



**MASTER'S PROGRAMME IN URBAN MANAGEMENT
AND DEVELOPMENT**

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**THE FUTURE OF LAND TITLES INFORMAL SETTLEMENTS IN
PRIME AREAS: A Dilemma for Residents of Manzese, Dar es Salaam.**

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Summary

Informal settlements in Dar es Salaam accommodate about 70% of its residents. This research is about effects of formalisation of property rights in informal settlements project in Dar es Salaam the case of Manzese which occupies a prime land. The settlement is located along the Morogoro highway between the CBD and Ubungo Industrial area. Nearby also are higher learning institutions which are walking distance from Manzese.

The government of Tanzania embarked on formalisation project with the intention of to promoting economic empowerment of the house owners in the informal settlements. The project was expected to enable land owner to use their land as collateral to gain capital for improving their houses and or start small businesses and thereby reduce poverty. Formalisation does not always have positive impact on the poor. Formalisation encourages gentrification and thus displacing the poor. The poor occupying prime land cannot thrive when demand for change of land uses in the area rising as value of their land is rising due to formalisation.

This research is developed to examine how Land titling has affected livelihoods of the poor in the informal settlement occupying prime land. It looks at how the poor are coping with rising land value and pressure to change land use and sale. The study found out that Most are selling their properties and moving out giving way to new investments of commercial and office accommodation. This is resulting to diminishing of affordable housing for the poor; the tenants are forced into poorer housing conditions if they want to remain in the area in order to maintain geographical advantage. Many are moving to the periphery where they have to incur transport costs to workplace and services and other are forced to change their livelihood strategies completely.

Land titling was expected to empower landowners to get loans to invest in their buildings and in businesses but this has proved unsuccessful as financial institutions do not accept Residential Licenses alone but look for the capability to repay the loan. A borrower must have a vibrant business with good cash flow records before loan is approved. Only .03% of land owners have used their Residential Licenses to obtain loans from formal financial institutions.

The study revealed that land titling did not promote borrowing culture among the poor land owners. The poor are reluctant to use their properties as collateral because of fear of foreclosure in case they fail to repay the loan. The study also agrees with De Soto that titling turn properties into tradable assets, but this is limited to the informal settlement that is occupying prime land like Manzese because in Tandika the rate of sale and change of land use is quite low.

The research gives some recommendation for further studies and what is needed to be done to reduce the adverse effects of formalisation of property rights in the informal settlements in prime areas.

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Abbreviations

CBD	Central Business District
CBOs	Community Base Organizations
CIUP	Community Infrastructure Upgrading Programme
COHRE	Centre on Housing Rights and Eviction
CRO	Certificate of Right of Occupancy
DCC	Dar es Salaam City Council
GSS	Global Strategy for Shelter
MFI	Micro Finance Institution
MLHHSD	Ministry of Lands, Housing and Human Settlements Development
NGOs	Non-Governmental Organizations
NHC	National Housing Corporation
NBS	National Bureau of Statistics
NSPR	National Strategy for Poverty Reduction
PBFP	Property and Business Formalisation Programme (<i>MKURABITA</i>)
REPOA	Research on Poverty Alleviation
RL	Residential License
SACCOS	Saving and Credit Cooperatives Society
THB	Tanzania Housing Bank
URT	United Republic of Tanzania
UN	United Nations
WEO	Ward Executive Officers

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Chapter One Introduction

1.1 Back ground of the study

Tanzania's policies on informal settlements have been changing with time. In the 1960s informal settlements were cleared and replaced with single storey and medium rise dwelling units. The approach resulted into diminishing housing stock with low pace of replacement. It was not successful in addressing the problem of growing housing demand. It was replaced by upgrading of the informal settlements and site and service for new areas during the 1970s. The new policy was implemented in collaboration with World Bank until the 1980s.

In the 1990's to 2000 the government did very little in land and housing delivery due to lack of resources. During this time there was preparation of the National Land Policy in 1995 which was followed by new Land Act number of 4 of 1999. The Human Settlement Policy was formulated in the year 2000. All of these policies and land Act had one important element in common, that's recognition of the important role played by the informal settlements in the housing provision. In 2002 the Ministry of Land started a 20000 plots project in Dar es Salaam which aimed at combating shortage of surveyed plots in the city and try to pre plan the peri-urban before they are invaded by unplanned developments.

Basing on De Soto's recommendation that the informal land and properties may be turned into tradable commodities and thus be used to accumulate capital, the government of Tanzania in 2004, embarked on a project to formalize and register properties. The intention was to promote economic empowerment of the house owners in the informal settlements. The project was expected to enable people to use their land as collateral to gain capital for improving their houses and or start small businesses and thereby reducing poverty. De Soto's idea was to turn these properties into tradable assets in an open land market that helping the poor especially those occupying prime land because of high land value. This was part of National Strategy for Poverty Reduction referred to as MKUKUTA in Swahili through land sector.

Not all informal settlements have had experienced a positive impact from formalisation programmes. The poor occupying prime land cannot maintain their properties as they cannot strive in the rising demand for change of land uses in the area because of rising value of their land. They are selling believing that they have made a good deal and accumulated enough capital to start a better life somewhere else (Durand-Lasserve, 2003); but before they realise it they might be worse off than before. The tenants are even worse off because they can't find affordable housing in the proximity of the previous one. This thesis aims at finding out how and to what extent land titling has improved the livelihood of the poor.

1.2 Urbanisation trend in Tanzania

Tanzania, like most developing countries is experiencing a rapid urbanisation. It is a concern of government to monitor on how urban centres are growing and how to cope with growing demand for housing and other related services. In less than forty years, the urban population has risen from 5.7% in year 1967 to 23% in the year 2002 (URT, 2002b) See table 1 below. Urban authorities have no capacity to cope with the increasing demand for housing and public services. By the year 2000 the backlog was 2 million housing units in urban areas apart from many poor housing structures found in urban residential areas (Kyessi. and Kyessi, 2007). This has led to individual efforts in housing provision in informal settlements where there has been no restrictions of entry, yet basic infrastructure are lacking. Dar es Salaam City is the largest urban centre in Tanzania with about 3 million people. Approximately two thirds of its residents are living in informal settlements. 80% of the residential housing is found in these informal settlements of which land is not formally registered.

Table 1.1: Urbanisation trend in Tanzania.

Year	Total Population	Urban Population	Proportion of urban population in %
1948	7,744,600	183,362	2.4
1957	9,087,600	364,072	4.0
1967	11,958,654	685,547	5.7
1978	17,036,499	2,265,854	13.3
1988	22,533,758	4,043,684	17.9
2002	34,569,232	7,970,935	23

Source: Tanzania population census 2002 and population census 1948-2002

Urbanisation in Tanzania like in many Sub-Saharan African countries is urbanisation under poverty i.e. unlike the western countries where urbanisation resulted from industrialisation, it depicts rapid population increase and uncontrolled expansion of cities with limited economic base (Lupala, 2000). It is characterised by sprawling urban centres beyond the capacity of local authorities to provide basic infrastructure and social amenities. All urban centres depict an increase in unemployment and thus urban poverty, growth of informal settlements, deterioration of existing infrastructure and social services,

1.3 Policies regarding slums

The colonial government restricted the inflow of native Africans to urban areas, which explains the slow growth in urban population before 1967. Nevertheless slum existed even during colonial era because the native housing was not government priority. The majority of the people living in the out skirts of the urban centres housed themselves in

poor houses built of mud and poles with grass thatched roofs (known as makuti¹ housing). After independence the movement restriction was removed; but there were no plans in place to house the new influx to urban areas. This exacerbated the problem of housing in towns especially Dar es Salaam.

Between 1962 and 1971 policy was slums clearance and redevelopment. The National Housing Corporation (NHC) was established with the responsibilities of providing housing to the urban residents. For ten years the NHC worked hard to clear the slums and replace them with new decent housing, but the rate of replacement was always lagging behind the demand for housing. The government realised that clearance reduced the stock of such affordable housing and discouraged people's initiatives in house construction, disrupted social structures, and subsequently contributed to increase in urban poverty. Worse still, the government had no resources to replace the demolished housing stock. Even the few houses provided by NHC, were beyond the affordability of the majority of low-income earners (Kyessi, 1997)

In 1972 the policy changed to squatter upgrading and site and services; this was funded by the World Bank. Parallel to this, Tanzania Housing Bank (THB) was established to give housing loans to the urban residents and to the slum residents; after the settlements were upgraded they obtain loans for renovating their houses. With this policy urban centres witnessed upgrading programmes in all major towns like Dar es Salaam, Mbeya, Mwanza and Arusha. Low income sites were surveyed and serviced to resettle those who were affected by upgrading in the slums and also to housing more low income groups. The World Bank withdrew in early 1980s. Government financed the programme alone up to the end of 1980s, since the programme did not have a cost recovery component the burden on the government was too heavy and therefore it was abandoned. By 1992 THB had collapsed partly due to mismanagement and partly to lack of loan repayment.

The new National Land Policy of 1995 recognized the role played by informal settlements housing the majority of urban residents and states, "the existing squatter areas will not be cleared, but will be upgraded and provided with facilities for adequate sanitation and other services except for unplanned housing in hazardous areas". (URT, 1995) Also the Land Act cap 113 of 1999 provides for the regularization of informal settlements (URT, 1999a). Security of tenure starts with perception (Payne, 1997). As the people feel that the slums are acceptable and no longer illegal they could do whatever they wanted with the land they occupy. They do not need a title deed to invest or sell their properties. However, they would require a title deed if they need a loan from financial institutions. The policies and the land act provided de facto security of tenure which encouraged more investments in informal settlements.

¹ Makuti is Swahili word for palm leaves

In the UN Millennium Development Goals declaration, adopted by the General Assembly in September 2000, it was agreed that, by 2020, significant improvement in the livelihood of at least 100 million slum dwellers should be achieved; as proposed in the “Cities without Slums” Initiative (HABITAT, 2001). Tanzania is a signatory of this declaration and many others pertaining to human settlements development made at different fora. Therefore in Tanzania, efforts are being made to regularize all informal settlements by 2015.

In 2004 the government of Tanzania launched a programme of incorporating the informal sector into the legal framework; following the advice of Hernando de Soto to the President in 2003. According to De Soto (2007) Tanzania had about 29.3 billion US dollars in wealth held informally; this account for more than ten times of Foreign Investment in Tanzania since independence. The Government established The Property and Business Formalization Programme (PBFP). Creation of a Comprehensive Urban Land Property Register for Economic Empowerment of Residents in Informal Settlements undertaken by the Ministry of Lands, Housing and Human Settlements Development is part of the programme. The objectives of the project among others were to economically empower residents in the informal settlements by enhancing security of tenure by issuing residential licenses. And to create a comprehensive database and property register for efficient land administration and service delivery to the public.

Formalization of property rights in other parts followed upgrading of the informal settlements, while in others upgrading was planned to start after the formalisation. These processes are expected to lead to more opportunities to residents in informal settlements; by transforming dead capital to live capital that can be used as collateral in the financial institutions (De.Soto, 2001). The exercise started with acquisition of quick-bird satellite imagery which was used to identify individual properties with participation of the residents and then create database for land registration. By the end of phase one in June 2006 about 222,500 properties were already identified. Residential licenses which are two years renewable were issued upon paying preparation fees and an annual land rent. A summary of these policies can be seen in fig 1.1 below

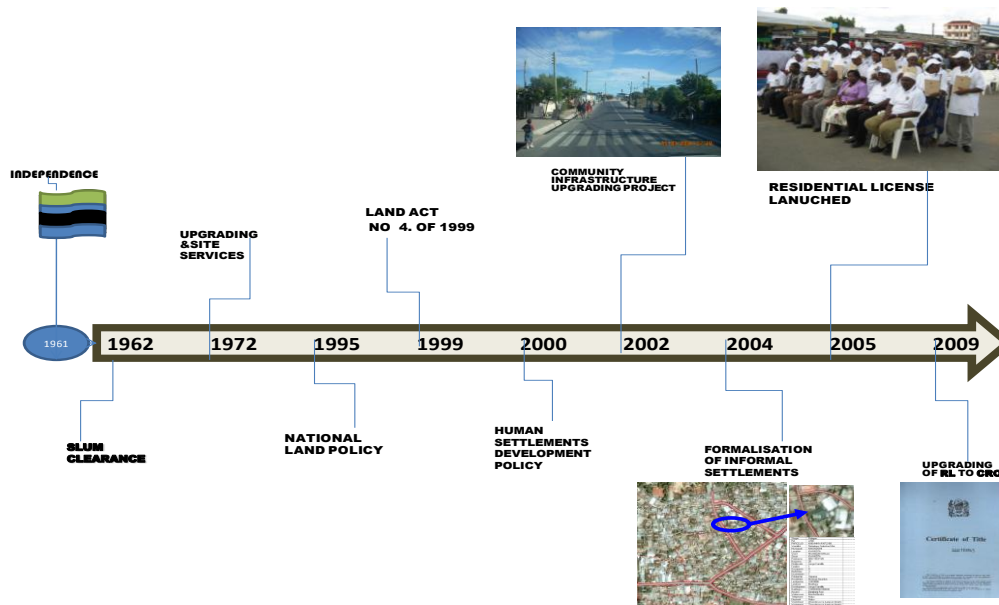


Fig.1.1 Time line on security of tenure (source: the author)

1.4 Motivation and problem statement

Members of task force witnessed people selling their properties even before the database was ready. This attracted attention and concern of the project staff that the project aimed at *enabling the people to use their land as collateral to gain capital* for improving their houses and or start small businesses. Now that they are selling their properties there is a fear that the objective might not be achieved; though De Soto's idea was that the informal properties be turned into tradable commodity and thus used to accumulate capital. This poor people on the other hand instead of enjoy the rising value of their land, they are selling for what they are thinking that they have a good deal and accumulated enough capital to start a better life somewhere else (Durand-Lasserre, 2003); but before they realise it they might be worse off than before. "It is a concern of planners to know where these people are going to; especially in a situation where there is no plan in place to stop them forming new slums (UN-HABITAT, 2004)

Experience revealed that formal property rights as a security for a loan among poor residents living in informal settlements does not encourage residents to borrow using their properties. In Tanzania the poor consider their assets as a social good and not as security for a loan. They consider formal property rights as a means of securing their rights and not as a means of getting a loan. The poor are hesitant to use their properties as a security for a loan because they fear to become homeless upon failure to repay the loan. On the other hand private banks do not lend to the poor who do not have secure income let alone the short period of the residential licenses.

