



Using Data to Support Women's Rights

Property Markets
& Housing Rights
through a Gender
Equity Lens

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Using Data to Support Women's Rights: Property Markets and Housing Rights through a Gender Equity Lens



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Executive Summary

This study carried out by IHC Global and the Association of Real Estate Agents - Uganda (AREA), assesses the core elements of property markets in Uganda and evaluates their effectiveness with a particular view towards women. Utilizing the International Property Market Scorecard methodology as a basis for assessing the six core elements necessary for sustainable property market development-- property rights laws and enforcement, access to credit, efficiency of governance, rational dispute resolution, financial transparency, and appropriate regulations—this study delves deeper into how these components affect women in Uganda and the ability of women to ascertain their property rights and participate in property markets. This project was carried out with the understanding that providing women with access to property rights and credit can further economic development and has the potential to have transformational effects on the lives of women, their families, and their communities.

The findings reflect the complex situation with respect to women's property rights and participation in the property market that result from the four separate legally recognized tenure categories and the inherent tensions that result; the lack of a formally regulated real estate industry; the high prevalence of informality in work, housing, and property transactions; and cultural practice that favors traditional gender roles.

Nonetheless, Uganda is fortunate in that the Constitution and various other laws validate gender equality and property ownership for women. Many recent legal improvements redress gender inequity in customary tenure practices and other governance efforts such as the development of the Real Estate Price Index and the creation of the Financial Intelligence Authority are positive steps for the continued development of the real estate sector. The Association of Real Estate Agents-Uganda is committed to high ethical standards and to the

property rights of women and is working with the government to develop a Real Estate Bill which could have transformational effects on professionalizing the industry.

Based on systematic data gathering from a range of interlocutors, the paper lays out key conclusions related to the core elements of property rights:

Property Rights

- Laws exist to protect the rights of women, however, cultural practices, customary tenure, high levels of informality, and lack of awareness remain key detriments to women actualizing their rights.
- There has been an increase in the number of women-owned homes over the past few years from 15.6 percent in 2013 to 28 percent in 2017

Access to Credit

- Mortgage loans, business loans, and consumer retail loans are available for women in Uganda and do not require men co-signers¹, but high interest rates combined with low and/or unverifiable income due to the prevalence of informal work make them difficult to access.
- Women have their own ways of accessing credit outside of the formal credit system such as through community savings groups, investment clubs, and family networks.

Effective Governance

- Similar to other countries in the region, Uganda grapples with a money laundering problem, which has impacts on market transparency, affecting both women and men, but positive steps to combat it have been taken with the

¹ Per the Spousal Consent Act, all married persons (male or female), must obtain consent from their spouses to obtain a mortgage loan. However, single women do not require any consent from a male to obtain a mortgage loan.

creation of the Financial Intelligence Authority in 2014.

- Extralegal payments are often expected when it comes to obtaining governmental services related to property and housing. These affect both women and men.

Rationale Dispute Resolution

- Women have access to the court and alternative dispute resolution services, but limited knowledge of the legal system and mediation services coupled with the lack of financial resources affects women's ability to make use of these services.

Financial Transparency

- The surveying profession in Uganda is strong, governed by the Surveying Act of Uganda with standards of professionalism maintained by the Institution of Surveyors of Uganda. Women's entrance into the profession has been limited. Therefore, more awareness on benefits that this profession brings to women is encouraged to achieve higher women's representation in a field that is male dominated
- Of 244 registered surveyors in Uganda in 2016, 11 percent were women.
- The development of data aggregation systems will meet the need for accurate and readily available housing data required to use the market approach to valuation; women would benefit from this tool because it would offer instant accurate pricing to their valuations, reducing the time it takes to produce a valuation report, including reaching out to real estate agents and peers to harness this information.

Appropriate Regulation

- The real estate sector in Uganda is highly unregulated with no formal real estate law. This lack of formal law impacts women differently since there is limited recourse for women. Additionally, the absence of a law delineating the roles and responsibilities of real estate agents affects both women and men; but it makes it harder for women to conduct real estate businesses without legal backing in a career that is seen as a "man's profession" due to culturally imposed views.

- A majority of real property transactions take place informally and have many potential risks including the possibility of fraud, tax avoidance and lack of financing.
- The Association of Real Estate Agents-Uganda made up of realtors, developers, and property managers has been working to professionalize the industry. AREA has approximately 300 members of which 25 percent are women.
- The Women Council of AREA has been active since 2012 and works to increase women's knowledge of property rights and career interest to the real estate industry.
- The provision of basic and advanced real estate courses for informal real estate agents will increase real estate knowledge and help protect the public interest, in particular women's interest since they have limited recourse; similarly, offering advanced real estate courses—e.g. real estate agency, starting a real estate brokerage firm, property management—will provide women the tools needed to generate income.

This study consisted of two major levels of inquiry – desktop or secondary research and field assessments of actual property market conditions for women. Desk research was conducted using established indexes from multilateral development agencies such as the World Bank and the World Economic Forum as well as other publicly available sources. Using the scorecard methodology, the field assessment was conducted through a series of in-depth interviews with a wide range of stakeholders including real estate professionals, government representatives, civil society organizations, and property developers.

Key findings as well as policy recommendations for how to address them and enable equitable property rights for women in Uganda are included in the body of this report. The International Property Market Scorecard for Uganda, which contains both the complete desktop research and full answers to the Field Assessment questions, is included as an Appendix.

Introduction

Property rights, including land and housing are one of the most essential rights preserved by Article 17 of the United Nations' Universal Declaration of Human Rights. Though constitutionally property rights are safeguarded in most countries for their critical role in improving people's lives, the implementation of regulations and underpinning organizations that support property markets need strengthening. This issue is more evident in countries where the law and customary ways of exercising rights contradict.

In Uganda women face difficulties exercising their property rights because of the existence of a dual legal system. Customary tradition often prevails over the legal framework usurping women's rights upon their husband's deaths. In customary land rights, males are land and property owners while women have access to property rights through male relatives and husbands. This leaves women in a disadvantaged position for accessing property especially when they are faced with divorce or widowhood. Although Uganda is on the forefront of land reform efforts with the approval of national legislation commanding gender equitable land laws under the 1995 Ugandan Constitution and the 1998 Land Act, the lack of knowledge about women's property rights perpetuates inequality in the exercise of these property rights by women and men.

Property rights are not confined to titles only but to strong interconnected institutions supporting markets. As clearly articulated by Peruvian Economist Hernando del Soto, "dead capital" is an asset that cannot readily be purchased, sold, assessed or used as an investment. Informal systems lack effective, underpinning organizations and inclusive laws that encompass real estate used for homes or business; "*the poor of the world — five-sixths of humanity — have things, but they lack the process to represent their property and create capital. They have houses but not titles; lands but not deeds; businesses but not statutes of incorporation.*"¹ The existence of fragmented

regulatory systems coupled with the dual legal systems women face in Uganda is compounded by women's lack of knowledge about their property rights. This represents a major challenge to women's wellbeing and the advancement of the country. With secure tenure and transaction transparency, women can be empowered with enhanced opportunities to generate income for themselves, their families, and their communities.

This report is the outcome of a partnership between IHC Global, a coalition of nonprofit, private sector and individual members committed to equitable urban development; AREA an association made up of private sector members including real estate agents, developers, and other real estate industry businesses that works to strengthen the real estate sector; and AREA's Women Council to pilot an innovative adaptation of the International Property Market Scorecard, a tested property market assessment and diagnostic tool to ascertain the state of property markets for women.²

By adapting the International Property Markets Scorecard to consider the state of property markets specifically with a 'gender lens', this project enhances awareness of gender inequities in the land and property sector, provide a tested tool to advance gender equity that can be utilized in other places, and enable equitable participation of women in acquiring property and building wealth and assets.

² The International Property Markets Scorecard is a tool developed by the Center for International Private Enterprise (CIPE) and IHC Global (an agency resulting from the merger between the International Real Property Foundation and the International Housing Coalition), to collect data from different indicators, map the institutional components of property markets and evaluate their effectiveness. It has two levels of study: secondary research and field assessments of current markets.

Country Context

Property rights are a basic pillar of human life and national development as well as an essential element that enables economic growth. Because cultural beliefs shape the way laws and norms dealing with property rights are implemented, the enforcement of property rights is often subjective.

Colonialism in Uganda left a legacy of statutory laws, including individual ownership that conflicted with the cultural tenure systems where land was communally owned. Based on this legacy Uganda has a pluralistic legal system incorporating several systems: pre-independence British law, Ugandan civil (statutory) law, and customary law—each of these affecting how women experience their legal rights in practice.

Two major pieces of legislation, the 1995 Constitution and the Land Act 1998, formalized legal pluralism by explicitly recognizing customary rights to property, improving formal protections for women's land rights but falling short of providing co-ownership rights among spouses. The 1995 Constitution recognizes four types of land tenure--customary, freehold, leasehold, and mailo—and gives the states the option to acquire public land for public interest subject to Constitutional protections. The Constitution also provides equal access to property rights for men and women. On the other hand, the Land Act 1998 delineates customary tenure rights for communities, families, or individuals and introduces a process for registration and administration of customary rights.

In addition to the Constitution and Land Act, inheritance in Ugandan law is ruled by the Succession Act (Amendment) Decree 22/72 of 1972, which limits the use of customary law in inheritance cases, and openly recognizes women's right to inherit from their husbands. Nevertheless, women's inheritance rights that fall under the formal law remain weak because of incomplete, remedial legislation under the Domestic Relations Bill to define, among other things, property rights of

married men and women, which has long been held up due to public and political resistance.²

Another important document is the Uganda National Land Policy enacted in 2013 that acknowledges the shortcomings of Uganda's formal law in overcoming discriminatory practices concerning women's land and inheritance.³ In addition, in section 4.10, named "Land Rights of Women and Children" the Ministry instructs the Ugandan government to change the current statutory regime to oppose discrimination in land and inheritance. This is a laudable objective, yet, the National Land Policy is silent on concrete legal changes.

Though these are strong legislative documents, the complexity of different land tenures, diverse uses of land tenure resulting from many types of relationships between community groups and their land, and the multi-layered documents affecting people's property rights, result in an uneven implementation of this regulatory framework. This situation is exacerbated by cultural norms that limit women's access to property rights and income generating activities.



The Power of Secure Property Rights

The importance of functional property rights lies in (a) an investment in the well-being of a community and city, as secure tenure deriving from exercised property rights drives investment and capital improvement by the owners, thereby improving communities as well and (b) the ability to unleash the value of an asset and turn it into a liquid asset, borrowing against it and investing in future value. For this to occur, property rights should be clear, recorded and easily trackable. The proper documentation of property rights can and will secure loans for income generating activities or home improvements. Hernando De Soto argues that developing nations fall short of having an integrated legal platform that allows property to be turned in capital. Instead fragmented and overlapping laws drive legitimate activity into an informal sector.⁴ In Uganda most businesses and employment opportunities are conducted in the informal sector. A more efficient property rights system that is easily accessible for women and men, living in both informal and formal housing, will go a long way to improving Ugandans standard of living.

By transferring the value of an asset when properties are bought, rented or leased, real estate professionals--real estate agents, brokerages, surveyors, property managers and developers--in developed economies bring more capital into the economy, generating opportunities and jobs for communities. In recent years Uganda has seen growth in the real estate industry in part fueled by steady economic growth. The gross domestic product (GDP) in 2018 is expected to be 5.9% as a result of increased foreign direct investment, improved crops, oil discovery and public infrastructure investment.⁵ The real estate sector however is mostly informal. To formalize the overall real estate industry the passing of a Real Estate Bill is imperative. This will help professionalize the market by establishing the roles and responsibilities of agents and the protection of the public. It will also support women entering the industry.

Methodology

This study consisted of two major levels of inquiry—desktop or secondary research and field assessments of actual property market conditions for women. Desktop research was conducted using established indexes from multilateral development agencies such as the World Bank and the World Economic Forum as well as other publicly available sources (See Appendix for in-depth explanation of Desktop Research Methodology). The Field Assessment included a series of formal and informal interviews with real estate agents and companies, property developers, appraisers, civil society organizations, government departments and others.⁶ A list of formal interviews is included in Table 1.

Table 1: Organizations Interviewed

| | |
|---|------------------------|
| ActTogether Uganda | Civil Society |
| Associated Surveyors | Valuation |
| Association of Real Estate Agents-Uganda | Real Estate |
| Avarts Housing | Real Estate |
| Bageine and Company Ltd. | Real Estate |
| Bank of Uganda | Government |
| Financial Intelligence Authority | Government |
| Habitat for Humanity | Civil Society |
| IEV Properties | Real Estate |
| Knight Frank | Real Estate |
| Makerere University Business School | Academia |
| Ministry of Lands, Housing, and Urban Development | Government |
| Mugenyi Property | Real Estate (informal) |
| National Housing and Construction Company Ltd. | Property Development |
| Private Sector Foundation | Foundation |
| Real Estate Database | Real Estate |
| Real Estate Institute of East Africa | Academia/ Real Estate |
| Remax | Real Estate |
| Uganda Bureau of Statistics | Government |
| Uganda Law Society | Law |
| Uganda Women Entrepreneurs | Civil Society |

| | |
|------------------------------|------------------------|
| Association | |
| Universal Enterprises | Property Development |
| Westlands Real Estate Agency | Real Estate (informal) |
| Women Council of AREA | Real Estate |

The Field Assessment questions consisted of a combination of the International Property Market Scorecard Field Assessment questions, which pertain to the six Scorecard Core Elements of property rights, access to credit, effective governance, rational dispute resolution, financial transparency and appropriate regulation; and newly developed gender-specific questions that focus on how women fare under each of these Core Elements.

Gender-specific questions were developed prior to the assessment and were validated through a Knowledge Exchange that brought together 30 participants in Kampala from the real estate community, civil society organizations, the private sector, grassroots organizations, the legal sector and academia. In addition to reviewing and validating the gender-specific questions, participants broke into small groups to share their own experiences and answers. Participant responses from the Knowledge Exchange supplemented both the formal and informal interviews.



Figure 1: Knowledge Exchange Participants

The International Property Markets Scorecard derives from seminal work led by Dr. Richard Green, Director and Lusk Chair in Real Estate, at University of South California and other relevant Real Estate professors, which recommended this approach for assessing the state of real estate markets; the benefits of this methodology lie in having a country report that is both practical to assemble and useful to users.

This report is broken out by the six core elements under the International Property Markets Scorecard. Each section contains sub-sections that lay out key findings that emerged from the Field Assessment, key recommendations based on the key findings. It is an opinion report; therefore, it captures and analyses information gathered through the interviews.

Property Rights

Key Findings

While Uganda has very strong laws when it comes to property rights and specifically with regard to women's right to own property, its property system is very complex and many challenges exist in terms of practice. From a legal standpoint, women have the same right to own property as men. This is inscribed in Article 26 of the Constitution, and various other policies including the Land Act, the Succession Act, and National Housing Policy all verify and encourage the property rights of women. Uganda has four separate tenure categories—customary, freehold, mailo, and leasehold tenure. Around 70 percent of land is held under customary tenure, meaning it is communally owned and governed by the rules of that particular community. Although all tenure systems are meant to abide by the Constitution and not restrict constitutionally protected rights, customary land tenure in practice often follows patriarchal traditions in which men are property owners and women are not permitted to own or inherit land. The Uganda National Land Policy of 2013 recognizes the issue with customary tenure practice discriminating against women and sets out a number of strategies to redress gender inequity. However, lack of knowledge/awareness of land and property rights remains a key detriment to women actualizing their rights.

