Status of Service Delivery in the Land Sector

18th Scorecard Report

28th October 2015

A study on the status of service delivery in lands offices as inferred from citizen interaction with land registries
Full Report
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Service Delivery in the Land Sector

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Executive Summary

Land is considered a principle source of livelihood for a majority of Kenyans and as such, its ownership, allocation, distribution and utilization is central to the economic, social and cultural development of Kenya. The Ministry of Lands, Housing and Urban Development (MoLHUD) is the main institution managing and administering land in the country through its registry, adjudications & settlement, survey and planning departments in the county level lands offices. These offices provide service points for land transactions and as such their efficiency directly influence the land market and consequently has social and economic implications.

The Land Development and Governance Institute (LDGI) has since 2010 been actively involved in the land reforms through periodically monitoring the implementation process to assess the progress being made and impact on the sector as a whole. This Scorecard process entails engaging the citizenry to get views on different aspect of service delivery, analyzing information collected from citizens seeking services at land administration and management institutions and thereafter reporting the findings to the public and the relevant institutions.

LDGI’s 18th scorecard, under the theme ‘A Study on the Status of Service Delivery in the Land Sector’, sought to assess the status of service delivery in various lands offices across the country, by gauging various aspects of transacting in the different departments. The study was carried out in twenty nine (29) land registries spread across the country where a total of nine hundred and thirteen (913) respondents were interviewed.

The findings of the survey revealed that land registry emerged as the most frequented department of MoLHUD having been visited by 60% of the respondents. Land search was the most sought after service as 42% of the respondents interviewed were seeking this service. Other key services sought included land transfer, subdivision and purchase of maps, land dispute resolution and land rent enquiry/payment. From the findings it also emerged that most service seekers at lands offices (64%) have had to make repeat visits while seeking the same service.

The study measured the quality of services offered at the lands offices through public ranking of different aspects of service delivery. Access to information was ranked differently across the
board, with 37% of respondents ranking it as fair, 24% as easy and 39% as difficult. With regard to cost, 61% stated services were just affordable while 29% of respondents interviewed ranked the cost unaffordable. Turnaround times at lands offices had a poor rating with 68% of service seekers pointing out to services being either slow or very slow. Corruption remains a challenge to citizens seeking services at land registries with 41% ranking it as high or very high. However, majority of those interviewed (64%) felt secure with titles held to land. Respondents were also interviewed on their awareness of the online land search system which was recently introduced by Ministry of Lands. From the survey, only 37% were aware of this service.

The study also got suggestions from citizens on how to best improve the different processes they undertake at lands offices (land search, land purchase/ transfer, land rent enquiry/ payment, dispute resolution and subdivision/ purchase of map). Most citizens feel that an improvement of turnaround times for these transactions should take priority for each. Other respondents suggested digitization of all land records in the country for increased efficiency. Citizens feel that digitization of the records, coupled with computerization/ automation of processes such as land searches will greatly improve turnaround times of other land transactions. Respondents also proposed mobile payments to ease payment of rates and rent. Lands offices in remote areas are understaffed and citizens seeking services at these points were of the opinion that recruitment of more officers would improve service delivery.

Based on the findings, the report recommends digitization of land records; automation of processes at land registries to improve turnaround times for transactions; elimination of brokers and corrupt land officers; recruitment of adequate staff; and public awareness creation on service points to improve service delivery in the sector.
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1. Introduction

LDGI has since 2010 periodically gauged the progress of reforms implemented in the land sector by gauging the impact being felt by service seekers. Past scorecards gauging service delivery have pointed to slow improvements in timeliness and access to information and continued corruption as a hindrance to service delivery. Most improvements in service delivery in lands offices have been experienced in urban areas, with rural Kenya not recording any improvements over time. Recommendations from previous scorecard reports have helped inform some of these improvements both at national and county level. This survey was undertaken at a time when the country has witnessed a number of sectoral programmes being implemented by the Ministry of Lands, particularly the issuance of title deeds, reorganization of land registries and more recently introduction of an online search platform, available for the Nairobi registry.