Formalisation of Urban land and Property Project in Tanzania appeals for research as to what extent enhancing tenure security in informal settlements has stimulated investment

in housing improvements and capital formation. There is knowledge gap on whether enhancing security of tenure really encourages access to credit and eventually leads to substantial investment and accumulation of wealth as was suggested by De Soto (2001).

1.5 Research Objective

This thesis tried to find out how and to what extent land titling has improved the livelihood of the poor especially those occupying prime land. After five years of implementation of land titling project one would like to know how it had impacted lives of the informal settlements residents. This study therefore was intended to establish the impact of formalization of urban land properties on lives of the residents in informal settlements, especially those occupying prime land in Dar es Salaam

1.6 Research Questions

Main research question is- **Has land titling led to improvements in livelihoods of the poor? How; and to what extent?**

Sub-questions are:

1. How does security of tenure (land title) affect the future of urban poor in informal settlements in the prime areas?
2. How did residents in informal settlements use their residential licences?
Is there any difference in the impacts on the residents in prime land and those on the periphery?
3. How the tenants are affected by the decision of the land owner to sell their properties?
4. What do they do for their living

1.7 Research Assumptions and Hypothesis

Legal titles in the informal settlements do not facilitate use of properties as collateral in formal financial institutions. Instead improving security of land tenure accelerates gentrification in informal settlements occupying prime land, there by disrupting livelihoods of the poor.

1.8 Scope of the study

This study is limited to assessing the economic impacts of land titling project on the residents of informal settlements occupying prime land. Settlements selected are not meant to be representative of all informal settlements. The case study areas are purposively selected for comparison. One is located in prime area and another relatively in the fringe of the city, but all other characteristics are the same. All are old informal settlements that had gone through squatter upgrading programme in the 1970s. The Aim is to compare how government's decision on titling in informal settlements has affected the livelihood of the residents.

1.9 Thesis structure

The study will be divided into three main sections

- I. Main issue of the study including methodology to be employed in the research and policies and legislations regarding slums development in Tanzania. (Timeline of events in regards to security of tenure). This will also include literature review and theories and global experience on slum development and formalisation and their relevance in the context of Tanzania
- II. This concentrates on the study area, the detail discussion of land formalisation including main findings from the field and discussion with key actors in the formalisation project.
- III. Conclusions and recommendations

Chapter Two: Literature review

The chapter reviews literature by different authors on issues that are related to land tenure security.

2.1 Introduction

Land is an important economic good of increasing value. To almost all societies land is important contributor to economic development and sustainable growth; for that reason land has a potential to contribute to poverty reduction, especially in developing countries (Finan et al., 2005) Land is the basic resource of production on which all actors carry out their socio-economic activities. In Tanzania land is regarded as one of the four pillars of development, others are people, good policies and good leadership (URT, 1997). Access to land therefore is fundamental to sustainable development. “Providing poor people with access to land (ownership/possession) and improving their ability to make effective use of the land they occupy is central to reducing poverty and empowering the poor and communities” (Deininger, 2003). One of the main requirements for an individual to use land economically and willing to invest is the assurance of the land right for a given time.

2.2 Land Tenure

Land tenure according to Payne (1997) is the mode by which land is held or owned, or the set of relationships among people concerning land or its product. It is the terms and conditions under which land is held, used and transacted and is one of the principal factors determining the way in which resources are managed, used and the manner in which benefits are distributed (Van der Zee, 1999). “Land tenure refers to a ‘bundle of rights’ right to occupy, use, develop, inherit and to transfer” (Durand-Lasserve and Selod, 2007).

Equally, “property right is a recognized interest in land or property vested in an individual or group and can apply separately to land or development on it” (Payne, 2001). There are variations on how land is held depending on the culture and economy. Secure land tenure is important for social, political and economic stability. It gives people access to land-related economic opportunities and urban poverty reduction.

2.3 Secure land tenure

“Secure Tenure is the right of all individuals and groups to effective protection by the state against forced evictions” (UN-HABITAT, 2003) Or simply ‘*Freedom from fear of eviction*’ (UN-Habitat, 2007). Durand-Lasserve and Selod (2007) citing *COHRE (2003)* define secure land tenure as “the right to be protected against permanent or temporary removal against their will of individuals, families and/or communities from their home and/or the land they occupy, without the provision of, and access to, appropriate forms of legal or other protection”. Secure land tenure is “*an agreement between an individual or group [with respect] to land and residential property which is governed and*

regulated by a legal [formal or customary] and administrative framework. The security derives from the fact that the right of access to and use of the land and property is underwritten by a known set of rules, and that this right is justifiable” (UN-HABITAT, 2007 pp 117)

Security of tenure is an important element of human security in general as declared by the UN-HABITAT (2007) “*Access to land and security of tenure are strategic prerequisites for the provision of adequate shelter for all and or the development of sustainable human settlements*”. There has been increasing recognition of the problem of security of tenure, particularly on urban land. “Security of tenure issues are now routinely examined as a core concern and component, not just of sustainable human settlements and urban policies, but also as a fundamental concern of human rights.” (UN-HABITAT, 2007 pp 114).

Deininger (2003) observed that provision of secure tenure facilitates the improvements of the welfare of the poor, by enhancing assets of those whose land rights are neglected; it also creates incentives for investment for sustainable economic growth. Secure tenure facilitates land transactions at low cost. Access to secure land tenure as advocated by The Commission on Legal Empowerment of the Poor as an essential component for poverty eradication in developing countries when there is a possibility of using it as collateral for a loan.

Enhancing security of tenure for slum settlement residents has been an integral part of upgrading projects and is still a goal of all concerned with slum settlements and poverty alleviation (UN-HABITAT, 2007). Residents in slum areas require recognition of their right to be able to fully develop the land they occupy. “Security of tenure has often been identified as key factor for successful implementation of upgrading projects and facilitating factor for improving maintenance and cost recovery”(Gulyani and Bassett, 2007). Slum improvement in Africa, has major concern on security of tenure. Security of tenure has been viewed as precondition for housing and infrastructure investment.

2.4 Informal Settlements

Informal settlements are densely populated, comprising of low income self constructed shelters settlements in urban centres. They are also referred to as slums, squatter settlements, illegal, spontaneous, irregular or shanty towns. Slums generally as defined by the UN-HABITAT refer to settlements characterised by poor structural quality of housing, overcrowding, lacking basic infrastructure and services and with insecure tenure. In Tanzania, settlements that have developed outside the official land development process and planning procedures, “the emphasis is not on the illegality of land ownership or occupation, but rather on the nature of the land development process that is employed” (Burra, 2004). Informal settlements occur as result of failure in the government system of land administration and planning to address the public housing needs. Forcing privately owned or communal land to be sub-divided into plots and sold or rented out by the owner. Plots resulting from these sub-divisions most of the times do

not meet planning standards. Since such procedures are not permitted by the planning authorities they are regarded as informal.

Squatter settlements on the other hand refer to settlements on land occupied without the owner's permission. "The land in question can be privately owned or public. Some start with occupation of few people and slowly grew to a settlement while on other occasions they appear through organized invasion like is the case in Brazil and Peru. They lack legal consent of the owner before occupation and do not comply with planning and health standards". (Durand-Lasserve and Clerc, 1996)

2.5 Land Tenure Regularization

Land regularization refers to the "process of public intervention in informal settlements to provide urban infrastructure improvements and to recognize ownership titles or other occupancy rights" (Calderón, 1998). It entails legal recognition of rights in land held by informal settlers by the government. "Land regularization programmes are increasingly encouraged by international organizations as an essential component of urban policy in developing countries. The clear definition of property rights is argued to be a prerequisite for economic development" (Monkkonen, 2008). The process consists of two main approaches: the judicial (ownership) and physical regularization. Physical approach involves land reorganization so as to allow land for improvement of infrastructure like roads, storm water drainage, sanitation and water supply and social facilities like health centre, schools, and public spaces. This kind of regularization is referred to as community infrastructure upgrading (World-Bank, 2002). This study focuses on ownership or tenure regularization.

Tenure regularization is regarded as key to improvement of the livelihoods of land owners in informal settlements. Mertins, et al (1998) in (Van-Asperen, 2007) define tenure regularization as "deliberate move of the government to bring the informal settlements into formal legal and administrative systems of land management". There are three types of tenure regularization:

1. Recognition: the political or administrative acknowledgement or recognition of informal settlements in the official city administration, like anti-eviction laws or designate informal settlements as special planning areas.
2. Transformation: the process of providing legal backing to the existing tenure systems on community or municipality level.
3. Formalization: this refers to the registration or certification of individual or group rights into a land register, which may be combined with a form of cadastral survey (ibid).

2.6 Land titling

Land titling is an urban policy instrument used to achieve a wide range of aims, it consists of adjudication, cadastral survey and registration of individual right to land and issuance of titles. It is the formal registration of land previously used without formal

"legal" title. Titling is the transformation of informal rights into formal documented and registered under the state laws. This policy has been advocated by World Bank during its Structural Adjustment Programmes as it assures a higher degree of security of tenure. World Bank, (1993) affirmed that "where proper titles are used investments in housing may further increase if titles can be used as collateral for obtaining housing finance". Traditionally "formal registered land tenure is widely accepted as collateral to access to credit from formal financial institutions and that explain its popularity" (Abdulai, 2006). De Soto (2001) related it with the capital increase in the west over the past centuries "while in the developing countries though people own assets lack of legal document has denied them the ability to create wealth".

2.7 Perception of security of Tenure

"Security of tenure cannot be absolute"; as observed by Palmer (1998) in (Durand-Lasserve et al., 2007b). "It can never be measured directly because it cannot be defined objectively". To a large extent, security is what people perceive. Kagawa and Turkstra (2002) noted that *de facto* security appears to restrict the perceived benefits of titling programmes in increasing security of tenure in Lima where legal framework existed since 1961 permitting legalization of informal neighbourhoods. Slum residents will invest in housing without any prospect of formal legalization if there is perceived security of tenure implied through informal or negotiated agreement. In Jordan for example a house with a permanent roof was formally accepted, similarly in Voi, Kenya a complete house would not be demolished; that made residents work over night helping each other to ensure the houses were completed (Gulyani and Bassett, 2007). Security of tenure will stimulate investment and housing improvement. In Tanzania residents in informal settlements enjoy *de facto* right to land due to long time occupation without history of eviction Angel et al (2006:9) in Payne et al (2007). Government declaration through the National Land Policy that the informal settlements will not be demolished but regularized gave the people the confidence and therefore courage to invest in their homes as well as in income generating activities. Security may also be perceived from provision of services like infrastructure and social facilities that improve well being of the people. "Legalization sounds more profitable for the government as can recoup the capital invested in the project through taxation, but the residents do not have much to profit from" (Payne, 2002) "This does not mean that the slum residents should be denied the titles but that formalisation should be coupled with improvement in the provision of infrastructure and services" (ibid)

Land Titling in Tanzania does not differ much from the Lima experience. Land regularization can be considered as stages of enhancing tenure security of land owners in the informal settlement. Recognition started in the 1970s when the government decided to abolish slum clearance policy and started upgrading of these settlements. This decision sent signals to residents in informal settlements that it is secure to own land and house in the informal settlements. More people started selling and buying land in informal settlements for residential purposes. Again the local authorities started

registering houses in the informal settlements and charging low and flat rate of property tax making house owners feel secure and volunteered to register their newly constructed houses.

In 1995 the National land policy transformed the settlement to part of city wide development as declared that “squatter settlements will not be demolished but be regularized; except those are on hazardous areas.” Policy continue to say that no eviction without just and fair compensation. Legal framework was reviewed in 1999 to allow for regularization. Land Act cap 113 of 1999 section 23 provides for regularization of informal settlements through participatory approaches (URT, 1999b). This government decision once again cemented the Perception of security of tenure provided during the upgrading programmes.

Informal settlements residents in Tanzania enjoyed *de facto* security since 1972. These tenure arrangements already ensured security of tenure in informal settlements (Kironde, 2006), hence De Soto’s advice that land title will turn the informal settlements assets into fungible asset; seem to be late and duplication of efforts, as land owners in the informal settlements in Tanzania do not need a title to invest on land or sale their properties. However, they may need one if they require to access formal credit.

2.7.1 Lessons learnt from international experiences

Secure tenure does not have to be title deeds; government’s interventions in one way or another improve security of tenure to the slum residents. For instance some upgrading efforts which simply recognized the *status quo* have removed the threat of eviction even if no formal security of tenure was provided to dwellers in the slum areas and this has stimulated investment among the house owners. *De jure* is traded in for the more expedient *de facto* type of security provided by infrastructure.