A few main themes emerged throughout our field research regarding property rights in Uganda and how women in particular fare.

Laws can have a positive impact on the assertion of women's property rights, but in many cases culture has a stronger impact than law. While the law in Uganda asserts the right of women to own property and land equal to men and in many cases specific policies or acts have been put in place to help ensure equality in property rights, many women have difficulty obtaining their legally

protected rights because of the strong influence of a patriarchal culture. Every person no matter their circumstance is influenced by the tradition and expectations of their culture, whereas not every person has the same access to the legal system. Even with laws intended to improve the rights of women such as the Spousal Consent Law whereby a person must obtain written consent from their spouse to sell land or property, cultural expectations may limit the law's effectiveness. For instance some noted that many women may sign the Spousal Consent Form under duress or because of cultural obligation to obey their husbands.

Urban versus rural location and education level have the biggest effect on women's experiences realizing their property rights. Access to information is key to whether women will have knowledge of their rights and actually be able to obtain property or land. Rural dwellers have more limited access to information and may be less aware of the rights of women to obtain land and property and may also be more influenced by traditional understandings of gender roles than urban dwellers. Education level, which often correlates closely with socio-economic status, also has a big impact on whether people are aware of the legal rights of women.



High levels of informality bring unique challenges to the documentation of property and land rights, but informal property systems have an inherent rationality. The World Bank estimates that 40 percent of Kampala's population lives in informal settlements. Typical property transactions in informal areas involve a lengthy chain of users (landowners, structure owners, tenants, subtenants) with varying claims upon the land and/or structure. The structure owner may or may not also be the landowner (in many cases, informal settlements develop on land owned by the Kingdom of Buganda, in other cases, land is privately owned). The structure owner oftentimes does not live in the settlement, but rather builds structures and rents them out to tenants, who in turn may partition their units and rent space out to sub-tenants. Most users are only aware of the 'next level up or down' in this chain; for instance, a sub-tenant likely does not know who the structure owner or the land owner is. This makes documenting claims on land and property very difficult, and affects the level of tenure security of informal residents, many of whom are women. However, many of the same 'rationalities' in formal land and property systems are also present in informal systems. The value and price of an informal structure goes up, for instance, the better the location (i.e. the more accessible to a main road) and the better the amenities (i.e. access to water and sanitation). This is the same as in the formal sector. Upgrading or formalizing structures in settlements can often cause rent prices to go up and push out the original tenants similar to how gentrification affects property values in formal property systems.

Important work is being done to incrementally improve the rights and tenure security of those with informal tenure or property arrangements. For instance the Social Tenure Domain Model has been rolled out to help document the relationship between people and land/property as they understand it. This model has helped grant certificates of occupancy to people who may not have formally registered claims on their land and property. Moreover, the Social Tenure Domain Model is gender-responsive and highlights the gender status of land relations. Women in particular have been active in the role out of the STD model in Kampala's slums and are reportedly the most

engaged in data collection and enumeration.

Although renting is common in urban areas, home ownership is more respected and desired. A big part of cultural identity in Uganda is tied to building and owning a home on one's own land. Despite the fact that many low and middle-income people in urban areas rent, the rental market operates highly informally and many look at home ownership as 'the ideal.' High density development is still a relatively new phenomenon. The Condominium Property Act of 2001 allowed for a new type of high density property ownership that many thought would be the solution to Uganda's housing deficit. The high price of condos, coupled with space limitations, have limited their desirability. However, more affordable high-density housing development is picking up steam and recently there have been many new property development players from China, the Middle East, Kenya, and India that are entering the affordable housing market. These new high density options are very appealing to women both in terms of their affordability and the perception that there is greater safety in apartment buildings. One of the biggest new developers in the condominium market noted that around 65 percent of their buyers are women.

Recommendations

Greater Awareness. Since custom plays such a strong role in women's ability to exercise their property rights, our analysis suggests that a "traditional" awareness campaign would have limited effect. While it is important to make information about rights and recourse more widely available and to focus on key places where that information will be consumed by women, it is also important that this be understood within a context that is "relatable." Therefore, our recommended approach to deepen understanding is two-fold (1) ensure that there is local buy-in of the way that information is shared and (2) work with local partners to disseminate information through a method that is geared to create social behavior change -- story-telling. Much research has been done on the power of storytelling as a behavioral change tool.

Theater, radio drama, television, and other forms of storytelling have been effective in changing perceptions and social stigmas in many countries in areas related to family planning and contraception use, sanitation and health, and behaviors with negative environmental consequences. Using storytelling to role model positive examples of women owning land and property and how men accept and support these women could be a powerful way to change traditional patriarchal notions that women should not own land or property.

Training local authorities on property rights and land titling procedures. Uganda has over 57,000 villages, each with a Local Council chairperson (LC1), which is the lowest level of governmental unit. LC1s often end up working as ‘informal brokers’ in their villages as they give guidance on land and property issues and transactions that may occur. Basic property rights and land titling training should be given to LC1s and parish chiefs (of which there are around 7,400), who could in turn share the trainings they have learned at the village level. This type of training at the local level could help translate ‘law’ into practice and make it easier for women to actualize their property rights.

Innovative ways to ensure women’s rights on customary and communal land. One of the difficulties in ensuring that women have equal land rights stems from the fact that customary tenure which makes up around 70 percent of land is often managed communally and formal property titles are not common. Although all tenure systems are meant to abide to the Constitution and not restrict constitutionally protected rights, such as the right to gender equality, customary land tenure often follows patriarchal traditions in which women are not viewed as ‘equal owners’ of the land or given decision making power. Efforts to establish a formal ownership document upon communally managed lands are controversial because many people feel that this changes a fundamental aspect of the culture. Innovative solutions should be explored to help ensure that women on communally owned land have equal rights to the men without necessarily formally ‘titling’ the land or otherwise significantly altering the culture.



Creation of an open-source Property Transaction Registry that can be utilized by informal agents to document their transactions. Informal property transactions pose risk for both agent and buyer, and lead to a lack of knowledge of what is actually going on in the market, especially with regard to women’s participation in the market. While the ultimate goal of formalizing the real estate sector should be to ensure that all agents are licensed and that all property transactions follow necessary legal protocol, this will not happen overnight, especially as the majority of property transactions are informal. A major challenge is that there is no comprehensive data on informal brokers and informal transactions. Similar to the way that the Social Tenure Domain Model has been implemented to allow those with informal tenure to document their land claims, a major effort should be undertaken to encourage informal brokers and agents to document their property transactions in some sort of database. This system would collect gender-disaggregated data to better understand the breakdown of informal property transactions by gender, both in terms of buyer and seller. As with the STDM, a data center can be set up at local municipality offices where agents can go record their transactions. This registry would not necessarily ‘formalize’ the transaction, nor would an agent’s registration in the database give them any sort of ‘formal’ brokerage license, however, collecting this data will help give a more complete understanding of existing property transactions that will be necessary for future efforts to formalize.

Furthermore, an informal agent's documentation of their transactions within this Registry over time could be utilized in future efforts to formally obtain a brokerage license. This Registry could also be linked to formal registries so a full picture can emerge of both formal and informal transactions and how they differ by gender.

Key Findings

In Uganda banks and financial institutions offer credit in different sectors. These include mortgages, business loans and consumer/ retail loans. Until a few years ago, Housing Finance Bank was the only bank whose main emphasis was mortgage lending. Currently the country has 24 commercial Banks⁷, and 99 micro-finance institutions that are registered. The sector is on a campaign to look for borrowers and do their best to grow their portfolios. However, these institutions are all competing for the same few customers who can actually qualify to take the big loans. There are several procedures for a bank to qualify a client and approve their loan application. The most commonly used model for qualification is the CAMPARI model. This stands for Character, Amount, Margin, Purpose, Ability, Repayment and Insurance/collateral. Mortgage banks also offer collateralized lending with land as security. As has been mentioned previously, the multiple types of land tenure systems affect ownership of land, and hence deter borrowing.

The existence of micro-finance for housing provides an opportunity for many. However, although micro-finance institutions lend to many borrowers, they do not offer long-term mortgages. NGO's and Savings and Credit Co-operatives (SACCOs) also offer credit. A SACCO is a type of co-operative whose objective is to pool savings for the members and in turn provide them with credit facilities, otherwise known as a credit union.

Mentioned below are some of the key findings related to access to credit.

Real estate finance exists in Uganda in the formal sector, but the high cost of lending acts as a deterrent for women. Banks that are involved in Real Estate Finance offer mortgages for both residential and commercial purposes, development finance, land purchase and equity release.

According to Bank of Uganda statistics, by November 2017 loans to the tune of UGX 1,146,677,000,000 had been disbursed in this sector⁸. However, the high cost of lending has been a deterrent to accessing the available funds. Interest rates have been high regardless of the institution or type of borrowing in the formal sector. The interest rate was at 22.37% in January 2017 and by November 2017 was at 21.42%, as per the Central Bank's statistics. Note that the central Bank rate was at 9.5% in the last quarter of 2017, but the lending rates stayed in the region of 20% on average throughout 2017. This affected the number of loans that were approved in the sector. At the time of conducting the research, there was no gender-disaggregated lending data, however the impression among interviewees is that men are more likely to apply for loans than women.

For low-income populations, and those living and working in the informal sector, obtaining credit for housing is more difficult. However there are civil society organizations that focus on lending to these populations. For instance, Habitat for Humanity Uganda offers Home Improvement Loans targeted to low and middle-income families.⁹ ActTogether Uganda, a non-profit organization that provides technical and financial assistance to the National Slum Dwellers Federation of Uganda, helps informal communities improve their housing and services through their Urban Poor Fund, a revolving fund in which communities are provided credit for improvement projects upon raising a small percentage of the project cost themselves through daily savings. The members in the communities take responsibility to pay back the loan and maintain project outcomes, such as toilets and taps. This happens through the members saving very small amounts of money on a daily basis, which is later used as collateral for the loan¹⁰. Often it is women in these communities that are most active in saving and engaging in community improvement projects.

Women contribute greatly both directly and indirectly to the overall economy and the financial wellbeing of families and communities.

Nearly all interviewees recognized that women contribute just as much as men to the economy, but that much of the work women do is undocumented or unrecognized. The Uganda National Household Survey of 2016/17 shows that 75.5 percent of working-age women (age 14-64) are working (this includes subsistence agriculture), while 39.7 percent of working-age women are employed (producing goods or services for pay or profit). Of the total employed population in Uganda, 46 percent were women.¹¹ In terms of direct contributions to the economy, many women are self-employed or work informally, usually running small businesses and shops. Of the total number of employed women in Uganda, 60.5 percent are self-employed (compared to 49.3 percent of employed men that are self-employed). Women usually put the money that they make back into their families—providing food, clothes, rent, and school fees for children—ensuring that money has ripple effects in the economic wellbeing and success of the next generation. Because of the contributions women make to the economy, ensuring that women are able to access credit is essential to enabling long-term economic growth.

Women have a variety of ways in which they save money to access credit. They save through SACCO's, investment clubs, financial institutions, women associations, and through informal groups called 'nigina' where they save in rounds. Some women save their proceeds from business on their phones: this helps enable saving, especially in rural areas where banks are sparse and also gives rural women a degree of financial independence from their husbands. When their savings accumulate, they eventually use them as collateral to access credit¹².

Women are often part of local community savings groups (nigina). These groups pool their money together and at each meeting a different person will be the beneficiary. By pooling small amounts of money together, women have access to larger amounts of credit. Some women use the barter economy to provide for their needs. For instance a woman who grows tomatoes might trade tomatoes

with a timber seller when she needs timber to add on to her home. Women also access credit through relatives and friends, through SACCOs and Investment Clubs, where by women invest together.

Mortgage loans for women to purchase property are available, but sometimes difficult to access.

Mortgage loans are available for women, but the difficulty is in access. Women often cannot access loans because they do not have the necessary qualifications. High interest rates, low income, and high values of property all prove prohibitive.¹³ Much of the money that women earn is informal and thus not ascertainable as proof of income also poses a challenge. Currently there is no data available to distinguish mortgages that have been obtained specifically by women, hence making it difficult to ascertain the prevailing trends. It is equally important to note that generally, women are not aware of the mortgage process—our interviewees noted that even elite women that have the financial ability to borrow may not be aware of the process. However, many men are unaware of the process as well, so lack of information is an issue regardless of gender.



Credit availability in urban, peri-urban and rural areas differs. In urban areas women have better access to credit than in rural areas. In peri-urban areas it is mixed—access is worse than urban areas but may be better than rural areas. In rural areas it is very difficult for women to access credit as there are not many formal businesses and most women survive on subsistence farming.

Customary norms and practices also prohibit women's ability to access credit, especially in rural areas. Rural women may utilize informal sources of credit, such as micro-financing, but lack of awareness of alternative credit options remains a barrier.

Recommendations

The government should seek to process lease titles for long-sitting tenants to enable better access to credit. In many parts areas of the country, formal land titles are uncommon; more common are agreements for sale of land. Banks usually lend only small sums of money to people with such agreements because they are uncertain of the ownership. Government should highly support the different districts and Kingdoms that would like to process lease hold titles for sitting tenants on their land and legalize the process. The Buganda Kingdom has been undertaking an exercise of registration of all the people on its land, and issuing them with certificates of ownership as well as encouraging them to process leasehold titles on the land. This will help women in these prime areas be able to access long term credit, which is currently not possible because residents do not have titles.

Promote community savings groups. Government should continue to work with institutions like ActTogether and the National Slum Dweller Association to promote community savings groups around the country. These groups directly help women at the grassroots level who play a big role in the country's economy by contributing to the bread basket. Through these groups members learn more about daily savings and credit utilization which can benefit the entire community—especially women--as well as act as a source of income for the members.

Collaboration between lending institutions and low-cost housing developers to extend credit services to women. Financial institutions should consider signing memoranda of understanding with large low-cost housing developers to lower some of the costs such as valuation and legal fees so that women can more easily access credit to buy property. Alternatively, banks could partner with

Institutions like African Development Bank, European Investment Bank and Shelter Afrique so that specific funds with low interest rates are obtained and used to help women.

Invest in financial literacy programs for women. Our assessment interviews showed that many women do not attempt to access mortgages because of a lack of understanding of the process. Financial literacy programs can help increase women's confidence and understanding of the mortgage process. It is important to educate women in rural and urban areas using their local languages and pass on the content in the easiest way possible. These types of programs should include educating women about keeping documentation about their business transactions because this will help the financiers to use the information to assess income.

Continue to strengthen the Credit Reference Bureau. The Bank of Uganda developed Uganda's credit reference system to aid access to credit for even those that have to build and rely on reputational collateral. With a robust Credit Reference Bureau, the vetting process will improve because everyone's record, including women, will be online and those that have less credit risk will enjoy low cost credit. Everyone who acquires credit in the country, whether from the banks, micro-finance institutions, or any money lenders should be registered on the platform for ease of follow-up and to easily judge their credit history. This would build upon the "character lending" models that SACCOs and many micro-finance lenders already employ.

Key Findings

Ineffective governance can be a key detriment to functioning property markets and systems and can negatively impact the ability of women to ascertain their rights. When governments do not function efficiently and transparently, it is often the most vulnerable members of a society—in many cases, women—that are most affected. A few key findings related to effective governance in Uganda are outlined below.

