

Examination of The Institutional Capacity of Ministry of Land and Settlement, Ministry of Housing and Kisumu City Council Towards Low-Cost Housing Development in Kenya

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Abstract

This study was to evaluate the Kenya Government housing policies and strategies for housing the urban poor in Kenya, and how the citizen has benefited from the scheme/plan. Objective of the article was to examine the institutional capacity of ministry of land and settlement, ministry of housing and Kisumu city council towards low-cost housing development. The research question was, how effective are the various Kenya Government Housing Policies and implementation strategies targeting the provisions of low-cost Housing to the urban poor in Kisumu City? The study adopted quantitative survey research design. Primary data was collected through structured interviews/interview guide, self-administered questionnaires (Delivery and collection questionnaires), observation and check list. Secondary data was collected from Kenya government national housing policies, national development plans, research publications, internet among others. Quantitative data was summarized, categorized, interpreted and analyzed using Tables and percentages. Simple random sampling was used in this study. The researchers' target population of 218,766 and sample size of 384 was ideal for this method of sampling. Statistical package of social sciences (SPSS) was used to analyze the data collected from the field. Correlation analysis was done on both dependent and independent variables with supply of electricity as the control group. Findings revealed that provision of low-cost housing is negatively correlated to provision of adequate road, electricity and water (coefficient = -0.9366059, P = 0.000, 95% C.I = -1.459989 -0.4132226). Recommendations for policy action included review of the current national housing policy and implementation strategies and further research on urban planning, land tenure system, infrastructure and services, housing finance mechanism, small scale construction activities, community participation, municipal budgetary base and experimental pilot projects.

Keywords: Institutional, capacity, ministry, settlement, low-cost housing, policies.

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INTRODUCTION

In the developed world including Australia, the growing problem of housing affordability emerged across all housing sector over the last two decades. It is manifested in the declining access to home ownership among younger generation and a significant loss of lower cost forms of private rental housing across metropolitan and non-metropolitan areas (Yates *et al.* 2004), and the declining viability and residualisation of the public housing sector, which has resulted from the combined pressures of demand from groups with high needs, concentration of public housing in large distinctive estates and constraints on public sector investment (Hall & Berry, 2003).

In Nigeria, the work of Okewole and Aribigbola (2006) stated that the first explicitly

formulated national policy on housing was launched in 1991 with a set goal of providing housing accommodation for all Nigerians by the year 2000. As time progressed the set goal failed. This led to the reinvigorated policy in the year 2002 which aimed at providing necessary solution to the hitherto intractable housing crisis. The 2002 National Housing policy sought to ensure that all citizens own or have access to decent, safe and sanitary housing accommodation at affordable cost with secure tenure through private sector initiative with government encouragement and involvement. By doing so, the disengagement of public sector in housing provision was offloaded to a large extent to the private sector.

In South Africa, the November, 1994 White Paper, a new Housing Policy and strategy for South

Africa commits Government to the establishment of viable, socially and economically integrated communities situated in areas allowing convenient access to economic opportunities as well as health, educational and social amenities. According to the policy, all South Africa's people were expected to have access to a permanent residential structure with secure tenure, ensuring privacy and providing adequate protection against the elements: portable water; and sanitary facilities including waste disposal, and domestic electricity supply, (Department of Housing, 1994). However, for recipients of the capital subsidy, private sector top-up funding has not been accessible. Of all subsidized houses delivered since 1994, only 14% were credit-linked (Tomlinson, 1999). Particularly disadvantaged by this situation were households qualifying only for a portion of the subsidy because of a slightly higher income. Due to inaccessibility of credit, they have ended up with a smaller house than the lowest income sector beneficiaries, or no more than serviced it, (Mthethwa, 1999).

The Kenyan experience, like other developing countries has put emphasis on providing decent and affordable housing for the low and medium income groups (GOK, 1989-1993). However, in the last two decades, the urban housing scene has deteriorated as a result of Kenya's poor economic performance, resulting in serious housing deficit. This deficit has led to the proliferation of informal settlements, poor standards of construction of housing units, construction of unauthorized extension in existing estates, and increasing conflicts between tenants and landlords especially in low-income areas (GOK, 2006-2011).

While in the 1980's the housing shortfall was about 60,000 units per year, the number has increased to about 150,000 Units per year (GOK, 2004). The government of Kenya's Housing Policy aims at provision of descent and affordable housing for the medium income groups. This is evident in the succeeding development plans including one of the years, 1997-2001, all of which supports the development of low-cost housing. But there is no evidence of formal physical development as is pointed out by Mugwanga (1993) on low-cost housing units in the last twenty or so years. Much of the housing supply gap has been left to the initiative of the private sector that have been active, mainly in the peri-urban areas, ranging in providing from high cost mansionette to low-cost rooms. Housing in the peri-urban areas in some cases share communal facilities, but in others the facilities are non-existent. Lack of proper sanitation pose serious health risk especially to the young who form the majority of the inhabitants of urban centre.

The above brief accounts of the problems of housing policies in the countries considered suggest that moves to reduce the reliance on the provision of public

or social rental housing and rely instead on cash assistance in the private market has not resulted in any significant increase in the supply of rental housing in the private market. All these gaps in the provision of low-cost housing to the urban poor has triggered the researcher to carry out a summative evaluation study on the Kenya Government Housing policies and strategies for housing the urban poor in Kisumu and how the same Government can adopt some of these policies and strategies which has worked better, to some extent, in developed countries to improve low-cost housing supply to the urban poor in Kenya as a whole.