2.8 Impact of land titling

Land titling is preferred by many governments and international organisations as tenure options as it is considered to have the ability to use property titles as collateral in accessing formal credit. However, there is no evidence that titles increased the likelihood of slum land owner of receiving credit from formal banks. “In many parts of the world, the land-titling programmes inspired by de Soto's work are proving merely ineffective. While in other places, they are showing themselves to be harmful to the very people they are set out to help” (Gravois, 2005). It has been the case in United States that a mortgage on the entrepreneur's house, help to bring homeowners out of poverty; however, this cannot be the case in the informal settlements of developing countries because “banks realize that they don't stand to gain much from repossessing shanties in poor neighbourhoods. Banks are forced to adjusted their criteria for lending due to high demand for credit from the massive legalisation of informal settlements” (Gilbert, 2001). Banks are interested in the ability to repay the loan and therefore ask for

regular income before offering a loan. In Egypt banks realised they cannot repossess housing units in informal settlements without causing uprising in these areas and thus refused to accept titles as collateral (Sims, 2002). Also fear of losing their property on the part of the land owners in case of failure to repay the loan may be a contributing factor for the poor to access formal credit. “Credit for dwelling improvement should be within the economic capacity of the people. Commercial credit providers are not interested in taking a significant step into this mortgage market due to relatively small and risky loans involved” (Kagawa and Turkstra, 2002). Surveys indicate that “it may be the perception of security and relative benefits of increased property rights which exerts a great degree of influence over levels of investment and other benefits than titles per se” (Durand-Lasserve et al., 2007b).

2.8.1 Displacement of the Poor by the Market

Areas where land market is active titles turn out to be hot commodity, for a poor living in the middle of city land title would seem to be a road to riches like it was the case of Phnom Penh as observed by (Deutsch, 2006) in Bassett (2000) argues that, by improving services and facilitating better housing upgrading projects transform former slum areas into some of the most desirable real estate within the city. In many locations land titles were not distributed to the would be beneficiaries because the poor were displaced by the market. This was also the case in Manila where the “middle income groups (speculators) went out before titling took effect and bought land at a slightly higher price from the poor who were happy to receive a bit of cash. This new owners waited for the titling programme and witnessed a leap in value and legal security” Gravois (2005) in (Durand-lasserve et al., 2007a). Gravois concludes that titling is more useful to elite and middle-income groups who can afford to bother with financial leverage, risk and real estate markets.

“The poor in these prime areas are interested in keeping cost low and fall prey to sell out hoping to find a cheap place to settle only to find that they have lost the geographical advantage they once had in the labour market” (Durand-Lasserve, 2003). In Bogota Gilbert (2002) observed that selling and buying of properties in consolidate informal communities was little compared to the desirable areas that are subject to gentrification. He also argues that "property titles seem to have brought neither a healthy housing market nor a regular supply of formal credit. You cannot accumulate capital if there is no market in which to trade your asset”, Gilbert (2001) concluded.

Land titling stimulates rise in the price not only in prime areas but also in the peri-urban due to speculations. As market driven displacement is taking effect in the centre and more people are relocating in the peri-urban more people are buying land and holding for future market. As was the case in Phnom Penh middle income went ahead of the titling and buy land in the periphery where the poor from the inner city were aspiring to get land for their shelter (Durand-Lasserve et al., 2007b).

2.8.2. Investment in home improvement

Land titling has positive effect on housing improvements in Lima, more families have been motivated to renovate their homes by the increased security of tenure as observed by Field (2005) in Payne (2007). She further notes that most of these investments were funded without formal credit. These confirm that increased security tenure does not reflect credit worthy of the title holders as advocated by de Soto and The World Bank. Also her study does not reflect how titles per se have influenced these developments. Calderon (2004) argues that improvement reported by Field (2005) in Payne (2007) was influenced by a sense of security perceived from other government actions like tolerance, long history of no evictions and legalization of the informal neighbourhoods as the case with Lima since 1961. Some informal settlers may invest more when they are not secure so as to create de facto security on the ground like it is the case in Eldoret –Kenya (Musyoka, 2004). Angel et al., (2006) in Durand-Lasserve et al., (2007) noted that in Mexico property is relative secure even without titles, homeowners do not wait for titles to improve their homes. Any lack of investment appears to be controlled by limited income rather than lack of a title. Bromley (2005) in Durand-Lasserve et al (2007) however argues that economic theory suggests that if slum dwellers have sufficient discretionary income they will be smart to acquire housing in a better neighbourhood. He continues to argue that many buyers seek a worst house in a good neighbourhood not a good house in a blighted neighbourhood which is easy to incrementally improve it to standard without land title. He affirms that “there is nothing about titles leading to home improvements”.

“Security of tenure creates the sense of long term participation as stakeholder and direct beneficiaries of the investments made in the settlement and by that interest in the maintenance of the installed infrastructure and services” (Bassett and Jacobs, 1997) Conferring secure tenure is one of strategies to address urban poverty, as argued by de Soto (2001) that formalizing the slum dwellers’ land will release *dead capital* and stimulate income generating activities. It stimulates development of small scale rental housing and home base enterprises and thus help reducing poverty.

2.8.3 Rising value of Land

Kagawa and Turkstra (2002) argue that the value of buildings with title in Lima were three times more than those did not have one. While in Manila the risk of eviction lowered the value of housing units by 25% as observed by Dowall and Leaf (1990) and quoted by Payne, (2000). Similarly in Jakarta as was noted by Dowall (1998) in Payne (2000) that residential plot with clear title was sold for 45% premium over comparable plots without title.

Basset (2000) confirms that titling has been identified as leading to increase in land value, which in turn creates an opportunity for windfall profit by project beneficiaries. Increase in land values can also be translated into increasing rents that can drive out

low-income tenants. “Cost of legalization and other obligations has also been seen as creating financial burden which force involuntary sales by the least able. The project results in displacing the original target group and end up benefiting the better off” (Gulyani and Bassett, 2007). Especially when the areas is located close to the city centre it becomes more attractive to business group who are searching for areas for expansion where they can enjoy the infrastructure in the centre as well agglomeration of commercial activities. A slum dweller would evaluate and sometimes be lured by the rising value and compares with what they used to have and would think of selling their property and acquire another one in the peri-urban for cheaper price giving way to the commercial land use to occupy the land (Durand-Lasserve and Selod, 2007). This might be beneficial to the land owner if s/he captures the expected market value of the land, which in most instances is not the case due to lack of information and distortion in the land market.

2.8.4 Broadening of Taxation Base

Security of tenure does not benefit only the individuals but also the government in the sense that it expands tax the base. Property taxes and land rent in slum areas is an untapped stream of revenue in many developing countries. Taking into consideration that 80% of residential houses are found in the informal settlement, Dar es Salaam municipalities are expected to collect substantial amount of revenue each year from the formalized informal settlements; thereby increasing capacity for provision of basic services in these areas. Secure tenure necessitates having good database which is foundation for information sharing by utility and service companies and improving land administration and service delivery.

2.9 Gentrification

London and Palen (1984) defined gentrification as alteration of land use patterns and changes in the composition of the neighbourhood population that are resulting from new social organizational patterns. This change has the potential to cause displacement of long-time residents and businesses. Displacement happens when original neighbourhood residents move from the area because of rising house and land prices and rents (Smith, 1996). Middle and upper class invade settlements formerly known to be home for the poor. The new investors replace the dilapidated buildings with new ones of their taste (Caulfield, 1994).

Since the current residents cannot afford to pay the higher rents or access mortgages, they are forced into poorer housing conditions. Meanwhile, local businesses which formerly catered to the needs of poor residents may either have to relocate, close or sell out to new investors. Displacement of the poor is almost inevitable because only a few of former residents can resist the alluring prices offered by the rich (Caulfield, 1994). Gentrification does achieve its stated goal of renovation and upgrading, but it can also create a new set of social and economic problems for the displaced. Gentrification is not

only a housing problem but raise also economic, and health issues that affect a community's history, culture and disrupt social networks (CDC)

2.10 Informal settlements and livelihoods

Livelihood in simple language is how people live. Livelihoods comprise the capabilities, assets, and strategies required and pursued by individuals and households to achieve a means of living. The livelihood concept is a realistic recognition of the multiple activities in which households engaged to ensure their survival and improve their well being (Rakodi, 2002). Livelihood is the way people support and sustain living; this include income in cash, social institutions (family, kin, neighbourhood, and community), property rights, the accessibility and benefit from public services like infrastructure and other assets. (Chimhowu and Hulme, 2006) Slum dwellers depend on livelihood assets, material and non-material resources that offer opportunity to reduce their vulnerability. These assets are: human capital, social and political capital, physical capital, financial capital and natural capital.

Assets can be created and destroyed by changes in the context within which people live. Government's policies may have big influence on the access to assets. It can help in accumulation of assets or reduction of the capacity to access livelihood assets. Those with more assets are more likely to have great livelihood options with which to pursue their goals and reduce poverty(Rakodi, 2002). Physical assets which is the focus in this study include housing, household goods and tools. Location of shelter and access to basic infrastructure like transport, water, energy and production equipment which enable people to pursue their livelihood are important assets for the poor (ibid). "Priority of the poor is the access to livelihood opportunities which are usually in prime central urban locations where competition for land is greatest and prices are high. Therefore tenure to them is important in so far as it provide access to income generating activities"(Payne, 2001).

Livelihood desire of the poor is influenced by the location where they live. Those living in a prime area where gentrification is taking place are more vulnerable because availability of space for their businesses is diminishing as new investors are changing the land use and population composition is also changing; products that poor produce might no longer be needed. Those living in the periphery may not have to deal with the same problem since no changes in the population composition.

Chapter Three: Research Design and Methodology

This chapter discusses in detail the research methods used in this study. Population in this study comprise of the residents in both settlements and key actors in local government and Ministry of lands, housing and human settlements development dealing with Residential License

3.1 Location of the study area

This study is focused on Manzese ward which is the informal settlement occupying prime land and Tandika Ward the control area in the periphery. Manzese and Tandika share common characteristics such as: they all old informal settlements existed even during colonial rule, they have gone through squatter upgrading in 1970s, continued to grow and have also gone through land titling process. Manzese is one of administrative ward in the Kinondoni Municipality and is located on a very prime area along Morogoro highway; it is surrounded by industrial area and higher learning institutions. Tandika is administrative ward in Temeke Municipality unlike Manzese no major economic zones are nearby. Both settlements are in Dar es Salaam city.

3.2 Population and Sample size

According to population and housing census of 2002 Manzese has a population of 66,866 people while Tandika has 42,014 people. 30 respondents were selected from both of the settlements. A sample of 30 respondents from each settlement was interviewed including land owners and tenants in order to understand how both have been affected by the policy.

3.3 Sample Selection

Sample selection was a random sampling in both settlements but snowball method was also applied so as to get some respondents who have sold their properties and moved out also to get in touch with the new land owners. Three focus groups discussion were conducted to supplement the information from interviews. The study made an effort to get information on how men and women perceive the policy and how they are affected substantial number of women were interviewed. Questionnaire and interview were conducted in local language (Swahili).

3.4 Research strategy and Type

Research strategy used is a case study that allowed investigation on how the land titling has impacted the lives of the people. The study is basically descriptive and exploratory, but combination of strategies was used in order to come up with better understanding of the issues involved and confirm the findings from different sources.

3.5 Research instruments

In this study two approaches of data collection was used: fieldwork and desk study (Naoum, 2003). Desk study involved going through land register at Municipal council office on the registered transfers as well as registered mortgages. Field work was done

through questionnaires and interview. Structured and semi structured interview were employed. This provided in depth understanding of the impact of land titling on the residents in the study areas. Field observations was limited to transect walks through the area to find out what is really going on in the area and identify new developments to complement data from questionnaires and interviews.

Respondents were divided into two groups

1. The residents of both settlements
2. Officials from local Government who deals with Residential license including the local leaders like WEO of Manzese, Manzese Councillor, and Chairpersons of Manzese Kilimani and Mnazimmoja sub wards. In Tandika Interview was conducted for WEO and chairpersons of Tandika Kilimahewa and Tandika Azimio. At Municipal level Project coordinators were interviewed In Temeke the author interviewed Mr Mwaghalla while in Kinondoni Ms Kinawiro was interviewed. Acting project secretary at Ministry of Lands, Housing and Human Settlements Development Ms Bagenda was interviewed.

Interview with the officials based on their roles and opinion on the achievements and success of the project and the way forward.

3.6 Validity

Triangulation of data from different sources was used in order to establish facts required for the study (Easterby-Smith et al., 1991). Both Qualitative and quantitative methods were used. Statistics from the registrar's office on land /property transactions and questionnaires, interviews and secondary data were used to ensure validity. Data from the Prime Area have been compared with that from periphery.

3.7 Reliability

To ensure reliability of the study data from different sources was reviewed and questionnaires pre-tested. As (Black, 1999) suggested that the study should be consistent between two measures of the same thing. Revision of questionnaire will facilitate collection of relevant data and cross checked.