Similar to other countries in the region, Uganda grapples with a money laundering problem that reportedly affects the real estate sector. Common suspicion among Ugandans is that those in power use real estate transactions to ‘wash’ money obtained through corruption. Purchasing large properties allows powerful individuals to ‘hide’ suspicious sums of money for a time and then they can sell the property later on to make the money appear clean. At times corrupt individuals may set up fake companies to purchase the property to make the transaction even less suspicious. The Financial Intelligence Authority (FIA) is a governmental body that was set up in 2014 to prevent money laundering in areas including real estate transactions. Suspicious activity can be reported to the FIA by any person, and all transactions (including property transactions) over 20 million Ugandan shillings are to be reported to the FIA automatically. While this authority is helping in the area of money laundering, it is still a relatively new body and the rate of reporting of suspicious activity is still not very high. According to interviews with the Financial Intelligence Authority, vulnerable individuals often fall victim to being used unwittingly in money-laundering schemes. While gender-disaggregated data is not currently available regarding victims of money-laundering schemes, our interviewees noted the women are more likely to be targeted by money-launderers. For instance, a woman may be asked to buy a property and transfer

it into someone else’s name as ‘a favor’.

It was reported in interviews that various types of dishonest practices are common and that these affect many sectors, including real estate and housing. Interviewees noted that a majority of Ugandans feel that if something is needed from the government, such as registration of a business or property, bribes will be expected to expedite the process. Interviewees reported to us, however, that there is not a gender bias in bribes—both men and women are expected to pay bribes in order to ‘move things along’ in terms of registration.

Some governance mechanisms have been set up to provide oversight, but there is no direct oversight mechanism for the housing and property sector. The Bank of Uganda is a federally established institution mandated with regulating and supervising the banking sector including mortgage lending. Banks are issued penalties when they do not follow federal regulations. While these bodies do provide some oversight in areas related to property, there is no direct governing body to provide oversight for real estate and property transactions.



Recommendations

A regulatory body should be set up that is responsible for ensuring compliance with real estate laws.

The following recommendations pertain to increasing effectiveness and transparency in governance related to property markets. Effectiveness and transparency in governance will help support the realization of equitable property markets, enabling the property market system to work better for women, as well as for society as a whole.

Continue efforts to increase citizen participation and government accountability. The Ugandan government has over the past few years begun working with organizations such as ActTogether Uganda to institute Municipal Development Forums as a way for local government agents to interact and engage with community members. These forums have been powerful ways to increase accountability and transparency as well as raise awareness of government initiatives and policies. These programs should be continued and built upon to increase trust and understanding between community members and local authorities, with a particular focus on outreach to women.

Raise awareness about the Financial Intelligence Authority and the process for reporting suspicious activity. The creation of the Financial Intelligence Authority has been a positive step to combat corruption in the real estate sector. An extensive awareness campaign could be carried out to help encourage Ugandans to report suspicious activity and thus increase the effectiveness of the FIA. Providing sensitization courses to members of the public that may be vulnerable to being taken advantage of or used for fraudulent real estate transactions could also be beneficial for both women and men.

Set up a regulatory authority for real estate and property transactions through the Real Estate Agents Bill. Because there are no formal guidelines on real estate and property transactions and no formal licenses for real estate agents, transactions are more vulnerable to fraud and money laundering both from within and outside of government. The Real Estate Agents Bill, if passed, can help to formalize the sector and combat corruption.

Rational Dispute Resolution

Key Findings

A fair and effective institutional framework that considers the rights of the public, owners, lenders and debtors when faced with a dispute or loan default is paramount to avoid the perpetuation of inequalities of property and power.

Our findings in terms of women's equal access to courts and Alternative Dispute Resolution (ADR) mechanism show that women do have access to the court and ADR services; but limited knowledge of the legal system and mediation services coupled with the lack of financial resources affect women's ability to use these services. In the case of disputes resulting from land issues in rural areas that practice customary tenure, the chief, who is a man, will review and decide on the case. Based on customary traditions women tend to keep silent and are unable to present their cases.

Progress in increasing women's awareness of their property rights and ADR options to exercise their rights is evident by the many Non-Governmental Organizations (NGOs) working cooperatively with the government. Examples of such programming include teaching women to fight for their rights, training women as human rights defenders as part of a community watchdog program, and offering paralegal training for working specifically with women and their issues. Similarly, changes brought up by the Land Policy regarding availability of Land Desk Officers and Police have streamlined some procedures and made efforts to prevent sending individuals to prison for criminal trespasses, which in many cases results from the lack of clarity on property ownership.

Cited as good strategies for meeting the need for mediation services arising from land issues, communal paralegal services and clinics offer affordable, convenient and time-responsive services

when compared to the cost, duration and availability of services the legal courts provide.

Also frequently cited throughout our interviews was that the most robust tool that women have to gain more power over decisions on land and housing is for them to earn their own income.

Recommendations

Build awareness and move to action. To improve women's access to mediation and legal services everyone must continually build awareness on women's rights and available interventions, support the provision of paralegal services and coordinate action plans among all stakeholders involved to move from the "information gained" phase to the "action" phase.

Financial Transparency

Key Findings

Financial transparency implies timely, efficient and reliable disclosure of a company's financial position to raise capital; while investors require transparent financials to conduct informed investment decisions; similarly, a transparent financial system requires robust supporting institutions and well trained and ethical professionals that support efficient financial intermediation and extensive access to capital and financial services. Financial transparency, therefore, is critical because it serves as the foundation of financial markets and is a basic requirement for investors' participation.

The Surveying Act in Uganda delineates the surveyors' roles and responsibilities to exercise the profession and the Institution of Surveyors of Uganda (ISU) is the surveyor's association whose purpose is to promote, maintain and protect the standards of the surveying profession in Uganda. ISU follows the education model of the Royal Institution of Charter Surveyors (RICS) which requires at least a college degree and up to two years of on-the job training, depending on experience. To achieve a trained and ethical profession ISU, along with the Surveyors Registration Board, enforces the code of ethics, offers basic and Continuing Professional Development courses and supports the adherence to International Valuation Standards (IVS); yet there are reports of the existence of 4 times more unregistered surveyors than those registered.

Though the market is showing signs of growth, as of March 2016, ISU reported 244 registered surveyors in all disciplines with 11 percent of these being women. Of the approximate number of 50 surveying companies in the market, the larger 15 companies perform between 6,000 to 6,750 surveying reports in a given year; of these 90 percent are for mortgages.



A challenge to the valuation profession lies in the absence of a centralized data aggregation system anchored to exclusive agency representation contracts, including prices of property sold, changes in prices, property details and location. This type of system allows for timely and accurate data on properties sold, essential for the proper valuation of a collateral, transparency of the market, and fair taxation. Nevertheless, the Bank of Uganda, through the Uganda Bureau of Statistics is working on a Real Estate Price Index which will offer data for assessing property market comparable information based on the property listing price. A property search engine, the Real Estate Database, has up to 20,000 open listings for sales and rentals of properties; in this case listings are duplicated and the ability to show changes in prices is currently unavailable.

In the real estate corporate world, a small cadre of strong and organized women are leading valuation companies, holding important decision-making jobs at real estate companies and seats in boards of directors, and serving as efficient surveyors and real estate agents.

Most interviewees considered that women have equal access to the surveying/valuation profession, but more needs to be done to encourage women to choose the profession. Another barrier cited was the need for capital; a barrier that is also applicable for men.

Recommendations

Outreach campaigns targeted to both women and men on the benefits of becoming a registered surveyor through ISU-- including receiving information on IVS standards, continuing education and networking sessions-- to avoid law suits which could end up in imprisonment

Implementation of a Designation – Certification program developed by an internationally recognized valuation entity which provides the knowledge and skill sets women and men need to perform valuation reports that meet international standards, particularly the market and income capitalization approaches.

Continuation of training programs aimed at promoting women's entrance to the valuation profession

Recommendations for the market overall:

Continued discussions with Bank of Uganda, the Association of Real Estate Agents – Uganda to develop a centralized data aggregation system which will report properties sold and feed into the Real Estate Price Index.

Appropriate Regulation

Key Findings

The growth of property markets is influenced by applicable government regulation and continuous development of regulations as markets become more complex. Therefore, there is a need for a transparent, effective system simple in its application that leads to precise property values reporting and practical protection to market risks.

Leaders of the real estate industry along with key stakeholders have been working on a draft Real Estate Bill, reaching Parliament but falling short of being signed into law. The absence of a Real Estate Licensing Law fosters an unorganized industry with weak protection of the public interest. With the passing of this law the public interest will be protected and a regulatory body will have the ability to grant and revoke licenses to those who fail to adhere to business standards.

The importance of real estate agents in the economy cannot be understated because when a property is leased, transferred or sold, agents unlock the value of an asset, borrowing money against it, turning it into a liquid asset and investing in future value.

Agency and Brokerage

Regarding home ownership in Uganda, out of a population of 41.49 million,¹⁴ 71.8% of individuals live in owner occupied dwellings, 21.4% live in rented dwellings, and 6.6% live in free dwellings. These statistics vary between urban and rural areas, however. In urban areas, 43.9% of individuals own their homes and 47.7% rent—a majority living in slums. In the rural areas, 83% own their homes—a majority without title—and 11.4% rent.¹⁵ The National Land Information System (NLIS) project is working to digitize and secure land records for easy access to the public. Data gathered so far are limited; but the project is expected to be concluded by 2020. One way to quantify the housing market is looking at the housing shortage and population

growth. According to the National Housing and Construction Company (NHCC), Uganda's housing deficit that currently is at 2,000,000 units and continues to increase by 300,000 housing units per year. The potential for growth in the housing sector, particularly for affordable housing, is evident, and can lead to increased overall economic growth. Having a trained and ethical real estate profession—agents, brokers, developers, property managers and valuers—is essential for efficient financial intermediation aimed at the protection of the public.



Once the due diligence of the land title has been completed and the title is clear, formal real estate companies use standardized contracts which have been vetted by lawyers to do the property transfer. The seller pays the commission to the real estate agent, ranging from 3.5 to 10% of the cost of the property—with a 50/50 split of the commission between the seller's and buyer's agent. The transaction is reported and entered to the cadaster where a stamp duty is paid. Taxation policies with the exception for residential properties range from 18% for Value Added Tax (VAT), to 1% for stamp duty, to 0.5% for legal advice. Sales of residential property are VAT free.

Issues with contested titles and high transaction costs coupled with slow administrative processes are a major concern for all the individuals involved in the transaction of properties.

Based on income, less than 1% of the population in Uganda can access mortgage financing due to high interest rates; in November 2017 interest rates were at 23%. High interest rates are due in part to the inadequacy of long-term capital to support housing investment and long-term mortgages, this in turn compromises the development of efficient mortgage markets which could increase the scale delivery of affordable housing. Individuals making around 500,000 UGX, estimated at 20% of the population, have access to formal financial services with their housing needs generally met. Those living under the poverty line at 19.7% are unbanked and have limited access to saving groups.¹⁶ The rest--approximately 60% of the population, working mainly in the informal sector, are lower income families with additional social needs that do have access to financial services, mainly the credit unions or microlending programs. For individuals looking to purchase properties assisted by brokers, formal real estate agents--after doing a previous assessment of the customer's income and character--may introduce them to banks to get long-term mortgage financing.

The lack of data to support housing investment and policy making is considered a major market challenge for the housing sector in Africa. The Association of Real Estate Agents - Uganda has been working on this project with mixed results; the passing of the Real Estate Bill will offer conditions for developing and implementing the normative structure necessary for a data aggregation system to be developed.

Typical informal transactions are very risky since most are done verbally. This puts at risk both the customer and the agents: the former because of the possibility of unclear titles to the property, and the latter because of unpaid commissions. Other issues faced are loss of rental payment, violence and imprisonment. The lack of knowledge about the complexity of performing real estate transactions may set the stage for unscrupulous behavior.

Property Management

Property management is a real estate discipline generally offered in conjunction with other services such as agency and valuation and represents a

constant source of income to companies, since monthly fees are charged to the owners of the properties—generally in Uganda, 5% for commercial and up to 10% for residential. With the construction of malls, the provision of property management services for retail is a newer development. A franchised organization manages malls such as Acacia Mall in Kampala, including pre-letting of up to 60% before the construction of the building is completed.



Normally commercial agreements for letting range from 4 to 6 years while for individual tenants letting can be up to 10 years. A need identified in this discipline deals with maintenance of government buildings, which is practically non-existent. This results in the loss of government assets due to dilapidation and the need to build new premises, which requires major expenses.

Real Estate Development

Based on information gathered, it is difficult to ascertain the number of developers operating in Uganda because there are individuals who purchase land and only build a few houses, and/or are considered developers upon registering as an investor and investing at least \$100,000.

Other entities are foreign developer companies coming from the Middle East, Kenya and India. Most local developers build serviced plots and sell them. Some have grown into actual developers. Our assessment yielded that there are up to 15 organized developer companies in the market. Based on the housing needs of the population, the residential

construction section in Uganda and across the continent is slim, with limited developers having sufficient capacity to construct at scale.

Of the organized developer companies in Kampala, a quasi-governmental company has started building and completed a combined amount of 763 units for 2017 with a goal of building 1,000 units per year. An affordable housing development company, building apartments, has completed 800 units and is in the process of building 800 more. Customers of this corporation are 65% women.

Zoning and land use zoning exists in Kampala, but zoning restrictions are not often enforced outside of urban areas. There are typically two land uses: green belts are reserved for agriculture and real estate cannot be constructed, and orange belts are where housing construction is permitted. Individuals with power and financial resources have been known to get zoning classifications changed.

With the advent of the National Fiscal Planning Guidelines in 2008, all of the country must adhere to the National Planning Guidelines; a municipality needs to draft a fiscal infrastructure and fiscal planning documents and at the district level, and there should be a professional to enforce the rules of the infrastructure master plan. However, due to lack of resources at the district levels, talent is absent. Also, there is a provision for a Fiscal Planning Committee at the district level that allows this committee to make changes to zoning laws (e.g. reverting decisions to build in swamp areas).

Professional Association

Since 2008 the Association of Real Estate Agents – Uganda has been representing real estate individuals who want to professionalize the industry through adherence to business standards, increased knowledge and expanded business opportunities. With a 30% membership of registered real estate professionals including agents, brokers, property managers and developers and its self-regulated capacity, AREA has actively participated in the reviewing of real estate bills and has provided real estate advisory services to Ministries and Parliament, advocated for market changes that promote the growth of the industry, provided training courses and hosted conferences and

networking opportunities. It has a code of ethics; but it needs to be enforced.



AREA has also pursued three major initiatives:

- Starting the registration process of the *Real Estate Institute of East Africa* in Uganda in 2017 to offer work-based and hands-on Real Estate courses aimed at improving participants' effectiveness through the provision of basic and advanced certification programs offered on-line and face-to-face.
- Forming in 2012 the Women's Committee which graduated to the *Women Council* to increase women's knowledge of property rights and career entrance to the real estate industry. This is a testament that gender integration has been a fundamental part of the AREA and partner's approach to professionalizing the real estate industry.
- The formation of an Investment Club in 2016 to mobilize savings from its members to the investment club fund, to offer loans for members for productive purposes and to invest the club's funds in profitable real estate businesses.

Women's Participation in Real Estate Agency, Property Management and Development

Currently 25% (or 75) of AREA's membership is women and AREA elected its first woman President. The Women Council has a committee formed by 10 strong women whose mission is to empower women to exercise their potential as entrepreneurs and industry leaders.

Though there is a push for offering women the opportunity to enter the real estate profession, Women Council members have seen skepticism from women hesitant to enter the profession, because of the perception that it is a male-oriented profession.



Women representation in the labor force of the real estate organizations interviewed is more than 60%, and top management's opinion of women's performance is favorable by describing them as competent, organized and communicative.

