



Private rental housing in Tanzania — a private matter?

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ABSTRACT

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Secure tenure, the citizenship rights of slum dwellers, and community participation are key words in the international discourse on housing policy. This paper reports the results from a study of private rental housing and tenants in unplanned settlements in Mwanza City, Tanzania. It examines the tenants' position in Tanzanian housing policy discourse, considers government housing policy and private rental tenure practices, and explores how the discussion about secure tenure in urban areas is focused on the formalisation of land. In 2005, rental legislation was changed in Tanzania because it was thought to be overly protective of tenants. Since then, tenants in rental housing have been ignored in the national policy discourse, despite the quantitative importance of rental housing in metropolitan Tanzania. The government has concluded that home ownership is the norm in Tanzania, and it regards private rental tenure as a private matter. It does not monitor conditions in the private rental market. In this paper, I suggest that the urban housing situation in Tanzania will not improve until the government acknowledges private rental tenure, views the tenants as urban citizens, and then attends to their needs and interests. One way to start this process is to educate landlords and tenants about their rights and obligations under housing contracts. This would help to reduce the number of conflicts in rental housing and bring about a more secure tenure situation for many residents.

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Introduction

Secure tenure, community-based upgrading in unplanned settlements and the citizenship rights of slum dwellers are important concepts in the international discourse on housing policy in developing cities. The same concepts are also seen as essential for the realisation of Target 11 of the Millennium Development Goal (MDG) No. 7: "Have achieved by 2020 a significant improvement in the lives of at least 100 million slum dwellers" UN Millennium project, 2005:xxi. Building on [Hernando De Soto's \(2000\)](#) argument that officially unrecognised landholdings are the "dead capital of the poor", much emphasis has also been put on the need to formalise the tenure of informally held land. The theory is that formalisation would increase security for the urban poor and give them the opportunity to use their property as capital. This approach has been criticised, however. [Gilbert \(2002\)](#), for example, argues that formalisation of land will not benefit all dwellers because tenants face the risk of increased rents in legalised areas.

This paper focuses on private rental housing in urban Tanzania. According to [Kironde \(2000\)](#), most urban dwellers in Tanzania live as tenants in unplanned settlements. The aim of this paper is to examine the practice of private rental housing in relation to the position of

rental tenure and tenants in government housing policy discourse. The paper makes two major claims. First, that national policy rhetoric portrays rental housing as a secondary and inferior solution to the housing problem. Second, current strategies of ownership formalisation will not solve the problem of tenure security for the large group of tenants in Tanzania's cities. The paper concludes that if the MDG target to improve the lives of at least one hundred million slum dwellers is to be met, increased attention to the conditions that prevail in the rental sector will be necessary, as well as the development of policies that improve conditions not only for property owners but also for property-less tenants.

Methods

The paper is based on research into the provision of urban housing in Tanzania (2002–2006), which focuses on private rental tenure in unplanned settlements¹ in Mwanza City, the second

¹ As discussed in [Cadstedt, 2006](#): 37–38 there are various terms used for settlements that in some aspects are not regulated by the formal system or are illegal with respect to land holding or the construction of houses. This research uses the term unplanned areas because the areas in question were not surveyed or planned for their current use in a legal sense before they expanded. This does not mean that no planning has taken place, especially once the area has grown and sub-areas are eventually surveyed.

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largest city in Tanzania. Using surveys and interviews with tenants, owners and landlords in three locations in the city, the research recorded the housing careers and housing strategies of various dwellers, including their views and experiences of various housing tenure forms. The three study areas were: (1) an old, inner city area; (2) a newer but consolidated area a few kilometres outside the city centre; and (3) one recently developed outskirt area in Mwanza City. Qualitative information about rental tenure and the housing experiences of dwellers was collected through interviews with 149 dwellers, owners, tenants and sharers. In 89 of these interviews the researcher solicited longer life stories focusing on housing, and the remaining 60 interviews focused on renting and sharing. Eighteen people were subsequently reinterviewed to focus on a few aspects of renting. The study also included focus group discussions and participatory observations during several periods of field-work over four years. Longer periods of field study were used to help understand both how the everyday life of urban dwellers was affected by the form of housing tenure they had and how occupants reasoned about their housing situations. In addition, the study analysed the government's housing and urban planning policies and practices by examining national policy documents, laws and municipal plans. This was supplemented by analysis of written documents and by discussions with government representatives ranging from the national to the neighbourhood level. For a more detailed presentation of the methods of the research and of the living conditions for tenants in Mwanza (see Cadstedt, 2006).

