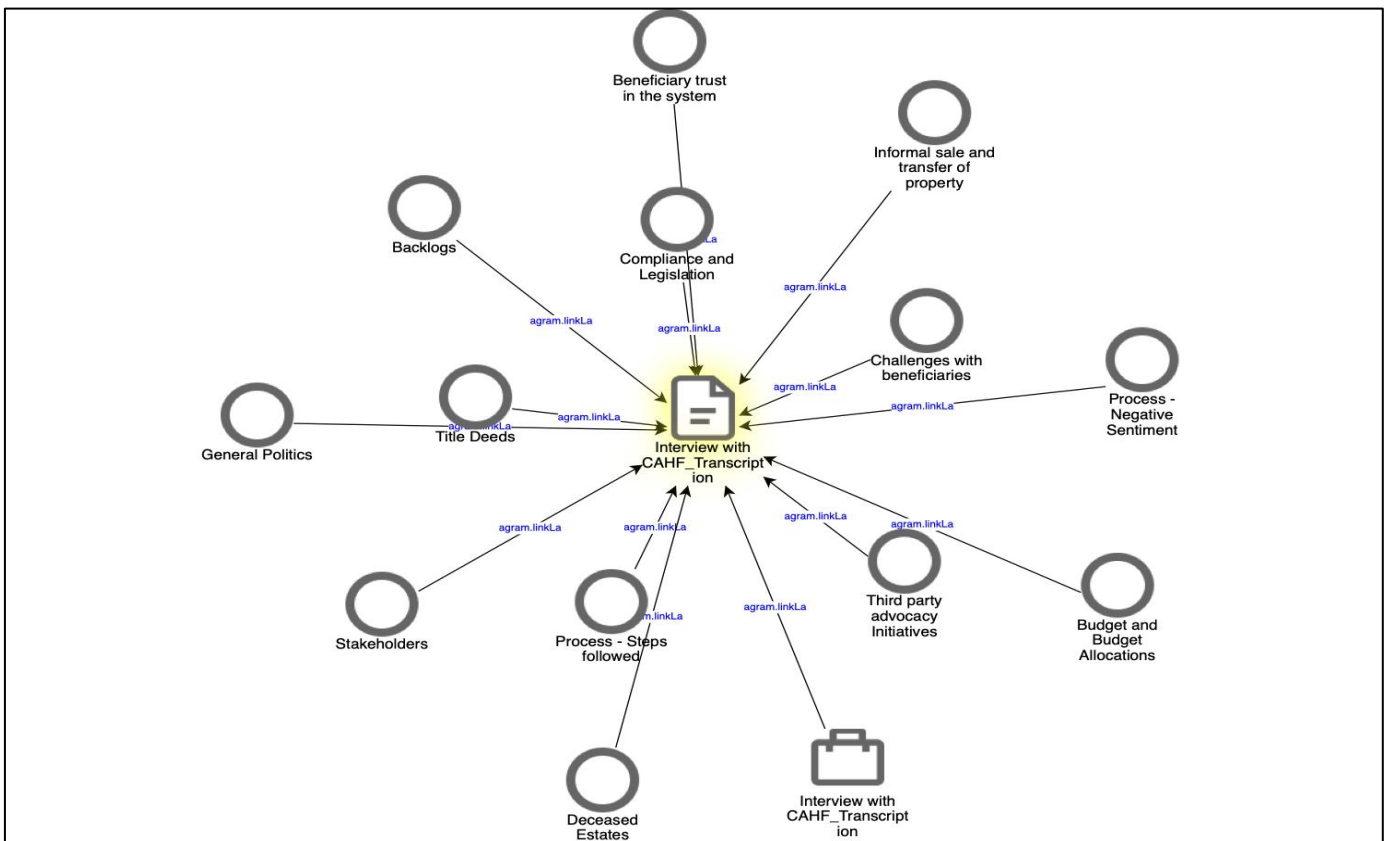
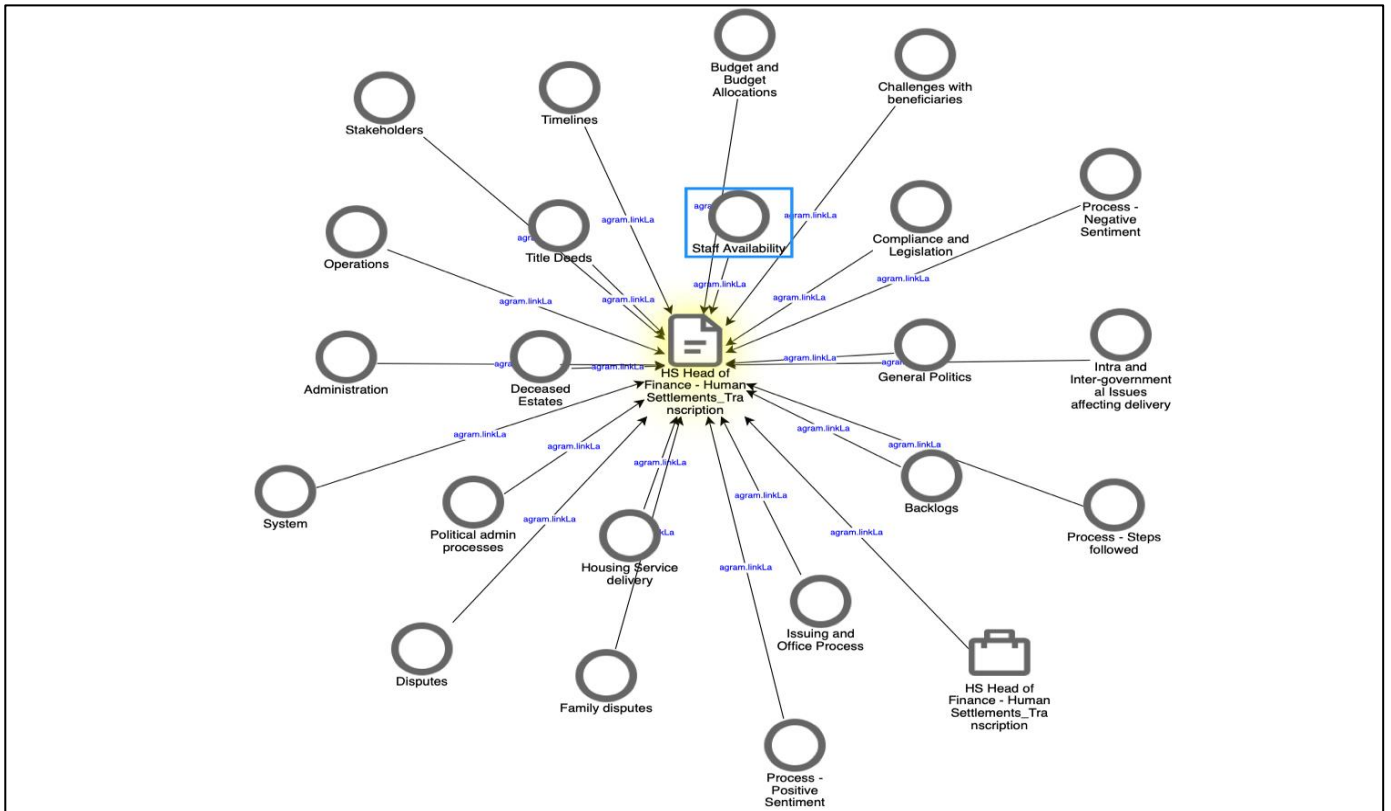
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Signed by interviewee

