



City of Harare
DEPARTMENTAL MEMORANDUM

Your Ref: Vote:

Ref: 20/L/5

To : ACTING CHAMBER SECRETARY

FROM: HEAD PUBLIC SAFETY

Date : 18 August 2020

RE: ILLEGAL LAND SALES BY COUNCIL OFFICIALS: STRATHAVEN TOWNSHIP

The above subject matter refers.

Please find attached self-explanatory memorandum of investigations into illegal sale of council land in Strathaven by same council employees. Fraudulent layout plans were used to facilitate the sales. Also attached is a list /schedule of beneficiaries of the illegal sales.

Referred for your consideration please.

N.M. MOYO
HEAD PUBLIC SAFETY

cc: Head Internal Audit



CITY OF HARARE

Your Ref:

Vote:

Date: 5 August 2020

And Date:

Ref: 20/L/3/

To: HEAD PUBLIC SAFETY

From: CHIEF SECURITY OFFICER

RE: ILLEGAL LAND SALES BY COUNCIL OFFICIALS :STRATHAVEN TOWNSHIP

BACKGROUND

Based on the investigations carried out in Kuwadzana in which we highlighted in our initial report to your high office that the wanton plunder of land appears to be a city wide phenomenon, It is against that background that we took keen interest in sampling Strathaven and particularly an area that had been picked to have been given a duplicate reference as that of the Kuwadzana 4 Payscheme.

EXECUTIVE SUMMARY

Between the year 2018 and 2019 Mathew Marara H.M. No. 981755, Aaron Tayerera H.M No.854654, Charles Sigauke H.M No. and Tutsirai Kanojerera H.M No.308919 working in collusion, connived to sell a vacant land space in Strathaven which was demarcated to create 52 stands depicted under layout plans TPF/WR/82/17 with 25 residential stands range 1089-1109 & 1123-1126 and SD/WR/12/16 with 27 residential stands range 1061- 1088.Both layout references TPF/WR/82/17 and SD/WR/12/16 are fraudulent and duplicate other layout plans for Kuwadzana and Vainona respectively. Plan TPF/WR/82/17 used for stand range 21877-21909 in Kuwadzana 4 while Layout Plan No.SD/WR/12/16 is a layout plan for stand 446 of stand 439 Vainona Township, Salisbury District. Allocation letters were created by Aaron Tayerera and signed by Matthew Marara backdated to 2017. Tutsirayi Kanojerera and Charles Sigauke would sign backdated agreements of sale at a time when the signing authority had been shifted to the Director of Housing and

Community Services. One of the 52 stands, number 1069 was sold through Seeff Zimbabwe Real Estate to Aaron Gomo for US\$22 000.00 (twenty two thousand United States dollars) .Investigations are still in progress .

FINDINGS

1. Sometime between year 2018 and 2019, Acting Human Capital Director Matthew Marara, Chief Clerical Officer Aaron Tayerera H.M. No. 854654, District Officer Tutsirai Kanojerera H.M No.308919 and Acting Area Administration Officer , Charles Sigauke H.M No 815667 in their capacities as City of Harare employees and inconsistent with their duties hatched a plan to defraud Harare City of its land.
2. Matthew Marara, Aaron Tayerera, Tutsirai Kanojerera and Charles Sigauke connived to sell an unoccupied piece of land in Strathaven which was demarcated as depicted under layout plans TPF/WR/82/17 and SD/WR/12/16 with a total of 52 stands. (*See attached schedule of the land beneficiaries*).

3.0 Layout plans

- ❖ Two layout plans sharing the same boundary TPF/WR/82/17 and SD/WR/12/16 were used to allocate 52 Strathaven stands in question.
- ❖ Layout plans TPF/WR/82/17 with 25 stands ranging from 1089-1103 and 1104-1126 and SD/WR/12/16 with 27 stands ranging from 1061- 1088 share a common land boundary and were both fraudulently created to enable the illegal selling of land in Strathaven.
- ❖ Both layout references TPF/WR/82/17 and SD/WR/12/16 are fraudulent and duplicate other layout plans for Kuwadzana and Vainona respectively. Plan TPF/WR/82/17 was used for stand range 21877-21909 in Kuwadzana 4 while Layout Plan No.SD/WR/12/16 is a reference for a layout plan for stand 446 of stand 439 Vainona Township Salisbury District.
- ❖ Sometime in 2018 , a council employee Kizito Chikowore and a non- council employee only known as Chilenje approached town