Structure of the paper

The paper starts with a brief description of the international housing policy discourse on secure tenure and of rental housing. Next, it reviews Tanzanian housing policy and the national government's views of rental tenure and secure tenure. The focus then shifts to the Mwanza study, with a description of private rental tenure practice and an analysis of local government policy and practices. With the local study as a background, the paper returns to a discussion of policy discourse and suggests reasons why rental housing tends to be neglected in this discourse. It concludes with a discussion of possible ways forward.

Secure tenure, and rental housing in international policy

As part of the effort to reach the MDG target, United Nation's organisation for human settlements, UN Habitat, is running a "global campaign for secure tenure". It states that secure tenure is supposed to be "...an agreement between individuals or groups to land and residential property which is governed and regulated by a legal and administrative framework" (UN Habitat, 2004: 31). The secure tenure concept is also related to citizenship rights. UN Habitat argues that secure tenure is essential for slum dwellers' "right to the city" (UN Habitat, 2004: 28). The Task Force on Improving the Lives of Slum Dwellers under the MDG target writes in its report that landholders in unplanned settlements can sometimes enjoy secure tenure, whereas:

The situation of tenants in informal settlements—unauthorised developments, squatter settlements, or dilapidated buildings in city centres—is by far the most precarious. In these cases, ad hoc, exploitative, and unregistered forms of tenancy compound the insecurity linked to the legal status of the settlement itself. (UN Millennium project, 2005:49)

Despite the conclusion that tenants in private rental tenure often face a more insecure tenure situation than landowners and house owners, the aspect that has received most attention from governments and donors so far is the formalisation of informally

held land. This is by no means new, but the emphasis on the importance of formalisation has been reinforced by De Soto's (2000) "the dead capital of the poor" argument. In his view, all the unofficially recognised property of poor people in the developing world can be seen as dead capital, because they are unable to use their holdings for investments and economic development. De Soto has been criticised in the academic sphere for being simplistic and impractical (see Gilbert, 2002; Smets, 2003; Varley, 2002). The formalisation of informally held land means that the landowner obtains the legal right to the land. However, for dwellers, perceived tenure security has been shown to be more important than legal security (see Payne, 2002), and this is very relevant to the discussion of tenure security for tenants in unplanned settlements in Mwanza.

Rental tenure has long been neglected by government policy in large parts of the world. This neglect has attracted growing research attention in developing countries over the last 20 years (see for example Andreassen, 1996; Datta, 1996; Gilbert, 1990; Watson & McCarthy, 1998), as well as attention from UN Habitat (see UN Habitat, 1989, 1990, 2003). UN Habitat (2003) argues that people are pressured into house ownership because governments promote it as the ideal, and this has been clearly visible in Tanzanian policy discourse, which is discussed below.

Rental tenure in Tanzanian housing policy

If we examine Tanzanian housing policy over time, we can say that, during the British colonial era as well as in the socialistic period in the independent Tanzania there were arguments both in favour of home ownership and of public rental tenure. During the current neo-liberal period, the government's focus has been on home ownership. Although private rental tenure has been important from colonial times, it has never been a central concern of government policy (see Iliffe, 1979, for a discussion of private rental tenure during the colonial period).

At the end of the British colonial period, plans were made in Tanganyika to construct rental housing for urban Africans (Kironde, 1994: 246–247). Urban dwellers had already been renting rooms in Swahili houses,² an important form of private rental housing at that time (Molohan, 1959). However, the ideal of home ownership was also promoted during the colonial period. M.J.B. Molohan, a colonial officer, recommended that the colonial government promote urban home ownership in Tanzanian cities to produce "...a stable and contented urban middle class" (Molohan, 1959: 44). This could be realised, for example, through tenants' purchase schemes.

Following independence in 1961, urbanisation in Tanzania took off at a rapid pace and the government housing policy was, in theory, very ambitious. The publicly owned National Housing Corporation was established to build rental houses. Rent control measures were set by housing tribunals to provide affordable housing (with so-called standard rents) (URT, 1982). Tenants' purchasing schemes were also to be promoted to encourage people to own their houses (Lugalla, 1994: 49, quoting the development plan 1962–1964). In accordance with its socialist principles, the Tanzanian government nationalised buildings worth more than 100,000 Tanzanian shillings in 1971 (Kironde, 1994: 314; Lugalla,

² "The Swahili house is a very old style from the East African coast. Wells et al. describes the urban version of it as a rectangular house with four, six or eight rooms. A corridor runs through the house and the rooms are accessed from the corridor and are thereby independent of each other. In the enclosed backyard of the house, toilets are located and domestic activities also take place there. Because of the independent rooms, the Swahili house is suitable for letting (Wells et al., 1998: 398–399)" (Cadstedt, 2006: 47).

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