This report gives a summary of the citizens’ perceptions of different aspects of service delivery at lands offices as well as suggestions on how to improve the different services sought. It also contains findings on how the public ranked the land offices based on; the ease of access to information, cost of transactions, timeliness in carrying out transactions and incidences of corruption in the land offices. The survey also sought to establish the level of awareness of the recently introduced online land search and its effectiveness.

1.1 Objectives

The main objective of this scorecard was to assess the status of service delivery in the land sector. The specific objectives were

1. To rank different aspects of service delivery in various lands offices across the country
2. To seek recommendations from the public on how to improve different processes carried out at registries
3. To identify the possible areas of improvement of service delivery in the lands offices
2. Scope of the study

2.1 Data sources
The data used in this survey was collected between 16\textsuperscript{th} September and 2\textsuperscript{nd} October 2015 from 29 lands offices in 26 counties. A total of nine hundred and thirteen (913) respondents were interviewed.

2.2 Gender of the respondents
70\% of the total sample population of 913 respondents was male while 30\% were female as shown in the figure 2.1 below.

\begin{figure}[h]
\centering
\includegraphics[width=0.5\textwidth]{gender.png}
\caption{Gender of respondents:}
\end{figure}

\begin{center}
Source: survey data September 20
\end{center}

2.3 Age bracket of the respondents
Majority of citizens seeking services at land registries are aged between 31-40 years (29\% of the sample). Respondents aged between 41-50 years and 51-60 years represented 24.3\% and 20.5\% of the sample respectively. Only 12.2\% of those interviewed were aged below 30 years old as shown in the figure below.
2.4 Highest level of education

78% of the respondents had attained at least secondary education. 16% had primary education as their highest level while 5.8% had no formal education.

**Table 1: Level of education**

<table>
<thead>
<tr>
<th>Level</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>None</td>
<td>53</td>
<td>5.8</td>
</tr>
<tr>
<td>Primary</td>
<td>146</td>
<td>16.0</td>
</tr>
<tr>
<td>Secondary</td>
<td>261</td>
<td>28.6</td>
</tr>
<tr>
<td>Tertiary</td>
<td>304</td>
<td>33.3</td>
</tr>
<tr>
<td>University</td>
<td>138</td>
<td>15.1</td>
</tr>
<tr>
<td>Post-graduate</td>
<td>11</td>
<td>1.2</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>913</strong></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>

Source: survey data September 2015
3. Findings

3.1 Departments visited

The most commonly visited department of the lands offices was the registry with 60% of the respondents seeking services at this department. Survey department was the second most frequented department (21%) followed by adjudication and settlement (14%). Planning department had the least number of visits (5%).

Figure 3: MoLHUD departments visited

Source: survey data September 2015

Photo: Isiolo Ardhí House
3.2 Services sought and frequency of visits

Land search was the most sought after service at the land offices with 42% of the interviewed sample looking perform a land search. 21% of service seekers wished to transfer ownership of land whereas 14% sought to subdivide their land. Land dispute resolution accounted for 10% of the respondents while only 7% were looking to make rent payments. Citizens seeking other services such as removal of caution and follow up on lost title deeds made up 6% of the total.

Figure 4: Services sought at lands offices (i)

Source: survey data September 2015

3.3 Frequency of visits

An analysis of the data showed that most of the respondents had dealt with the lands offices within the preceding year. The table below is a summary of the number of visits made to lands offices by the respondents.

Table 2: Frequency of visits to lands offices

<table>
<thead>
<tr>
<th>No. of visits</th>
<th>Frequency</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-3 times</td>
<td>367</td>
<td>40.7</td>
</tr>
<tr>
<td>4-6 times</td>
<td>235</td>
<td>26.1</td>
</tr>
<tr>
<td>7-9 times</td>
<td>55</td>
<td>6.1</td>
</tr>
<tr>
<td>&gt;10 times</td>
<td>244</td>
<td>27.1</td>
</tr>
</tbody>
</table>

Source: survey data September 2015
It is important to note that 64% of the respondents who made repeat trips to the lands offices were seeking the same service.