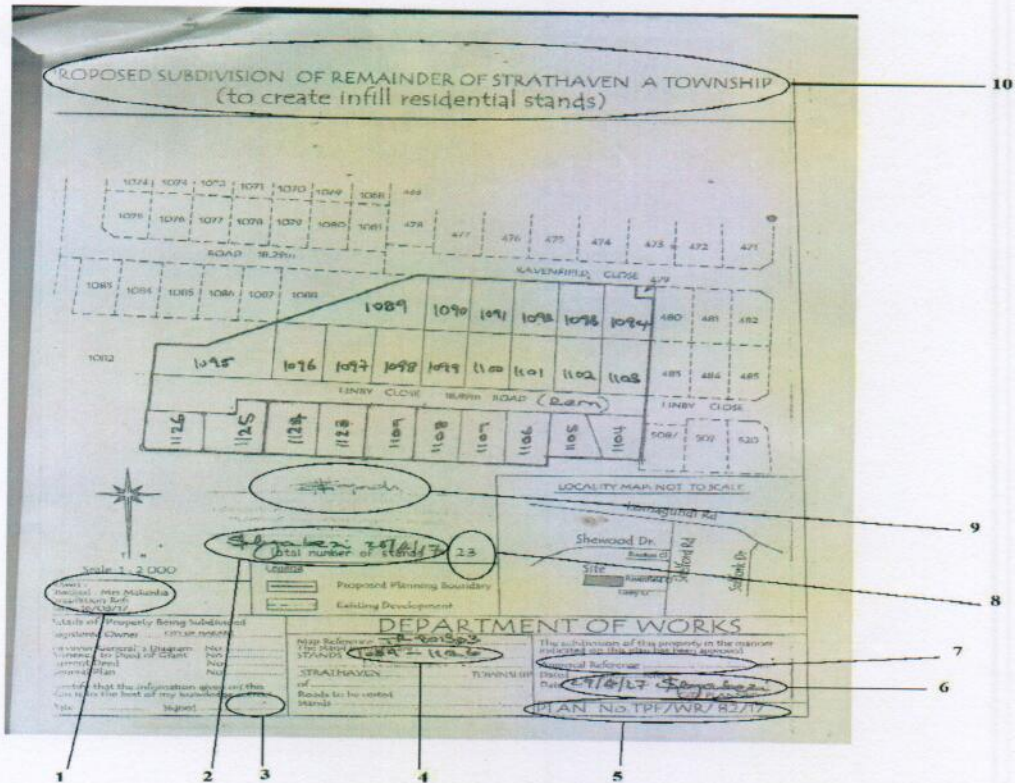
planning offices wanting to subdivide the area depicted under SD/WR/12/17.

- ❖ They were told the place was reserved for a roadside parkway and that only a change of reservation consent will allow for the planning of stands at the land space in question.
- ❖ A change of reservation was not effected but what ensued was an approved layout plan backdated to 2017 and signed by Acting City Planner Samuel Nyabezi.
- ❖ There is no circulation reference for both plans TPF/WR/82/17 and SD/WR/12/16 with respect to Strathaven Township suggesting that the plans were not circulated to other relevant stakeholders and departments for objections as per procedure.