.....
Date

.....
Signed by Student

.....
Date

Annexure 4: Samples of NVivo Coded Data



Annexure 5: City of Johannesburg Title Deeds Backlog Breakdown

TITLE DEEDS

The City has the following areas where title deeds have yet to be issued:

- The City has a backlog of 50 775 title deeds out of 217 043 properties,
- Pre 1994 stock that *what has been registered over the years* involves properties in Soweto and sectional title schemes throughout the City is 9100,
- Unproclaimed townships, these refer to less formal townships that require gravel roads to be converted into tarred roads, at least 22 000 properties are affected through the City,

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REPORT OF TITLE DEEDS ISSUED IN THE FOURTH QUARTER OF 2021/2 FINANCIAL YEAR

1. STRATEGIC THRUST

Provide a resilient, liveable, sustainable urban environment , underpinned by smart infrastructure.

2. OBJECTIVE

The purpose of this report is to report to the Section 79 Committee on the title deeds issued in the fourth quarter of the 2021/2 financial year.

3. BACKGROUND

The Department of Human Settlement has the mandate of ensuring that ownership of council owned residential unit is transferred to qualifying beneficiaries. The title deed document is the legal instrument that will transfer rights and obligation of ownership to the holder.

The process of empowering tenants that have been renting government owned residential properties for decades, has been initiated by the first fully representative democratically elected South African Government under the leadership of President Mandela.

Since then, all spheres of government have incorporated title deed programme in their business plans to deal with backlog of unissued title deeds and fastrack issuing of title deeds immediately after the allocation process is finalised, in respect of new government housing developments.

4. ISSUING OF TITLE DEEDS

The title deeds lodgement and registration process of pre 1994 stand- alone and row houses residential units is not progressing as desired due to the following reasons among others:

- Budget constraints
- Township establishment complexity.
- Complex process of transferring government owned land to the City of Johannesburg Municipality and removal of any restrictions or endorsements prior transfer.
- Lengthy verification process to determine the legitimate beneficiaries in cases where the occupants have changed over time.
- Deceased Estates subjected to lengthy Master of Court legal processes.
- Family disputes as to who are the legitimate beneficiaries.
- Subdivision of stands that are occupied by multiple beneficiaries.

There is also huge backlog on pending transfer of flats ownership to qualifying beneficiaries for the following reasons among others:

- Lack of Capital Budget needed for making flats habitable and compliant to basic safety standards prior to initiating transfer process.
- Complex subdivision process before registration of sectional title schemes.
- Compliance to current sectional title town-planning and city building regulations is not practical in relation to flats that have been built prior to 1994 are already occupied.
- The insistence on conducting traffic assessment studies, parking lots allocation, and accesses routes requirements are some of the stringent requirements that are not practical for flats that have been constructed over the past 30 years.
- Lengthy verification process to determine the legitimate beneficiaries in cases where the occupants have changed over time.
- Deceased Estate subjected to lengthy legal Master of Court Processes.
- Family disputes as to legitimate beneficiaries

5. TITLE DEED ISSUED IN THE FOURTH QUARTER OF 2021/2 FINANCIAL YEAR

The Department issued **2811** title deeds in 2021/2 and the target as outlined in the departmental business plan is **2100** title deeds.