Responses about barriers that women may face in the real estate profession differed based on gender. Many men interviewed did not believe there were any barriers for women, while women interviewed were typically able to list a number of barriers. Some of these included:

- Culturally-imposed views that real estate is a 'man's profession' and that women would not be able to handle the more aggressive or 'dirty' aspects of the job, such as forcing people to pay commissions
- Women's lack of access to places where informal business transactions typically happen, such as bars or clubs
- Land ownership being given traditionally to men
- Lack of education

- Safety issues, including sexual harassment of female real estate agents by potential clients or male colleagues
- Absence of real estate regulation
- Insufficient capital due to the cost of doing real estate business
- Domestic responsibilities such as childcare which may prevent women from being available 'all hours of the day' for business

Recommendations

To support the growth of real estate agency, property management and construction development, following are recommendations:

Advocate for the **passing of the Real Estate Law** by AREA until it is signed into law. This action item is essential for helping professionalize the Real Estate industry in Uganda with a regulatory body to grant and revoke license. Though the law will favor men and women real estate agents, it will provide recourse for women, therefore impacting them differently.

Devise a mechanism to **enforce AREA's Code of Ethics** to support ethical behavior. The opportunity to resolve issues among women and men real estate agents and brokers within the association framework can be a tremendous benefit to members saving time and money.

Offer **affordable basic real estate skills to informal men and women real estate agents** to increase real estate knowledge, thus assisting the agents and the public.

Conduct outreach campaigns for women and men about the **importance of securing** individual and communal property rights as a means of generating income and the benefits of women's' entrance to the real estate profession and access to financial resources to start their businesses.

Offer **safety training for women and men**, including strategies for women to avoid sexual harassment

Revisit the **data aggregation system** project, anchored to **exclusive representation contracts** to bring financial transparency to the market. Women would benefit from this tool because it would offer current and timely accurate housing information, reducing the time it takes to produce a valuation report.

Recommendations for the Market Overall:

Expand AREA's **membership base** to capture **informal agents** and its physical presence throughout the country.

Hold meetings and **Municipal Development Forums** to impart knowledge on how to prevent the loss of property rights due to conflicts between the dual legal system of statutory and communal laws

Participate in discussions with government officials, the banking sector and the private sector to find **affordable housing alternatives** such as building affordable condominiums for rent and enabling incremental housing delivery processes

Advocate with the government to include **building maintenance and repair costs** into its operational budget.

Work with likeminded associations to find ways to offer **affordable real estate agency services** to the lower income population

Appendix: International Property Market Scorecard

Uganda Scorecard with a Gender Lens



Scorecard Background & Information

The Scorecard reflects the status of the six Core Elements necessary for transparent and efficient property market development. Each Core Element includes three Lead Indicators that are further divided into Sub-Indicators. Colors signify the strength of institutions that support market development – very strong, strong and weak. No color indicates that institutions are very weak. Gray indicates more information is needed for an objective determination.

Acknowledgement

The International Property Markets Scorecard Project is the latest development in the continued cooperative work between the Center for International Private Enterprise (CIPE) and IHC Global. The Scorecard derives from the work of an academic panel led by Richard Green, PhD., Director of the University of California's Lusk Center for Real Estate and the University of Denver, Burns School of Real Estate and Construction Management's Global Real Estate Project under the direction of Dr. Mark Lee Levine.

This Scorecard desktop research was conducted by William Endsley, Principal, World Citizen Consulting, LLC. The field research was conducted by IHC Global and the Association of Real Estate Agents – Uganda.

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Scorecard Methodology

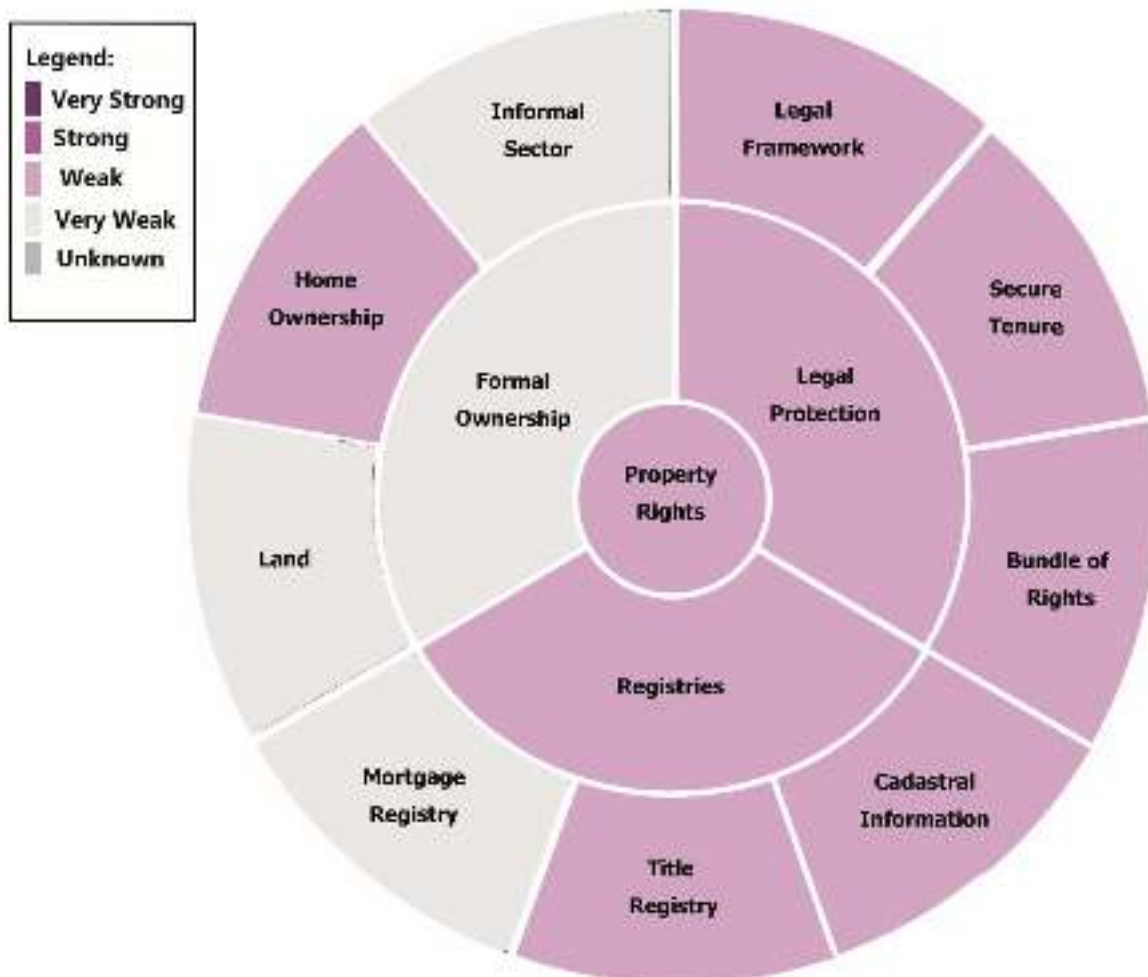


The International Property Markets Scorecard Methodology is a systems analysis tool to measure the strength of institutional support for transparent, rational and effective property markets. It provides stakeholders with a visual representation of the status of the core elements necessary for sustainable property markets that help to distribute power and economic opportunity.

Quantitative and qualitative measures are taken from established international economic development organizations' online indices. Using a quartile system, the top quartile is rated as Very Strong, the next Strong, the next Weak and the bottom quartile is rated Very Weak. The Desktop research is then verified with on-the-ground assessments of market conditions – in this case, conditions for women. This pilot effort utilized the on-the-ground market assessment to specifically add a gender lens to the Scorecard. Further refinement will continue to be made to ensure that quantitative measures utilized in the Scorecard methodology reflect gender disaggregated data whenever possible. The purpose of the Scorecard is to bring about an awareness of the interconnections between the microeconomic factors necessary for development and provide advocates, policymakers, and development groups with clear, actionable goals for continuous improvement.

Property markets are inherently local and can vary widely from one city to another, even from one block to the next. The Scorecard is meant to measure how policy decisions and levels of implementation affect property markets. It is not meant to provide specific guidance, measures or predictions of individual property performance and is only completely valid in the cities where field assessments have occurred.

Property Rights



Goal – Property rights that are legally protected, secure, recorded in a single, accurate, widely accessible electronic registry and that lead to high levels of formal ownership for all citizens

1.1 Legal Protection

Core Question: Does an effective and sufficient legal framework exist to protect property rights for all citizens? **No – Weak, the Land Act of 1998 was to include a clause for co-ownership of family land, but the final passage of the law did not include the co-ownership clause and women have been fighting for co-ownership ever since.**

Legal Framework

1.1.1 How strong is the protection of property rights, including financial assets? **Weak – Ranking 73rd out of 138; Score 4.2 out of 7 Trend ↑**

Security of Tenure

1.1.2 How easy is it for private businesses to challenge government actions and/or regulations through the legal system? **Weak – 70th out of 138; Score 3.5 out of 7 Trend ↓, women’s security of tenure remains weaker than men’s.**

Source: *Global Competitiveness Report 2016-2017* – World Economic Forum
<http://reports.weforum.org/global-competitiveness-index/>

Bundle of Rights

Survey Question

SQ1 What is the bundle of rights (group of rights such as occupancy, use and the right to sell or lease) associated with both residential and commercial property ownership? **Weak – freehold, leasehold, customary and *mailo* (old British feudal system never fully abolished); multiple land tenure systems lead to inconsistency and confusion.**

1.2 Registries

| | |
|----------------|---|
| Core Question: | Does a reliable property registry exist including cadastral, title and mortgage lien information? No – Weak, however systems are improving with an electronic land registration system underway and continued improvement in the title transfer process. |
|----------------|---|

1.2.1 Cadastral Information

Status – Weak – the Design, Supply, Installation and Implementation of National Land Information System (DeSINLISI) began in February 2015 and is expected to be complete by 2018.

Survey Questions

SQ 2 Is cadastral information (information about the dimensions and location of land parcels) accessible to the public? **No, however progress is underway as 7 of the largest zones have completed the DeSINLISI program.**

SQ 3 Is zoning/permitted use information included are use regulations respected and enforced? **No**

SQ 4 Are Geographic Information Systems (GIS) including Global Positioning Satellite (GPS) information used to create and update the registry? **Yes**

Source: National Land Information System <http://nlis.go.ug/>

Civil Society Resource: Institution of Surveyors of Uganda
<http://www.surveyorsofuganda.org/>

1.2.2 Title Registry

Weak – Ranking – 116th out of 190 Trend ↑

- 1.2.2.1 What is the number of procedures required to register the transfer of a property from one owner to another? **10**
- 1.2.2.2 What is the duration of time in calendar days that it would take to complete the transfer? **42**
- 1.2.2.3 What is the total cost of the transfer including all fees, taxes, etc. expressed as a percentage of the value of the property? **2.6%**

Source – *Doing Business 2017* – Registering Property, World Bank

<http://www.doingbusiness.org/data/exploreeconomies/uganda#registering-property>

1.2.3 Mortgage Registry Status –Very Weak

Survey Questions

- SQ 5 The mandatory use of notaries or similar officials slows down and adds cost to the process. Does a notary need to be involved in the registration process? **Yes**
- SQ 6 Is information in the registry available electronically? **No**
- SQ 7 Title insurance is indemnity insurance against financial loss from defects in title and from the invalidity or unenforceability of mortgage liens. Is title insurance available to lenders? **No**

1.3 Formal Ownership

| | |
|----------------|---|
| Core Question: | Do citizens understand and trust property rights institutions and avoid the informal sector? No – Very Weak – While statutory law does not prohibit women from owning land, most land in Uganda is held under customary law and socio-cultural practices discriminate against women. |
|----------------|---|

Survey Questions

Land

- SQ 8 What is the status of land ownership? **Very Weak – Effective statutory laws protecting land, inheritance and property rights of women including the widowed, divorced, separated or those in co-habitation are crucially missing. Only 20% of land is currently properly registered.**

Home Ownership

- SQ 9 What is the percentage of formal home ownership? **36.6% – Weak, 63.4% of urban residents live in slums.**

Source: U.N. Habitat Urban Indicators Website <http://urbandata.unhabitat.org/>

Informal Sector

- SQ 10 What is the percentage of service firms that report competition with unregistered or informal firms? **95.2% - Very Weak Formal Sector (2013)**

In-Country Assessment Information

Field Question (FQ) 1. What is the current status of property rights and ownership for women?

From a legal standpoint, women have the same right to own property as men. This is inscribed in Article 26 of the Constitution, and various other policies including the Land Act, the Succession Act, and National Housing Policy all verify and encourage the property rights of women. However, culturally, Uganda is a patriarchal society and many women have difficulty ascertaining their property rights. Uganda has four separate tenure categories—customary, freehold, mailo, and leasehold tenure.

Around 70 percent of land is held under customary tenure, meaning it is communally owned and governed by the rules of that particular community. Although all tenure systems are meant to abide by the Constitution and not restrict constitutionally protected rights, customary land tenure in practice often follows patriarchal traditions in which men are property owners and women are not permitted to own or inherit land. The Uganda National Land Policy of 2013 recognizes the issue with customary tenure practice discriminating against women and sets out a number of strategies to redress gender inequity. However, lack of knowledge/awareness of land and property rights remains a key detriment to women actualizing their rights.

FQ 2. Are women aware of their Constitutional Right to own and inherit land equally with men?

There is general consensus that women in urban areas have a greater knowledge of their land and property rights than women in rural areas, where customary tenure is most prevalent. However, many interviewees also noted the correlation between a women's education level and knowledge of/access to her rights. The more educated a woman is—whether she lives in an urban or rural area—the more knowledge she will likely have of her property rights and the more easily she can exercise them. Some interviewees also mentioned that elderly women may be less aware of their rights and can be more easily taken advantage of by male relatives or others.

FQ 3. Have there been any recent improvements in inheritance of land for women?

The Succession Act was recently amended to remove an article that prohibited the amount of land women could inherit.¹⁷ While this is an improvement in the law, on the ground many people in rural areas continue to practice traditional arrangements where males inherit land and property. Another recent improvement regarding women's property rights is the Spousal Consent Law of the Land Act, which says that consent from a spouse must be obtained prior to selling property.¹⁸ Interviewees noted a few issues with this law as currently implemented, 1) that a man with multiple legal wives might not obtain consent from each wife, 2) that women can be coerced into signing spousal consent forms against their will because of cultural expectations or threats of domestic violence, and

3) that spousal consent forms are not required for domestic partnerships, which is an issue because many cohabiting couples in Uganda are not legally married.

FQ 4. What is the experience of women acquiring property and registering ownership outside of inheritance?

Again this depends on location and type of housing. In the urban areas, the frequency of transactions for women owning property has picked up, while it is less common in rural areas.

There is an uptake in the building of condominiums and apartment housing in Kampala and these options are very appealing to women both in terms of their affordability and the perception that there is greater safety in apartment buildings. One of the biggest new developers in the condominium market noted that around 65 percent of their buyers are women.

FQ 5. What are the differences between property rights in practice for women living in urban, peri-urban and rural areas?

Women in urban areas are more sensitized to their rights, have more access to credit, and have easier access to the justice system than rural women; all of which make it easier for women to actualize their property rights in urban areas. In rural areas, cultural interference and social stigma, lack of knowledge, as well as less access to credit, make it more difficult for women to obtain their rights. Interviewees said it is difficult to make a clear distinction between urban and peri-urban areas, although many noted that land on the rural-urban fringe is the most vulnerable to land-grabbing. While land-grabbing affects both men and women, some noted that women are more likely to fall victim to land grabbing because of traditional notions of female subservience.