Schematic view of the Research overview

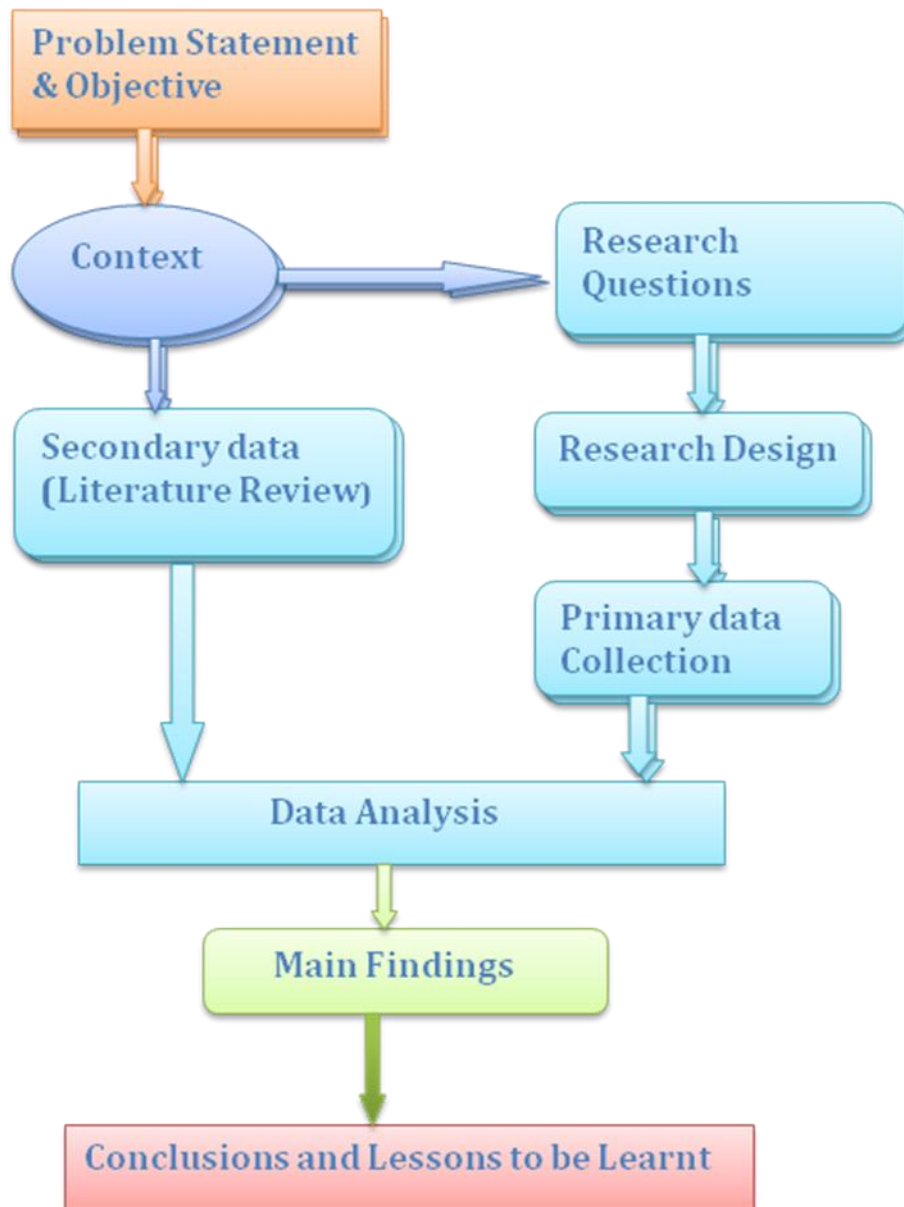


Fig.3.1 Flow diagram of research overview

3.8 Challenges/Limitations:

Political leaders in the settlements are preparing for next general elections, some residents thought the study was part of campaign for some leaders, therefore were reluctant to respond to the interviews. Since these leaders were busy (councilor for Manzese, and some sub-ward chairpersons) they were not available.

Financial year starts in July in Tanzania, many of senior officials in the government are called to respond to some issues raised in the parliament concerning their budget it was not easy to get the right respondents in time.

Table 3.1 Operationalisation of research objectives, questions, variables and indicators

Objective	Sub-question	Variables	Indicators	Source
To assess how the land titles have influenced the residents in informal settlements	How does land title influence the urban poor? How did the residents use their residential licenses How many have obtained loans from formal Banks How much and why? Were there any other factors considered before loan was administered? What are they and why?	Land Transactions/ dealings.	Number of mortgages, sales/transfers Willingness of formal financial institutions to lend to the poor Level of investments in home and IGA improvements	Land owners Local authority, ward leaders Tenants
To assess how the livelihood have been altered and how they are coping.	How many have moved out? Where did they go? How many have improved their houses through the Residential Licence? Is there any change in the house rents? And how much? How do tenants cope with the rising rents	Mobility of residents Income generating activities Job opportunities Change in rents	Number of displaced, Distance from where they relocated to the source of their livelihood Number of houses improved Rise in rents Number of jobs	Land owners, tenants, ward leaders

Chapter Four Manzese and Tandika Case Study Area

This chapter gives a description of the study area and previous government's initiatives to combat problems of informal settlements.

4.1 Dar es Salaam

Dar es Salaam is the largest city in Tanzania covering about 1393 square kilometres and a total population of 3.0 million people and growing at of 4.9% per annum (NBS, 2002). Dar es Salaam is located along the coast of Indian Ocean stretching about 100kms from north to south. Administratively Dar es Salaam is divided into three Municipalities: Kinondoni, Ilala and Temeke which form Dar es Salaam City Council (DCC). It is estimated that Dar es Salaam accommodate about 30% of country's population. The largest share of the city's population live in Kinondoni Municipality (44%) (URT, 2002a)

4.2 History of Dares Salaam

History of Dar es Salaam as urban centre goes way back to 1890s during the German colonial administration. The town area at that time covered only a small part of the city. German rule had set three zones, zone I for the Europeans, zone II for the Indians and the third zone for Africans. The policy was to restrict native Africans from accessing housing in the town boundaries (Brennan, 2007). The British administration adopted the same segregation town planning rules as the major feature of Tanganyika's urban policy. During the Second World War, urban immigration from upcountry increased, intensifying the state's desire to maintain minimum urban living conditions for Africans while also minimizing their presence. (ibid). The migrants were forced to move either to peri-urban settlements or into huts, which African landlords had constructed in their backyards. Colonial officials used regulatory controls to manage city's housing crisis due to lack of the resources to create sufficient housing to meet the demand, (Kironde, 2007).

Independence in 1961 brought significant changes in Dar es Salaam. Colonial laws that restrict Africans mobility and residential segregation that influenced urban planning were abandoned. This saw population of Africans tripled in ten years time from 93,636 in 1957 to 272821 in 1967 (Kironde, 2007)

4.3 Growth of informal settlement in Dar es Salaam

Dar es Salaam city is facing a rapid growth of informal sector. This is evident in informal housing and petty business along the roads and public areas (Stren, 2004) Growth of informal settlements has been fuelled by shortage of serviced planned and surveyed plots by the government (Kombe and Kreibich, 2000). Due to the high demand the process of getting planned and surveyed plot was bureaucratic and long waiting. Process of obtaining building permit was also frustrating. This prompted many to look for alternative solution of acquiring land informally. Informal settlements in Tanzania unlike many other developing countries accommodate people from all walks

of life; from government ministers to street vendors. This may be stemming from Tanzania policies of socialism; there is no social and physical segregation among the residents of informal settlement and the rest of the city (Kironde, 2005).

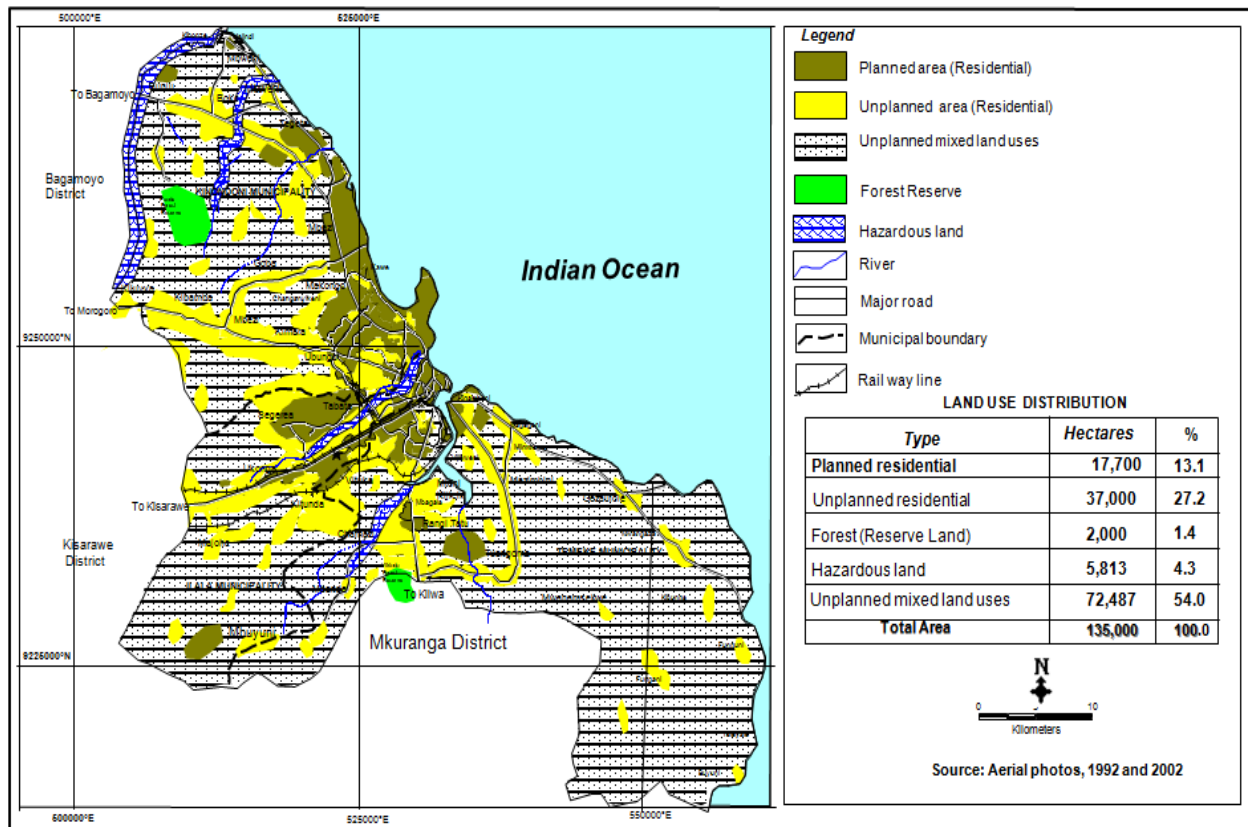


Fig 4.1 Distribution of informal settlements in Dar es Salaam (adapted from URT, 2008)

4.4 Livelihood development in Dar es Salaam

Dar es Salaam has gone through various stages of growth due to changes in development policies since independence. It started with public control and protectionism during the 1970s, trade liberalisation in 1980s, and the Structure Adjustment Programmes in the 1990s. The effects of Structure Adjustment Programme saw more than 30% of people losing their jobs and increase of poverty among the people. It was not easy to get a new job and could not afford house rent; the majority were forced to informal housing and business to sustain their lives. Employment in government institutions was frozen; young graduates were also forced into informal economic activities. In Dar es Salaam informal sector employ about 65% of the population (URT 2004).

Failure of rural development policy has pushed the youth from the rural areas to urban centres in search of employment. Dar es Salaam has been receiving the largest share of them. Most of them are primary school leavers and all they could do is casual labour and hawking of goods in the streets and in public spaces. According to Research on

Poverty Alleviation (REPOA) by the end of 1998, the population of hawkers in Dar es Salaam was estimated to be 850,000 about 24.2% of the City's population (DCC, 2004). These migrants find their residence in informal settlements like Manzese and Tandika.

4.5 Case Study Areas

4.5.1 Manzese

Manzese is one of 27 administrative wards in Kinondoni Municipality in Dar es Salaam city; and is composed of six sub-wards. This is one of the largest informal settlements in the city in terms of coverage and population. It is located approximately 6 kilometres from the city centre. According to the 2002 census, the ward has a total population of 66,866. It is bound by Sinza to the north, to the east is bordered by Mburahati valley and Kagera road; to the south are Mabibo and Mburahati while the west is bordered by the Ubungo industrial area and the Ubungo flats. It covers about 173 hectare; with an average density of 385pp/ha.

