Tenure Security Facility Southern Africa
How poor women and men access hold and trade land in Lilongwe, Malawi

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18th February 2013
Tenure Security Dialogue, Lilongwe
Background

- *Urban LandMark*
- *Operation of the market studies*
- *Tenure Security Facility Southern Africa*
- *The Lilongwe study*
Professional Development & Regionalisation
Urban LandMark
Operation of the market studies

South Africa

- Delft, Cape Town 1989 (RDP)
- Somalia, Ekurhuleni 1989 Informal settlement
- Sobonakona Makhanya, Durban 1859 (customary)
Operation of the market studies

Angola: Development Workshop

Social Housing Zones

Owner-built Planned

Transitional Musseques
Operation of the market studies

Maputo
Operation of the market studies

• The study findings tend to question common assumptions such as:
  – There are no land markets in places where poorer women and men live in our cities
  – Informal settlements should be eradicated or relocated
  – Markets are characterised only by price / a financial logic
  – The state is absent from informal settlements
  – Property transactions are a single moment, a contractual agreement
Operation of the market studies

• Steps in a transaction
  – Finding people to transact with
  – Recognising others to transact with
  – Calculating/valuing
  – Contracting (or making the agreement)
  – Holding land (accruing rights)
  – Terminating
Operation of the market studies

• Interventions crafted on these assumptions will be misdirected
• Instead: work with the markets in slums, not against them
• The starting point is to understand them:
  – what characterises them
  – where authority resides
  – where the strengths and weaknesses lie
• And then to work towards recognition
To provide **specialist technical assistance and advisory services** on tenure security within slum upgrading initiatives in the Southern African region and **share lessons learnt** with others in the region

• Cities Alliance grant – Catalytic Fund & UKAid
1. **2 diagnostic studies** on urban land markets in Lilongwe, Malawi and in Tete, Mozambique;

2. **Specialist advisory services** on tenure to Luanda, Angola and Maputo, Mozambique in the development and implementation of appropriate mechanisms and approaches to increase tenure security for households living in informal settings in the cities; Tenure security dialogue in Lilongwe

3. **Technical assistance** on security of tenure to slum upgrading projects in South Africa in three identified sites - Johannesburg, Cape Town, and Witbank; and

4. **Practical guide** for use in the region on incrementally securing tenure in slum upgrading
To understand how the poor access, hold and trade land in Lilongwe, Malawi through surveying two settlements in the city namely Mtandire and Chinsapo

Methodology

- Literature review
- Field research
- Data entry and analysis
- Community feedback
- Research report
- Presentation to stakeholders
- Implications for policy and slum upgrading?
Findings (1)

1. Sample
2. Demographics
3. Tenure and stand description
4. Reasons for moving
5. Did people’s lives improve since living here?
### Sample add number of people

<table>
<thead>
<tr>
<th>Area</th>
<th>Number of people interviewed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Own</td>
</tr>
<tr>
<td>Mtandire</td>
<td>141</td>
</tr>
<tr>
<td>Chinsapo</td>
<td>124</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>265</td>
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</tbody>
</table>
There is a strong demographic similarity between the two settlements with no marked differences between them.

There are a high number of households with a female head – this was because of the season in which the interviewing was undertaken.

Both settlements have a relatively young population (mean age of respondents is 34 and most children are below primary school age).

It appears that the two settlements comprise a community that is made up predominantly of married couples or couples living together as a nuclear family. There are some single parents (7% overall).

While there appears to be high levels of employment either in a formal job or a business the amount of income earned is very low (either below or close to the poverty line as defined by the United States Government for developing countries). Approximately 15% overall of households are living below the poverty line.

There are about 5,673 and 21,332 children in Mtandire and Chinsapo respectively most of which are very young i.e. either not yet at school or at primary school.
Tenure by Settlement (%)

- Mtandire: Own 38, Rent 62
- Chinsapo: Own 35, Rent 65
- Total: Own 36, Rent 64

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Tenure and stand description

– Approximately a third of households own their property and two thirds are tenants i.e. renting their property

– Most properties in the settlements have houses for rent on them:
  - One third have 3 to 4 buildings,
  - One third have 5 to 6 buildings and
  - One third more than 7 buildings.
  - Owners will generally occupy one building and rent out the remaining buildings. One to two buildings are used for a bathroom or toilet and one for a kitchen.

– It appears that the communities in the two settlements are stable, with households living in them for a considerable amount of time – 16 to 17 years on average in respect of households who own their property and 7 to 8 years in respect of households who rent their property
Most households had lived in two houses before moving to their current house.

The most common reason for a household moving to this community is a life change namely getting married (39% overall). A smaller number moved to the area for economic reasons due to a business declining, to reduce costs or as a result of losing their job.

For just under half of the households this community was their only option (43% overall). About a fifth (23% overall) could have moved back to the rural areas or to another informal settlement (18% overall).
Did people’s lives improve since moving here?