Statement of the problem

High rate of urbanization, increasing poverty and escalation of housing costs and prices have made the provision of low-cost housing, infrastructure and community facilities one of the daunting challenges in the socio-economic development of Kenya. The search on low-cost building materials and construction techniques has been limited thus not providing viable guidance to the development of low-cost housing. Moreover, stringent planning regulations and high infrastructural standards has been an impediment in low-cost housing delivery system (GOK, 2004). While in the 1980's the housing short-fall in Kenya was about 60,000 units per year, the number has increased to about 150,000 units per year (Ibid). Increased public and private investment and the escalating Housing costs has tended to push prices steadily beyond the reach of poor urban dwellers country wide. Today there is no physical development of low-cost housing units in Kisumu in the last 20 years or so after the World Bank completed funding the proposed phases of Migosi site and service scheme in the early 1990s. Failure by the government to address the above problems will lead to insecurity, blockage of access roads, water and sanitation problems, increase in public health related diseases among others. The study was therefore intended to evaluate how government housing policies and strategies is addressing provision of low-cost housing to the urban poor in order to solve the above problems.

Examination of the institutional capacity of ministry of Land and Settlement, Ministry of Housing and Kisumu City Council towards Low-cost Housing Development in Kenya

Housing policies and implementation strategies in Germany

Germany is a land of tenants. The tenure percentage is in average 57% in the big cities like Berlin and Hamburg. The general trends in the German society go to more mobility and flexible work – biographies. According to the tendency, there is shortage of housing especially on the sector of low-cost housing. The number of people depending on social welfare is increasing and they are not able to provide

themselves with decent housing and therefore need public support (Republic of Germany, 1997).

Social housing

In Germany, social housing is provided by non-governmental organizations including both profit making and non-profit organizations. The non-profit organizations include a large scale 'cooperatives' owned by unions which operate nationally. Financing for social housing is provided by the federal government in the form of low interest loans, and in some states, cash subsidies to providers. Terms of the loans are thirty years, although loans can be paid out earlier. While the loans are being paid back (or the cash subsidies received) the dwellings are regarded as 'social housing'. While regarded housing, rents are controlled and based on the cost of provision. Tenants of a project maybe chosen by the local government.

Once the loans are paid back (or cash subsidies ceases), the dwelling become regarded as private rental housing. Then rent may be increased, although limits apply as to how quickly rent may be increased for existing tenants. These limits apply to all private rental housing, not just former social housing. However, on vacancy, the landlord can charge any rent the market will accept. Also once the dwelling becomes private rental, the landlord chooses the tenants. All private tenants in Germany are guaranteed security of tenure. This means that a tenant can stay in a dwelling as long as they like and only be evicted following a court order. These are made only in defined circumstances' such as: Non-payment of rent, Damage, anti-social behavior, Dwelling is needed for occupation by the owner or immediate family.

The provision of social housing is organized by local governments. The federal government enters into agreements with the state Governments to provide funding for a programme of social housing. State governments then enter into agreements with local governments which have the responsibility for organizing the provision of the housing. In some states, additional state funding may also be provided. The local government decides which organizations shall provide the housing, allocates tenants to social housing and is generally responsible for overseeing its operations, including the setting of rents while the dwellings remain as social housing (Power A. 1993).

Global Housing Policy developments

The general trend in Germany since 1980's has been to increase reliance on the private rental market to provide housing for those on lower incomes. However there was a revival in the provision of social housing from 1989 as a result of the housing situation in Germany at that time. From the late 1970's, the West German Federal Government reduced funding for the provision of new social rental Housing. For much of the

1980's, there was essentially no funding for new social housing. The intention was to rely on the private market to increase the supply of rental housing, and the housing benefit payments to achieve affordable results for those on low incomes. However a housing shortage developed by the late 1980's and funding for social housing recommenced in 1989. Since 1990, substantial funding has been provided for additional social housing with DM 18 billion being provided between 1991 and 1996 (Republic of Germany, 1997). The unification of Germany was another factor leading to an expansion of social housing funding with about 1/3 of federal funding since 1991, going to the former East Germany, as much social housing in the East was in poor condition and rehabilitation work was required.

The German government has, since 1988, moved to involve the private sector in the provision of housing for those on low incomes through the privatization of existing social housing. As a result the private rental sector officially increased its share of the housing market, even though the housing may still be owned by the same organizations. In 1988, non-profit organizations providing social housing were treated the same as profit making organizations. Before 1988, non-profit organizations received taxation concession and in return were subject to controls on rent and on selection of tenants, which continued after the low interest loans were paid back (or subsidies ceased).

After 1988, the taxation concession were removed and the non-profit organizations were free, once loans had been paid back, to increase the rents (subject to the same laws as applying to the private rental sector) and choose tenants without restriction. This housing was now regarded as private rental housing. Thus the proportion of housing officially regarded as private rental housing increased, continued to do so, as much social housing, including that provided by non-profit organization, reverted to private housing. This trend was accelerated by changes introduced in 1980 and 1982 which made it easier for loan repayments to be discharged earlier. The moves to convert non-profit housing into private rental housing in part occurred as a result of a corruption scandal involving one of the largest non-profit providers of social housing (Harloe M. 1995).

Another aspect of the move towards involvement of the private sector was a preference for private (for profit) landlords over non-profit organizations. This could particularly be seen in the former East-Germany where many Housing units owned by Housing associations and co-operatives were gradually being privatized. Private investors could receive grants and taxation concession (Republic of Germany; 1997).

Housing policies and implementation strategies in Australia

Australia, like the other countries considered, moved the emphasis away from funding the expansion of social or public housing towards the provision of cash assistance for individuals. Since the early 1980s, there had been increases in the levels of rent assistance paid to social security recipients who rent in the private market, and an expansion of the categories of recipients eligible for rent assistance. These resulted in rent assistance becoming the major program of Commonwealth expenditure for low income renters, exceeding expenditure on the Commonwealth and State Housing Agency (CHSA) from 1989-1990.

Proposals for more radical reform of Australia's public housing system were considered in subsequent years. From 1995, proposals for a radical reform for the public housing system were developed through the council of Australian governments (COAG).

These involved; the Commonwealth funding rental subsidies for both public and private tenants, the Commonwealth ceasing to fund the states for the expansion of the public rental stock, and, the states being responsible for the provision of public rental housing. (Senator Jocelyne Newman, Op.cit).