FQ 6. What is the approximate percentage of women who own property in urban peri-urban and rural areas?

Statistics on home ownership are not available broken down by location; however, the 2016/2017 Uganda National Household Survey found that overall in the country, 41 percent of owner-occupied houses were jointly owned by male and female members of the household, 31 percent were owned by male household members only, and 28 percent were owned by female household members only. This showed significant decline in male-only home ownership from the 2012/2013 survey which found that 59.2 percent of owner-occupied homes were owned by males only and 25.3 percent of owner-occupied homes were jointly owned by male and female household members. Estimates from our interviews were that in rural areas less than 10 percent of women own property, while in urban areas this number may be closer to 30 percent.

FQ 7. What means have women used to adapt and modify customary law that favors men to gain access to land and property?

Many interviewees recognized the important contributions of non-profit and advocacy organizations to help improve women's property rights. Specifically, the Uganda Association of Women Lawyers (FIDA-Uganda) has been successful at advocating for a number of reforms and was instrumental in helping to amend certain sections of the Succession Law such as the requirement that bride price be given back to a man in the case that a marriage ends. Interviewees also noted the importance of education and sensitization—mothers and fathers that raise their children to value gender equality help ensure that the next generation of women is less affected by societal and cultural stigmas regarding gender roles.

FQ 8. What are the housing conditions for women, particularly single women, widows, divorced or separated women, those in cohabitation, or ethnic minorities?

The biggest indicators interviewees saw for the housing conditions of women were related to location (higher quality housing in urban areas than rural areas), and income (higher quality of housing for higher income earners), rather than marital status. Nevertheless, interviewees did note that married women may have better housing conditions than single women because they have dual-income. Another finding that came up quite frequently is that women that are cohabiting with partners do not have the same legal protections and guarantees as married women, so they may lose rights to property if their partners pass away. In the case of divorce, the reason for the divorce may affect how a woman is seen by the community (especially in rural areas), and whether she is able to access a livelihood and decent housing. The poor housing conditions of informal settlements were also noted, as was the fact that women-headed households in slums may be affected more by the poor conditions of the slums.

Interviewees indicate that in Kampala it is estimated 70% rent, many living in slums, and 30 percent own, while in the rural areas the percentages is switched 70% owning homes—many without titles— and 30% renting. This slightly differs from the National Household Survey which provides information on households without being disaggregated by gender. In terms of women ownership, interviewees felt it was from 10-to-15%; although a common sentiment was that women's incidence of home ownership was increasing, particularly as it relates to ownership of condominiums. The National Land Information System (NLIS) project is working to digitize and secure land records for easy access to the public. Data gathered so far are limited; but the project is expected to be concluded by 2020.

FQ 9. What programs are in place to help tenants increase their legal rights and improve tenure security?

Most interviewees noted that Ugandan culture favors home ownership and renting is not respected in the same way as home ownership—despite the fact that in urban areas, renting makes up a majority of occupancy tenure. (According to the 2016/2017 Uganda National Household Survey, in rural areas, owner occupied dwellings make up 83 percent of households, while in urban areas, this number is only 44 percent). A large majority of rental transactions are informal and leases are not signed which makes it difficult for tenants to defend their rights.

A Landlord and Tenant Bill was drafted in 2016 to help formalize the rental market and both tenant and landlord rights, but this has yet to be passed. A 2017 Amendment to the Income Tax Act prohibits the charging of rent in U.S. currency. This regulation is meant to help normalize rental prices as prior to its passing it was quite common for landlords to charge rent in U.S. dollars, which generally caused prices to rise. ActTogether Uganda and the Global Land Tool Network have implemented the Social Tenure Domain Model (STDM) in informal settlements across the country as a way to help informal dwellers register their relationship to land and property and gain certificates of occupancy.

STDM software is available on computers at municipality offices where renters can go to submit proof of residency claims such as rental receipts. This model has proved a successful way to help informal renters document their rental status and incrementally improve their tenure security.

FQ 10. What is the role of Civil Society Organizations in advancing property rights for women?

Civil society organizations play a key role in advancing property rights for women and there are many housing and loan programs that specifically target women.

However, some respondents felt that so many programs target women specifically, that many underprivileged men are disadvantaged and face more difficulty in accessing safe and decent housing.

Internet resources:

National Land Use Policy, Ministry of Lands, Housing & Urban Development - <http://mlhud.go.ug/wp-content/uploads/2015/10/The-Uganda-National-Land-Policy-February-2013.pdf>

A Guide to Property Law in Uganda, UN Habitat, 2007 <https://unhabitat.org/books/a-guide-to-property-law-in-uganda/>

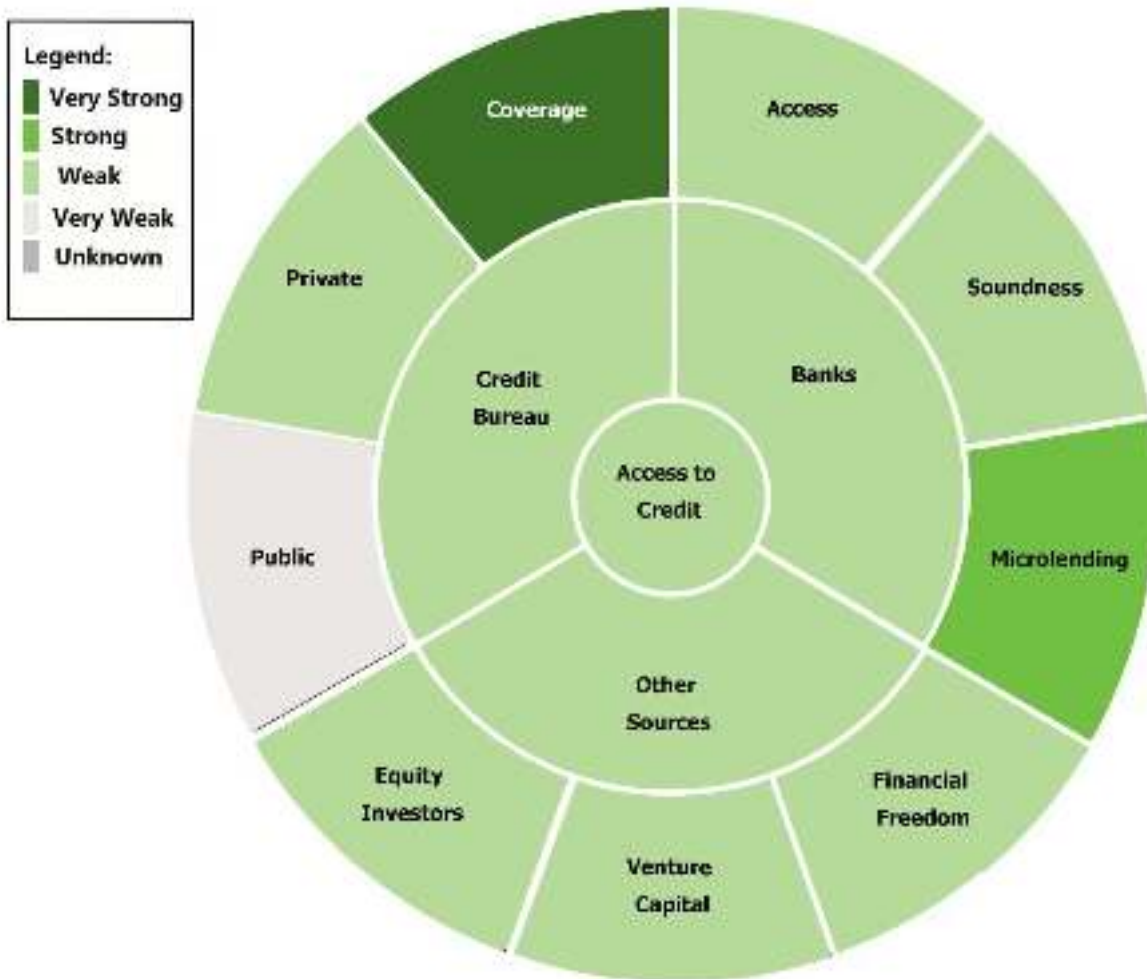
Making Women's Land Rights a Reality in Uganda, Yale Human Rights Journal, 2014 <http://digitalcommons.law.yale.edu/cgi/viewcontent.cgi?article=1026&context=yhrdlj>

Women's Land Rights in Uganda, Landesa, 2014 <https://www.landesa.org/wp-content/uploads/LandWise-Guide-Womens-land-rights-in-Uganda.pdf>

Women's Rights in Uganda, International Federation for Human Rights, 2012 <https://www.fidh.org/en/region/Africa/uganda/Women-s-rights-in-Uganda-gaps>

Rights and Gender in Uganda: A Training Toolkit, International Center for Research on Women, 2010 <https://www.icrw.org/files/images/Property-Rights-and-Gender-A-Training-Toolkit-Rights-and-Gender-in-Uganda.pdf>

Access to Credit



Goal – An efficient, transparent financial sector that provides a broad range of citizens with access to multiple forms of competitive credit so that they can start businesses, build wealth, and purchase property

2.1 Banks

| | |
|----------------|--|
| Core Question: | Are traditional banking services robust and extensive enough to serve the needs of the population to help them build wealth and purchase property? Yes – Strong, Uganda’s banking sector has steadily improved and is stable, well capitalized and dominated by large multinational banks. |
|----------------|--|

Access

2.1.1 How easy is it to obtain a bank loan? **Weak – Ranking 55th out of 138; Score 4.1 out of 7 Trend ↑, while ranked high in the index, access for women is weak.**

Soundness

2.1.2 How sound are the country's banks? **Weak – Ranking 77th out of 138; Score 4.7 out of 7 Trend ↓**

Source: *The Global Competitiveness Report 2016-2017*, World Economic Forum
<http://reports.weforum.org/global-competitiveness-index/>

2.1.3 Microlending

2.1.3 Microfinance allows citizens without traditional creditworthiness to build a credit history. What is the status of microfinance in the country? **Strong – Microfinance Deposit Taking Institute Act regulates organizations.**

Civil Society Resource: Uganda Bankers Association <http://ugandabankers.org/>

2.2 Other Sources

Core Question: Are entrepreneurs free to raise capital outside the banking system including venture capital and/or by issuing stock in a well-regulated stock exchange? **No – Weak, the financial sector has become more open but still dominated by large banks and credit is still not easily available in rural areas.**

Financial Freedom

2.2.1 How much control does the government exert over financial services? **Weak for entrepreneurs – Score 40 out of 100 – Considerable government control Trend ↓**

Source: *Index of Economic Freedom*, Heritage Foundation
www.heritage.org/index/Country/Uganda

Venture Capital

2.2.2 How easy is it for entrepreneurs to find venture capital? **Difficult – Weak – 97th out of 138; Score 2.5 out of 7 Trend ↑**

Equity Investors

2.2.3 How easy is it to raise money by issuing shares on the stock market? **Difficult – Weak – 81st out of 138; Score 3.4 out of 7 Trend ↑**

Source: *The Global Competitiveness Report 2016-2017*, World Economic Forum
<http://reports.weforum.org/global-competitiveness-index/>

2.3 Credit Information

Core Question: Is comprehensive credit information available through public and private credit organizations? **No – Weak, public credit registry is not available and coverage of Central Bank's credit bureau is limited.**

Coverage

2.3.1 What is the depth of credit information available? **Very Strong – Score – 7 out of 8 with a higher number indicating more information is available**

Public

2.3.2 What is the extent of public credit registry coverage? **Very Weak – not available**

Private

2.3.3 What is the extent of private credit bureau coverage? **Weak – 6.6%**

Source: *Doing Business 2017 – Getting Credit*, World Bank

<http://www.doingbusiness.org/data/exploreeconomies/uganda#getting-credit>

In-Country Assessment Information

FQ 11. Are there forms of real estate finance?

Yes. Banks that are involved in real estate finance offer mortgages for both residential and commercial purposes, development finance, land purchase and equity release. According to Bank of Uganda statistics, by November 2017, Loans to the tune of UGX 1,146,677,000,000 had been disbursed in this sector.

Real estate finance is available, but the high cost of lending affects the industry. The lending terms and conditions differ across commercial banks. However, interviewees said that interest rates have been high regardless of the institution or type of borrowing in the formal sector. The interest rate that was at 22.37% in January 2017, and by November 2017 was at 21.42% as per the Central Bank's statistics. Note that the Central Bank rate was at 9.5% in the last quarter of the year, but the lending rates stayed in the region of 20% on average throughout 2017. This affects the number of loans that are approved in the sector.

There are institutions that provide credit specifically to improve housing conditions for slum dwellers and encourage slum dwellers to save a little amount of money on a daily basis, which can be used as collateral for the loan. Those in the formal sector are often looking at larger sums of money to purchase or complete properties. The people in the informal sector usually are looking for funds to have incremental building or renovation of homes, and some credit facilities are available just to provide amenities like tap water and clean permanent toilets. According to the interviewees, in most cases, it is lack of information and cost of funds that prohibits people from obtaining credit.

FQ 12. What is the extent of women's contribution both direct and indirect to the overall economy and the financial wellbeing of families and communities?

Interviewees noted that women contribute to the financial wellbeing of their families on a daily basis. In terms of direct contributions to the economy, women have small businesses and shops where they sell products. Women usually put the money that they make back into their families. Even if a woman only makes a small amount, the money will be spent providing basic necessities for her family—food, clothes, rent, school fees etc.

Interviewees also noted that women are usually the ones that encourage their children to obtain an education and ensures school fees are paid. This contributes to the economy, as more education leads not only to better lives and jobs for children, but also has secondary effects on the overall economy.

FQ 13. How do women save money to access credit?

In some instances, women have associations where they pay membership contributions. The collection is partly used to lend to members, and also meet other activities of the association. Some associations have Investment Clubs where members save a certain amount of money, then they eventually qualify to borrow using their savings as security.

Some of the interviewees shared information that women's groups agree on saving a minimal amount of money in their savings group, which they eventually use as collateral to help them borrow and have amenities in their areas. Some women save their proceeds from business on their phones: this helps enable saving, especially in rural areas where banks are sparse, and also gives rural women a degree of financial independence from their husbands.

When their savings accumulate, they eventually use them as collateral to access credit. Women also save money through Banks, SACCOS and Micro Finance Institutions which helps them eventually save a percentage of funds that they use to help them access credit.

FQ 14. What are the informal or non-traditional ways that women access credit?

Women are often part of local community savings groups (nigina). These groups pool their money together, and each meeting, a different person will be the beneficiary. By pooling small amounts of money together, women together have access to larger amounts of credit. Some interviewees shared that women use barter trade to provide for their needs. Women can access credit through relatives and friends, through SACCOs and Investment Clubs, where by women invest together. Some institutions provide credit that is not specifically for women, but women too have an opportunity to benefit from their loans.

FQ 15. Are women aware of the mortgage process and the necessity of clear property title to obtain a loan?

Generally, women are not aware, of the mortgage process. Even the elite who have the ability to borrow are not aware of the process. Many men are unaware of the process as well, so lack of information is an issue regardless of gender.

FQ 16. How available are mortgage loans for women to purchase property and what are the prevailing trends?

Mortgage loans are available for women, but the difficulty is in access. Women often cannot access loans because they do not have the necessary qualifications. High interest rates, low income, and high values of property all prove prohibitive in terms of women accessing loans. Much of the money that women earn is informal and thus not ascertainable as proof of income.

FQ 17. How does customary law effect women's ability to obtain credit?

Most interviewees agreed that customary norms and practices affect women's ability to access credit, even if there are no specific legal measures.