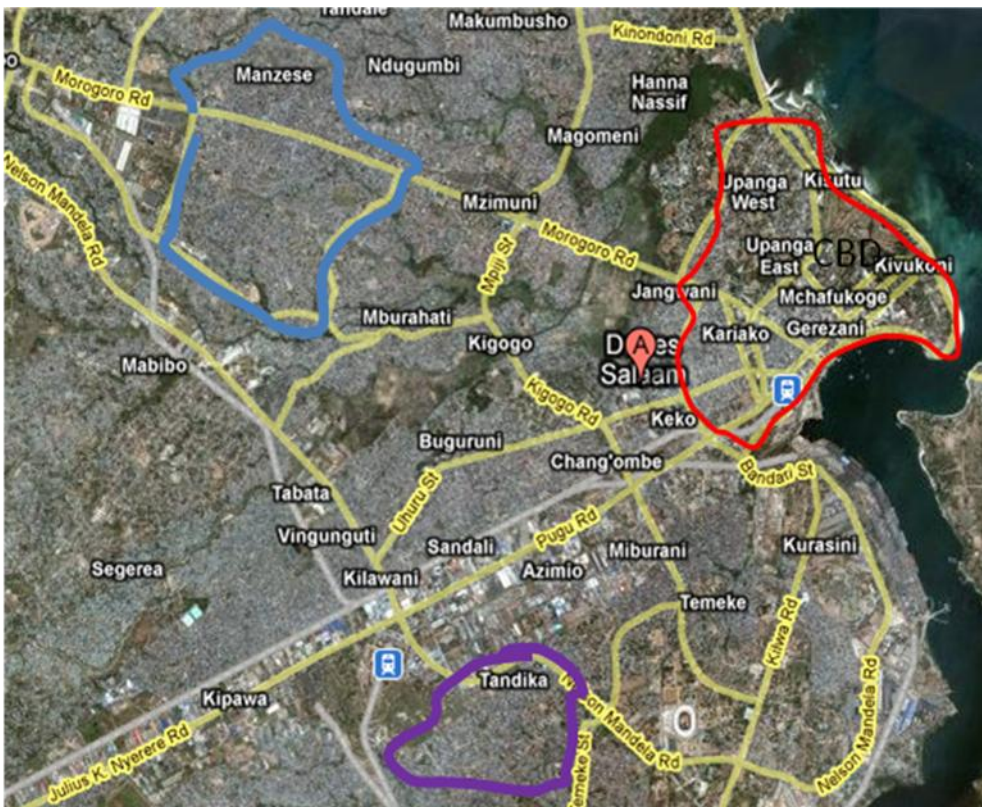


Fig 4.2 Location of Manzese and Tandika wards in relation to CBD

History of Manzese goes way back to 1945 when the area was used as grazing land (Kironde, 2002), but started to grow as Dar es Salaam town expanded. Manzese was one of the traditional villages in the outskirts of the city occupied by Wazaramo and Wandengereko tribes as their tribal land. As Dar es Salaam town expanded more people demanded for more land in the villages surrounding the city as they were not allowed in

the town boundaries. These people obtained land from tribal chiefs for farming. With time farmland turned to residential uses without any services. By 1957 African

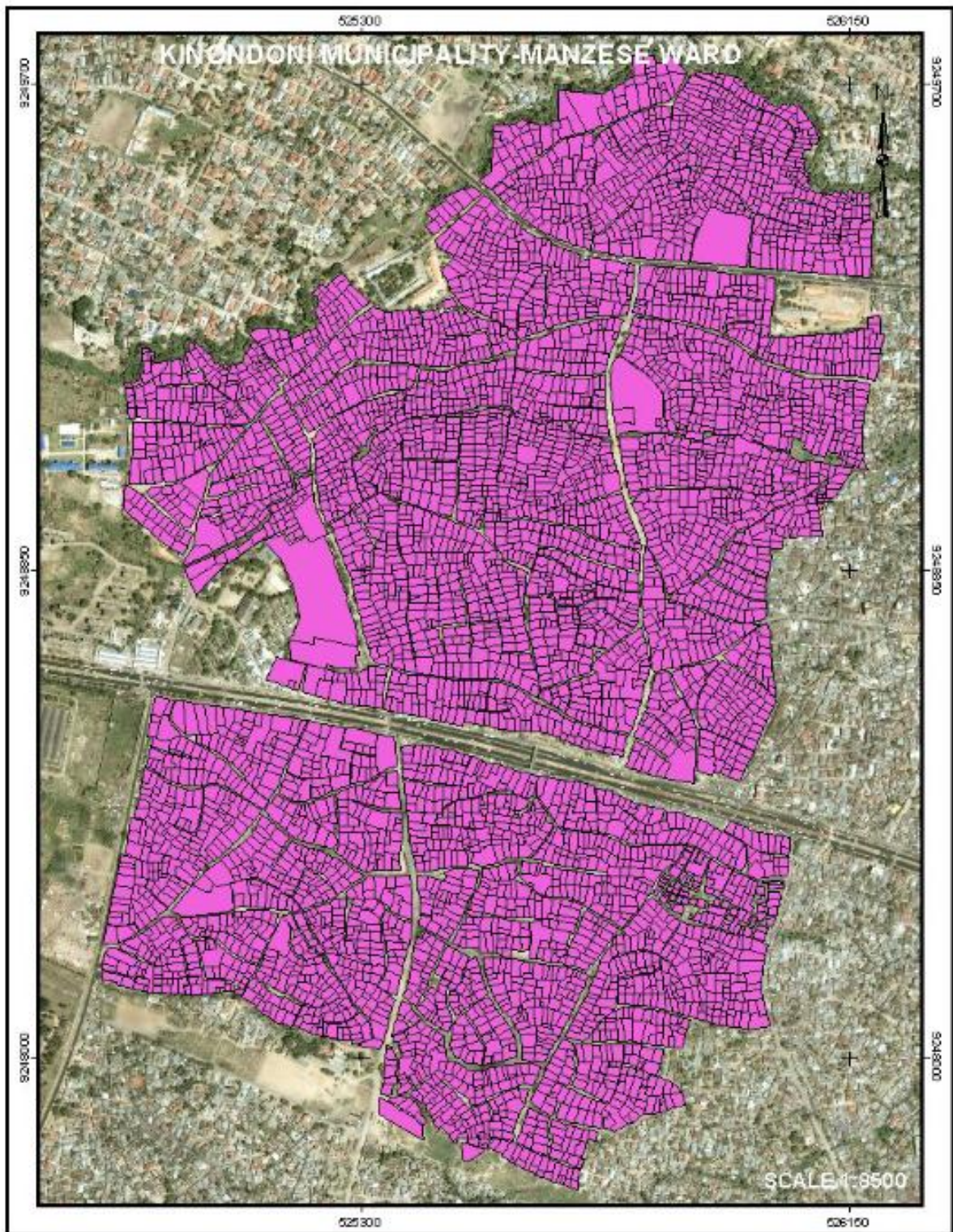


Fig.4.3 Manzese informal settlement. (Source: MLHSD July 2009)

population in Dar Es Salaam Township has grown to about 93,636; according to Kevin Shillington in the Encyclopaedia of African History pg 337, the Township's physical expansion incorporated former villages on the urban fringes such as Mtoni, Tandika, Temeke, Buguruni, Kigogo Mburahati Manzese and Msasani.

People started to develop without plan providing for themselves and extra rooms for rental. The colonial administration did not intervene by that time. 1968 city boundaries were extended incorporating surrounding villages including Manzese. 1968 Dar es Salaam Master Plan located industrial area at Ubungo encompassing Manzese within. Another factor that contributed to fast growth of Manzese is the construction of Morogoro road in the same year. These decisions fuelled the consolidation of Manzese settlement. Its population shoot from 5000 people in 1967 to 60000 in 1998 becoming the largest informal settlement in the country

4.5.2 Tandika

Tandika is one of 24 administrative wards in Temeke Municipality in Dar es Salaam city; and is composed of 4 sub-wards. It is bordered by Azimio ward on the west, Temeke to the north and east while to the south it shares a border with Mtoni ward. Tandika is one of the oldest informal settlements in the city. Part of Tandika was planned for African residential zone during British rule. Large part of Tandika was regarded as native land occupied by Wandengereko. Expansion of Dar es Salaam town and the port in 1940s attracted more people in search of job opportunities (Brennan and Burton, 2007); but since the city was facing housing crisis they looked for housing in the periphery but again close to work.



Fig. 4.4 Tandika informal Settlement (source: MLHHS July 2009)

Rapid development of the area continued as people tried to meet their housing needs and extra rooms for income generation. The area did not have basic infrastructure or services. Housing condition deteriorated as population density grew. The colonial administration at that time was facing housing crisis within the township boundaries, therefore they were not bothered with the native land. After independence Dar es Salaam boundaries were extended in 1968 incorporating surrounding native land including Tandika.

The area is located approximately about 5 kilometres from the city centre and about 3-4 km from the port. It has population of 42,014 people. It covers an area of about 160 Hectares with population density of 262 people per hectare. In 1977 the Government built Bandari (harbour) college in Tandika that provide various courses related to port activities. The same year Tandika flats were built to provide decent housing for the growing city population. All this developments attracted more growth in the settlement as they could tap from the infrastructure and services in nearby neighbourhood. Though Tandika is well connected to the rest of the city there are no many job opportunities in the area except for the Tandika market which is famous for fresh vegetables, fruits from coast region and cereals like maize and rice also beans from up country.

Table 4.1 Summary of similarities and differences of the two settlements

Manzese	Tandika
Existed during colonial rule (before 1940)	Existed during colonial rule (before 1940)
Underwent squatter upgrading and House registration in 1970s	Underwent squatter upgrading and House registration in 1970s
Implemented land titling project 2004-2006	Implemented land titling project 2004-2006
Located along Morogoro highway, well connected with CBD and surrounded by higher learning institutions and Ubungo industrial area.	Located in the local access roads, not so well connected no economic zones nearby

4.6 Land acquisition in informal settlements

Land in informal settlements is held under customary tenure system. Acquisition is through purchase or inheritance. “The legality of a land occupier or buyer to own and use land in informal settlements is guaranteed through social recognition of the individuals’ right to land by other residents in the area, particularly neighbouring land owners, local leaders or friends” (Kombe and Kreibich, 2001). Process of subdivision and also development takes place outside the government interference. The process of transfer is finalized by signing of sell agreement form by both sides in the presence of sub-ward leader and/or ten cell leader with witness for both parties. This contributes

towards guaranteeing buyer's rights on the land. There is generally respect for the procedure by all the residents in informal settlements. Most land disputes are resolved by local leaders i.e. the sub-ward and Ward leaders. Cases that are not resolved at this level are referred to the higher state organs including the police and courts of law (Kombe and Kreibich, 2001).

4.7 Previous government interventions

4.7.1 Squatter upgrading

Manzese and Tandika (then known as Mtoni-Tandika) were part of informal settlements in Tanzania that benefited from 1970's World Bank Squatter Upgrading and site and service programme. The project provided infrastructure like access roads, water supply and community facilities like schools and health facilities. The programme also included house registration which was used for property tax. (In Tanzania property tax is only on the development not on land). Housing registration involved posting house numbers on each house front door, but no legal papers were issued except tax bill for property tax. It was at this time that Tanzania Housing Bank (THB) was established to provide loans for house improvement in informal settlements as well loan for new constructions. This programme did not include tenure regularization. Further subdivision of land continued leading to overstretching the installed services. Today it is difficult to identify the access roads built during the initial programme.

4.7.2 Community Infrastructure Upgrading Project

Community Infrastructure Upgrading Project (CIUP) started in 2004 and is expected to cover the period 2004-2010 implemented in two phases. Phase 1 ended 2008 which covered 16 sub-wards. Phase two is on awareness creation stage covering 15 sub-wards in Dar es Salaam. This project expected to benefit total of 329,000 low income people living in informal settlements (URT, 2004). The project is spread in all three municipalities of Dar es Salaam; that's Temeke, Ilala and Kinondoni.

The objectives of the CIUP are to improve the productivity and wellbeing of low income urban residents and strengthen municipal systems for upgrading and maintaining infrastructure and services (UNHABITAT, 2008). The project is implemented through participatory approach and is demand driven. Main focus is infrastructure services like: roads and footpaths, storm water drainage, sanitation, solid waste management, water supply and street lights.

In most of the areas construction work is still going on. There has been many complaints among the residents where this project is been implemented due to poor quality of the work especially on storm water drainage system. Some drainage end abruptly near a house that means bringing more floods to the area. The standards are too low to sustain the increasing traffic in the area. Generally the project has face lifted the areas and made them attractive even to non poor. In Manzese for example land value has risen for about 4 times as before the project.

4.7.3 Formalization of Urban Land Property Project

Formalization of urban land property right in Dar es Salaam started in 2004 and was supposed to wind up in 2006 but due to shortage of resources the project is still going on in some parts of the city. Objectives of the project were: to create a **Comprehensive Land Property Register for Economic Empowerment of Residents in Informal Settlements**

Specific objectives include:

- To identify ownership of individual properties in the informal settlements and prepare property registers;
- To give legal status to owners by issuing of residential licenses to enable them to use their properties as collateral to obtain loans from financial institutions.
- To expand government base for revenue through land rent and property taxes from these areas;
- To create a comprehensive database for efficient land administration.
- To build capacity within the Ministry of lands and local authorities to undertake such projects in other urban centres.

More than 220,500 land parcels were identified by June 2006. By July 2009 about 87,632 Residential Licenses were already issued to land owners in all three municipalities of Dar es Salaam. Residential License provides a two year renewable and transferable right to the land. The short term of the License has the advantage that it does not require development scheme to be in place; however, it limits the collateral value of the Residential License. The term has been extended to five years from July 2009 after amendments in the Land Act. Focus of this study is to look at how the objective of giving legal status has affected the livelihood of the beneficiaries of the project.

Chapter Five: Analysis of main findings

This chapter presents an analysis of the data collected in order to answer the research questions as to how land titles have affected the livelihood of the residents in Manzese.

5.1 Effects of land titles on the livelihood of Manzese residents

Manzese is a very hectic area full of people doing all kinds of trade. Second hand market is dominant followed by cereal mills producing flour for food and animal feed. The second hand market runs along Morogoro Road for almost one kilometre starting from Midizini sub-ward market to the West. It is characterised by several small individual stalls. Both activities employ many people both women and men. The area is characterised by noise from the milling machines and from the market. Very few of Manzese residents have stable employment.

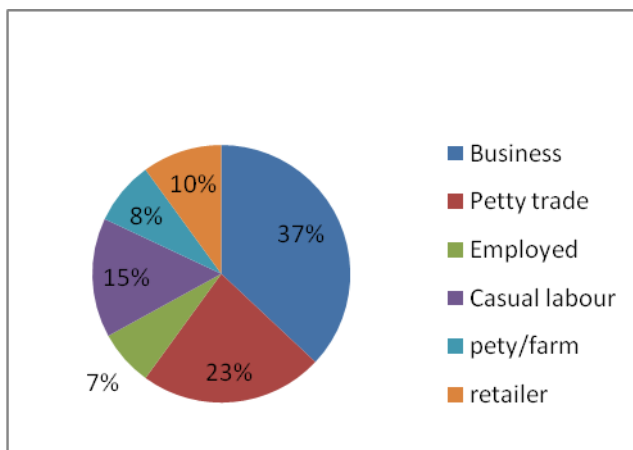


Chart 5.1 List of income generating activities (livelihoods) (source: field July 2009)

Business in this area refers to commercial activity that can employ up to 5 or more people this includes cereal mills, hardware, restaurants and bars. Petty traders include those who run soft drink kiosks, sell air time for mobile phones, food vendors and second hand street vendors. Employed refer to permanent employment in recognized organizations private or public. Retailers are corner shops and grocery stores owners and petty and farm are those engaged in both petty trade as well as hold some farmland in either their rural homes or in the periphery.