Housing policies and implementation strategies in South Africa

The November 1994 White paper, *A New Housing Policy and Strategy for South Africa* committed the government to the establishment of viable, socially and economically integrated communities situated in areas allowing convenient access to economic opportunities as well as health, educational and social amenities. All South Africa's people were expected to have access to a permanent residential structure with secure tenure ensuring privacy and providing adequate protection against the elements; potable water; and sanitary facilities including waste disposal, and domestic electricity supply. The principles, goals and strategies of the policy were transformed into legislation in the form of Housing Act (107 of 1997).

In quantitative terms, the overarching goal of the housing policy was to reach the target of 1 million houses in 5 years. In qualitative terms, the policy aimed to support housing development which was defined as the establishment and maintenance of habitable stable and sustainable public and private residential environments and the creation of viable households and communities. This involved promoting progressive access to economic opportunities, health, educational and social amenities, permanent residential structures with secure tenure and privacy and providing adequate protection against the elements: potable water, adequate

facilities and domestic energy supply (Housing Act, 1997).

The Act called for housing development to be economically, fiscally, financially and socially sustainable; ensure economical utilization of land and services and to discourage urban sprawl, in particular through the promotion of higher densities; be based upon integrated development planning, promoting integration with respect to social, economic, physical and institutional aspects of development; and contribute to redressing the historically distorted racial and spatial patterns of towns, cities and rural areas (Ibid). And finally, the Housing Act talked of facilitating the effective functioning of the housing market, leveling of the playing field and taking steps to achieve equitable access for all to the market (Ibid).

Housing policies and implementation strategies in Nigeria

Public intervention in housing in Nigeria began in the colonial period following the outbreak of bubonic plague in Lagos in 1920's. During the period between 1900 and 1960, government involvement was centered essentially on the provision of quarters for expatriates staff and for selected indigenous staff. At this period, conscious effort was not made to construct houses for the general public by the government. Thereafter, successive governments in Nigeria sought to confront the nagging problem of accommodating an increasing number of Nigerians through the low-cost housing projects and site –and – services pregame. The post-independence governments in the country did not fare better than the colonial Government in terms of Housing for the Public. The concepts of Government Residential Areas (GRA's) were not only retained but was embraced and promoted with greater zeal. Those who took over government saw in them (GRA) a mark of distinction to stay in the GRA (Aribigbola, 2000). After independence, aside from the creation of Federal Mortgage Bank of Nigeria (FMBN), the Federal Government did little in the area of housing intervention until 1980 when it embarked on an elaborate National Housing Programme based on the concept of affordability and citizen participation. Under the programme, a total of 40,000 units were to be constructed nationwide annually, with 2,000 units located in each state, including the Federal Capital Territory (FCT) (Yukubu, 2004). The National Housing Policy launched in 1991 had as its ultimate goal, ensuring that all Nigerians owned or had access to decent housing accommodation at affordable cost by the year 2000AD. The main objective of the policy was to make the private sector the main vehicle for the organization and delivery of housing products and services (Ibid).

The 1991 policy created a two-tier institutional financial structure, with primary Mortgage Institution

(PMI's) as primary lenders and Federal Mortgage Bank of Nigeria (FMBN), as the apex institution with a supervisory role over a network of the PMI's activities. The FMBN later ceded the supervisory function over PMI's to the CBN (Central Bank of Nigeria) in 1997 (Ibid). The FMBN as deconsolidated by Decree No. 82 of 1993 was empowered, among other functions, to collect, manage and administer contributions to the National Housing Fund (N.H.F) from registered individuals and companies. Under the programme, workers earning above ₦3,000 per annum, were compelled to save 2.5% of their monthly income into NHF as contributions. Commercial as well as Merchant Banks were expected to offer to FMBN 10% of its non-life funds and 40% of its life funds in real property development out of which not less than 50% must be paid to the FMBN (Ibid).

Under the 1991 housing policy, responsibilities were assigned to the three tiers of governments and other agencies and parastatals of government such as FMBN, State Housing Corporations, Ministries and Departments. At the target year of the policy (i.e. 2000), the policy could not make the anticipated impacts on the built environment as a result of some factors associated with inadequacies of PMI's, lack of access to land and title to land and problem of mortgage loan affordability among others (Okewole & Aribigbola, 2006).

The recognition of the growing housing problem in both the rural and urban areas of Nigeria and acceptance of the failure of the expired 1991 National Housing Policy prompted the federal government of Nigeria to set up a 15 man committee to review existing housing policy and articulate the New National Housing Policy (NNHP) of (2002). The 2002 NNHP had as its primary goal of ensuring that all Nigerians own or have access to decent, safe and sanitary housing accommodation at affordable cost with secure tenure through private initiative, that is Real Estate Developers on the basis of Mortgage Financing.

The most significant innovations or change was the transition from government-built to privately developed housing (Mabogunje, 2003). In sum, there was disengagement of public sector in housing provision to that of private. Under the new policy, amortization period for NHF loan repayment was increased from 25-30 years, while loan repayment period for developers was 24 months. Interest rates charged on NHF loans to PMI's was also brought down to 4% from 5% while loan lending rates to contributors was reduced to 6% from the previous 9% it used to attract in the 1991 housing policy. The policy permitted a graduated withdrawal of contributors who could not obtain loan under the scheme. It also made contribution to the scheme optional for persons earning less than the national minimum wage. The reason for this was that

such a person was not likely to be able to bear the burden of loan (Yukubu, 2004).

In addition to the above, and in recognition of the acute shortage of residential accommodation in some major cities in Nigeria such as Lagos and Abuja, and in order to facilitate actualization of the policy, the federal government introduced some intervention measures commencing with a pilot project that involved the construction of new forty thousand (40,000) housing units per annum nationwide with at least 1,000 units in each state of the federation, 1,500 units in Kano and River states, 2,000 units in Lagos State and 3,000 units in Abuja.