Interviewees noted that women who have grown up in patriarchal homes where they have been taught that women should not control money may find that mindset affect them as adults.

FQ 18. Are there any credit options specifically available to women?

Yes. Banks and financial institutions such as Centenary Bank and Finance Trust Bank have programs where women can obtain special interest rates that are lower than the regular rates.

FQ 19. What is the difference between credit availability in urban, peri-urban and areas?

Most participants felt that in urban areas women have better access to credit. In peri-urban areas it is mixed—access is worse than urban areas but may be better than rural areas. In rural areas it is very difficult for women to access credit as there are not many businesses and most women survive on subsistence farming.

Generally, in rural areas, women who have the opportunity to borrow use group borrowing. Micro-finance institutions lend to groups of women, who pool their money together as a form of collateral to access small loans for business or agricultural inputs. The formal banks find it challenging to lend to rural women and some in peri-urban areas, mainly due to the fact that women in rural areas have no records management systems and no way to prove income.

FQ 20. How do women access information on pricing and products available for women?

Women access information through Sacco's (Savings Groups) and investment groups. Various mobile technologies are used for women to share information with each other. For instance, a women's entrepreneurs group shared that their members formed a 'WhatsApp' group, where they share information on different topics every Sunday.

The experts in a particular sector e.g. real estate, health issue, banking etc. share and discuss different topics, so that women in the group can learn from each other. In addition banks and micro-finance institutions conduct awareness campaigns through radio and TV. They also go to businesses, exhibitions and associations to share information to the general public, including women, about their services.

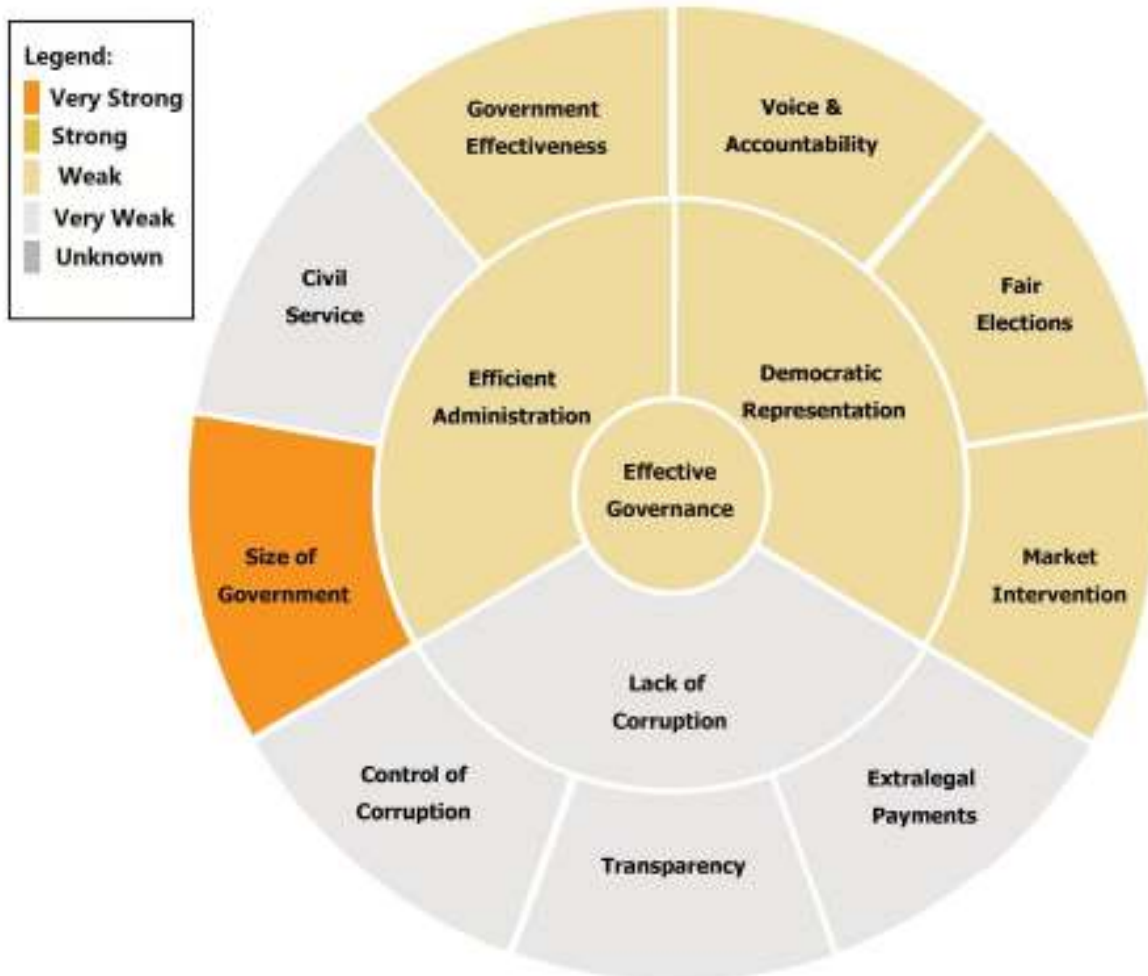
Internet Resources:

Gender Differences in the Use of Formal Financial Services: Country Survey Uganda, GIZ & Making Finance Work for Africa, 2012 <http://a2f-c.com/wp-content/uploads/2015/12/GIZ-2012-Uganda-Report-Gender-Differences-in-the-Usage-of-Formal-Finance.pdf>

Women's Entrepreneurship Development in Uganda, International Labor Organization, 2014 http://www.ilo.org/wcmsp5/groups/public/---ed_emp/---emp_ent/---ifp_seed/documents/publication/wcms_360427.pdf

Access to Housing Finance in Africa: Ghana, FinMark Trust, 2008 http://www.habitat.org/lc/CISF/pdf/C2a_Access_to_Housing_Finance_in_Uganda.pdf

Effective Governance



Goal – A popularly elected government free of corruption and functioning efficiently and transparently enough to guarantee economic freedom to individuals and support equitable property markets

3.1 Democratic Representation

Core Question: Does the country have free and open elections for the leadership and can citizens engage in free enterprise? **No – Weak, while Uganda holds regular elections, their credibility has deteriorated over time, and the country has been ruled by the same party and president since 1986.**

Voice & Accountability

3.1.1.1 Are citizens able to elect their government and do they enjoy freedom of expression, association and a free media? **No – Weak – Percentile Rank – 29 Trend ↓**

Source: *Governance Matters 2015*, World Bank

<http://info.worldbank.org/governance/wgi/index.aspx#reports>

Overall Ranking – 94th out of 167

3.1.1.2 Are citizens free to form political and civic organizations free of state interference and surveillance? **No – Weak – Score 6.18 out of 10**

Source: *The Economist Intelligence Unit Democracy Index 2016*

https://en.wikipedia.org/wiki/Democracy_Index

Fair Elections

3.1.2 Do citizens enjoy a wide range of political rights including free and fair elections? **No – Weak – Score 35 out of 100**

Source: Freedom House – *World Freedom Report Website*

<https://freedomhouse.org/report/freedom-world/freedom-world-2017>

Market Intervention

Overall Ranking – Weak 91st out of 179 Trend ↓

3.1.3 To what extent does the government control prices? **Score 80 out of 100 with a higher score indicating less control**

Source: *2017 Index of Economic Freedom* – Heritage Foundation

www.heritage.org/index/Country/Uganda

3.2 Lack of Corruption

| | |
|----------------|---|
| Core Question: | Is the public sector transparent and free of corruption? No – Very Weak corruption is deeply rooted. Major causes include poor service conditions of the public sector, weak enforcement of anticorruption legislation, extensive discretionary powers of public officials and social and cultural norms that tend to glorify the corrupt. |
|----------------|---|

Transparency

3.2.1 What is the perceived level of corruption in the country? **Ranking – 130th out of 180; Score 25 out of 100 – Very Weak – Trend ↓**

Source: Transparency International – *Corruption Perception Index*

<https://www.transparency.org/research/cpi>

Control of Corruption

3.2.2 How effective is the government in controlling corruption? **Very Weak – Score 12 out of 100 Trend ↓**

Source: *Governance Matters 2015*, World Bank

<http://info.worldbank.org/governance/wgi/index.aspx#reports>

Extralegal Payments

Survey Question

SQ 11 How often do companies report that officials and/or companies expect additional payments to “expedite” services or gain business? **Common occurrence – Very Weak – Ranking 118th out of 138; Score 3 out of 7 Trend ↑**

Source: *The Global Competitiveness Report 2016-2017*, World Economic Forum
<http://reports.weforum.org/global-competitiveness-index/>

3.3 Efficient Administration

| | |
|----------------|--|
| Core Question: | Are quality services and qualified civil servants available to the public through the efficient use of public money free of corruption? No – Weak, the overall regulatory framework remains poor. Bureaucracy and expensive business licensing requirements discourage development of the private sector. |
|----------------|--|

Size of Government

3.3.1 What is the size of government relative to GDP? **17.3% - 25 to 30% considered optimum – Very Strong**

Source: *2017 Index of Economic Freedom*, Heritage Foundation
www.heritage.org/index/Country/Uganda

Civil Service

3.3.2 What is the quality of the civil service? **Very Weak – Score 59 out of 100 Trend ↓**

Source: *Global Integrity Report 2011* – <https://www.globalintegrity.org/research/reports/global-integrity-report/global-integrity-report-2011/>

Government Effectiveness

3.3.3 What is the overall effectiveness of the government? **Weak - Percentile Ranking – 37 out of 100 Trend ↑**

Source: *Governance Matters 2015*, World Bank
<http://info.worldbank.org/governance/wgi/index.aspx#reports>

In-Country Assessment Information

FQ 21. What is the percentage of women employed in government service at the national, regional and local levels?

There is no data available on the total number of women in government at all levels. However, according to the World Bank in 2017, 34.3 percent of the seats in Uganda’s Parliament were held by women. There are also currently 10 women Cabinet Ministers including the Minister of Lands, Housing, and Urban Development, Minister for Kampala Capital City Authority, and Minister of Gender, Labor, and Social Development

FQ 22. How is corruption undermining effective governance?

Nearly all interviewees acknowledged that corruption is very common—most typically in the form of paying extralegal payments to government officials to obtain something. Indeed, some interviewees said it is abnormal if one *does not* have to pay a bribe to obtain necessary services. Examples of corruption in the real estate sector included paying extra money to ‘jump the queue’ and have registration paperwork filed more quickly, developers bribing land officials to change zoning restrictions in a particular area (for instance, changing a ‘green belt’, in which real estate is restricted, to an ‘orange belt’ in which it is allowed), and property valuers colluding with government or bank officials to misrepresent a property (give it a higher value than it is worth).

FQ 23. Are women more or less likely to experience requests for extralegal payments for government services?

While the frequency of corruption was repeatedly acknowledged, most interviewees noted that corruption ‘does not discriminate’ based on gender, and that women are not expected to pay more or less than men.

Internet Resources:

Can tech help Uganda's women combat land corruption?, Columbia University & Transparency International, 2017,

https://landportal.info/sites/landportal.info/files/ICTS_Land_Corruption_Uganda_2017.pdf

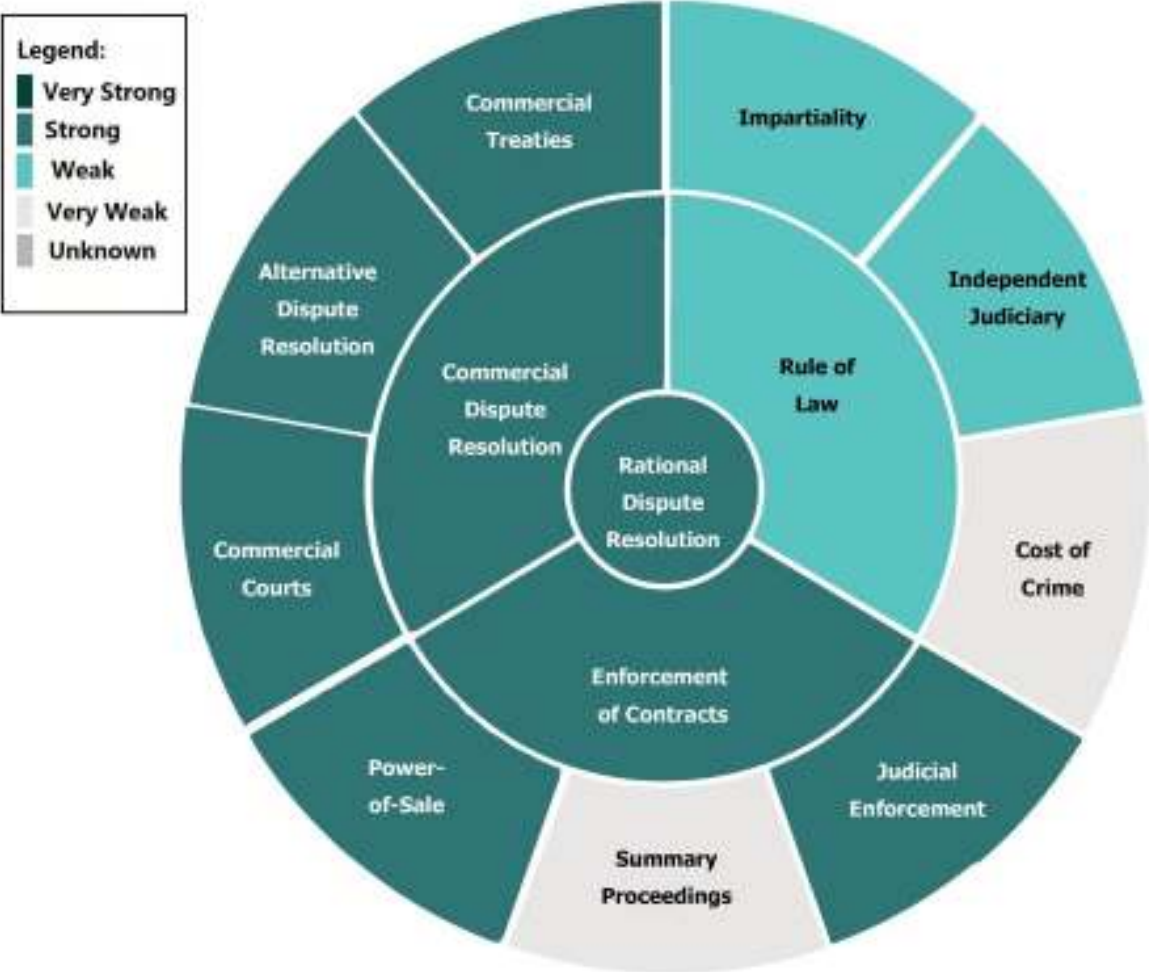
Uganda: Free Pass on High-Level Corruption, Human Rights Watch, 2013

<https://www.hrw.org/news/2013/10/21/uganda-free-pass-high-level-corruption>

Uganda: Women's collectives fight for land rights, against corruption, UN Development

Program, 2014 <http://www.undp.org/content/undp/en/home/ourwork/ourstories/in-uganda--women-s-collectives-fight-for-land-rights-and-against.html>

Rational Dispute Resolution



Goal – An efficient institutional framework that balances the rights of the public, owners, lenders and borrowers in the event of a dispute or loan default

4.1 Rule of Law

| | |
|----------------|--|
| Core Question: | Do all market participants abide by the rule of law and have confidence in the courts and the ability of police to control crime? No – Weak, the continued prevalence of customary law and the weakness of the courts leads to disputes. Executive and military influence undermines judicial independence. |
|----------------|--|