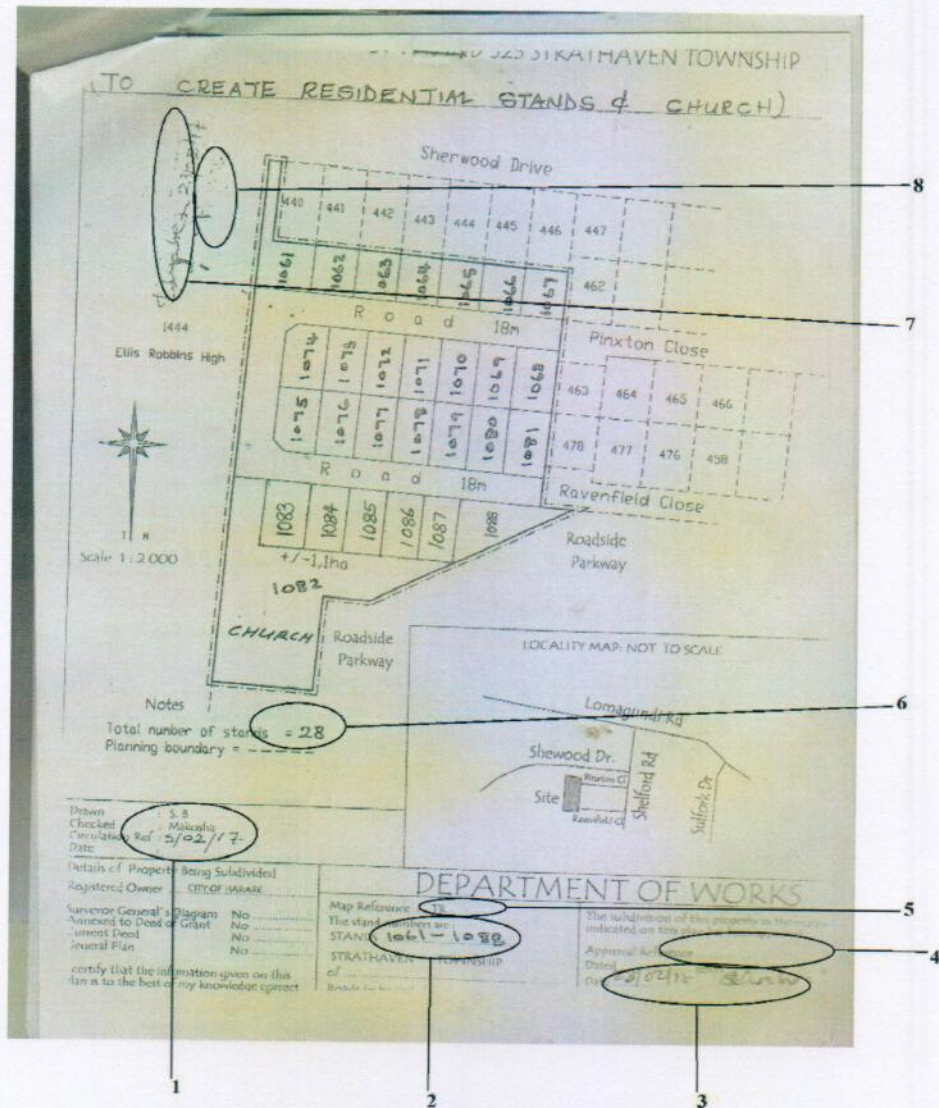
- ❖ Ministerial consent and council approvals were not sought for change of use/reservation for the pieces of land in question.
- ❖ The Minister is supposed to consent to any change of reservation/use for the piece of land and for planning of more than 5 stands. In this instance no change of reservation/use was consented to by the Minister.
- ❖ Layout plan TPF/WR/82/17 only emerged at the stand numbering stage with 3(three) fraudulently altered versions when it was never registered at Town planning.

- ❖ Layout plan SD/WR/12/16 was given a private subdivision reference which cannot be used with respect to council land and which was picked from another already existing private subdivision layout plan for Vainona .

- ❖ Acting City planner Nyabezi approved SD/WR/12/16 in 2018 and backdated the approval date to 23 February 2017 without following proper procedures.



1. Miss Makosha not Mrs Makosha confirmed that she did not at any point check the layout plan above, and if she did she would have endorsed the initials JRM and would have caused the drafter of the layout PLAN to include his/her initials on the space provided for the drawer.
2. Signature of Acting City Planner Mr. Samuel Nyabezi misrepresenting that he dispatched the Layout plan for stand numbering on 20/04/17 which is incorrect as the layout never existed in the year 2017.
3. The layout plan was never signed for the correctness of land details by land survey.
4. Numbering indicates the stands ranges from 1089-1126 but however the stands appearing on the layout are 1089-1109; 1123-1126.
5. Layout Plan numbered as TPF/WR/82/17 does not exist and was never registered in City of Harare plan register book.
6. Mr. Samuel Nyabezi misrepresented that he signed for the approval of the layout plan on 29/04/17 when yet the layout plan never existed in the year 2017.
7. There is no approval reference number on the layout plan.
8. Total number of stands on the layout plan is indicated as 23 but total number of stands planned on this layout plan is 25.
9. Austin Tapiwanashe a G.I.S. officer signed as the receiver of the layout plan at G.I.S for numbering.
10. There was never an official proposed subdivision of remainder of Strathaven Township (to create infill residential stands)