Housing policies and implementation strategies in Kenya

The National Housing Policy is intended to help improve the deteriorating housing conditions countrywide and to bridge the shortfall in housing stock arising from demand that far surpasses supply, particularly in urban areas. This situation has been exacerbated by population explosion, rapid urbanization, widespread poverty, and escalating costs of providing housing. The shortage in housing is manifested in overcrowding, slums and proliferation of informal settlements especially in peri-urban areas.

In the rural areas the shortage manifests itself in the poor quality of the housing fabric and lack of basic services such as clean drinking water. The policy aims at enabling the poor to access housing and basic services and infrastructure necessary for a healthy living environment especially in urban areas, encouraging integrated, participatory approaches to slum upgrading, including income generating activities that effectively combat poverty, promoting and funding of research on the development of low cost building materials and construction techniques, harmonizing existing laws governing urban development and electric power to facilitate more cost effective housing development, facilitating increased investment by the formal and informal private sector, in the production of housing for low and middle-income urban dwellers; and creating a Housing Development Fund to be financed through budgetary allocations and financial support from development partners and other sources, the Economic Recovery Strategy for Wealth and Empowerment creation launched by the Government in June 2003 was intended to off-set the negative effects and impacts to the vulnerable groups of our society created by reforms and liberation programmes in the economy. In its commitment to improved housing, the Government introduced a National Policy that comprehensively addressed the shelter problem (GOK, 2004).

Kenya Housing Policy Evolution

The first comprehensive Housing Policy for Kenya was developed in 1966/67 as Sessional Paper No. 5. At that time Kenya's population was just over 9 million people growing at a rate of 3 percent per annum for the whole country and 5 to 6 percent per annum in the urban areas. The annual housing requirements then were 7,600 and 38,000 new units in urban and rural areas respectively. The policy directed the Government *to provide the maximum number of people with adequate shelter and a healthy environment at the lowest possible cost.*

The policy advocated for slum clearance and encouraged mobilization of resources for housing development through aided self-help and co-operative efforts. Emphasis was placed on enhanced co-ordination to increase efficiency in the preparation of programmes and project. Other areas addressed in the policy paper included increased research in locally available building materials and construction techniques, and housing for civil servants through home ownership schemes in urban areas as well as institutional and pool housing schemes in remote stations(GOK, 2004).

Urban housing policies in Kenya

In Kenya, the problem of urban housing is characterized by an acute shortage in the number of dwellings, overcrowding in the existing housing stock as well as the existence of substandard human settlements such as extensive slums and squatter settlements. The acute shortage in housing supply has led to high rents being charged by landlords. The majority of people in urban areas do not own homes as the level of owner-occupancy has been declining. The provision of infrastructural facilities has not adequately satisfied the demands of the growing population.

Kenya 1963-1972 Restrictive Policies

At independence in 1963, the government was the main house provider. It provided especially low income housing with over subsidized rental housing schemes while demolishing informally built settlements. Restrictive policies emphasizing appropriate 'house' planning were pursued. Demolitions and/or disapproval of 'unplanned' houses were central in restrictive policies. In execution of such policies, nearly 39,000 people had their 6,733 dwellings in Eastleigh area of Nairobi demolished through bulldozing, under the orders of Nairobi City Council (NCC) in 1970 (Hake, 1977).

The above policy trend was an extension of colonial housing policies, which encouraged segregation manifested in racial zoning. Further, movement to urban areas was restricted and only government and the railway administration employees were allowed and catered for in the towns. Furthermore,

the policies ignored 'native' zones on grounds that the zones did not belong to the 'towns'.The policies constructed an image of 'illegal' residents who consequently had to cater for themselves informally in the peripheral areas of the towns (Parker, 1948). This justified 'repressive' policies that included the demolition of informally developed settlements. At the time of independence, nothing suggests that the housing policy environment was either attractive or supportive. Thus, it can be argued that the 'official' response to informal African settlements picked up by the incoming African Government was equally restrictive at worst and willfully neglectful at best (Mitullah, 1993).

Besides the restrictive policies, there were isolated efforts aimed at improving housing conditions. Immediately after Independence, a UN mission to Kenya led by Bloomberg and Abrams (1964) was commissioned to conduct a short and long term housing needs survey and make recommendations. This report reiterated the position of other colonial reports of the 1950s which showed that housing for Africans was inadequate and insufficient, and led to extreme overcrowding. In view of the pressing problems, the mission recommended the establishment of a housing authority within a new Ministry of Housing. This led to the establishment of the NHC replacing the colonial Central Housing Board. National Housing Corporation (NHC) was mainly charged with the development and initiation of LAs' housing programmes. Through it, supported by Sessional Paper No. 1 of 1965 on Housing, the production of large scale low cost housing was to be ensured, a role which the Corporation plays to date, despite the fact that a large majority still remain poorly housed. In 1967, the HFCK was established with the objective of making loan funds available to people wishing to acquire their own houses in the main urban centres.

The first independent Kenya Government Development Plan (1966/70) showed the government's desire to provide 'decent' housing through both the public and the private sector. This plan came almost at the same time as the above mentioned 1965 Sessional Paper, which enunciated the housing problems facing the country and how the government planned to deal with them. One negative aspect of this paper was that it also ratified demolition of informal settlements, which eventually became a consistent ugly feature in the housing policy of the independent State. By this time, Nairobi had several unplanned housing areas and the policy was used as a tool for bulldozing them, a move which led to the government knocking down more homes than it built.

The development of informal housing in Kenya between the mid-sixties and mid-seventies was full of demolition. For instance Nairobi City Council (NCC) continued reducing, through demolitions, the

number of housing units available, thus negating much of the Government policy of housing low income households. Despite this, more structures came up (Haldane, 1971). This was a clear demonstration of the housing need, but it took the authorities a long time to recognize the efforts of the informal housing sector. By 1970 the rationale of the policy of demolition was being questioned by planners and administrators. In any case, it was based on the premise that the government would manage to reduce rural/urban migration by enhancing rural development and at the same time would manage to provide adequate urban housing, aspirations which remain unfulfilled to date as unplanned areas increase and expand.