*Figure 5: Services sought at lands offices (ii)*

<table>
<thead>
<tr>
<th>Percentage</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>64%</td>
<td>Same service</td>
</tr>
<tr>
<td>36%</td>
<td>Different service</td>
</tr>
</tbody>
</table>

Source: survey data September 2015

### 3.4 Ranking of Services

The respondents were required to rank five different aspects of service delivery based on their individual experiences with the land offices. These variables were: ease of accessing information; cost of services; timeliness; corruption; and security of title deeds. The following section contains the general study findings.

#### 3.4.1 Access to Information

Access to information at the land offices was ranked positively with 37% ranking it as fair and 24% ranking it as easy of very easy. However, 39% had difficulties accessing information at lands officer as shown in Figure 6 below.
3.4.2 Cost of transacting

The cost of services offered was *just affordable* to majority of the respondents (61%). 31% of respondents interviewed felt costs are unaffordable. Only 4% of the sampled respondents were okay with cost of transacting at land registries.

3.4.3 Timeliness

Majority of citizens are dissatisfied with the times they take to complete processes at lands offices. Turnaround times for transactions carried out at lands offices were poorly ranked with 31% of respondents rating timelessness as slow and 37% rating timelessness as very slow (total 68%). Only 17% ranked it as fair with 13% finding processes timely as outlined in Figure 8 below.
3.4.4 Levels of corruption

Corruption remains a great hindrance to service delivery at lands offices across the country. 41% of the respondents still found that corruption is rife in land transactions and ranked it either as high (21%) and very high (20%). However, 15% and 9% found the corruption levels low and very low respectively. 35% did not know of or had not come across any corruption incidences in lands offices.
3.4.5 Security of titles deeds

Respondents were asked to give ranking based on how secure they feel with the title deeds they hold to lands owned. The findings revealed that 35% of the respondents felt secure with their titles deeds, and a further 15% felt very secure. 14% felt fairly secure. Only 7% and 3% of the interviewed respondents felt respectively. Figure 10 below is a summary of these findings.

*Figure 10: Security of title deeds*

3.4.6 Other aspects of concern in land offices

Figure 11 above gives a summary of other aspects of concern in lands offices as shared by the respondents with regard to service delivery. The time taken in accessing services was of great concern to the members of public as shown by 46% of the responses calling for the need to reduce this for the various transactions.
Digitization of the land records and automation of processes was also a high priority issue to citizens as 17% of the respondents gave this suggestion as the one improvement that would generally improve service delivery at lands offices. 13% of respondents interviewed called for a reduction of fees charged for the services. Other notable comments included elimination of brokers (9%), abolishment of Land Control Boards (7%), the involvement of family members in land transactions (6%) and issuance of genuine title deeds (2%).

3.5 Online land search system

In September 2015, the Ministry of Lands, Housing and Urban Development introduced an online land search option for the Nairobi Registry, hosted on the government’s ‘e-Citizen’ platform (http://lands.ecitizen.go.ke). 63% of the respondents interviewed were not aware of the online land search system while 37% were aware as shown in the figure below.
3.6 Respondents’ suggestions on the way forward

Service-seekers at lands offices were also prompted to give suggestions on how to improve the individual processes undertaken at lands offices. The following part of the report discusses their proposals.