1. Makosha did not check the layout plan and if she had checked, she would have endorsed the layout plan with initials JRM.
2. The layout plan was numbered with stand range numbers 1061-1088 at G.I.S under layout plan number SD/WR/12/16 which is a private subdivision reference. City of Harare land is never subdivided as a private subdivision. Layout number SD/WR/12/16 is registered as a private subdivision for Vainona and NOT for Strathaven.
3. Acting City Planner Samuel Nyabezi signed approval of the layout plan on the same day it was send for stand numbering 23/02/17.
4. No approval reference on the layout plan.
5. Map reference was not indicated.
6. Total number of stands planned on this layout plan totaling to 28

7. *Acting City Planner Samuel Nyabezi stamp and signature indicating that he dispatched the layout plan for stand numbering on 23/02/17.*
8. *Austin Tapiwanashe signed on the layout plan as an indication for meeting the requirements for stand numbering.*

3.0

Allocation Letters

Matthew Marara and Aaron Tayerera

52(fifty-two) allocation letters were crafted and backdated to 2017 by Aaron Tayerera and signed by Matthew Marara. The stands were sold between 2018 and 2019 well after Marara's tenure at the Department of Housing and community services.

The 52 stands were not surveyed and neither were they valuated to establish the accurate stand measurement and land price.

To cover up for their misdeeds, beneficiaries were given random intrinsic values between r7000 and r14000 which do not represent the correct values of the stands in question to facilitate opening of sundry accounts and stand files.

An inspection into both the BIQ and SAGE systems indicates that sundry accounts for the 52 stands in question all created in 2019.

Agreements of Sale

- ❖ Agreements of sale retrieved with respect to layout plans TPF/WR/82/17 and SD/WR/12/17 were all backdated to various dates in 2017 when the actual land sales occurred in 2019.
- ❖ District officers Tutsirayi Kanojerera and the late Thomas Kennedy Hatumwi signed and backdated agreements of sale to 2017 working in cahoots with Matthew Marara and Aaron Tayerera.
- ❖ We also noted contradictions where some agreements of sale were backdated to and purportedly signed at Mabelreign District Office and yet Sunningdale D.O. had similar transactions signed by Hatumwi on the same date. For instance:
 - ❖ **Ex1.** The agreement of sale dated 15 September 2017 for stand number 1075 bears a date stamp for Mabelreign District officer and signed by D.O. Kanojerera while a similar transaction for stand nos. 1062 and 1076 with a datestamp for Sunningdale were signed with the same date by D.O. Hatumwi.
 - ❖ **Ex2.** Agreements of sale dated 14 September 2017 for stand 1091 and 1099 bear a date stamp for Mabelreign district office and yet Hatumwi handled similar transactions on 15 September 2017 for stands 1062 and 1076.
 - ❖ **Ex3.** Agreements of sale dated 18 September 2017 for stand 1072 and 1100 bear a date stamp for Mabelreign district office signed by Kanojerera and yet Hatumwi handled similar transactions bearing the same date for stands 1066 and 1103.

5.1 Kanojerera Tutsirayi

- ❖ Tutsirayi Kanojerera was the designate district officer for Mabelreign /Malborough District offices with effect from 14 March 2017 to 15 October 2018. She is currently stationed at Warren park /Kambuzuma district offices with effect from 17 October 2018 to date.
- ❖ Investigations retrieved 19 files from Mabelreign District office signed by Tutsirayi Kanojerera.
- ❖ The 19 retrieved files contained backdated agreements of sale for stands depicted under two fraudulent layout plans TPF/WR/82/17 & SD/WR/12/16.

5.2 Haatumwi Thomas Kennedy

- ❖ The late District Officer Thomas Kennedy Hatumwi was stationed at Sunningdale District office from 14 December 2015 to 09 October 2018 and at Hopley District Office from 10 October 2018 up to the time of his death.
- ❖ During the period 2018 to 2019, Hatumwi Thomas Kennedy colluded with his accomplices to sign backdated a total of 11 agreements of sale.
- ❖ During the period 2018 to 2019, Hatumwi Thomas Kennedy signed 11 (eleven) backdated agreements of sale for stands depicted under two fraudulent layout plans TPF/WR/82/17 & SD/WR/12/16 which share the same boundary.