Kenya 1972-1995: Enabling Policies

The year 1971 was a landmark in Kenya due to the ILO (1972) report which brought out the importance of the informal sector. By this period, housing units in informal settlements in Nairobi had grown to 22,000 (Chana & Morrison 1973) and by 1979 the units had increased to 110,000, housing about 40% of the city's population (Amis, 1984). The ILO report triggered the entry of international finance into urban housing development. The approach began to shift from restrictive to supportive policies. A gradual move on pragmatic approaches that considered upgrading of informal settlements and encouraging people's own initiatives began to be supported. Opportunities were provided through provision of building sites with basic services under the site and service schemes.

The policy shift had an overall desire of ensuring that every family in Kenya would live in a decent home, whether privately built or State sponsored. The expectation was that the housing units should provide at least the basic standards of health, privacy and security' (Republic of Kenya, 1974). However, there was no political, bureaucratic nor financial commitment. This is reflected in the fact that, despite the desire to improve housing conditions, the 1965 Sessional Paper on Housing (GoK, 1965) remained the only policy reference, notwithstanding the fact that it had been overtaken by events.

The slow pace and inability to review regulations relating to housing have been attributed to the leaders uncompromising view of a modern city, since they are luxuriously housed. Unlike other basic services, housing has had a lip-service in the Development Plans. Political commitment to housing has lacked because more often bureaucrats are well housed. Additionally, until the formation of Shelter Forum in 1990, there was no civil society organization advancing the case of low income housing. Housing, therefore, is one sector whose development would appear to have been left to the forces of the market with high reluctance of the government to control.

It was not until the mid-eighties that isolated reviews began to take place. This began with a key Sessional Paper on Economic Management for Renewed Growth (GoK, 1986), a paper which displayed a departure from the previous practice of relying on the public sector. In the area of housing, this paper acknowledges the importance of the informal sector and gives directions on sale rental of housing, housing plots, and the leasing of government land in urban areas. Its position is that the charges for the above items should be raised, partly because the stated objective of subsidising the urban poor is rarely achieved and partly because the equity goal can be achieved effectively by charging market prices to the few who currently benefit in order to expand provision to the many more who are still in need (GOK, 1986 p.50).

The above paper was followed by the declaration of 1987 as the International year of shelter for the Homeless, which realized concerted efforts on the government performance toward reviewing its policies. A policy document entitled National Housing Strategy for Kenya (GOK, 1987) was prepared by the Housing Department for presentation to the UN. In this document, the government refers to its new directions, which aim at shifting its role from 'one of direct developer' of housing for low income households involving moderate subsidies to one of working with and facilitating the development of housing by the private sector charging market prices.

The above is consistent with the aims of Sessional Paper No. 1 of 1986 and was accelerated by the preparation of a housing policy document (Republic of Kenya 1990). Besides these key documents there have also been other studies commissioned to look into the building bylaws, planning regulations and other general issues relevant for urban housing policy review. These include studies by Yahya and Associates (1981), Struyk and Nankman (1986) and Agevi (1989). The pressure of multi-party politics also pushed the then ruling one party to review its 1965 manifesto. With the introduction of multi-party politics, a number of activities relevant for policy review and formulation have been taking place. Among the aspects reviewed are building by-laws and planning regulations (GOK, 1995). Notwithstanding, sporadic demolitions have continued in major urban centres.

The Development Plan had the greatest number of housing policy directives. It postponed clearance of informal settlements until the housing shortage would be substantially reduced. The Plan noted that; 'The government housing policy is to utilise all resources available in a manner to achieve the maximum possible improvement in the quality of housing over the plan period. This will be done by expanding and introducing a number of programmes for

promoting housing: loans to Municipalities and other Local Authorities for housing, direct construction of housing where Local Authorities cannot do it, pilot schemes in rural and urban areas, participation in the financing of private housing by business enterprises and by individuals, assistance to companies which undertake employee housing projects research into housing markets and constraints of supply, especially in finance, contracting and building industry as well as in building codes (GoK, Development Plan 1970/19974, p.514).

This Development Plan appeared to establish the framework for housing policy in Kenya. It was to be achieved through both the NHC and the HFCK in liaison with relevant organizations. But even then, the policy direction was not realized. The policy was vague and was a non-starter. The 1974/78 Development Plan was clear with respect to informal settlements. The government relented and agreed that a more realistic housing policy should be pursued. In this respect, demolition of informal settlements was not only postponed but stopped. In cases where it was unavoidable, it would not be undertaken without providing the concerned households with alternatives. The plan also isolated Slum Improvement as an alternative to demolition. This was a departure from the government's housing policy of 1965, and the 1970/74 Plan which backed the conditional demolition of informal settlements. At the same time, it recognized the futility of slum demolition, an approach which had its origins in colonial development and did not take the interest of the majority into consideration. The approach was self-defeating and could not be sustained.

Whereas the move to stop demolition of slums was a good policy, it has partially resulted in speculative moves by those who invest in such housing. This trend partly contributes to the proliferation of informal settlements, thereby intensifying problems of service provision and management. It has also contributed to the modification of housing and hence the prevalence of more tenants than owner occupiers in such areas. Housing problems continue to nag providers and consumers alike.

Both the Fourth and Fifth Development Plans (1979/83 and 1984/88) reiterated the government's commitment to increase the housing stock, meet shortfall, and ensure that the produced stock benefits low income urban residents. However, there was no specification as to how they would benefit. The 1979/83 Plan indicated that of the existing 440,000 urban households, only 30% have sufficient incomes to afford minimum cost of conventional housing.

The 1989/93 Development Plan gave directions relating to regulations and building codes. It pointed out the government's intentions to review

regulations and building codes under Town Planning, Land and Housing Laws, the Public Health Act and the Local Government Adoptive By-Laws. They were viewed as obstacles to rapid housing development, and should have been reviewed immediately after Independence.