The details of title deeds issued for quarter 1 to quarter 3 has been provided on related departmental performance quarterly report.

The fourth quarter Departmental performance report did not contain the full details of the **877** title deeds that were issued as per table 1 below.

TABLE 1

PROJECT NAME	TOTAL
Claremont	1
Drieziek	341
Eldorado Park	35
Emdeni	2
Far East Bank	52
Ivory Park	27
Jabulani	1
Kanana Park	1
Lombardy East	32
Lufhereng	4
Meadowlands	2
Naledi X2	19
Orlando East	1
Protea	1
Riverside View	343
Thulani	1
Tshepisong	13

**COJ: SECTION 79 COMMITTEE
HUMAN SETTLEMENT DEPARTMENT
FINANCE**

2022 – 10 – 20

Zola	1
TOTAL	877

6. FINANCIAL IMPLICATIONS

The Department costs of registration and preparation for lodgement title deeds has been provided in 2021/2 budget allocation.

7. POLICY IMPLICATIONS

The issuing of title deed is accordance to the Department of Human Settlement Standard Operating Procedure on issuing of title deeds.

8. LEGAL AND CONSTITUTIONAL IMPLICATIONS

None

Annexure 6: City of Tshwane Outstanding Title Deeds and Township Proclamations

NO	TOWNSHIP	SG NUMBER	PROCLAIMED	PROC DATE	STATUS	DEEDS	OWNER
1	EERSTERUST X3	A6194/1971	YES	1975/03/12	REGISTERED	PARTIALLY	CITY OF TSHWANE
2	EERSTERUST X4	A6082/1972	YES	1975/05/07	REGISTERED	PARTIALLY	CITY OF TSHWANE
3	EKANGALA A	A7580/1987	YES	1988/10/24	REGISTERED	PARTIALLY	GAUTENG PROVINCE
4	EKANGALA A X1	782/2004	NO	-	REGISTERED	NO TRANSFER	GAUTENG PROVINCE
5	EKANGALA B	A6173/1993	YES	1994/03/07	REGISTERED	PARTIALLY	GAUTENG PROVINCE
6	EKANGALA C	L139/1983	YES	2001/02/23	REGISTERED	PARTIALLY	GAUTENG PROVINCE
7	EKANGALA D	A8492/1993	YES	1988/05/19	REGISTERED	PARTIALLY	GAUTENG PROVINCE
8	EKANGALA E	A9789/1993	YES	1989/05/09	REGISTERED	PARTIALLY	GAUTENG PROVINCE
9	EKANGALA F	A8852/1993	YES	1996/04/24	REGISTERED	PARTIALLY	GAUTENG PROVINCE
10	EKANGALA F X1	1922/1995	YES	1987/11/30	REGISTERED	NO TRANSFER	GAUTENG PROVINCE
11	EKANGALA F X2	3160/1996	YES	1987/11/30	REGISTERED	PARTIALLY	GAUTENG PROVINCE
12	EKANGALA F X3	12736/1997	NO	-	UNREGISTERED	NO TRANSFER	GAUTENG PROVINCE
13	EKANGALA F X4	10516/1997	NO	-	UNREGISTERED	NO TRANSFER	GAUTENG PROVINCE
14	EKANGALA F X5	10046/1999	NO	-	UNREGISTERED	NO TRANSFER	GAUTENG PROVINCE
15	RETHABISENG	L778/1990	YES	11/28/2001	REGISTERED	PARTIALLY	GAUTENG PROVINCE
16	RETHABISENG X1	L289/1990	YES	03/19/1998	REGISTERED	PARTIALLY	GAUTENG PROVINCE
17	RETHABISENG X2	L191/1990	YES	03/19/1998	REGISTERED	PARTIALLY	GAUTENG PROVINCE
18	RETHABISENG X3	L1757/1989	YES	03/19/1998	REGISTERED	PARTIALLY	GAUTENG PROVINCE
19	RETHABISENG X4	3306/1999	YES	1998/03/19	REGISTERED	NO TRANSFER	GAUTENG PROVINCE
20	RETHABISENG X5	1612/2011	NO	-	UNREGISTERED	NO TRANSFER	CITY OF TSHWANE
21	ZITHOBENI X8	4540/2016	NO	-	UNREGISTERED	NO TRANSFER	CITY OF TSHWANE
22	ZITHOBENI X9	5169/2015	NO	-	UNREGISTERED	NO TRANSFER	CITY OF TSHWANE
23	ZITHOBENI HEIGHTS	7757/2008	NO	-	UNREGISTERED	NO TRANSFER	CITY OF TSHWANE
24	ZITHOBENI HEIGHTS X1	7758/2009	NO	-	UNREGISTERED	NO TRANSFER	CITY OF TSHWANE
25	ZITHOBENI HEIGHTS X7	861/2020	NO	-	UNREGISTERED	NO TRANSFER	CITY OF TSHWANE

