

Former sheriff sent to jail for embezzling trust money

WARDA MEYER

A FORMER sheriff from Riversdale has been sentenced to an effective seven years behind bars for embezzling R1 million from a sheriffs' trust fund, at Standard Bank, then using it to live the high life, complete with luxury goods including flatscreen TVs, cars, furniture and presents for his wife.

Gerrit Alberts, 48, entered into a Section 112 plea agreement with the State after pleading guilty to four counts of theft, following a complaint by Standard Bank that he had dipped into the trust fund account on four separate occasions.

Prosecutors charged that Alberts stole more than R1m from the account in Riversdale between November 2009

and 2011.

Alberts was sentenced last week in the Riversdale Regional Court to 10 years imprisonment, three years of which were suspended for five years on condition he is not found guilty on any count of fraud or theft during the period of suspension.

In his affidavit, dated June 27, Alberts pleaded guilty to the theft of R596 760.33 from Standard Bank during November 2009, after a buyer transferred the money into the sheriffs' trust account for the purchase of a property sold at public auction.

"I did not pay the money over to Standard Bank, and used the money for my own use without having any permission to do so," he said.

Alberts added that during October 2009 an amount of R505 045.26 was

paid into the trust account, also for the purchase of a property. Instead of paying the entire sum, he paid only R392 106.63 to Standard Bank.

"The balance of R112 938.63 I used for my own purpose, without having permission to do so," he said.

Alberts also admitted to stealing R190 000, a deposit paid into the trust account for the purchase of a property in November 2011.

During the same month he also stole R98 000 from Petrus Hauptfleisch, who paid the money into the account for the purchase of a property in Stilbaai at public auction.

"I did not pay over the deposit to FNB, the execution creditor, which led to the buyer suffering the loss and having to deposit the funds again."

Alberts admitted that he was well

aware that his actions were wrong and that he had to be punished for it.

In welcoming the sentence, the South African Board for Sheriffs said it would not hesitate to act very strongly against "any form of malpractice by sheriffs".

The board said Alberts's criminal actions were exposed after a complaint from Standard Bank.

"Alberts signed an acknowledgment of debt with Standard Bank, wherein he undertook to make monthly repayments of R25 000," the board said.

Hishaam Mohamed, who represents the minister of justice on the Sheriffs Board, said he hoped this case would send a message to all sheriffs that "when you mess with trust monies, it will result in jail time".