Housing problems and challenges

The investments in the housing sector since the 1966/67 Policy have been minimal and sporadic. The demand for housing still far outstrips supply. High rate of urbanization, increasing poverty and escalation of housing costs and prices have made the provision of housing, infrastructure and community facilities one of the daunting challenges in the socio-economic development of the country. Research on low cost building materials and construction techniques has been limited thus not providing viable guidance to the development of the sector. Moreover, stringent planning regulations and high infrastructural standards have been an impediment in the housing delivery system.

The high level of poverty has rendered access to decent housing an elusive dream to the swelling ranks of people living below the absolute poverty line. The problem in urban areas is mainly that of acute shortage in the number of habitable dwellings, inadequate infrastructure, community facilities and services, overcrowding and extensive slums and squatter settlements. The situation has been aggravated by socio-economic reforms especially the Structural Adjustment Programmes (SAPs). On the other hand, the major problem in rural areas is mainly that of poor quality of the shelter fabric and limited access to safe drinking water.

The estimated current urban housing needs are 150,000 units per year. This level of production can be achieved if the existing resources are fully utilized by the private sector with the enabling hand of the Government. It is estimated that the current production of new housing in urban areas is only 20,000-30,000 units annually, giving a shortfall of over 120,000 units per annum. This shortfall in housing has been met through proliferation of squatter and informal settlements and overcrowding (Ibid).The institutional housing situation for public servants, especially for the Police and Prisons staff has greatly deteriorated over the years. It is alarming that a section of the uniformed forces live in deplorable conditions with up to four families sharing a house meant for only one family, thereby compromising everyone's privacy (GOK, 2004). Various interventions and strategies have been introduced in the past to alleviate the above situation.

For instance following the International Year of Shelter for the Homeless in 1987, the National Strategy for Shelter to the Year 2000 was formulated to

advocate a change in policy. Since the public sector was unable to meet the challenge through direct provision of housing, the solution had to be sought within an enabling approach, where the Government facilitates other actors to invest in shelter. In 1990, the process towards housing policy review was initiated and the same objective was pursued. It became necessary for the Government to have a critical look into present and future performance of the entire housing sector and formulate a new policy and strategies that will guide the preparation and implementation of future housing programmes. The review of the housing policy was intended to provide a guide in this direction as Kenya, along with other members of the international community, implemented the Habitat Agenda and the National Plan of Action on Shelter and Human Settlements to the year 2020. This policy adopted an enabling strategy, guided by the principles of partnership and participation by all partners in accordance with their comparative advantages (Ibid).

Kenyan National housing strategies

The Kenya National Housing Strategy of 1987-2000 has as its main objective of production of high volume of acceptable quality housing, infrastructure and community facilities, sufficient to meet the new household demands and make inroads into upgrading existing stock of substandard housing in urban and rural areas. Its basic principles included:

- Government to provide land and infrastructure to the private market to facilitate achieving maximum addition to the stock of acceptable housing.
- Targeting low-income groups through government finance assistance with administration shifting to small towns and the rural areas.
- Exploit the resources of the informal sectors to produce acceptable housing with realistic subdivision and building standards.

- Housing finance to develop and maintain rented housing.
- Local community to participate in development of housing programmes/infrastructure/shelter/maintenance and management of facilities.
- Initiate a maintenance fund with every housing development, developing a policy and strategy for improving and including housing finance institutions in maintenance.
- Sell existing stock of government housing to finance infrastructure and low-income housing schemes.
- Contract collection of mortgage and contain the funds collected in housing to remain in the housing sectors (GOK, 2004).

Plans and strategy should be implemented as intended because lack of effective implementation strategies can be counterproductive as Erguden (2001) point out. "Implementation of strategies is the first and most important step in the challenge of adequate shelter for all. The key for overcoming these constraints is to promote an effective facilitative role in order to harness the full potential of all actors in housing production.

METHODOLOGY

The study adopted quantitative research design (Creswell, 2002). This method was adequate to this study because it generalized from a sample to a population so that inferences were made about some characteristics, attitude, or behaviour of the target population (Babbie, 2001). From table 1.1, the target population was 218,766. It was from this total population that the study sample was drawn.

Table-1: Target Population

Area	Male	Female	Total	Area in sq km	Density pp/sq km
Manyatta	31,591	31,346	62,937	5.3	27,327
Nyalenda	25,669	23,706	49,375	8.9	12,679
Kanyakwar (Obunga)	4,380	4,196	8,576	8.5	1,009
Kogony (bandani)	7,150	6,811	13,961	13.1	1,066
West Kolwa (Nyamasaria)	36,560	33,842	70,402	12.2	5,771
Kaloleni	6,467	7,048	13,515	2.1	6,436
Total	111,817	106,949	218,766	50.1	54,288

Table 1.1: Sub location area population including the informal settlements in Kisumu. (Source: 1999 GOK Census)

Simple random sampling was used in this study. The researchers' target population of 218,766 was big hence the researcher employed the use of Saunders et al. (2003) table to get the recommended

sample size of 384 which was ideal for this method of sampling. The Pearson product moment correlation coefficient which the test also yielded + 0.86. The correlation was high enough to judge the instrument reliability for use in this study (Mangal 2004).

Data collection procedure involved delivery and collection of the questionnaires through meetings or

face to face contact and ensuring use of structured interviews. Both quantitative and qualitative data was analyzed by summarizing, categorizing and interpreting the data using tables. Frequencies and cumulative frequencies were calculated and correlation analysis done using SPSS.

RESULTS AND DISCUSSION

The institutional capacity of Ministry of Land and Settlement, Ministry of Housing, and Municipal Council of Kisumu in the development of low cost housing.

Provincial land adjudication and settlement officer, provincial physical planner, provincial housing officer and Director of social services and housing from city council of Kisumu formed the key informant interview in the study.