NO	TOWNSHIP	SG NUMBER	PROCLAIMED	PROC DATE	STATUS	DEEDS	OWNER
26	OLIEVENHOUTBOS X22	4602/2004	YES	2018/03/07	REGISTERED	NO TRANSFER	CITY OF TSHWANE
27	OLIEVENHOUTBOS X24	3638/2003	YES	2009/12/14	REGISTERED	PARTIALLY	CITY OF TSHWANE
28	OLIEVENHOUTBOS X27	NO SG	NO	-	UNREGISTERED	NO TRANSFER	GAUTENG PROVINCE
29	OLIEVENHOUTBOS X36	11133/2006	YES	2007/02/22	REGISTERED	PARTIALLY	CITY OF TSHWANE
30	OLIEVENHOUTBOS X60	4453/2016	NO	-	UNREGISTERED	NO TRANSFER	CITY OF TSHWANE
31	KUDUBE UNIT 1	6390/2001	YES	08/28/2009	REGISTERED	PARTIALLY	CITY OF TSHWANE
32	THEMBA VIEW X1	286/2014	NO	-	UNREGISTERED	NO TRANSFER	CITY OF TSHWANE
33	KUDUBE UNIT 5	3976/2012	NO	-	UNREGISTERED	NO TRANSFER	CITY OF TSHWANE
34	KUDUBE UNIT 7	4325/1998	YES	2002/07/24	REGISTERED	PARTIALLY	CITY OF TSHWANE
35	KUDUBE UNIT 9	1906/2020	NO	-	UNREGISTERED	NO TRANSFER	CITY OF TSHWANE
36	KUDUBE UNIT 10	8371/2002	NO	-	UNREGISTERED	NO TRANSFER	CITY OF TSHWANE
37	KUDUBE UNIT 11	7068/2001	NO	-	REGISTERED	NO TRANSFER	CITY OF TSHWANE
38	DILOPYE	6218/2001	NO	-	UNREGISTERED	NO TRANSFER	CITY OF TSHWANE
39	MANDELA VILLAGE X2	9040/2008	NO	-	UNREGISTERED	NO TRANSFER	NATIONAL GOVERNMENT
40	STEVE BIKOVILLE X1	NO SG	NO	-	UNREGISTERED	NO TRANSFER	CITY OF TSHWANE
41	STEVE BIKOVILLE X2	NO SG	NO	-	UNREGISTERED	NO TRANSFER	CITY OF TSHWANE
42	STEVE BIKOVILLE X3	NO SG	NO	-	UNREGISTERED	NO TRANSFER	CITY OF TSHWANE
43	STEVE BIKOVILLE X4	NO SG	NO	-	UNREGISTERED	NO TRANSFER	CITY OF TSHWANE
44	STEVE BIKOVILLE X5	NO SG	NO	-	UNREGISTERED	NO TRANSFER	CITY OF TSHWANE
45	STEVE BIKOVILLE X6	NO SG	NO	-	UNREGISTERED	NO TRANSFER	CITY OF TSHWANE
46	STEVE BIKOVILLE X7	NO SG	NO	-	UNREGISTERED	NO TRANSFER	CITY OF TSHWANE
47	STEVE BIKOVILLE X8	NO SG	NO	-	UNREGISTERED	NO TRANSFER	CITY OF TSHWANE
48	STEVE BIKOVILLE X9	NO SG	NO	-	UNREGISTERED	NO TRANSFER	CITY OF TSHWANE
49	STEVE BIKOVILLE X10	NO SG	NO	-	UNREGISTERED	NO TRANSFER	CITY OF TSHWANE

NO	TOWNSHIP	SG NUMBER	PROCLAIMED	PROC DATE	STATUS	DEEDS	OWNER
50	NEW EERSTERUS	470/2011	NO	-	UNREGISTERED	NO TRANSFER	CITY OF TSHWANE
51	NEW EERSTERUS X2	486/2011	NO	-	REGISTERED	PARTIALLY	CITY OF TSHWANE
52	NEW EERSTERUS X4	484/2011	NO	-	UNREGISTERED	NO TRANSFER	CITY OF TSHWANE
53	NEW EERSTERUS X5	481/2011	NO	-	UNREGISTERED	NO TRANSFER	CITY OF TSHWANE
54	NEW EERSTERUS X6	488/2011	NO	-	UNREGISTERED	NO TRANSFER	CITY OF TSHWANE
55	NEW EERSTERUS X7	475/2011	NO	-	UNREGISTERED	NO TRANSFER	CITY OF TSHWANE
56	SOSHANGUVE M	A2534/1989	YES	03/31/1992	REGISTERED	PARTIALLY	GAUTENG PROVINCE
57	SOSHANGUVE K	A1/1993	YES	03/31/1992	REGISTERED	PARTIALLY	GAUTENG PROVINCE
58	SOSHANGUVE NN	8750/1997	YES	2003/11/06	REGISTERED	PARTIALLY	CITY OF TSHWANE
59	SOSHANGUVE IA	A1139/1990	YES	11/14/1992	REGISTERED	PARTIALLY	GAUTENG PROVINCE
60	SOSHANGUVE MM	7/2016	NO	-	UNREGISTERED	NO TRANSFER	CITY OF TSHWANE
61	SOSHANGUVE SS X5	3486/2014	NO	-	UNREGISTERED	NO TRANSFER	CITY OF TSHWANE
62	SOSHANGUVE PP X2	6322/2006	YES	2013/07/31	REGISTERED	PARTIALLY	CITY OF TSHWANE
63	SOSHANGUVE PP X3	6323/2006	YES	2017/09/03	REGISTERED	PARTIALLY	CITY OF TSHWANE
64	SOSHANGUVE Y X1	3674/2013	NO	-	UNREGISTERED	NO TRANSFER	CITY OF TSHWANE
65	SOSHANGUVE X X1	3678/2013	NO	-	UNREGISTERED	NO TRANSFER	CITY OF TSHWANE
66	SOSHANGUVE B	5408/1997	YES	03/17/2008	REGISTERED	PARTIALLY	CITY OF TSHWANE
67	SOSHANGUVE TT	A7241/1992	YES	11/16/1992	REGISTERED	PARTIALLY	GAUTENG PROVINCE
68	SOSHANGUVE SOUTH X1	4877/1998	YES	10/27/2010	REGISTERED	PARTIALLY	CITY OF TSHWANE
69	SOSHANGUVE SOUTH X4	8791/1997	YES	1999/10/02	REGISTERED	PARTIALLY	CITY OF TSHWANE
70	SOSHANGUVE SOUTH X5	8748/1997	YES	1999/10/02	REGISTERED	PARTIALLY	CITY OF TSHWANE
71	SOSHANGUVE SOUTH X8	6512/2000	YES	2009/09/12	REGISTERED	PARTIALLY	CITY OF TSHWANE
72	SOSHANGUVE SOUTH X9	6513/2000	YES	2009/09/12	REGISTERED	PARTIALLY	CITY OF TSHWANE
73	SOSHANGUVE SOUTH X10	6654/2000	YES	2009/09/12	REGISTERED	PARTIALLY	CITY OF TSHWANE
74	SOSHANGUVE SOUTH X11	8944/1998	NO	-	UNREGISTERED	NO TRANSFER	CITY OF TSHWANE
75	SOSHANGUVE SOUTH X19	5237/2015	NO	-	UNREGISTERED	NO TRANSFER	GAUTENG PROVINCE
76	SOSHANGUVE EAST X8	13928/1998	NO	-	UNREGISTERED	NO TRANSFER	CITY OF TSHWANE