In order to assess how the project has affected livelihoods in Manzese, there are two angles from which to assess the impact. One is through the tenant's perspective and the other is through the landowners.

5.1.1 The perspective of the tenants,

Logically, the poor's priority is to be close to the source of their livelihood (Payne, 2002). New urban migrants chose to settle in Manzese because of its location. Manzese as mentioned earlier, is located along the Morogoro highway between major economic

zones high learning institutions - University of Dar es Salaam, Ardhi University (formally UCLAS) and the Institute of Social Development on one hand and Ubungo industrial area and CBD on the other. Benefits from this surrounding to the Manzese residents include good transport connections, most of the mentioned work places and market are walking distance from Manzese; and in case they do not feel like walking, bus fare is only 200 shillings² per trip. For the young people looking for jobs it is easy to reach the neighbouring workplaces and get a job. It could be casual, temporary, formal or informal and found themselves coping with urban life without much difficulties

Informal employment as mentioned earlier engages more than half of Dar es Salaam residents. In Manzese study shows that above 75% of the residents are self employed in informal sector like second hand clothes, street vendors commonly known as *Machinga*³, shop assistants, make-shift food vendors (*mama lishe*) or restaurants, on the street garages, mechanics and tradesmen. Most of these fall on the age group between 16-30 years.

5.1.2 Importance of location

Some women cook food, pack it in containers and take it to the CBD and other workplaces especially in construction sites and thus make a living. For them location is crucial; therefore they choose to live within a walking distance or at least one trip fare to enable them to realise the profit. These groups of women if they move from the area will mean a total change of livelihood. Even if they will continue with the food business they will have to pay twice as much for transport and wake up earlier to be able to maintain the market. As one respondent remarked

“Here is easy to get money because I cook rice and ugali⁴ with beans, meat and vegetables and take it to the construction sites to the labourers at a reasonable price, that’s how I make a living”. If I move to the periphery life will be difficult. I will have to incur transport cost that will reduce my income.

If they can’t cope with commuting to maintain the current market, they have to come up with some new innovation of livelihood. Many are used to going to the fish market at the centre and come back home fry the fish and sell it on the streets within the area. Manzese being densely populated with young men looking for easy way to survive in town provide a good market for these women. Since it is not easy to sell fish far from home they have to give up the business if they move to periphery. This is why some chose to relocate within the area in poorer conditions rather than going to the periphery. Most of the tenants find the rents in Manzese to be too high compared to the quality of

² 200 shillings is equivalent of 20 ct USD

³ Machinga is a tribe in southern Tanzania which form majority of street vendors in Dar es Salaam. Machinga also is used to ridicule street vendors as matching guys.

⁴⁴ Ugali is maize flour meal one of staple foods in Tanzania

the houses. For example house of the same quality could be rented for half the price or less elsewhere. But people still cling to the area because of its location. Rent for a residential use has risen from 8000 to 15000 before the project to between 20000 and 30000, while a room for commercial use is between 40000 and 100000 shillings depending on location.

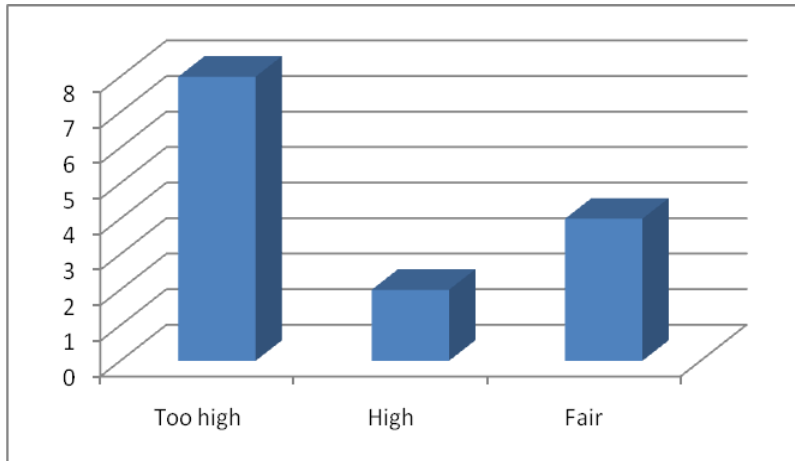


Chart 5.2 Tenants feeling about house rents in Manzese. (Source: field data July 2009)

There is a fear among the tenants that low income housing is diminishing and they might find themselves far away from the area and therefore lose geographical advantage they have now. From the focus group which involved young men living in the area all agreed that they chose the area because they don't need to worry about transport to workplace. They can just walk to their respective workplace.

Respondent 1:

“My education is standard seven, I cannot find employment, but being in this area is easy to get casual work in the industries, or in the colleges. Sometimes even within the area I just go to the milling machines and get a day work and survive. For me I don't choose work I just do whatever comes my way as long as it is legal. If I don't get housing in this area I'm not sure I will be able to survive in this city”.

Respondent 2

“I'm a computer technician but could not get formal employment; a friend trained me on mobile phone repair by using computer for few months. Then I chose this area because of the population, many people have mobile phones and it is easy to get customers here. My land lord has already indicated that he wants to sell the house. I'm not sure where to go I hope to find another place in this area”

Respondent 3

“As you see I'm selling milk and snacks. It is not my business, I'm employed. I don't make much profit; rent was raised recently making it even harder to make a meaningful profit. I don't think my employer will continue with this business for much longer. I have started looking for employment somewhere else”.



Fig 5.3 Mobile kiosk selling mobile phones credit cards along roads. (Source: field data July 2009)

However, there are others who have been in the city for long time and have been able to make some savings, they are ready to settle down and have families. For them living condition is more important than the location. That is why they chose to resettle in the periphery but maintain workplaces in Manzese. They feel that transport cost can be compensated by low rent in the periphery where they can enjoy more outdoor space. This was revealed by the group of respondents who are engaged in tailoring and carpentry in Midizini sub-ward. Since the rent has gone up instead of each renting a room as before a group of 4-6 rent one room for business. They produce uniforms for various schools and some company's staff uniforms. Also there is production of leather products like bags, cushion covers and car seat covers. The area accommodates about 20 people engaged in related business. When were asked why did they move from the area where is the source of their livelihood one of them said:

“It is cheap to get a good house in the periphery; some of us have families now we can't afford more than a room here. Transport is costly but it is compensated by low rents in the periphery and here we are sharing the costs of the room for business.”

5.1.3 Livelihood on the landowners' perspective.

Renting rooms is one of sources of livelihood among the land owners in informal settlements. Owning a house in these settlement one fulfils basic needs of shelter as well as source of income. Demand for residential rooms in the area is high due to its location and is a better option for the poor looking for employment or engaged in informal sector. Many landowners along the major roads have sold out their properties foregoing all the benefits of rising rents in the area. Majority have realised the market value of their properties. From the money they got they were able to buy one or two houses in the less prime area (less accessible areas) in the settlement and still remain with some balance to start a business. One must take note that home ownership in Tanzania is a

social status. That is why selling a house is not a decision to rush into. Many are forced to sell since they don't have stable income. They sell hoping to secure another house somewhere else and start a business. This was echoed by the chairperson of Tandika when was asked what he thinks of the land market in Manzese.

“People are tired of poverty, there is no use clinging to a house that does not produce enough income and at the same time I cannot invest; so when an opportunity like this shows up even I would sell if I will be assured of getting another house and be able to make a living out of the balance”.

The study show that about 30% of those who sold their properties in Manzese are still within the settlement. Their livelihood has changed from rent dependant and casual labourers, now they have new houses and own businesses in the area. Some moved to periphery but run their businesses in the area. From interview with those who moved it was revealed that though they have moved they believe that the area is good for business and that they can't stay away from the area as they remarked;

“We are used to this place; we have many customer and friends who identify our businesses with this area. If we move our businesses from this area we will lose them.”

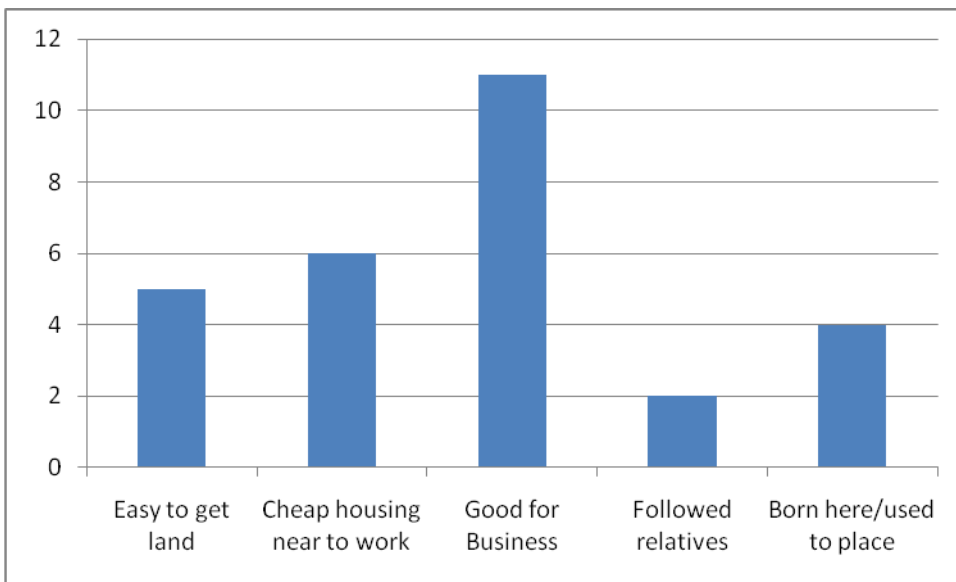


Chart 5.3 Reasons of choosing Manzese. (Source: field data July 2009)

75% of land owners bought their land while the remaining 25% inherited from their parents. For those who bought their land after the project considered Residential License before buying because of fear of buying land designated for public use or hazard land. License holder also certifies that the seller is true owner and therefore avoids disputes.

5.2. Tandika

5.2.1 Livelihood in Tandika

The majority of the Tandika residents (above 80%) are self employed. Businesses in this settlement include: cereal go-downs and sales, mill machines, household appliances, and clothes. Cereal go downs and mills are located few meters away from the market. Mills like in Manzese employ many people of both sexes. Always there are young men waiting for casual labour especially lifting heavy weights of the cereal sacks and packing flour and animal feeds into sacks. Women are employed in the mills to separate unwanted stuff from the cereals before they are ground. Livelihood activities in Tandika revolve around the market area. Life around this area is hectic while the rest of the settlement is rather quiet. Despite the location many city residents prefer to buy food stuff from Tandika market because of low prices. Second hand items are located along one street surrounding the market to the west. This activity employs many people of all ages from ten years to above fifty. Some youth are normally seen walking around with their clothes selling to passersby or taking them to public places with many people like bar, industrial areas and hospitals.

Food vendors are divided into two categories. One is the traditional *mama lishe*⁵ who are organised into group of three or four cooking together in areas of high population densities like the market, industrial area and other work places. The other is dominated by young men scattered in the settlements frying potato chips (French fries) and bananas (plantain) with chicken and eggs; in this group also are young men preparing barbecues along the major streets and at the market. Retailers and small corner shops are scattered in the settlement; also scattered in the settlement are small kiosks (normally of just a table) selling vegetables, fruits and spices. Most of these kiosks are run by women as a secondary activity for extra income.

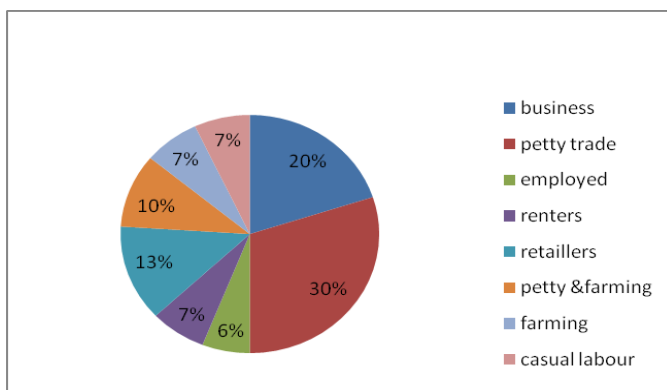


Chart 5.3 List of Livelihood strategies in Tandika (Source:Field Data July 2009)

Most of the respondents work around the market. Some sell vegetables early in the morning and by 1100am they are back home doing other home chores. Some sell snacks like buns, chapati, fried cassava and ground nuts near the school. Majority of house wives have a kiosk outside the house where they sell vegetables and fruits as one of them remarked

⁵ Mama lishe are women doing food business.



“I sell vegetables door to door early in the morning from six o’clock to half past seven then I come home prepare breakfast for my family and prepare my son for school. From the sell I get between 3000 to 4000 shillings. If by that time the stock is not finished I sell at my table outside.”

Fig.5.4 Kiosk selling vegetables (source: field data July 2009)

In Tandika unlike Manzese one finds some elderly folks sitting outside their houses just talking doing nothing. They talk about a range of issues from economy to politics and sports. When they were in discussion with the researcher they revealed how they make their living. Some of them are landowners depending on rents and remittances from their children outside the area, while others apart from having a house to rent in the area they also farm in their rural homes. After harvest they bring some crops for the family consumption, as one respondent said:

“I am a farmer, I go home during farming season prepare the farm and plant then I come here for a short while, I return for weeding until harvesting. I bring food for my family to subsidize what I earn from renting some rooms. For now I don’t have much to do”.