3.6.1 Land search

Most respondents (50%) felt that digitization of land records and full computerization/automation would greatly improve the land search process. A reduction on the time taken to complete a search would bring improvements according to 33% of the interviewed respondents. 8% of the sample wanted the transaction costs to be reduced. The other suggestions put forward included hiring more staff (5%), elimination of corruption (3%) and provisions to cater for people with special needs (1%). Decentralization of the process to the sub-county level and introduction of the land search option at all Huduma Centers were also mentioned (less than 1%).
3.6.2 Land rent enquiry/payment

With regard to land rents and the payment process, 41% of the respondents suggested that the turnaround time for processing should be reduced. A reduction of the rates was suggested by 33% of the sample and an additional 10% reported inaccuracies in billing and suggested accurate billing would improve land rent enquiry/payment. 15% of the interviewed residents put forward that land rent payments would be improved by introducing mobile money transfer payment options. Other propositions included elimination of corruption (1%) while the others wanted defaulters to be granted waivers.
3.6.3 Land dispute resolution

The respondents gave various suggestions on how to resolve land disputes, with most respondents (39%) stating that it was important for the registries to improve on their timeliness in dealing with reported land disputes. 21% of the respondent’s proposed elimination of corruption as one of the key ways to end land disputes in the country. 18% of those interviewed suggested application of alternative dispute resolution (ADR)s to improve land dispute resolution. 8% of the sample were of the view that the digitization of land records would reduce the incidences of corruption and consequently ensure faster conclusion of cases. Other suggestions put forward to improve land dispute resolution included recruitment of more officers (7%), the involvement of the community in disputes resolution (6%) and frequent vetting land officers to reduce corruption (1%).

![Figure 15: Land dispute resolution recommendations](image)

Source: survey data September 2015

3.6.4 Subdivision/purchase of maps

Transaction turnaround times remained a high priority issue for citizens as 42% of the respondents interviewed recommended reduction of turnaround times in the sub-division of land process. An
additional 33% advocated for the automation of systems and procedures as well as digitization of maps and other land records for efficient service delivery. On the other hand, 19% the sample population stated that maps should be made more available by subsidizing their prices significantly. Elimination of corruption and checking integrity of officers would ensure quality services in subdivision of land in Kenya according to 5% of the interviewees. 1% of the respondents proposed that Land Control Board sittings should be more frequent to make sure that people get equal and sufficient opportunities to be served. Figure 17 below contains the summary of these findings.

*Figure 164: Subdivision and purchase of maps recommendations*

Source: survey data September 2015
4 Conclusions and Recommendations

4.1 Conclusions

1. Ease of accessing information
Majority of citizens are experiencing difficulties when trying to access information at lands offices. This can be attributed to the fact that some registries do not have enquiry desks and service counters. In some registries there is shortage of staff, some of whom are unapproachable. In other cases, services have been ‘commercialized’ and as such compel citizens to use brokers in order to get information.

2. Cost of transacting and getting services
Citizens are fairly satisfied with the cost of transacting at lands offices. However, these costs become unaffordable when the services are not delivered on the same day or as per the charter timelines, forcing citizens to make several trips to the land offices. Some citizens have to seek accommodation in instances where lands offices are located far from their homes. In one case, service seekers travel as much as 80 Km to get to a land registry (Isiolo County). Another instance is that of citizens residing in Laikipia West who cannot access services at the registry at Rumuruti which is closer, but instead have to travel to the registry at the county headquarters in Nanyuki (Laikipia County). This increases the amount of money spent in seeking the services.

3. Timeliness
Members of the public are generally dissatisfied with the duration of time it takes to complete a single transaction in the land offices. Service Charter timelines are not observed and some services such as land searches take more than 3 days in most registries. Some citizens attribute this to the use of manual systems and lack of stationery such as green cards, blue print and papers for preparing title deeds.

4. Incidences of corruption
The survey showed high levels of corruption at various levels across the different departments. Cases of ‘missing documents’, request for ‘fuel money’ to conduct site visits, unofficial payments
without receipts, exclusive use of brokers in order to get services and favoritism, access to services by brokers after office hours and using unconventional means such as transacting via windows are all indications of questionable integrity levels in lands offices.

5. Security of title

Majority of citizens are secure apart from isolated cases where some green cards containing owner information about the land were missing. For instance, incidences where a green card would have more than one owner, while minimal, could still point to citizens not being secure with the titles they hold to land or any other form of documentation.