NO	TOWNSHIP	SG NUMBER	PROCLAIMED	PROC DATE	STATUS	DEEDS	OWNER
77	MABOPANE T	8874/2003	YES	07/19/2005	REGISTERED	NO TRANSFER	CITY OF TSHWANE
78	MABOPANE CV	10200/2004	YES	04/28/2008	REGISTERED	PARTIALLY	CITY OF TSHWANE
79	MABOPANE X1	5036/2015	NO	-	UNREGISTERED	NO TRANSFER	CITY OF TSHWANE
80	MABOPANE X2	2559/2014	NO	-	UNREGISTERED	NO TRANSFER	CITY OF TSHWANE
81	MABOPANE X12	2535/2019	NO	-	UNREGISTERED	NO TRANSFER	CITY OF TSHWANE
82	KOPANONG	553/2001	YES	2002/01/12	REGISTERED	NO TRANSFER	NORTH-WEST HOUSING CORP
83	KOPANONG X1	3811/2005	YES	11/24/2004	REGISTERED	NO TRANSFER	NORTH-WEST HOUSING CORP
84	WINTERVELD X2	Y98/1995	YES	02/28/1996	REGISTERED	PARTIALLY	CITY OF TSHWANE
85	WINTERVELD X3	4986/2005	YES	2006/06/02	REGISTERED	PARTIALLY	CITY OF TSHWANE
86	WINTERVELD X4	2065/2013	NO	-	UNREGISTERED	NO TRANSFER	CITY OF TSHWANE
87	REFILWE MANOR	5096/2013	YES	04/20/2016	REGISTERED	NO TRANSFER	CITY OF TSHWANE
88	REFILWE X7	4404/2016	NO	-	UNREGISTERED	NO TRANSFER	CITY OF TSHWANE
89	REFILWE X10	2363/2017	NO	-	UNREGISTERED	NO TRANSFER	CITY OF TSHWANE
90	ATTERIDGEVILLE X16	14776/1998	YES	2003/11/06	REGISTERED	PARTIALLY	CITY OF TSHWANE
91	ATTERIDGEVILLE X17	3172/1999	YES	2000/01/04	REGISTERED	PARTIALLY	CITY OF TSHWANE
92	ATTERIDGEVILLE X18	2162/2001	YES	01/31/2003	REGISTERED	PARTIALLY	CITY OF TSHWANE
93	ATTERIDGEVILLE X19	NO SG	NO	-	UNREGISTERED	NO TRANSFER	CITY OF TSHWANE
94	LOTUS GARDENS	A3366/1990	YES	1991/05/13	REGISTERED	PARTIALLY	CITY OF TSHWANE
95	GA-RANKUWA UNIT 1	1472/1997	NO	-	UNREGISTERED	FULL TRANSFER	CITY OF TSHWANE
96	GA-RANKUWA UNIT 10	Y172/1994	YES	01/23/2009	REGISTERED	NO TRANSFER	CITY OF TSHWANE
97	GA-RANKUWA UNIT 17	Y170/1990	YES	2009/01/23	REGISTERED	PARTIALLY	CITY OF TSHWANE
98	MAMELODI X11	3178/1997	YES	01/21/1999	REGISTERED	PARTIALLY	CITY OF TSHWANE
99	MAMELODI X18	2185/2002	YES	05/14/2010	REGISTERED	PARTIALLY	CITY OF TSHWANE
100	MAHUBE VALLEY X2	1874/1995	YES	11/29/1995	REGISTERED	PARTIALLY	CITY OF TSHWANE
101	NELLMAPIUS X21	NO SG	NO	-	UNREGISTERED	NO TRANSFER	CITY OF TSHWANE
102	NELLMAPIUS X22	1621/2012	NO	-	UNREGISTERED	NO TRANSFER	CITY OF TSHWANE
103	NELLMAPIUS X24	NO SG	NO	-	UNREGISTERED	NO TRANSFER	CITY OF TSHWANE