- Most respondents feel that their situation has improved as a result of moving into the settlement, although more people who OWN said their lives improved than those who RENT.
- The main reasons given for this is reduced living costs and access to services mainly water.
- Most respondents see the process of accessing and holding land to be easy.
- Most respondents feel that there is room for new households to come into the area and feel that the reason why households may want to do this is due to jobs being in close proximity to the settlement.
Findings (2)

1. The process of accessing holding and trading land
2. Perceptions about accessing holding and trading land
3. Do people feel that tenure is secure?
Finding a place

Before Moving to Settlement From Whom Did You Hear About It (by settlement and tenure) (%)

- Was born in house: 22, 12
- Family member: 39, 43, 46, 28, 36, 40, 42
- Friend: 34, 58
- Neighbour: 47
- Work college: 4, 2, 2, 3, 3
- Employer: 4, 2, 2, 3, 3, 2, 0, 1, 1
- Radio: 1, 0, 2, 2, 2
- Traditional leader/chief: 3, 0, 2, 1, 1
- Municipal officer: 10, 0, 0, 0
- Other: 6, 7, 1, 3, 4

Legend:
- Mtandire - own
- Mtandire - rent
- Chinsapo - own
- Chinsapo - rent
- Total

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Checking trustworthiness

Before Moving What Gave Confidence that the Agreement Would be Valid (by settlement and tenure) (%)

- A friend/family introduced me
- Friend/family member confirmed trustworthiness of contracting party
- Committee had system of guaranteeing the agreement
- My family gave me permission
- Other people were doing it successfully
- The chief would give me a letter
- I just took a chance
- Other

Mtandire - own: 22, 12, 16, 37, 39, 37
Mtandire - rent: 1, 3, 13, 10, 7, 15
Chinsapo - own: 17, 19, 20, 41, 24, 23
Chinsapo - rent: 7, 0, 7, 18, 27, 27

Urban Landmark
Valuing

At the Time of Moving what was Valued about the House (by settlement and tenure) (%)
Negotiating an agreement

**How Agreement was Obtained (by settlement and tenure) (%)**

- **Agreement was made public**
- **Given a document from the chief**
- **Given a document from the owner**
- **Agreement was witnessed by the chief**
- **Other**

The chart shows the percentage of agreements obtained through different means for different settlements and tenures.
Time and cost

- The time spent in finding a house ranges from on average 3.5 months in Mtandire to 6 months in Chinsapo, although there is a wide range of time frames.
- The time taken to secure a house from hearing about it to moving in is on average 3 months in Mtandire and 6 months in Chinsapo, although there is a wide range of time frames.
- The average cost in finding a house including transport, fees etc varies in terms of ownership being 1769MK ($5) in Mtandire to 3385MK ($10) in Chinsapo.
- The average cost in terms of rental is similar between the two settlement being 1688MK ($5) in Mtandire and 1670MK ($5) in Chinsapo.
Average Number of Days Taken to Negotiate Agreement (by settlement and type) (%)
Contracting

From Whom Respondent Bought the Place (by settlement) (%)

- Stranger to whom chief introduced me
- Stranger to whom friend/family introduced me
- Someone I know from family/friend
- Other

Mtandire:
- Stranger to whom chief introduced me: 23%
- Stranger to whom friend/family introduced me: 19%
- Someone I know from family/friend: 15%
- Other: 7%

Chinsapo:
- Stranger to whom chief introduced me: 31%
- Stranger to whom friend/family introduced me: 32%
- Someone I know from family/friend: 30%
- Other: 7%
Percent of respondents that would lose their rights to the property if they moved (by settlement and tenure)

- Mtandire - own: 21%
- Mtandire - rent: 79%
- Chinsapo - own: 32%
- Chinsapo - rent: 68%
A note on renting and owning

Reason why renting and not owning (by settlement) (%)

- I own a place elsewhere
- I do not have enough money to own
- I am waiting for a place to become available in this community
- I am saving to buy a place elsewhere
- I am only here for a short while
- I want to go back to the rural area

Mtandire: 88%
Chinsapo: 90%
Whether respondent rents out a room or house (by settlement) (%)
Respondents who Experienced Problems after the Agreement was Made (by settlement and type) (%)
The majority of respondents found the different activities pertaining to the process of accessing and holding land to be easy.

<table>
<thead>
<tr>
<th>Activity</th>
<th>Majority of respondents (over 70%) found the activity easy</th>
<th>Majority of respondents (over 70%) found the activity moderate</th>
<th>Majority of respondents (over 70%) found the activity difficult</th>
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</thead>
<tbody>
<tr>
<td>Finding a place</td>
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<tr>
<td>Checking trustworthiness of seller/landlord</td>
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<tr>
<td>Deciding on a price</td>
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<td>RENT</td>
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Almost all respondents have never had a title deed.

Most respondents feel that now that they have lived in the settlements for a while, that their rights are stronger.

The reason for this is that they have built social networks in the area and are becoming part of the community.

The process of acquiring and holding land appears to be effective and there are very few respondents who have experienced problems.

If problems did occur respondents who own would seek assistance from the Chief, whereas respondents who rent would seek assistance from the social network.
Conclusions

- The study shows that an informal market exists which enables households to trade and hold land both on an ownership and rental basis.
Conclusions

– Friends and relatives play an important role in identifying the place to live and in ensuring that contractual arrangements will be valid. In addition in resolving disputes.
– The Chief plays a role in respect of the ownership market but significantly less so in respect of the rental market, which is between a landlord and tenant
– In respect of ownership rights to properties are obtained for most respondents through an agreement witnessed by the chief or a document given to them by the chief
Implications?

- Renters and owners in upgrading
- Authority – chiefs, social networks
- Functional markets: ease of access; proximity to jobs but what could threaten this functionality?