5.3 Charles Sigauke

- ❖ Charles Sigauke in collusion D.O. Hatumwi signed 11 (eleven) agreements of sale as a witness for both the purchaser and the

seller.

- ❖ One of the 52 stands in question, Stand No. 1069 was sold for US\$22 000.00 to an unsuspecting land seeker Aaron Gomo through a Real Estate Agent named Seeff Zimbabwe in 2019.
- ❖ Charles Sigauke handled the illegal transaction and collected US\$20 900.00 dollars (twenty thousand nine hundred United States dollars) after Seeff Zimbabwe Real Estate had deducted US\$1 100.00 (one thousand one hundred United States dollars) as commission.
- ❖ Charles Sigauke convinced a Seeff agent to sell stand No. 1069 claiming that it was a set-off by City of Harare for his salary arrears.

6.0 Aaron Gomo was given an allocation letter (*created by Tayerera and signed by Marara*) and agreement of sale (*signed by Tutsirayi Kanojerera*) all backdated to 2017 when the transaction at Seeff Zimbabwe happened in 2019.

7.0 A cottage file without a corresponding master file at DHCS head office was created and filed at Mabelreign district office.

8.0 As a result of the accused persons' actions City of Harare suffered prejudice of the value of the stands disposed. An actual valuation to determine the actual prejudice in monetary terms is underway.

9.0 Investigations to ascertain degree of involvement of the Acting City Planner Samuel Nyabezi and Kizito Chikowore in the illegal creation of the layout plans in question and disposal of the stands in Strathaven are pending owing to the fact that Kizito Chikowore is still at large for a Kuwadzana land case.

10.0 Matthew Marara, Tutsirayi Kanojerera, Aaron Tayerera and Charles Sigauke have since appeared before the courts on charges of fraud and criminal abuse of office and are currently on remand.

11.0 Recommendations

1. That disciplinary action should be taken against Matthew Marara, Aaron Tayerera, Tutsirai Kanojerera, Charles Sigauke and Samuel Nyabezi for their involvement in the illegal sale of council land.
2. That the 5 (five) employees mentioned above be suspended pending disciplinary hearings while we pursue other employees implicated in the case .
3. That council recovers the illegally sold stands or receives value of the stand from the buyers.
4. That Internal Audit should carry out a land audit of all council land sold from year 2017 to 2020 to ascertain compliance to policy and collection of revenue.



DR. C. TONGOWONA

CHIEF SECURITY OFFICER

Bk/

NAME	STAND NUMBER	SUN ACCOUNT	DATE OF PAYMENT	AMOUNT (\$)	TOTAL AMOUN T PAID	CONTACT DETAILS	COMMENTS
MUCHENA CHIEDZA	478	SUN0094759	30/04/19 02/05/19	10 000 3 380	13 380	9 Pinxton Avenue Strathaven, Harare	Agreement of sale signed by Kanojerera.
MHUKA TAPFUMA	1105	SUN 0103851	20/08/19 30/07/19 30/08/19	3 400 1 000 5 122	9 522	101 Chr 1 st & Nelson Mandela Avenue	Agreement of sale signed by Kanojerera
MUKORA TONDERAI	1098	SUN 0102566	No dates	No payment	(8 091.20)	NO ADDRESS	Agreement of sale signed by Kanojerera.
JAVVAID AKTHAR	1094	SUN 0105127	No dates	No payment	(8 609.50)	18 Ganges Rd Ridgeview Road Harare	Agreement of sale signed by Kanojerera.
MUTASA TAWANDA	1099	SUN 0103557	02/03/2020 01/03/2020 02/03/2020 01/03/2020	5 000 1 891 5 000 6 891		12 Chigwell Road Mabelreign, Harare	Agreement of sale signed by Kanojerera.
GUEDES JOAQUIM AND MAVIS CHIKAVVA	1104	SUN 0103850	23/04/19 10/09/19	5 000 2 522	7 522.00	23 Dart Rd Vainona Harare	Agreement of Sale not found
SAMAMBO INVESTMENTS	1089	SUN 2140001	No dates	No payment	(20 861.00)	Stand No. 1087 Strathaven Harare	Agreement of Sale not found