About 15% of Tandika residents depend on urban farming to grow their own food and sell extra. Some of land owners do not stay in the settlement; their houses are for income generation. One respondent said

“My mother who is the owner of this house stays in Gezaulole⁶ where we own a big farm. She only comes to collect rents every three months or sometimes I take it to her” as for me I am a tailor near to the market.

Some of the residents have regular income from pension yet they do casual labour to earn some extra income to sustain their families. As one remarked

I retired two years ago, but I take small construction works to enable me to live in town as you know life after retirement is not easy and I’m not prepared to go to the village yet.

⁶ Gezaulole is one of the villages within the city boundaries about 60kms from the city centre.

5.2.1 Importance of location

Most of the tenants do their trade at the market or the area close to the market. Some rent a room for corner shops and retail business. A room for business in Tandika goes for 30,000 to 50000 shillings depending on the location. Along the main road and around the market rents are higher than the rest of the area. Mobility of tenants from one house to another is not as high as it is in Manzese. In Tandika rents are stable and are generally fair compared to Manzese. Rent for a residential room is between 8000 and 15,000 shillings per room per month.

70% of land owners acquired their land through purchase, while 30% inherited from their parents. The majority of land owners came to Tandika before land tiling project and chose to live in this place because it was easy to get land. Those who own land near to the market and along the major roads chose the area because it is good for business. For them location was important because they are doing business and being near other businesses was important. Around the market housing condition are better than the rest of the settlements. For those who bought land after the tiling project considered Residential License before buying because they did not want to get into trouble of buying hazardous or public land.



Chart 5.6 Reasons for choosing Tandika (source: field data July 2009)

5.3 Importance of residential license.

Majority (95%) the residents in both settlements consider residential license as important as a legal recognition of right to the land by the government, increases security of tenure and **it helps** in resolving disputes. All women respondents have embraced residential license as a protection of the family property from malicious relatives. Only a few perceive the License as a gate way to poverty reduction. Interview with the acting councillor of Manzese revealed that residential license has not helped the residents economically at all. He said the term is too short even after the amendment of the law to allow for five years. He remarked

“I would say they have not helped anything at all because the term is too short compared to the requirements of a loan. For example one who need to borrow 2 million for two years what kind of business would he do to be able to finish in less than 2 years? Taking into consideration the repayment and the interest rate. Even with extension to five years it is still too short for a poor to be able to repay and make profit. The borrower will be working too hard to repay the loan without realising the profit of her/his business”.

Commenting on the rising value of the land he said,

“Rising of land value is a result of the upgrading and not of the titling project. Upgrading has made the area attractive to big businesses for example the two high rise building adjacent to this office. The owner bought two dilapidated houses and see now what is on the site in just 2 years. Now we can have even private banks in the settlement something that we could only dream about in the past”.

Government official still believe that the objective of the project of empowering the poor through enhanced security of tenure is being achieved. The Ward Executive Officer (WEO) concurred with the councillor that upgrading project has more impact on the area than the titling project He said

“It is difficult to say how many have borrowed by using their titles because that is personal business we don’t have records here, but you can get data from the Municipality. What I can say for sure is that people are selling their properties at a very high rate. Even where upgrading is not completed people have already sold their properties. For example along this road (still under construction) all houses are sold except a few. Sale of a property has risen from 20-50 million to between 80 and 200 million shillings⁷; this is a big rise”.

Survey revealed that only 0.3% of those who have received their licenses in Kinondoni municipality and 0.2% in Temeke have used them to borrow from various financial institutions. The loan ranges from 1.0 to 100.0⁸ million Tzs; but majority lie between 1m and 5m accounting for 26.5% of total borrowers while only 4% of them have more than 50 million Tzs. The lenders did not only consider the residential license as qualification to get a loan. The borrower has to prove beyond doubt that has capacity to repay the loan before could be considered. Things that bankers considered include type of business the borrower is engaged in. This involved the bankers assessing the business cash flows or type of employment. They also asked for movable assets like cars, television set, music system etc. If you are self employed and you show prospects of paying but do not possess valuable assets they will ask you to look for guarantor who is government employee.

⁷ From between 15,385- 38,462 to 60,538 – 153,846 USD

⁸ 1300 Tanzanian shilling (Tzs) is equivalent to 1 USD.

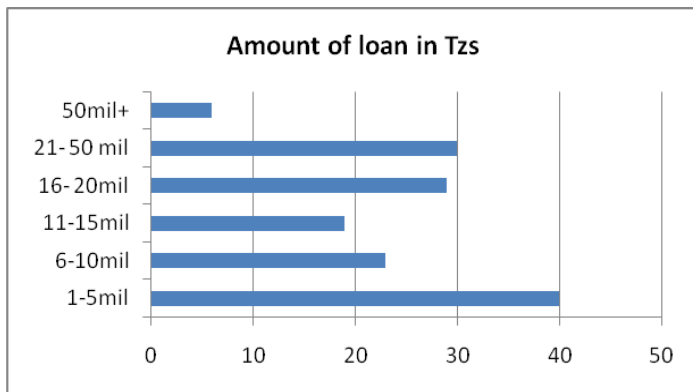


Chart 5.3 number of borrower against amount of loan. (Source Municipal mortgage register July 2009)

Out of 147 borrowers 16 in Kinondoni municipality have borrowed farm implements for commercial farming by using Residential Licenses, while 21 out of 148 borrowers in Temeke obtained loan for farm implements. The researcher tried to find out why majority of the residents didn't borrow by using their licenses. Many argued that it is difficult to get loan from the banks because the banks don't value their properties as worthy for credits since they are located in the informal settlements. Majority (60%) are afraid of losing their properties in case of failure to repay the loan. In Tandika the Ward Executive Officer said that FINCA has left people traumatized by their action of confiscating assets of borrowers if the delay to pay even for just a month. One would think twice before deciding to take a loan from bank. He remarked,

"No one will dare to put his family at risk of been thrown in the streets by using family house to borrow. However many are using their licenses to borrow from friends relative and neighbours. I have witnessed many loan transactions of that kind. I remember only one person has ever consulted my office regarding borrowing from a bank, he needed money to send his son to college".

Like agreeing with the WEO's remark many of residents from both settlements when asked how they have used their residential licenses said they have not used them to borrow from the banks because they are afraid of losing their properties in case they fail to repay the loan. One of the respondents remarked.

"I am a widow, and not employed, I am used to petty trade selling fruits, buns and fried cassava. My income from these activities does not exceed 5000 shillings a day. I can't repay any bank loan even for five years. I know if I fail to pay they will throw my children and I in the streets. I can't borrow using my house, never!"

While others complained about the term been too short, others who really needed to start a new business were denied by the banks on the ground that they do not have sufficient guarantee for the amount of the loan they applied for. As this respondent said

“I need a loan of 200 million shillings to start car selling business with my sons but the banks refused even with my two buildings the go-down and residential house. I was offered only 50 which is too small to start the business.

Some said that they need more education on borrowing and entrepreneurship so that they can engage in a profitable business. One respondent advised that, since many rely on their house as source of income, banks should also consider giving loan for house owners who are renting out their houses, the banks shouldn't concentrate only on business. He said

“banks should enter into agreement with the house owner after renovation of the house the bank will collect certain percentage of the rent each month until they recoup their money and interest because not everybody can do a profitable business”.

The government is optimistic that the Residential Licenses are empowering the poor in the informal settlements. From the Ministry of Lands point of view is that the people need to be daring and face the challenges of economic hardship by borrowing from the banks. The government have a feeling that the banks have allot of money to lend but the people are fearful. As commented by one of the task force members *“those who are daring have borrowed, and are doing well; but others will remain on the side watching others prosper while they perish in poverty”.*

The term of the Residential License is dictated by the law two years was the term stated in the law. The issue of short term came up even during awareness creation campaigns. Since the law has stated two year it required amendment to be able to extend the term. This was done, and from July 2009 all new and renewal Licenses are given term of five years. It was extended to five years because most of short term loans in most banks are three years. Second phase of the project is starting this financial year, Awareness creation campaigns have started in various settlements. In this phase the government with participation of the landowners are preparing regularisation schemes which will be use to designate land for various uses like infrastructure, social facilities, and utilities. After the approval of the plans individual plots will be surveyed and then the Residential License will be upgraded to Certificate of Right of Occupancy (CRO).

5.4 Sale and Change of land uses

Manzese settlements can be divided into two major zones. The first is the area along the major roads which have been upgraded. Rate of the sale of property is very high and new investors have changed the use to commercial. The other one falls on the area far off from the roads and are less accessible. In this area there is substantial rate of sale of house but no significant changes of land use. The settlement is changing very fast. 90% of the properties counted along these major roads are commercial. Most of the new investments are multiple storey buildings for hotel and office accommodation.



Fig 5.5 New developments in Manzese (Source: field data July 2009)



Fig 5.6 Change of land uses in Manzese (Source: field data July 2009)

When asked if the landowners who are selling do understand the market value of their property the WEO said

“Somehow they know; if they are cheated that can be the minority, because they are using their children who investigate the price of the recent sales around the area, also

there is informal Real Estate Agents formed by group of young men from the area who educate the old land owner of what the market is like in the area”.

Survey revealed that the buyer would ask for Residential License to ensure that the seller is the right owner and the area does not fall in the hazard or public land.

In Tandika on the other hand rate of sales of properties are very low. There are no much changes in the land uses except for the area around the market where there is concentration of commercial activities. Commercial investment in Tandika is small scale compared to Manzese. In Tandika new constructions surrounding the market are cereal go downs and mills while in Manzese private banking service, office accommodation and hotels are mushrooming in the area. The Kilimahewa sub-ward chairperson revealed that most of the houses in the area are used for residential purposes and a few with a corner shop. Business in this area is more or less related to subsistence stuff.



Fig 5.7 New development in Tandika and the uses (Source: field data July 2009)

Chapter Six Conclusions and Recommendations

The land titling project was embedded within the National Strategy for Poverty Reduction. The objective was issuance of residential license to land owners in the informal settlements will enable them to borrow money from financial institutions to invest in housing improvement as well as in their livelihoods. In the awareness creation campaigns people were encourage to get residential license to help them reduce poverty. From campaigns it sounded like Residential License was an automatic ticket to a bank loan and hence ultimately eradication of poverty. This possibility faded away as most banks denied the RL holders loans on the account that they lack capabilities to repay the loans. As the number of loan applicants were turned down by banks increased so the loss of credibility in the RL as sufficient collateral for a bank loan.

6.1 Manzese

Integration of informal settlements into formal economy through land titling has increased displacement of the poor by the market. In Manzese which is located on a prime land the market displacement is very high and the prices are high especially for the plots along the major access roads because of their strategic locations for commercial activities. Change of land uses is taking place very rapidly in this area. Small plots are combined to form one plot for use of hotel or office accommodation. In the less accessible areas the prices are lower and change of land use is quite slow. The middle class and the rich are coming to the area now because they are sure that their investments are safe since the government has recognised the ownership of the residents in the settlements. The study revealed that infrastructure upgrading which increased accessibility and environmental improvement in the area has more influence on the market than the land titling project. This confirm that security of tenure encourage gentrification.

6.1.1 Livelihood in Manzese

Manzese's prime location in the city played a vital role in the growth of the settlement. Its locations gives the residents easy access to important locations like work places, markets (to buy and sell goods), social services, schools, etc. The location also offer them access to surrounding infrastructure facilities found in the city centre and in the Ubungo industrial area such as the Morogoro highway, city public transport, electricity and water supply. Land titling was expected to empower landowners in this area to get loans to invest in their buildings and in businesses but this has proved unsuccessful. The financial institutions do not offer credit basing on Residential License alone but on the capability to repay the loan. To be legible to access credit the applicant must have a vibrant business which the lender will be able to check the cash flow and if satisfied by its performance then they approve the loan. Accessing credit by use of Residential License is negligible since 2005 to date only .03% of all the land owners have been able to access credit from formal financial institution.

With no hope for a loan a poor landowner though aware of the rising value of their land had no alternative to poverty reduction but to dispose off their properties and start a new life somewhere else. The effect of the land titling project to the poor residents in this area is that many of them are forced to move to the periphery far away from the area they are used to access means of their livelihoods and social services. The study revealed about 30% land owners have sold their properties and moved back to their rural homes from where once they ran away due to adverse economic and social conditions. Many tenants have lost their rented rooms in the process. Some are threatened to move to poorer housing condition if they want to remain in the settlement and enjoy the advantages of the location. However, may face environmental and health problems in those areas. Many of them as discussed in the previous chapter rely on the location of the Manzese for their livelihood.

Those who move to the periphery have lost the geographical advantage they used to have in the prime area such as: proximity to CBD and other workplaces, transportation network and social facilities. A substantial number of land owners have moved to periphery far away from their original settlement. Since the majority realised market value of their properties they are able to acquire bigger land and build new houses and start new business to sustain their families. Their life style has changed since they have to adopt new livelihood strategies. Only 30% of land owners were able to capture rising value of their properties and were able to secure housing in less accessible areas in the same settlement. This group of land owners are able to get housing and remain with balance to start a business and ensure sustainable livelihood.

6.2 Tandika

Land titling Tandika triggered land market at the beginning when some of the residents were not sure of the government intentions. Some sold out because they were not used to follow any government obligations. Majority of those who sold moved to their rural areas only a few moved to periphery where land is cheap. Unlike Manzese Tandika life is quite the same as before the land titling project. Only few new investments can be identified in the whole area. No change of land uses; despite the increased security of tenure, except for small extension on the existing house for extra room for a shop or other income generating activity. The only area that is busy is around the market where source of the livelihood for most of the residents is located.