Annexure 7: City of Johannesburg Human Settlements Budget

[[Full Business Plan document available here](#)]

6.2 CAPITAL EXPENDITURE

Project ID	Project Name	Key Performance Area	Total Draft Budget 2023/2024 R'000	Total Draft Budget 2024/2025 R'000	Total Draft Budget 2025/2026 R'000
4255	Land Acquisition for Housing New Bulk Infrastructure JOHANNESBURG F City Wide	Acquisition of land for human settlements developments	150 000,00	50 890,00	100 890,00
2755	Site and Services - Renewal Bulk Infrastructure JOHANNESBURG F City Wide	Construction of serviced sites	-	20 000,00	-
3456	COSMO CITY PHASE 2 (MALIBONGWE RIDGE) New Bulk Infrastructure COSMO CITY C Regional	Construction of Subsidised housing units	22 737,00	20 000,00	29 000,00
3457	Diepsloot Redevelopment Northern Farms New Bulk Infrastructure DIEPSLOOT A.H. A Regional	Construction of Subsidised housing units	30 000,00	30 000,00	-
2683	Fleurhof Mixed Development (Bulk and internal infrastructure) New Bulk Infrastructure FLEURHOF C	Construction of Subsidised housing units	45 000,00	70 000,00	40 000,00
2889	Goudrand Rental Development New Bulk Infrastructure GOUDRAND C Ward	Construction of Subsidised housing units	40 000,00	44 074,00	40 000,00
2566	Lufhereng Mixed Development (Bulk, Link & Internal Infrastructure Roads, Storm Water Management Systems,	Construction of Subsidised housing units	385 000,00	654 000,00	953 000,00
2671	South Hills Housing Mixed Development New RDP Houses SOUTH HILLS F Ward	Construction of Subsidised housing units	40 000,00	60 000,00	40 000,00
3186	Lehae Ext 1: Development of Bulk Link and Internal Infrastructure	Construction of Subsidised housing units	0	0	0
	Southern Farms		10 000,00	10 000,00	21 067,00
	TOTAL	Mixed Housing Infrastructure	572 737,00	888 074,00	1 123 067,00

Project ID	Project Name	Key Performance Area	Total Draft Budget 2023/2024 R'000	Total Draft Budget 2024/2025 R'000	Total Draft Budget 2025/2026 R'000
2548	Inner City Upgrading (Transitional/ Emergency and Rental Stock) Renewal Rental Flats JOHANNESBURG F Regional	Construction of Temporary Emergency Accommodation (TEA) units within the Inner City	16 000,00	15 000,00	40 000,00
4010	Perth Empire Corridor (Housing) Renewal Corridors of Freedom Intervention WESTBURY B Regional	Construction of Temporary Emergency Accommodation (TEA) units within the Inner City	-	-	-
	TOTAL	TEA	16 000,00	15 000,00	40 000,00
2893	Diepkloof Hostel Renewal Bulk Infrastructure DIEPKLOOF EXT.10 D Ward	Hostel Upgrade	-	-	30 000,00
2751	Dube Hostel Renewal Building Alterations DUBE EXT.2 D Ward	Hostel Upgrade	10 000,00	10 000,00	15 000,00

Project ID	Project Name	Key Performance Area	Total Draft Budget 2023/2024 R'000	Total Draft Budget 2024/2025 R'000	Total Draft Budget 2025/2026 R'000
2771	Helen Josephs Refurbishment and Upgrading of Women's Hostel Renewal Building Alterations ALEXANDRA EXT.52 E Ward	Hostel Upgrade	-	10 000,00	10 000,00
22183	Madala Hostel Redevelopment	Hostel Upgrade	19 000,00	10 000,00	20 000,00
2752	Meadowlands Hostel Renewal Building Alterations MEADOWLANDS D Ward	Hostel Upgrade	-	-	20 000,00
2769	Refurbishment and Upgrading of M2 Hostel Renewal Building Alterations ALEXANDRA EXT.52 E	Hostel Upgrade	-	-	-
	TOTAL	Hostel Upgrade	29 000,00	30 000,00	95 000,00

Project ID	Project Name	Key Performance Area	Total Draft Budget 2023/2024 R'000	Total Draft Budget 2024/2025 R'000	Total Draft Budget 2025/2026 R'000
22758	Stock, Flats and Old-Age Home Upgrading	Refurbishment of Flats and retirement villages	30 000,00	20 000,00	15 000,00
2565	Bramfischerv iie Ext 12&13: Roads and Stormwater Management Systems including a Pedestrian Bridge New Bulk Infrastructure BRAM FISCHERVILLE EXT.13 C Ward	Upgrading and Surfacing of Roads	15 000,00	10 000,00	25 000,00
6571	Bramfischerv iie Ext 7 & 8 New Bulk Infrastructure	Upgrading and Surfacing of Roads	20 000,00	15 000,00	25 000,00
6581	Drieziek Ext 4 - New Bulk Infrastructure	Upgrading and Surfacing of Roads	20 000,00	10 000,00	25 000,00

