

## PART B

### HERITAGE HOMES – HOW DO YOU KNOW IF YOUR HOME IS A HERITAGE HOME AND HOW DOES THAT AFFECT YOU?

In last month's article we provided you with a general overview of the heritage estate and what constitutes heritage homes. We continue with this topic by assisting you to identify a heritage home and what impact the age of the property may have on the rights of the owner thereto.

The starting point is to determine if the property which you would like to sell, buy or alter is 60 years or older. For the process of determining the age of the property you will need to know your stand number and the name of the township to get you started. Once you have this information you can establish the age of your property through the following methods:

- Obtain the building plans for your property. The plans should be available from the municipal office. The plans are dated and even the application form thereto should contain the information that you require. If the drawings are not there, ask if there is a microfiche record;
- If your property is located in what was previously the municipal areas of Johannesburg, before the Metropolitan Council incorporated many other local authorities, look at Anna Smith's 'Johannesburg Street Names' which should give you the date of the township. If it is not more than 60 years old, your house is unlikely to predate that.
- If there are no building plans then check the Valuation Rolls which date back to 1904 in Johannesburg. Valuations appeared every 3 years except during the First World War when the gap was 6 years. These are available at the Reference Section of the Johannesburg Public Library. They do not detail the buildings but they list an amount for improvements. No improvements, no house.
- If you doubt that the house in the Valuation Roll is the same as the one that you own, you can also check old aerial photographs which are available from the office of the Surveyor General.



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The original mining town of Johannesburg first came into being more than 125 years ago and the city is home to some heritage homes. These are generally found in the more established residential areas of the city such as Houghton, Westcliffe, Parktown and Saxonwold. These areas are considered valuable because of their historical and architectural significance.

So, now you have established that the property is older than 60 years...what now?

It is important to note that a property older than 60 years has general protection under heritage legislation which means that it may not be altered without a permit. However, it is not automatically considered a heritage home. For it to be considered a heritage home, a formal nomination will need to be made to SAHRA, as previously discussed.

Developers are also cautioned. In terms of section 38 of the National Heritage Resource Act 25 of 1999, developers must at the very earliest stage of the development notify the PHRA and furnish details of the location, nature and extent of the proposed development.

Should you attempt to alter a property older than 60 years without first obtaining a permit, you are committing an offence and if convicted, you may be sentenced to a fine or imprisonment or both a fine and imprisonment depending on the degree of the alteration. If you altered your 60 year property unknowingly, it is advisable that you report your indiscretion to the PHRA (Provincial Heritage Resource Authority) together with your reasons and ask the PHRA to condone the offence.

Should you decide to sell a home that is older than 60 years, it is very important to ensure that you disclose the age heritage status of the property to a potential buyer. It is important for estate agents to drive the disclosure process to avoid unpleasant repercussions down the line.



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