Impartiality

4.1.1 What is the confidence level of the strength and impartiality of the police, courts and contract enforcement? **Weak – Percentile Ranking – 43.3 Trend ↑**

Source: *Governance Matters 2015*, World Bank

<http://info.worldbank.org/governance/wgi/index.aspx#reports>

Judiciary

4.1.2 Can members of the judiciary be held accountable for their actions? **No – Score 34.6 out of 100 – Weak Trend =**

Source: *2017 Index of Economic Freedom*, Heritage Foundation

www.heritage.org/index/Country/Uganda

Costs of Crime

4.1.3 What are the business costs of crime and violence? **High costs – Ranking 112th out of 138 – Score 3.6 out 7 – Very Weak Trend ↑**

Source: *The Global Competitiveness Report 2016-2017*, World Economic Forum

<http://reports.weforum.org/global-competitiveness-index/>

4.2 Enforcement of Contracts

| | |
|----------------|--|
| Core Question: | Are systems in place for timely and efficient enforcement of contracts? Commercial – Yes – Strong Residential – Yes – Strong |
|----------------|--|

4.2.1 – Judicial Enforcement

Commercial – Strong – Ranking 64th out of 190 Trend ↑

4.2.1.1 What is the quality of the judicial process? **8.5 out of 18**

4.2.1.2 What is the time between the filing of a lawsuit and resolution in judicial enforcements? **490 days**

4.2.1.3 What is the cost of judicial enforcements as a percentage of debt value? **31.3%**

Source: *Doing Business 2017*, Enforcing Contracts, World Bank

<http://www.doingbusiness.org/data/exploreeconomies/uganda#enforcing-contracts>

Residential – Strong

Survey Questions

SQ 12 What is the time between notice of intent to foreclose and loan collection in judicial enforcements? **See below for power-of-sale**

SQ 13 What is the cost of judicial enforcements as a percentage of property value? **See below for power-of-sale**

4.2.2 – Summary Proceedings

SQ 14 Summary proceedings are alternative dispute resolution processes where creditors can apply for a direct court order in property disputes. What is the time between notice of intent to foreclose and loan collection in summary proceedings if available to lenders? **See below for power-of-sale**

SQ 15 What is the cost of summary proceeding if available to lenders as a percentage of property value? **See below for power-of-sale**

4.2.3 – Power-of-Sale

SQ 16 Power-of-sale agreements give creditors to power to sell properties after notice to the borrower without court intervention. What is the time between notice of intent to sell and loan collection for power-of-sale agreements if available to lenders? **235 days - Strong**

SQ 17 What is the cost of power-of-sale agreements if available to lenders as a percentage of property value? **5.28% - Very Strong**

Source: *Financing Homes 2008*, World Bank & IFC

<http://documents.worldbank.org/curated/en/818821468337286108/pdf/699600ESW0P1080LIC00Financing0Homes.pdf>

4.3 Commercial Dispute Resolution

| | |
|----------------|---|
| Core Question: | Can commercial disputes be resolved efficiently and fairly without exorbitant expense and delay? Yes – Strong, despite a lack of funds and space, the commercial courts dispose of disputes within about seven months, as opposed to the several years it used to take litigation to wind through the Ugandan judiciary. |
|----------------|---|

Survey Questions

Commercial Courts

SQ 18 Do specialized commercial courts exist for the handling of property disputes and foreclosures? **Yes – Strong, High Court – Commercial Division, all cases must first have a mediation session before a magistrate.**

Source: Judiciary of the Republic of Uganda www.judicature.go.ug/

Alternative Dispute Resolution

SQ 19 Are alternative dispute resolution mechanisms in place including commercial arbitration, private mediation and community based processes? **Yes - Strong – a member of the New York Convention. 80% of commercial disputes are settled through arbitration.**

Source: The Justice Law & Order Section, <http://www.jlos.go.ug/index.php/projects/alternative-dispute-resolution-adr>

Commercial Treaties

SQ 20 What bilateral, regional and international commercial treaties exist concerning business between countries? **Strong – a member of WTO and the East Africa Community with a Trade Investment Framework with the U.S. and Economic Partnership with the E.U.**

Source: Uganda Investment Authority www.ugandainvest.com/

In-Country Assessment

FQ 24. Do women have equal access to the courts and Alternative Dispute Resolution (ADR) mechanisms?

By law women do have access to the court, but lack of knowledge of the legal system and limited financial resources affect women's ability to use the legal system. Women also have access to ADR mechanism but there is a gap in implementation.

FQ 25. What special ADR mechanisms are available to women?

The role performed by Non-Governmental Organizations (NGOs) in raising awareness of women's property rights and mediation services is known and valued. Examples include: a training course to teach women to fight for their rights, a community watchdog program to train women as human rights defenders, and paralegal training to specifically work with women and their issues.

FQ 26. What means have women used to adapt and modify customary law and cultural norms that favors men to gain equal power over decision making regarding land, housing and income?

Women earning their own income is the most powerful tool to gain more power over decisions regarding land and housing.

FQ 27. What community mechanisms are in place for dispute resolutions, and what is their effectiveness?

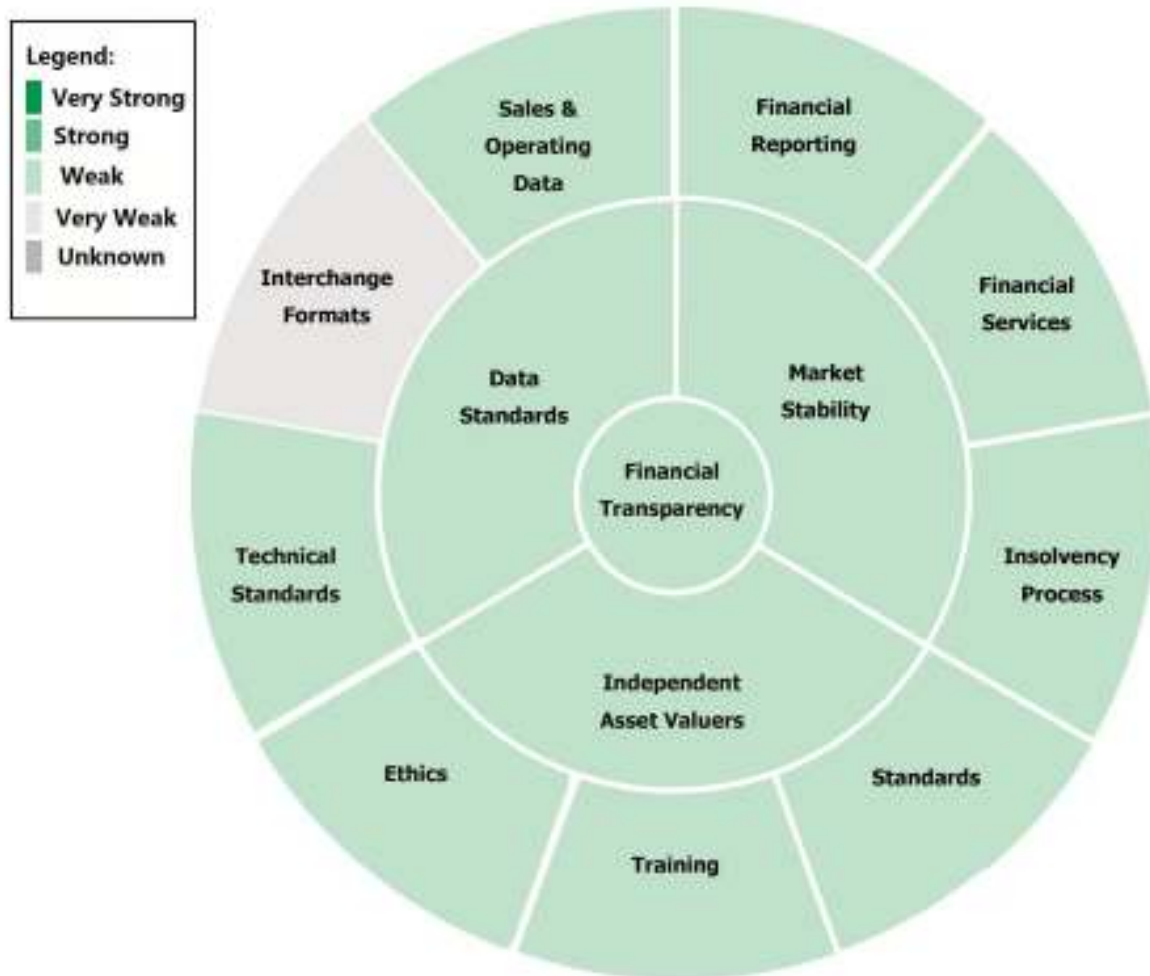
There are paralegal centers or clinics which strive to settle dispute

Internet Resources:

Justice Needs in Uganda, The Hague Institute for Global Justice, 2016
<http://www.hiil.org/data/sitemanagement/media/Uganda%20JNST%20Data%20Report%202016.pdf>

Pathways of Justice and Equity in Land Administration and Dispute Resolution in Uganda, KIT – The Royal Topical Institute, 2014, <https://213ou636sh0ptphd141fqi1-wpengine.netdna-ssl.com/gender/wp-content/uploads/sites/3/2014/12/Pathways-of-justice-lr.pdf>

Financial Transparency



Goal – A well developed and transparent financial system that includes strong supporting institutions and highly trained and ethical professionals that contribute to effective financial intermediation and deep and broad access to capital and financial services

5.1 Market Stability

Core Question: Are market risks sufficiently transparent and diversified so that efficient capital allocation can occur? **No – Weak – Capital markets are relatively small and underdeveloped. The financial system is dominated by banking, which is increasingly open to competition, and access to financial services has been expanding.**

Financial Reporting

5.1.1 What is the strength of the country's auditing and reporting standards? **Weak – 97th out of 138; Score 4.1 out of 7 Trend =**

Financial Services

5.1.2 Does the financial sector provide a wide variety of financial services to businesses? **Weak – 84th out of 138; Score 4 out of 7**

Source: *The Global Competitiveness Report 2016-2017*, World Economic Forum
<http://reports.weforum.org/global-competitiveness-index/>

Insolvency Process

Weak – Ranking – 111th out of 190 Trend ↓

5.1.3 What is the average time to complete bankruptcy proceedings? **2.2 years**

5.1.4 What is the cost of bankruptcy proceedings as a percentage of the estate? **29.5%**

5.1.5 What is the recovery rate of bankruptcy proceedings? **38.4 cents on the dollar**

Source: *Doing Business 2017*, Resolving Insolvency, World Bank
<http://www.doingbusiness.org/data/exploreeconomies/uganda#resolving-insolvency>

5.2 Independent Asset Valuers

Core Question: Do trained, independent and ethical asset valuers exist for all types of assets? **No – Weak, the profession and standards are evolving and more advanced training is needed.**

Survey Questions

Standards

SQ 21 How easy is it to find a valuer who implements International Valuation Standards? **Weak – there are no standards of practice mentioned in the law. ISU is a member of IVSC.**

Civil Society Resource: Institution of Surveyors of Uganda (ISU)

<http://www.surveyorsofuganda.org/>

Training

SQ 22 What is the level of training of valuers? **Weak – however, IHC Global has offered training courses.**

Civil Society Resource: IHC Global <https://ihcglobal.org/>

Ethics

SQ 23 Are opinions offered by valuers free of influence from parties to the transaction? **Weak – ISU has a code of ethics but it is not strictly enforced.**

Civil Society Resource: International Valuation Standards Council www.ivsc.org

5.3 Data Standards

Core Question: Is accurate property information available electronically in formats that are consistent with international standards? **No – Weak, data exchange is in the very early stages.**

Survey Questions

Sales & Operating Data

SQ 24 Are data aggregation systems where brokers and agents can widely share contracted real estate listings of properties that are for sale and for rent available? **Yes – Weak, the Association of Real Estate Agents of Uganda (AREA) has been working on a system as well as RED and Jumia House.** <https://house.jumia.ug/>
<http://realestatedatabase.net/FindAHouse/index.aspx>

SQ 25 Do resources exist for obtaining building income and expense estimates? **No – Very Weak**

Civil Society Resource: Institute of Real Estate Management www.irem.org

Interchange Formats

SQ 26 Do electronic data interchange formats conform to international standards (ebXML – electronic business using extensive markup language)? **No – Very Weak, much of the country is unmapped and technology is limited by in rural areas by poor power supply.**

Civil Society Resource: Open Standards Consortium for Real Estate International
www.oscre.org

Technical Standards

SQ 27 Do building codes and office building measurement standards (ANSI/BOMA Z65.1) conform to international standards? **No – Weak, the Building Control Act passed parliament in 2013.**

Source: Uganda Society of Architects <http://architects.ug/library/national-building-code>

In-Country Assessment

FQ 28. How many valuers (appraisers) exist in the marketplace? By gender?

The total number of registered surveyors for the three disciplines—land, quantity and valuation—is 244 as of 4/30/16; up to 10 percent are women. This profession is growing for men and women.

FQ 29. Assess the number of companies and the relative size of the companies.

There are about 50 surveying companies with 15 companies doing most of the work. Approximately 90 percent of valuations performed are for mortgages.

FQ 30. Are “standards of practice” included in law and do they follow international standards?

Surveyors in Uganda need to comply with the licensing act and be registered to practice. They adhere to International Valuation Standards (IVS) and follow the British model of the Royal Institution of Chartered Surveyors.

FQ 31. Have valuer associations evolved in the marketplace? Is a Code of Ethics enforced? What training programs are offered?

The Institution of Surveyors of Uganda (ISU) is the professional association for surveyors. There is a code of ethics which is enforced along with the Surveyors Registration Board. ISU offers basic, continuing education and some advanced classes. Some of the larger surveying companies offer in-house Continuing Professional Development courses and have strong internal enforcement mechanisms to ensure employees are trained on international standards.

FQ 32. How sophisticated is the valuation practice? Is there an established database where practitioners can share information?

ISU does not have a database, however, with assistance from the World Bank, the Bank of Uganda is working with the Uganda Bureau of Statistics to develop a Real Estate Price Index (REPI). The REPI will include a Residential Property Price Index, currently being reviewed by the World Bank and a Commercial Rent Price Index.

Surveyors share information informally; some of the larger valuation companies have developed their own databases to compare market prices. Another tool is the Real Estate Database (RED), a property search engine that returns results by querying a network of several real estate websites linked together. It currently has 15,000 to 20,000 active listings. Duplication of listings may occur since exclusive representation is not a requirement for participation and currently it is missing the ability to show changes in prices. The lack of sales data means it is difficult for practitioners to apply the market approach. Lack of data and training also makes it difficult to apply the income capitalization approach.

FQ 33. How do women support market development?

Women are leading valuation companies, holding important jobs at real estate companies, on board of directors and serving as surveyors and real estate agents.

FQ 34. Do women have equal access to leadership roles in ISU? Yes, the immediate past President of ISU was a woman.