NZOMBE SAMSON (GREENMORE MAPA) SAGE	1091	SUN 0102563	07/05/19	11 880	11 880.00	7031 Kuwadzana 4 Harare	Agreement of sale signed by Kanojerera.
VINYU CAROLINE	1095	Not found					
MUCHEMWA DANAI AND MABIYA PATIENCE	1097	SUN 0103757	No dates	No payments		20362 Kuwadzana 7, Harare	Agreement of sale signed by Hatumwi.
MUTSWIRI MOREBLESSING	1096	SUN 0104001	No dates	No payments		6522 2 nd Circle Glenview 3, Harare	Agreement of sale signed by Kanojerera.
CHONZI MUNASHE	1100	SUN 0102558	13/06/19 03/07/19 09/07/19 09/07/19	3 000 3 000 3 000 2 891	11 891	3295 Glen Norah, Harare	Agreement of sale signed by Kanojerera.
MUCHIHWA EPHRAIM	1101	SUN 0102551	02/03/2020	892 6 100	6992	2642 Crowborough, Harare	Agreement of sale signed by Kanojerera.
NYANDORO BRIDGET	1102	Not found	No dates	(5 000 RTGS) transfer dated --- but no Council receipt.			Agreement of sale signed by Hatumwi.

CHIRINGA BRIAN	1103	SUN 0102561	No dates	No payment	(9 213.50)	5765 Kuwadzana 7, Harare	Agreement of sale signed by Hatunwi.
SIBANDA RUMBIDZAI AND SIBANDA SHELLTON	1106	Not found	No dates	No payment			Agreement of sale signed by Kanojerera.
MURIMA TARIRO	1108	SUN 0105566	01/04/19 30/03/19 28/02/19	4 600 4 440	9 045	1108 Strathaven Township	Agreement of sale signed by Kanojerera. Receipt of 1 350 RTGS paid on 18/03/19 is not reflecting in the sage system
MUTIZWA JAMES	1090	Not found	No dates	No payment		No address	Agreement of sale signed by Kanojerera.
MHINDA TRACY F	1092	Not found	No dates	No payment		No address	Agreement of sale signed by Kanojerera.
RODWELL SHORIWA	1061	Not found	No dates	No payment		No address	No Agreement of Sale in file

LIZZIE MBIRIRI	1062	SUN0102552	No dates	No payment shown in system.	Opening balance as at 28 Feb. 2020 - \$00	1067 Musasa Avenue Marimba Park	Agreement of Sale in file and signed by Hatumwi. To check with BIQ.
ZVISINEI MBOGO	1063	SUN 0102571 (<i>property a/c</i> 214001063)	No dates	No payment shown in system.	Opening balance as at 28 Feb. 2020 - \$0.00	No address (Dept. of Works Cleveland Hse)	No Agreement of Sale in file. To check with BIQ.
PAULINE GUTSA	1064	SUN0102791 (<i>property a/c</i> 214001064)	No dates	No payment in system.		Flat no.1 Rossdale Avondale	Agreement of Sale in file and signed by Hatumwi. Jan 2019 receipts in file (To check using BIQ)
J. MAKOSHA	1065	Not found	No dates	No payment		no address	No Agreement of Sale in file.
SHARON BINDO	1066	SUN 0102572 (<i>property a/c</i> 214001066)	Bal. BF as at 28 February 2019 - \$3 279.50	25/4/2019 - \$600.00. 04/07/2019 - \$2 679.50		22 Nyamaturi Street, New Mabuchi.	Agreement of Sale in file and signed by Hatumwi.

					06/08/2019 - \$230.00			
MUNYARADZI CHIMEYA	1067	SUN 0103759	No dates	No payments showing in the system	Outstandi ng balance of \$1 246.50 as at 28 February 2019	947 New Highfield	Feb. 2019 receipts in file.	
BLESSING MUPOPERI	1068	SUN 0102556	25/05/2019 2/05/2019	-\$4 694.00. -\$4 000.00		1099 Marimba Park, Harare	No Agreement of Sale in file.	
AARON GOMO	1069	Not found	No dates	\$8 694.00 RTGS <i>proforma</i> <i>dated</i> 7/08/2019		6181 Westlea Harare	Agreement of Sale in file and signed by Kanojerera. No Council receipts in the file.	
TAWANDA MUTUSVA	1070	Not found	No dates	RTGS PROFOMA 9/10/2019 \$8 694		No address	No Agreement of Sale in file.	
ARTWELL SHONIWA	1071	SUN 0102070 (<i>property a/c</i> 214001071)	No dates	No payment shown	Balance \$ 0.00	6162 Bloomingdale, Harare.	Agreement of Sale in file and signed by Hatumiwi.	