6.2.1 Livelihood in Tandika

Tandika is not located in an attractive area like Manzese. Though as explained in chapter four part of Tandika was planned during the colonial rule the area do not attract big investments. Most businesses are small scale investments employing not more than 5 people except for cereal mills and go-downs which offer casual labour to many people. Concentrations of the income generating activities are surrounding the market. Extension of the area is slowly encroaching the adjacent streets as more space is needed for the increasing demand. One would say that the source of livelihood for Tandika

residents is located at the market. Most of the land owners rely on room renting as major source of their livelihoods. About 80% of houses have rental rooms, few of which are for commercial uses like shops, grocery stores, tailor marts and hair dressing saloons. Some have supplementary income from the market or kiosks outside the house where they sell vegetables, fruit and spices. Since there area has no infiltration of big businesses there is no threat of poor moving to unfavourable housing conditions. Rents are almost stable compared to Manzese which are ever rising. Despite the enhanced security of tenure there is no significant rise in land values. This implies RL did not bring any significant economic effects to land owners in this area as De Soto (2001) suggested.

6.3 Accessibility to loan

Most of the residents in both settlements complain that they could not access any loan due to short term of the Residential License. At the beginning it was two years but after the amendment of the land law the term has been extended to five years renewable since July 2009. The project objective was to enable the poor to use their properties to obtain loan to improve their houses and start small business and thus reduce poverty; however, study suggests that Residential Licenses did not influence borrowing behaviour among the poor. The majority of the poor in the informal settlements depend on small scale investment like small corner shops, hair salon, running a food kiosk, selling of second hand items and the like, investments that rarely call for a title over one's property to acquire a loan. Most depend on informal micro credit financial institutions like Upatu⁹ and SACCOS which require the borrower to be a member of the group before qualifying for a loan. The study confirms De Soto's idea that the poor do not require big loans but contradicts with his idea that land titling will improve accessibility to credits.

The poor are reluctant to use their properties as collateral because of fear of foreclosure in case they fail to repay the loan. They fear to lose because of uncertainty in business. Most of the residents prefer borrowing from individuals as well as from informal institutions because they feel safe in this kind of relationships rather than with formal financial institutions. The study also agrees with De Soto on turning properties into tradable assets, but this is limited to the informal settlement that is occupying prime land like Manzese. For the case of Tanzania where de facto security of tenure is so high, due to history of no eviction, followed by policies recognising the informal settlements as important part of city, selling of property does not need a title. Land market has been in place for long time as majority of land owners confirmed that they acquired their land through purchase. Ownership and boundaries and informal procedures are well respected and trusted by the majority of informal residents.

⁹ Upatu is a financial system based on a group who contribute some money and give members on rotation

6.4. Perception as regard to Residential License.

The Majority of landowners in informal settlements have not applied for their Residential Licenses. By July 2009 only 39% out of all identified owners had applied for their Licenses. This implies that the majority of the residents in the informal settlements feel that their properties are secure due to the past government's actions in the settlements. Upgrading, the land policy, the land act and the ongoing projects in the area have served to create sense of security of tenure. They have never experienced or felt threatened by eviction.

For those who have applied for the residential license many agree that RL has increased sense of security of their properties. They believe that they have entered into agreement with the government and they are legally recognised. Many women feel that RL increase protection of family property against malicious intents like grabbing of the assets from orphans and widows in case of death of parents and spouse.

6.5 Recommendations

Coordination of multiple actors during preparations and implementation of the plan is important for a project like this. Financial institutions were supposed to be involved in the working teams in order to clear all miss understandings on the changes in land policies and regulations. Banks came on the scene after the Residential Licenses were issued yet some loan applicants have bounced. It is recommended that banks should take initiatives of training the informal business groups on entrepreneurship and diversify their portfolios to cover room renting as business to be funded by a bank loan.

Regularisation schemes should go hand in hand with the issuance of Residential Licence to avoid unplanned development in the area. In Manzese substantial number of multiple storey building are coming up. Many of them have building permit from the municipality but there is no plan to guide development in the area.

This study was limited to economic empowerment of the poor and how livelihood of the poor was affected. Time allocated was too short only 60 respondents were interviewed in both settlements. It is recommended that a study should be done covering a larger population sample. Also it is recommended that a further study should be done to check whether the price at the residents of Manzese sold their properties was equivalent to the value of the capitalized value of the future rents.

This study revealed that titles do not solve the problems of informality but instead it propels creation of more informal settlements than the government can cope with. The project has generated a viscous cycle of informalities. In order to avoid further formation of informal settlements the government should incorporate informal settlements to be regularised into a broader urban development planning and city management.

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Appendx 1

Pictures from Manzese and Tandika



Women preparing food for sale at Tandika Market



A man repairs bicycles as well as sells fruits, Behind him is a shop selling school uniforms



One of the cereal go-downs in Tandika young men hanging around in search of casual labour



Retail shop dealing with food items nearby is public toilet under private operator near Tandika Market



Multiple income generating activities under one roof in Manzese



New Go-down has triggered value increase to the dilapidated building nearby- Manzese



Change of land uses along the access roads



The multiple storey building triggered value increase near poor housing in Manzese



New investments in Manzese



New developments changing Manzese's outlook

Household questionnaire

Household questionnaire		
Part 1 House Occupants		
Name of Respondent		
Gender	Male	Female
Respondent status	_____ Land Owner	Tenant_____
Employment - What do you do for a living? (describe)		
Where is your work place located?(describe)		

Age Group:	Blow 20years	___21-30 ___31-40	___41-50	-----51- 60, ___60+
Housing Quality:	___ permanent	___ semi permanent	___ temporary	
House type	Single storey	Multi-storey		
Uses	Residential	Residential/commercial	Commercial	Service trade/industrial
Water supply	___ individual connection	___ communal standpipe)	___From neighbour	Buy from unknown source

1. When did you come here? (How long have you been here?)
2. Where did you come from? (other part of the city_____ from up country?_____)
3. Why did you choose to live here?
Explain_____
4. (If tenant) how are house rents? (Fair ----, high----- too high-----) why?

5. Are there any changes in house rents since you came here? When? What do you think contributed to the change?
Improvement of the house _____ Land titles _____ others _____
6. (If land owner) How did you get land in this area?

___Bought	___ inherited	___ Invaded
-----------	---------------	-------------
- 6 If you bought, from whom? _____ How much did you pay? _____
What was the process (narration)
- 7 What is the size of the plot/house?
- 8 When you were buying this house did you consider Residential License? Yes / No, Why (explain)
- 9 Do you think that price was influenced by titling project? Yes / no, If yes How?
- 10 If there was no titling project in this area would you still buy house in this area? If Yes why?
11. If inherited, when did your parents come here? How did they get the land?
12. What are you planning to do with your land/house?
Sell? _____ Improve? _____ Change use? _____
13. If you would sell at what price ----- why that price? -----
14. Do you own any other house/ land? ___ Yes _____ No
15. If yes, Where? _____ in the city? ___ (planned area__ / Unplanned ___) up-country/ Village _____
16. Do you have title deed/residential license? _____ Yes ___ No
If yes since when? How have you used it? If not why?
Collateral in the bank-----, Just kept it safe
As guarantee for my child's higher education, ___ Bail out relative/friend _____
17. Do you think land title /Residential license is important? ___yes ___No, why?
18. How many people do you know who sold their house? ___ Why did they sell?
19. Where did they go? Do you keep in touch? Can you give me their contact?
- 20.

JAMHURI YA MUUNGANO WA TANZANIA

HATI YA KIAPO (AFFIDAVIT)

Mimi **ABDALLAH SALIM ABDALLAH**, kabila Mzigua, dini Muislamu, makao Kimara Suca Dar es Salaam

Nikiwa na akili yangu timamu na bila ya kushawishiwa na mtu yeyote yule naapa mbele ya Mahakama hii kwamba mimi ndiye mmiliki halali wa kiwanja na siyo **SALIM ABDALLAH SALIM** kama ilivyokuwa kwenye hati.

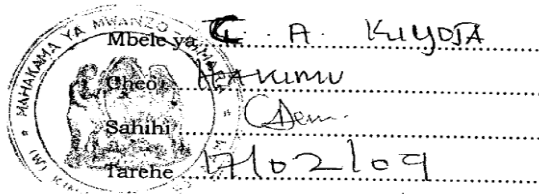
Nathibitisha kwamba jina halali la mmiliki ni **ABDALLAH SALIM ABDALLAH** ambaye ndiye mmiliki wa kiwanja Na. **KND/KMR/KMB 3/592** kilichopo Golani kiandikwe kwa jina la **ABDALLAH SALIM ABDALLAH** badala ya **SALIM ABDALLAH SALIM** jina la **ABDALLAH SALIM ABDALLAH** ni mmiliki halali hata vyombo vya sheria vitambue hivyo.

Nathibitisha kwa kiapo hiki kwamba yote niliyoyasema hapo juu ni ya kweli tupu na ikibainika kuwa ni ya uongo basi hatua kali za kisheria zichukuliwe dhidi yangu mimi mtoa kiapo hiki.

ROHANA MABASHO
.....
SAHIHI YA MTOA KIAPO

UTHIBITISHO WA MAHAKAMA:

Kwa kuwa mtoa kiapo hiki ni mtu mzima na mwenye akili timamu hivyo basi nakubali kiapo chake alichopa leo tarehe *17/02/2009*



MAHAKAMA YA MWANZO KINONDIA
MILAYA YA KINONDIA
DAR ES SALAAM

One of documents used in the sale of land/house in the informal settlements after is indorsed by primary court at ward level.

FORM III

KATA YA MAHAKAMA YA MWANZO YA MAGOMENI

USIMAMIZI WA MIRATHI FORM NA. III
NA. 135 YA 2009

Katika mirathi ya marehemu ADINATI SETU MAWAM
Wa MAGOMENI
Ijulikane kutokana na hati hii kuwa Mimi ADINATI SETU MAWAM
Wa MAGOMENI

Na mdhamini wangu wa kwanza ADAM ADINATI
wa MAGOMENI

Na wa pili ADAM ADINATI wa MAGOMENI

Tumetia ahadi ya pamoja kwa serikali ya Jamhuri ya Tanzania.
Kulipa Shs: _____ katika Mahakama ya Mwanzo ya MAGOMENI
na deni hilo liwe tetu na warthi wetu
Imetiwa sahihi leo tarehe _____ 20 _____

Sharti ya fungu hilo kwamba iwapo huyo ADINATI SETU MAWAM
anayetaka kuwa msimamizi wa mali ya mirathi ya marehemu ADINATI SETU MAWAM
atatengeneza orodha kwili ya mali yote na kuionyesha mbele ya mahakama hii kabla ya miezi
minne hafjapita tangu tarehe ya kutiwa msimamizi au kabla muda mwingine ambao
Mahakama yaweza kuweka kwa wakati wowote, na iwapi atasimamia vema na kuwa mwaminifu
mali hiyo kwa mujibu wa sheria, na zaidi ya hayo akileta katika Mahakama hii hesabu za mali
hiyo, mapato na matumizi yake kabla ya miezi hafjapita au muda mwingine Mahakama
itakayoweka kwa wakati wowote na iwapo haki ya mali hiyo atakayokuwa nayo atagawia watu
ambao wana haki nayo kwa mujibu wa sheria basi kama atatimiza hayo ahadi iwe batili wala
isitimizwe lakini kama hatimiza ahadi hiyo hiyo iwe halali na aweze kitiwa nguvuni.

Imetiwa sahihi na kutolewa na wao:
ADINATI SETU MAWAM Adi
Sahihi ya msimamizi
ADAM ADINATI Adi
Sahihi ya Mdhamini
ADAM ADINATI Abdullah
Sahihi ya Mdhamini

MAHAKAMA YA MWANZO
MAGOMENI
KATA YA KIN...

Authorization of Administrator after the property owner has died.

THE REGISTRATION OF DOCUMENTS ORDINANCE (CAP.117)

TRANSFER OF A RESIDENTIAL LICENCE

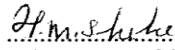
PARCEL NO TMK/SDL/SDL5/80

SANDALI AREA - SANDALI WARD IN TEMEKE MUNICIPALITY

REGISTRATION SERIAL NO: 185974

IN CONSIDERATION of Natural love and Affection to my Wife, I, **HATIBU MOHAMED SHEHE** of Dar es Salaam DO HEREBY TRANSFER to **FATUMA HAMISI UBUGUYU** of Dar es Salaam, the residential licence under the above registration Serial number.


SIGNED and DELIVERED by the said
HATIBU MOHAMED SHEHE
who is known to me personally/ identified)
to me by)
the later being known to me personally)
in my presence this 24th day of JULY, 2009)


Signature or R.T.P of
HATIBU MOHAMED SHEHE



WITNESS'S:)
Signature:)
Postal address: 46266 Dist.)
Qualification: RESIDENT MAGISTRATE)
TEMEKE DISTRICT COURT

SIGNED and DELIVERED by the said
FATUMA HAMISI UBUGUYU
who is known to me personally/ identified)
to me by)
the later being known to me personally)
in my presence this 24th day of JULY, 2009)


Signature or R.T.P of
FATUMA HAMISI UBUGUYU



WITNESS'S:)
Signature:)
Postal address: 46266 Dist.)
Qualification: RESIDENT MAGISTRATE)
TEMEKE DISTRICT COURT

DRAWN BY:
HATIBU MOHAMED SHEHE of
DAR ES SALAAM.

Formal land transfer after formalisation