6. Other aspects of concern in lands offices

Generally Kenyans are most dissatisfied with the transaction turnaround times, more so since a majority of citizens seeking services at land registries incur costs due to repeat visits to lands offices before they can complete transactions. In some instances these costs included both travel and accommodation. Kenyans look forward to a fully automated land management system that will improve transaction times, ease information access, ensure efficiency in record management and reduce corruption incidences.
4.2 Recommendations

There has been notable improvement in the service delivery compared to previous years, particularly with uptake of some of the Institute’s recommendations from past reports such as proper identification of lands officers through wearing badges (e.g. Homa Bay) and/ or uniforms (e.g. Kisumu and Kajiado). However, levels of satisfaction were generally still low. Inaccessibility of staff and presence of brokers made the performance poor and complacent. While there has been progress in addressing reported concerns in service delivery, a lot remains to be done.

This study therefore recommends the following;

1. Computerization of land records

Digitizing of maps and computerization/automation of processes would have a great impact on service delivery in general. Digitization will ensure easy retrieval of records and can facilitate the online/mobile land search platforms even at a country-wide scale. The online land search option is welcomed by citizens and the Ministry of Lands should work to extend this option for all land registries. The digitization of records will not only improve access to information but also reduce instances of corruption while at the same time improve turnaround times for most transactions carried out at lands offices. An online/ mobile option to make rent enquiries and payments would also improve efficiency in this process. The online transactions however, should have a digital signature for official authentication to eliminate the need to physically go back to the registry for stamping and payments. As part of the digital process, a ticketing system will enable a first come first serve structure when seeking services. This will ensure fairness of service to all members of the public and facilitate curbing of the broker menace. Introducing some of these processes at Huduma Centers would also highly improve efficiency in land services.

2. Provision of adequate human resource, equipment and facilities for all registries

As observed, there is a shortage of staff in many of the registries. Young, dynamic staff capable of using computers efficiently after the digitization process should complement the older and more
experienced staff in performing various duties. The number of registrars also ought to be increased especially within lands offices located in smaller towns.

Registries in remote regions of the country are seemingly neglected. The Kakamega registry, for instance, has had water and power services disconnected. Some registries also lack facilities such as public toilets and visitor seats. Registries in Kwale, Kitui, Kilifi, Mwingi and Makueni lack equipment to print maps and officers and service-seekers alike are forced to go to other registries to obtain maps, consequently increasing costs incurred for this service. Staff in Thika, Kakamega, Meru, Kilifi, Kitui and Bungoma registries are overstretched due to high numbers of service seekers and not enough officers to serve them. Cases of stocks of title registration papers and green cards being depleted were reported in Kwale and Mwingi registries. The Ministry of Lands should ensure that all registries are well equipped and staffed regardless of their location. Plotters also need to be availed in all land offices to make map drawings available.

3. **Establishment of customer care/enquiry desks**

Lack of clarity on various service points and procedures within the lands offices is part of the problem at lands offices. Establishment of customer care/enquiry desks will enable the public to make enquiries as it relates to the various services being offered. A customer care desk would limit to some extent irregular interactions of the public with the staff, lowering unofficial dealings.

4. **Supervision of staff**

The land officers need to be closely supervised and monitored to ensure integrity is upheld at all times. Random inspection of the registries by officers from MoLHUD head office as well as county officers would keep the staff at the registries on check.

5. **Civic Education**

Educating the public on land reforms, land administration and management institutions, and their roles in land governance would go a long way in giving citizens clarity on service points and procedures as well as ensuring accountability of these institutions. This will also ensure participation in land administration and management by the citizenry.
6. Centralization of the systems

Citizens are in some instances forced to carry out different processes of one transaction at different locations and offices. All services relating to a particular land transaction should be centralized within one lands office to ease movement and save on time, moving from one point to another.