The following were the findings from key informant interview:

Ministry of Land and Settlement

Face to face interview between the researcher and the provincial physical planner and land adjudication and settlement officer yielded the following results.

1. The draft land use policy was approved by parliament on 25th June 2009 (Daily Nation, Friday, June 26th, 2009) but not yet forwarded to the provincial offices for adoption and implementation.
2. The major components of the land use policy includes Ecological Zones, Land carrying capacity, land use zones and valuation, population distribution and human settlement patterns.
3. There is lack of land in Kisumu for low-cost housing development.
4. Low-cost housing development has been left on the hands of private developers in free – hold peri-urban land.
5. The average sizes of freehold pieces of land is 0.03Ha. Some are as small as 0.01Ha.
6. Ministry of Land and Settlement intend to carry out slum upgrading measures through provision of infrastructure (water, roads and electricity) put a ceiling on the minimum size of land for subdivision and development control measures such as preparation of zoning plans as a strategy towards addressing the rising trend of proliferation of informal settlements in Kisumu.
7. Ministry of Land have partnership arrangement with Kenya Slum Upgrading programme – KENSUP; UN-Habitat; Pamoja Trust and Millennium Cities Initiatives (MCI) to address low-cost housing development to the urban poor in Kisumu.
8. The physical planning act is an impediment to housing supply as it does not have provision for low cost housing development.
9. Both physical planning acts and Building Codes are not tailored towards provision of low-cost housing. They have colonial orientation and view low-cost housing as substandard.
10. The Land Tenure System is dominated by private land ownership (freehold, leasehold and institutional) hence pose a challenge to low-cost housing development.

Ministry of Housing

Face to face interview between the researcher and provincial director of housing yielded the following results.

1. The Ministry is upgrading social facilities such as schools, roads, markets to improve the living standards in the slums.
2. Most pieces of land within the slums in Kisumu are having freehold titles hence make low-cost housing development difficult.
3. The ministry has been carrying out research on low-cost building technologies such as the use of Hydro-foam techniques to manufacture Blocks.
4. The ministry in collaboration with other key stakeholders is carrying out measures to review the obsolete building code.
5. The ministry is working very hard to ensure that an independent Housing Authority is created to control the development of both public and private housing units.
6. The ministry get funds from National Housing Corporation. The corporation was created by the government to offer loans for the development of housing. The ministry use these funds to build houses for rental. Sometimes they sell these housing units to individuals. The major challenge is that the few units which have been developed are not pro-urban poor. They target middle income earners.
7. Ministry of housing have civil service Housing Scheme which finance civil servants to purchase or construct their own houses. However, these categories of civil servants do not fall under urban poor.
8. The ministry lack land for low-cost housing development. The only pieces of land they have are the ones where the government houses are erected. These houses accommodates civil servants from various government ministries.
9. The ministry has been lobbying for land allocation by ministry of land and settlement. They have also been requesting the local communities and city council of Kisumu to allocate land for low-cost housing development.
10. The Ministry of Housing is not charged with the responsibility of housing development control. It is

the city council of Kisumu to control the high rate of proliferation of informal settlement

Social services and housing development department of city council of Kisumu

Face to face interview between the director of social services and housing from city council yielded the following results.

1. About 25% of the population lives within the old town section. The peri-urban area is densely populated and accommodates the rapidly expanding informal settlements. There is high and increasing demand for shelter against a background of poor urban planning, diminishing resources, high rents, poor water and sewerage infrastructure and insecure land tenure. Low-cost housing development is lacking. Housing supply is left on the hands of middle-level income earners who can as well secure loans from banks.
2. The tenant purchase schemes collapsed due to lack of funds. The UN Habitat and World Bank withdrew further funding for Housing through National Housing Corporation. Corruption and mismanagement of funds were cited as the major reasons why the donors withdrew from funding tenant purchase schemes.
3. Kisumu city Council has not developed any estate since the World Bank Competed funding the phases of Migosi Site and service scheme in 1990. The director of social services department said that the council lacked funds for the development of low-cost housing to the urban poor.
4. The planning department of city council of Kisumu participated in the preparation of city development strategy plan in the year 2005. They have also embarked on the development of city structure plan which will bring a detailed report on the zoning criteria and infrastructure layout-plan. Lack of a structure plan is an impediment to low-cost housing development.
5. Kisumu city council is collaborating with UN Habitat and Ministry of Housing to reduce the rate of proliferation of informal settlements in slums such as Nyalenda, Manyatta, Kanyakwar (Obunga), Kaloleni, Nyamasaria and Kogony (Bandani) through slum upgrading initiatives. Such initiatives include: Kenya slum upgrading programme, cities without slums and Kisumu Urban project. However, Low-cost housing development has not come out clearly. The slum upgrading programme has developed schools; markets, hospitals at the detriment of low-cost housing.
6. It was found out that the building code is not relevant in low-cost housing supply. The building code is not responsive to the modern building technology all over the world as it has not deviated from the conventional way of planning and designing houses and the use of traditional building materials such as bricks and mortar. These building materials are expensive and unaffordable for low-cost housing development.
7. Ministry of Housing has recommended the use of modern technologies such as compressed solid blocks (Hydro-foam Blocks) through appropriate technology. Technical officers from Kisumu city Council has not been training the Community on the use of modern technology in housing development as a strategy towards reducing the cost of building and the rate of proliferation of informal settlement. There is serious shortage of building and civil engineering staff at city council of Kisumu.
8. The council does not have adequate pieces of land for low-cost housing development. The council needs to collaborate with the Government towards sourcing for funds to purchase land from freehold land owners as a strategy towards low-cost housing development to the urban poor in Kisumu.
9. Building approval process was found to be a great hindrance towards low-cost housing development. It was found out that building approval process takes too long at Kisumu city council the building plans approval committees follow the building standards as is found in the building code and physical planning act. These codes are obsolete and not responsive to low-cost housing development. It was found out that the committee follow clause seven (7) of the building code which restrict approval of building plans to a minimum of thirty (30) days and a maximum of sixty (60) days. Clause thirty (30) of the physical planning act levy a fine of Kshs One hundred thousand shillings to any person who erects a building without a building permission. These obsolete rules slows down the rate of low-cost housing development.
10. The council lack an archive for storing historical data on low-cost housing. The historical files on low cost housing are missing. The geographical information system (GIS) facility within the planning department is not operational despite the efforts by the UN Habitat to train the technical staff on the use of GIS system and donate over ten computers towards information management. Most computers donated have been misused and vandalised.
11. The following low-cost housing units were developed by the council in collaboration with National Housing Corporation between 1970 and 1990. Since then, No low-cost housing units have been developed by the council.