PETER CHIDZIZDZI	1072	Not found	No dates	No payment		1541 Hoppely, Harare.	Agreement of Sale in file and signed by Kanojerera.
MERCY A. NYAKUDYA	1073	Not found	No dates	No payment		No address	No Agreement of Sale in file.
EMISON ZIMUTO	1074	Not found	No dates	No payment		6162 Bloomingdale Ashdon Park, Harare.	Agreement of Sale in file and signed by Kanojerera.
OWEN MUYNGA	1074	Not found	No dates	No payment		No address	No Agreement of Sale in file.
SHAME GWATA	1075	SUN0102555	No dates	No payments showing in the system.	Outstanding balance as at 28 February 2019 - \$1321.50	2297 Mainway Meadows Waterfalls, 43 Adlyn Township	Agreement of Sale in file and signed by Kanojerera. No receipts in file. To check using BIQ.
FARAI MUNODAWAFA	1076	Not found		No payment		1414 Merryden Close Parktown, Harare	Agreement Of Sale, Session
MONICA CHIHOO	1077	SUN0104825	Balance BF as at 28 February	09/05/2019 - \$2 000.00	Outstanding balance - \$4 694.00	1077 Strathaven	No Agreement Of Sale in file.

			2019 - \$6694.00					
EUGINE KUHUNI	1079	SUN0103384	No dates	No payments showing in the system.	Outstanding balance as at 28 February 2019 - \$6.00	Flat 6, 17 Roy Road Sentosa, Mabelreign.	Agreement Of Sale in file and signed by Hatumwi. To Check Receipts With BIQ (3 receipts totalling \$8 700.00 (11/01/19-\$3 000, 17/01/19-\$3 300, 21/01/19 -\$2 400)	
RENA KUNONGA	1081	SUN0103760	No dates	No payments	Outstanding balance as at 28 February 2019 - \$4 694.00	7770 Kuwadzana 3, Harare. 42 Longford road, Queensdale.	Agreement of Sale in file and signed by Hatumwi. To check with BIQ.	
TINASHHE MADZOKERE	1083	SUN 0104346	Bal. BF as at 28 February 2019 - \$10281.00	02/04/2019 - \$2 500.00. 09/09/2019 - \$2 400.00; -\$4 781.00; -\$4 600.00	Bal. \$0.00	9913 kuwadzana 3	No Agreement of Sale in file.	
TRADESTONE 21 FAMILY TRUST	1084	Not found		No payment		No address	No Agreement of Sale in file.	

CRISPEN JUMBURU	1085	SUN0102567 (property a/c 214001085)	Bal. BF as at 28 February 2019 - \$10 281.00	29/07/2019 - \$3 000.00	Outstandi ng bal. - (\$7 281.00)	No address Cleveland House	No Agreement of Sale in file.
JAMES AND JEAN MAZORODZE	1086	SUN0103999	No dates	No payments	Outstandi ng balance as at 28 February 2019 - \$10 281.00	2658 Mahogany Circle New Marl	No Agreement Of Sale in file.
MUPIYEZWE DUBE	1087	Not found	No dates	No payments		No address	No Agreement of Sale in file.
DARLINGTON BORERWE	1088	SUN21400004	No dates	No payments	Outstandi ng balance as at 10 February 2020 - \$17 802.00	Stand 1088 Strathaven	No Agreement of Sale in file.
BELOVED CHIWESHE	1124	SUN 0104345	Bal. BF as at 28 February 2019 - \$10 602.00	08/05/2019 - \$3000.00	Outstandi ng balance -\$7 602.00	2797 Mainway Meadows, Waterfalls	No Agreement of Sale in file.
TINASHHE THABENI	1125	Not found		No payment	-	No address	Agreement of Sale and