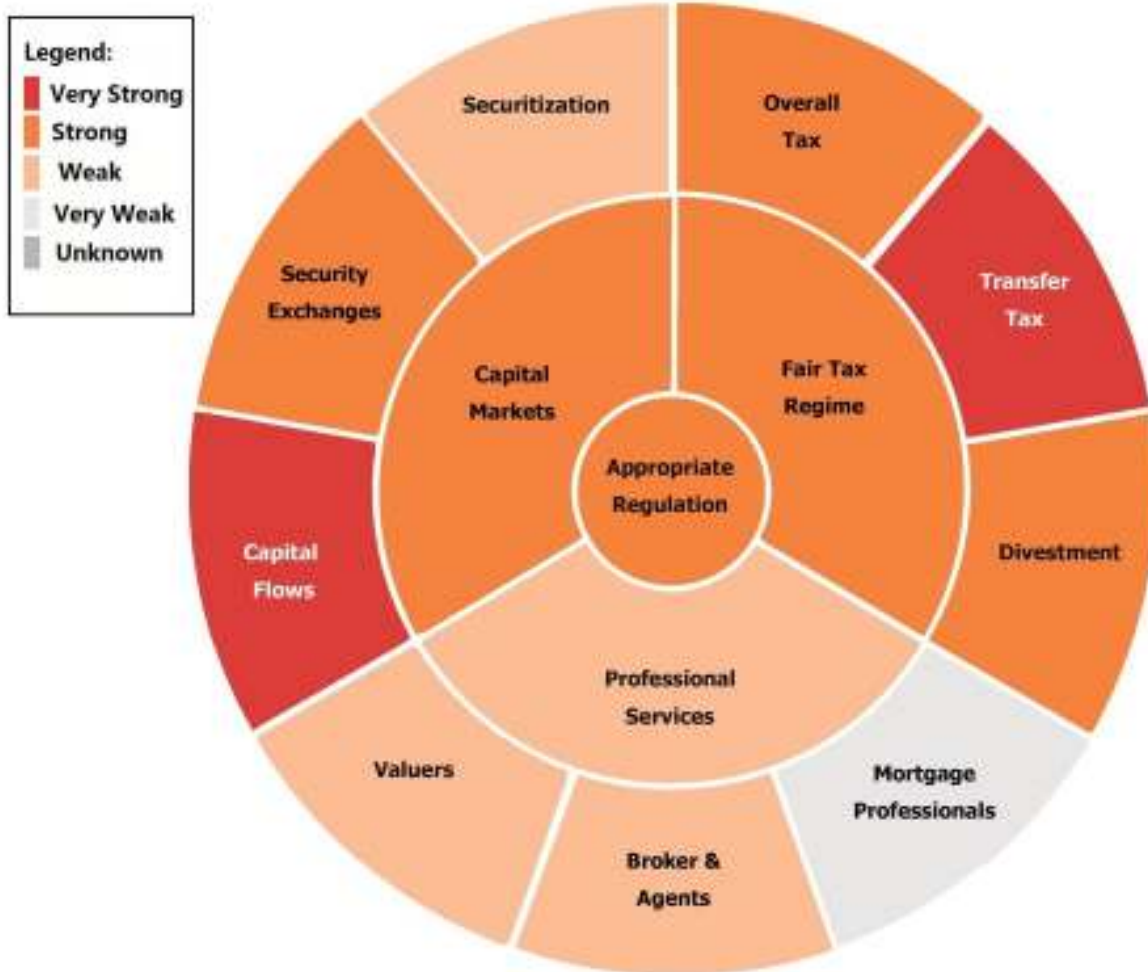
FQ 35. Are there any women owned valuation companies? Yes, there are from 1 to 5 companies owned by women.

FQ 36. Are valuation training programs equally available to women? What training programs are needed?

In 2017 ISU offered training on how to help women surveyors get registered. More training is needed on the market and income capitalization approaches so that practitioners can fully meet international standards.

FQ 37. What barriers exist for women to enter the valuation profession? The consensus from interviewees was that women have equal access to the surveying/valuation profession.

Appropriate Regulation



Goal – A comprehensive regulatory regime that is transparent, efficient, simple in its implementation and that leads to accurate reporting of property values and prudent protection from market risks

6.1 Fair Tax Regime

| | |
|----------------|---|
| Core Question: | Do market participants feel the overall tax rate is fair and participate in formal transactions? Yes – Strong, reforms have taken place over the last decade and foreign investors are generally treated the same as domestic investors. |
|----------------|---|

Transfer Tax

6.1.1 What is the total property transfer tax including all duties and payments? **Very Strong – 2.6% Trend ↑**

Overall Tax

6.1.2 What is the overall tax rate on entrepreneurs? **33.5% – Ranking – 75th out of 190**
Strong – Trend ↑

Source: *Doing Business* – Paying Taxes & Registering Property, World Bank
www.doingbusiness.org/ExploreEconomies/?economyid=193

Divestment

Survey Question

SQ 28 What is the tax on profits for foreign investors when divesting property? **20% tax on rental income, foreign corporate income tax is 30%, and capital gains are taxed as income with progressive rates. Uganda has Double Taxation Treaties with Denmark, India, the Netherlands, Norway, South Africa and the U.K. - Strong**

Source: Uganda Revenue Authority <https://www.ura.go.ug/>

6.2 Professional Services

| | |
|----------------|--|
| Core Question: | Are the professional services necessary for efficient and transparent property markets available and appropriately regulated and supervised? No – Weak, while there has been improvement over the last few years, the market is small relative to the housing needs. |
|----------------|--|

Asset Valuers

Survey Questions

SQ 29 Are property valuers licensed and/or certified by the government? **Yes – Weak – the ISU maintains a Surveyors Registration Board with 72 Registered Practicing Valuation Surveyors in 2017.**

Source: Ministry of Lands, Housing & Urban Development - www.mlhud.go.ug/
Civil Society Resource: Institution of Surveyors of Uganda
<http://www.surveyorsofuganda.org/>

Q 30 How effective are mechanisms in place to discipline valuers who engage in misconduct?
Weak – ISU maintains a Disciplinary Committee.

Brokers & Agents

Survey Questions

SQ 31 Are real estate brokers and agents licensed and/or certified by the government? **No – Weak – however AREA has around 375 members and has been working over the last years to raise the level of the profession.**

SQ 32 How effective are mechanisms in place to discipline brokers or agents who engage in misconduct? **Weak – AREA has a Code of Conduct but it is only applicable to members.**

Civil Society Resource: Association of Real Estate Agents Uganda
<http://www.areauganda.org/publish/>

Mortgage Professionals

Survey Questions

SQ 33 Are mortgage professionals licensed and/or certified by the government? **No – standardized procedures, practices and documentation of mortgage lending operations are not in place – Very Weak**

SQ 34 How effective are mechanisms in place to discipline mortgage professionals who engage in misconduct? **None in place – Very Weak**

Source: Housing Finance Information Network

<http://hofinet.org/countries/country.aspx?regionID=8&id=171>

Civil Society Resource: Uganda Bankers' Association <http://ugandabankers.org/>

6.3 Capital Markets

| | |
|----------------|--|
| Core Question: | Are capital markets well-regulated and diversified enough to provide financial resources to private-sector entrepreneurs and innovators? No – Strong – there has been great improvement over the last few years and the Capital Markets Authority is in the process of developing investment banks. |
|----------------|--|

Capital Flows

6.3.1 What are the business impacts of rules on Foreign Direct Investment? **Not Restrictive, Very Strong – Ranking 31st out of 138; Score 5.2 out of 7 Trend ↑**

Security Exchanges

6.3.2 To what extent do regulators ensure the stability of the financial market? **Strong, Ranking 68th out of 138; Score 4.4 out of 7 Trend ↑**

Source: *The Global Competitiveness Report 2016-2017*, World Economic Forum

<http://reports.weforum.org/global-competitiveness-index/>

Securitization

6.3.3 What is the depth of asset-backed securities, mortgage-backed securities, high-yield bonds and highly leveraged loans? **Weak – capital markets are very small with low turnover.**

Source: Capital Markets Authority Uganda <https://www.cmauganda.co.ug/>

In-Country Assessment

FQ 38. Determine the number of practitioners in the country by gender.

Assessing the number of real estate agents is a challenge since the Real Estate Bill has not passed. However, our interviews provided some estimates. In Kampala the number of registered companies is approximately 50, with formal agents in Kampala and Wakiso around 625. Interviewees provided estimates that other districts would have around 250 formal full-time agents. Of this amount, up to 25% (219) are estimated to be women.

An estimated number of informal agents is more than 2,000. Because Local Council Chapter persons (LC1) serve as informal part-time real estate agents in their villages, technically there are at least 57,842 informal agents based on the number of villages in existence in Uganda.

FQ 39. Determine the fee or commission practice. Who pays (buyer/seller)? How much? Is there co-brokerage?

Agent's commission for residential properties, paid by the seller, can be up to 10%, depending on the size of the property; many formal agents consider 10% as too high. The split of the commission between agents is generally 50/50. Larger brokerage firms may sell up to 3 properties per month after having the property listed for approximately 3 months. For rental units the first two months are charged as a commission. For commercial buildings the agents' commission is up to 5% of the property. There is cooperation between agents without having exclusive representation contracts.

FQ 40. Is there information sharing through data aggregation services of properties for sale or other network sources?

Though there is willingness for cooperation among formal real estate agents, data aggregation anchored to exclusive representation is nonexistent. An open data property search engine that returns results by querying from a network of several real estate websites linked together offers property listings for sales and rental.

The Bank of Uganda has been working on the compilation of a Real Estate Property Index (REPI) with support from the Uganda Bureau of Statistics and technical assistance from the World Bank. REPI includes a Residential Property Price index with residential information of the country standard within Kampala city, and a Commercial Rent Price Index.

FQ 41. Are there real estate associations that have evolved? How many practitioners belong?

The Association of Real Estate Agents (AREA), formed in 2008, has up to 300 members. It has a code of ethics which was built into the draft real estate law, but they do not have the ability to strictly enforce the code of ethics. AREA supports adherence to international standards, including professional ethical behavior and increased knowledge of real estate practices.

FQ 42. What percentage of AREA membership is women?

Women make up 25% of AREA's membership. This is compared to women's participation in the surveying discipline which averages 11%. One reason for having an increased women representation in AREA's membership lies in its capacity to integrate gender into its policies and activities. A case in point was the creation of the Women's Committee, which graduated in 2015 as the Women Council, an affiliate of AREA.

FQ 43. What barriers exist for women to enter the real estate agency profession?

Barriers women face for entering the real estate profession include culturally-imposed views that real estate is a 'man's profession' and that women would not be able to handle the more aggressive or 'dirty' aspects of the job, such as forcing people to pay commissions or women's lack of access to places where informal business transactions typically happen, such as bars or clubs. Land ownership being given traditionally to men, lack of education and safety issues, including sexual harassment of female real estate agents by potential clients or male colleagues are also issues.

The absence of real estate regulation, insufficient capital due to the cost of doing real estate business, and domestic responsibilities such as childcare which may prevent women from being available 'all hours of the day' for business are other barriers.

FQ 44. Are real estate agency training programs equally available to women? What training programs are needed?

Through real estate training offered by AREA, women have equal access to training options. Some of the topics include: basic real estate agents' skills, brokerage and sales, property management, valuation, property rights, financial planning, marketing and condominium law.

FQ 45. Cite examples of outstanding contributions by women to the real estate agency profession.

Women have started real estate companies and hold top management positions at large real estate companies. Women serve as board members of organizations underpinning the real estate sector and trainers increasing needed knowledge. Furthermore, women are the largest buyers of condominiums in Uganda.

FQ 46. What is the sophistication of the practice in the country?

Formal real estate companies generating \$50,000 dollars or more in commissions per year adhere to business standards and have trained staff, with job descriptions and personnel policies, including monitoring. They offer new entrant training and mentoring services and have strict guidelines for adherence to business standards required by licensing laws. The real estate offices visited during this assessment looked professional, were well lit, and had computers and connectivity services to offer effective professional services. Printed material was of good quality and appealing to the eyes of the writer.

Real estate agents in the informal sector operate in different environments, ranging from having small offices with limited computers or phones, to having no office space, or just a particular street corner.

FQ 47. Is there property management capacity in the country? Is it part of the brokerage or development community or free-standing?

Property Management is generally offered in conjunction with other services such as agency and valuation. Management fees for commercial buildings are generally 5% of the net rent. The residential fee for property management services is up to 10%.

FQ 48. Describe a typical informal transaction and the risks involved?

Transactions of properties in the informal sector are mostly done verbally; even when informal agents do utilize contracts, they can be breached easily, particularly when people of power are involved in the purchase. In the case of rentals in informal settlements, these are also carried out informally with the exception of tenants who get receipts for payments.

Informal transactions put the customer at risk because of unclear title. The agent is at risk of not being paid commission. The lack of adherence to ethical codes of behavior and a lack of knowledge about the complexity of performing real estate transactions may set the stage for unscrupulous behavior. Other issues faced are loss of rental payment, violence and imprisonment.

Internet Resources:

Ask the expert: Rachel Mirembe, Women Committee Chairperson, AREA-Uganda, Daily Monitor, November 7, 2012 <http://www.monitor.co.ug/Magazines/HomesandProperty/Ask-the-expert---Rachel-Mirembe--Women-Committee-Chairperson/689858-1613116-ubw14j/index.html>

End Notes

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- ¹ De Soto, Hernando. 2000. *The Mystery of Capital: Why Capitalism Triumphs In the West and Fails Everywhere Else*. New York, NY: Basic Books. Pp 6-7.
- ² Hannay, Leslie. 2015. Women's Land Rights in Uganda, Available at <http://landwise.resourceequity.org/guides/4>
- ³ Ministry of Lands, Housing , and Urban Development. 2013. The Uganda National Land Policy. Available at: https://landportal.org/sites/landportal.info/files/the_uganda_national_land_policy-february_2013.pdf
- ⁴ De Soto, Hernando. 2000. *The Mystery of Capital: Why Capitalism Triumphs In the West and Fails Everywhere Else*. New York, NY: Basic Books.
- ⁵ African Development Bank. 2018 Uganda Economic Outlook. Available at: <https://www.afdb.org/en/countries/east-africa/uganda/uganda-economic-outlook>
- ⁶ Secondary research was conducted by William Endsley, Principal Consultant of World Citizen Consulting (WCC). The Field Assessment was carried out by IHC Global, the Association of Real Estate Agents - Uganda (AREA), and the AREA Women Council in November of 2017.
- ⁷ Information obtained from Bank of Uganda: https://www.bou.or.ug/bou/bou-downloads/financial_institutions/2017/Licensed-Banks-as-at-March-31-2017.pdf
- ⁸ Information obtained from Bank of Uganda: https://www.bou.or.ug/bou/rates_statistics/Statistics_overview.html
- ⁹ Habitat for Humanity Uganda. <https://www.habitat.org/where-we-build/uganda>
- ¹⁰ AcTogether Uganda. <http://actogetherug.org/index.php/features/savings>
- ¹¹ Uganda National Household Survey, 2016/1017.
- ¹² Muhumuza, Mark Keith. August 10, 2016. Ugandans to save, apply for mobile money loans on phone. *Daily Monitor*. <http://www.monitor.co.ug/Business/Ugandans-to-save--apply-for-mobile-money-loans-on-phone/688322-3339072-qtj5r1/index.html>.
- ¹³ Uganda Bankers Association. <http://ugandabankers.org/mortgage-financing/>
- ¹⁴ World Bank Country Profile. <http://www.worldbank.org/en/country/uganda/overview>
- ¹⁵ Uganda National Household Survey, 2016/17.
- ¹⁶ World Bank. 2016. Uganda Poverty Assessment. <http://www.worldbank.org/en/country/uganda/brief/uganda-poverty-assessment-2016-fact-sheet>.
- ¹⁷ The Succession Amendment Bill (2011) amends Succession Act Chapter 162, Section 27 to give--in the case the intestate is survived by a spouse, lineal descendant, and dependent relative-- 20 percent of assets of an intestate to spouse, regardless of gender. In the case the intestate has no lineal descendent, the percentage a spouse receives goes up to 50 percent; in the case the intestate has no lineal descendent or dependent relative, this percentage goes up to 100 percent.
- ¹⁸ Section 39 of the Uganda Land Act (Chapter 227).



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