Estate	Housing Units
a) Lumumba	100
b) Kibuye	56
c) Anderson	246
d) Ondiek	165
e) Arina	525
f) Makasembo	125
g) Mosque	88
h) Argwings	48
Total	1,353

This total number of housing units is very low for the urban poor in Kisumu considering the high rate of population increase occasioned by Rural-Urban migration. The cost of rent in these estates range from Kshs.600 to Kshs.3, 000.00.

12. The category of urban poor housed in the existing housing units were found to be low and medium income earners. There is need for household survey to be conducted to ascertain whether the existing housing units for the urban

poor are housing the intended people as was the original aim.

13. The council does not have maintenance plan for the existing low-cost housing units. Most of them are leaking with no repair and maintenance plan. The council lacks funds for repairing and maintaining these housing units. The budgetary allocation has not been catering for the repair and maintenance of these housing units.
14. Most access roads serving these estates are in a dilapidated condition. Most storm water drainage systems are clogged thus preventing free flow of water into Lake Victoria. Equally in a pathetic state are the main sewer lines.
15. Kisumu City Council has not been constructing social amenities such as Schools, Hospitals and Halls. Even playgrounds for children are missing.

Correlation analysis

House with electricity was used as the comparison group in correlation analysis.

Table-2: Correlation analysis on dependent variables

	Coefficient	P	95% Confidence Interval	
Land tenure system	-0.8193767	0.029	-1.553924	-0.084829
Government loan for building houses	-18.04679	0.000	-21.44865	-14.64494
Source of water	-1.295951	0.003	-2.152789	-0.4391123

Table-3: Correlation analysis on independent variables

	Coefficient	P	95% Confidence Interval	
Infrastructure expenditure percapita (Gvt. Allocations)	-0.9366059	0.000	-1.459989	-0.4132226
Research and demonstration centres	-0.9368817	0.015	-1.690857	-0.1829064
Building technologies	-1.467263	0.000	-2.080023	-0.8545039
Research on building materials	-1.16714	0.000	-1.589066	-0.7452153
Planning regulations and standard	-0.4900859	0.021	-0.9076352	-0.0725365
Provision of land and infrastructure by government	-0.7451902	0.048	-1.482859	-0.0075212
Exploitation of local resources	-0.5256598	0.021	-0.9717343	-0.0795852
Community participation	0.8296366	0.000	0.3840608	1.275212
Role of community to form CBO	-0.1042479	0.045	-0.2061953	-0.0023005
Collaboration of community with government	-0.7319026	0.040	-1.429295	-0.0345099
Involvement of CBO in housing	-1.434677	0.000	-1.969494	-0.8998591
Displacement of people by government	-0.916368	0.002	-1.488449	-0.3442867

Logistic regression was run for all variables in Question one with House with electricity as the dependent variable. Variables which showed correlation to it are shown in the table and they happen to be all important indicator of provision of low cost housing to urban poor in Kisumu. Since the presence or absence of electricity is easily measurable the researcher chose it as the dependent variable

Correlation analysis on independent variables

House with electricity was the comparison group to Provision of low cost housing to urban poor in Kisumu. "Yes" was used to mean those agreeing with

the findings of the study whereas "No." was used to mean those disagreeing with the findings of the study.

Summary of correlation analysis

Provision of low-cost housing is negatively correlated to provision of adequate road, electricity and water (coefficient = -0.9366059, P = 0.000, 95% C.I = -1.459989 -0.4132226), research and demonstration centres (coefficient = -0.9368817, P = 0.015, 95% C.I = -1.690857 - -0.18329064), building technologies (coefficient = -1.467263, P = 0.000, 95% C.I = -2.080023 - -0.8545039), Research on building materials ((coefficient = -1.16714, P = 0.000, 95% C.I = -1.589066 - -0.7452153), planning regulations and

standards (coefficient = -4.900859, P = 0.021, 95% C.I = -0.9076352 - -0.725365), provision of land and infrastructure by government (coefficient = -0.7451902, P = 0.048, 95% C.I = -1.482859 - -0.075212), exploitation of natural resources (coefficient = -0.5256598, P = 0.021, 95% C.I = -0.9717343 - -0.0795852), role of community to form CBO (coefficient = -0.1042479, P = 0.045, 95% C.I = -0.2061953 - -0.023005), collaboration of community with government (coefficient = -0.7319026, P = 0.040, 95% C.I = -1.429295 - -0.0345099), involvement of CBO in housing (coefficient = -1.434677, P = 0.000, 95% C.I = -1.969494 - -0.8998591), displacement of people by government (coefficient = -0.916368, P = 0.002, 95% C.I = -1.488449 - -0.3442867) but positively correlated to community participation (coefficient = -0.8296366, P = 0.000, 95% C.I = 3840608 - 1.275212).

This shows clearly the failure of government housing policies to address low-cost housing development to the urban poor in Kenya. The government needs to adopt bottom-up approach in policy formulation by carrying out thorough community needs assessment and then factoring them in low-cost housing policy document.

RECOMMENDATIONS

Need for Audit of Technical staff. Recruitment and selection of Technical staff should be done. Need for implementation of land use policy; creation of Housing Authority, merging of related ministries and review of obsolete codes related to Low-cost Housing Development.

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