Project ID	Project Name	Key Performance Area	Total Draft Budget 2023/2024 R'000	Total Draft Budget 2024/2025 R'000	Total Draft Budget 2025/2026 R'000
3207	Drieziek Ext.3 (2989) New Bulk Infrastructure DRIEZIEK EXT.3 G Ward	Upgrading and Surfacing of Roads	20 000,00	10 000,00	10 000,00
3208	Drieziek Ext.5 (1540) New Bulk Infrastructure DRIEZIEK EXT.5 G Ward	Upgrading and Surfacing of Roads	20 000,00	10 000,00	25 000,00
3211	Ennerdale South (1902 stands) (Formerly Finetown Proper) New Bulk Infrastructure ENNERDALE G Ward	Upgrading and Surfacing of Roads	20 000,00	10 000,00	25 000,00
3203	Finetown Proper (1878 stands) New Bulk Infrastructure FINETOWN G Ward	Upgrading and Surfacing of Roads	10 000,00	6 000,00	10 000,00
3197	Kanana Park Ext 1 (788) New Bulk Infrastructure KANANA PARK EXT.1 G Ward	Upgrading and Surfacing of Roads	15 000,00	15 000,00	15 000,00
22115	Kanana Park Ext 2	Upgrading and Surfacing of Roads	15 000,00	15 000,00	20 000,00
3204	Kanana Park Ext 3,4 & 5 New Bulk Infrastructure KANANA PARK EXT.3 G Ward	Upgrading and Surfacing of Roads	15 000,00	10 000,00	20 000,00
2733	Lakeside Ext 3,4 & 5: Roads and Bulk Stormwater Systems New Bulk Infrastructure	Upgrading and Surfacing of Roads	-	-	10 000,00
2891	Matholesville New Bulk Infrastructure MATHOLESVILLE C Ward	Upgrading and Surfacing of Roads	-	-	-
2274	Tshepisoong Proper - Bulk Stormwater New Bulk Infrastructure TSHEPISOONG C Ward	Upgrading and Surfacing of Roads	20 000,00	10 000,00	25 000,00
3202	Vlakfontein Ext 3 (2045) New Bulk Infrastructure VLAKFONTEIN EXT.3 G Ward	Upgrading and Surfacing of Roads	-	-	-
3184	Elias Motsoaledi New Bulk Infrastructure DIEPKLOOF EXT.10 D Ward	Upgrading and Surfacing of Roads	55 000,00	15 000,00	35 000,00
3185	Klipspruit/Kliptown New Bulk Infrastructure (Housing project around the Walter Sisulu Square) KLIPSPRUIT D Ward	Upgrading and Surfacing of Roads	45 000,00	20 000,00	50 000,00
	TOTAL	Upgrading and Surfacing of Roads	290 000,00	156 000,00	320 000,00
23409	Formalisation of Informal Settlement (UISP)	Upgrading of Informal Settlements	365 075,00	696 297,00	496 297,00
2492	Operational capital (HS) New Operational Capex	Tools of Trade	3 000,00	3 000,00	5 000,00
	TOTAL		1 455 812,00	1 879 261,00	2 195 254,00

Annexure 8: City of Tshwane Human Settlements Budget

[Full budget document available [here](#)]

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3.2 2023/24 capital budget adjustments

A capital budget to the amount of R2,3 billion was approved for the 2023/24 financial year. The 2023/24 adjusted capital budget resulted in a decrease of R235,1 million. Capex grants were reduced by R247, 2 million mainly USDG, ISUPG and PTIS. Project were reprioritised to effect the reduction on grants.

Table 6: Summary of the 2023/24 adjusted capital budget per funding source

Funding Source Description	Budget 2023/24	Adjusted Budget 2023/24	Movements
Council Funding	286,746,476	298,896,476	12,150,000
Public Transport Infrastructure Systems Grant	250,575,000	171,575,000	-79,000,000
Neighbourhood Development Partnership Grant	15,465,000	23,265,000	7,800,000
Urban Settlements Development Grant	1,057,425,130	949,108,140	-108,316,990
Energy Efficiency Demand Side Management	7,500,000	2,000,000	-5,500,000
Community Library Services	12,294,000	11,903,352	-390,648
Public Contributions & Donations	50,000,000	50,000,000	
Informal Settlements Upgrading Partnership Grant	588,858,450	532,039,900	-56,818,550
Restructuring Capital Grant	78,822,852	73,826,500	-4,996,352
TOTAL	2,347,686,908	2,112,614,368	-235,072,540

The following graph illustrates the capital budget per funding source:

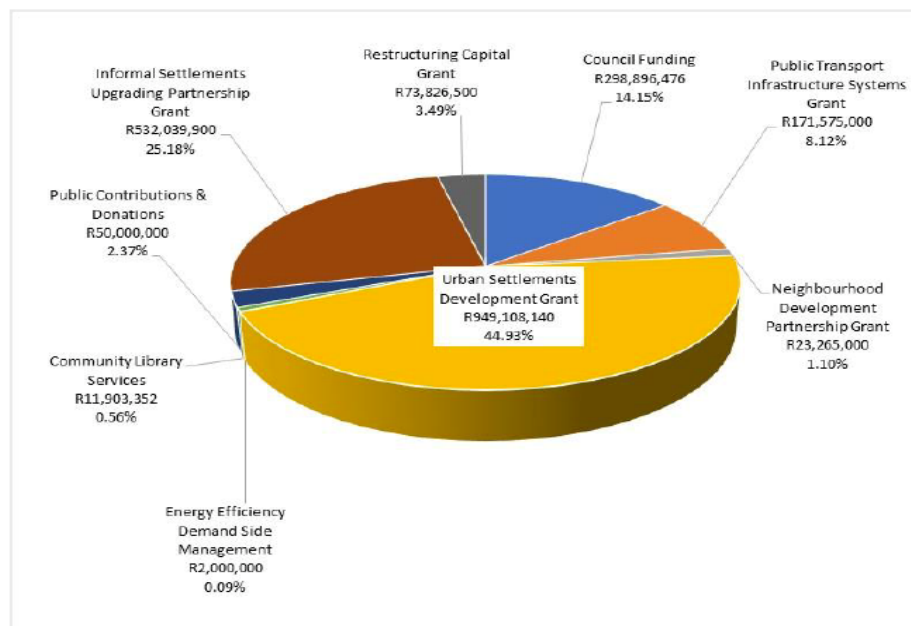


Figure 1: Adjusted capital budget per funding source

The following table is a breakdown of the adjusted 2023/24 capital budget per department:

Table 7: Summary of the 2023/24 adjusted capital budget per department

Department	Budget 2023/24	Adjusted Budget 2023/24	Movements
Office of the City Manager	2,000,000	2,400,000	400,000
Office of the Chief Operations Officer	9,465,000	9,465,000	-
Community and Social Development Services	14,294,000	15,003,352	709,352
Economic Development and Spatial Planning	6,000,000	3,500,000	-2,500,000
Tshwane Economic Development Agency	451,783	451,783	-
Energy and Electricity	629,760,962	592,354,887	-37,406,075
Environment and Agricultural Management	17,500,000	17,500,000	-
Group Financial Services	51,458,817	51,458,817	-
Group Human Capital Management	-	8,870,000	8,870,000
Group Property	25,100,000	25,100,000	-
Health	7,500,000	16,000,000	8,500,000
Human Settlements	343,625,536	271,053,206	-72,572,330
Housing Company Tshwane	82,192,852	96,076,500	13,883,648
Regional Operations and Coordination	5,365,876	15,665,876	10,300,000
Roads and Transport	433,875,000	316,275,000	-117,600,000
Shared Services	197,000,000	197,000,000	-
Water and Sanitation	522,097,082	474,439,947	-47,657,135
TOTAL	2,347,686,908	2,112,614,368	-235,072,540

The following graph illustrates the capital budget per department:

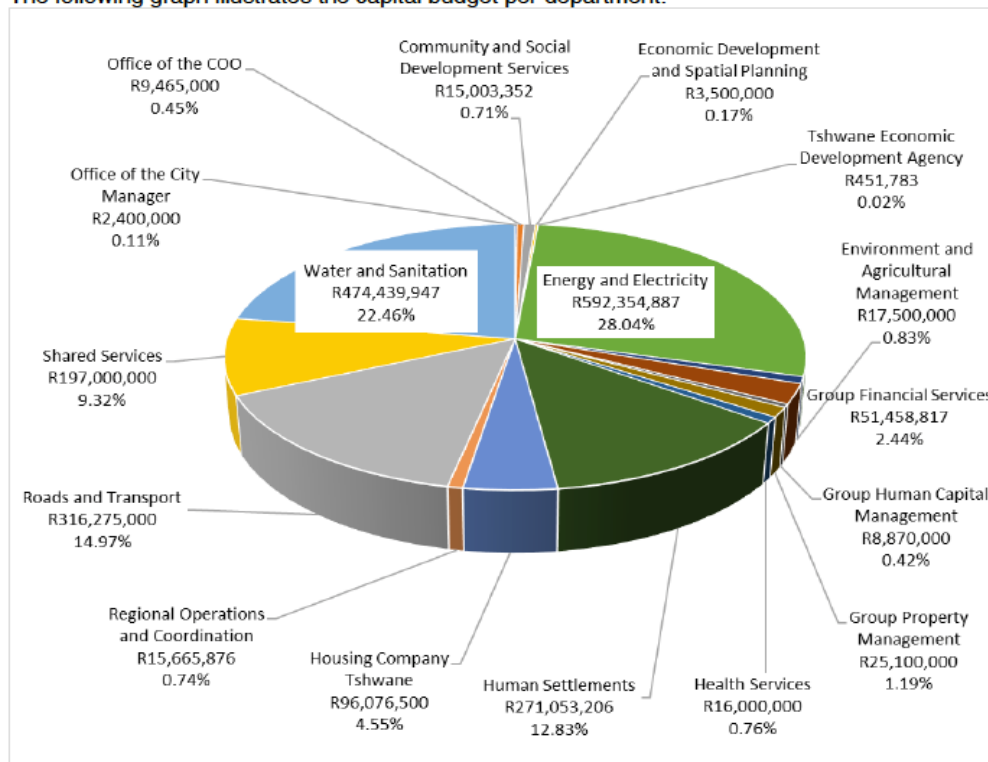


Figure 2: Adjusted capital budget per department

The detailed 2023/24 adjusted capital budget per department is contained in Annexure B and is summarised below.

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