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Towards Improved Land Registration Practices in Lagos State, Nigeria; Land-Allied Professionals' Perspectives

Oluwafemi ADEKOLA, Pauliina KRIGSHOLM and Kirsikka RIEKKINEN, Finland

Key words: Land registration system, Users' perspectives, User's needs, Lagos State, Nigeria

SUMMARY

The need for effective land registration system cannot be overemphasized because of the various benefits that it offers such as its propensity to promote good governance and contribute to poverty alleviation. However, there exists the need to improve the land registration system in some developing countries, like Nigeria, due to the apparent lack of effective land registration system. Recent studies on land registration have emphasized the need to employ user-oriented approach when improving land registration system in a country to ensure that it meets effectively and efficiently the specific needs of each country. Bearing this in mind, this study examines the users' perspectives of the challenges and the needs that exist for the improvement of land registration system in Lagos State, Nigeria. Data was collected using a survey instrument targeted to land-allied professionals that operate within the study area, and have first-hand experience with the Lagos State land registry. The data was gathered during the period of June and July 2019.

A thematic analysis of the data was performed to identify major themes relevant to achieving the aim of this study. Several interesting results emerged from the analysis, which underscore the relevance of user's consultation to improving land registration system. The results suggest that the challenges of effective land registration system in the study area include incompetence and corrupt practises among land registry staff, procedures and lengthy processing time taken to process land registration and the challenge posed by change in government policy. Concerning ways to improve the efficiency of the land registration system, our results indicate that there is need to employ competent professionals and regularly train the registry staffs on quality service delivery, and use of appropriate modern technology and improved facilities. Flexible government policy to ease land registration and adequate funding should be directed towards improvement of the land registry. The results emanating from this study suggest feasible ways to improve land registration system. These results have significant implication for promoting a land registration system that meets effectively and efficiently the needs of Lagos State, the entire Nigerian States, and other emerging African economies.

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Smart surveyors for land and water management

Amsterdam, the Netherlands, 10–14 May 2020

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1. INTRODUCTION

Experiences and studies from recent decades have shown the importance of improved land registration system to the overall economic development of a nation. Several studies have suggested that a reasonable proportion of economic financial development and economic growth can be derived from effective land registration system (Byamugisha, 1999; Feder and Nishio, 1998; De Soto, 2000). Land registration system is an instrument necessary for recording and accessing information on ownership, value and use of land (Arnot and Meadows, 2006). The information provided could be used to support effective land market, planning processes, property taxation and contribute to good governance (Arnot and Meadows, 2006).

An effective and efficient land registration system ensures that the information provided is reliable and readily accessible to users, both public and private parastatals, including citizens, to meet their needs such as authentication of legal interest in land (Ekemode et al., 2017). To achieve an effective land registration system, it is pertinent to regularly improve the system to meet the needs of the users. Some countries have continued to improve their land registration system to meet needs of users (Krigsholm et al., 2017), however, the situation has been different in some developing countries like Nigeria. The problems with Nigeria's land registration system is twofold, first, information is not available in most cases. Less than 3 percent of the land in Nigeria is formally registered (Ghebru et al., 2014). Most of the land has never been surveyed, nor is there any documented evidences to support ownership or rights claim. This reveals the problem of coverage, one of the critical requirement of an efficient land registration system (Krigsholm et al., 2017). Secondly, where the information is available and the system employed, the functionality and use of the system is limited (Akingbade, 2005).

The presence of these problems highlights the apparent lack of effective land registration system in Nigeria. The ineffectiveness of the system hinders the realisation of the benefits of a 'sound' land registration system, such as protection and security of property rights, which can in turn contribute to poverty alleviation and overall economic development in Nigeria (Arnot and Meadows, 2006). Arnot and Meadows (2006) opined that the bureaucratic bottlenecks, corruption, and lack of technology and innovation are factors responsible for the ineffectiveness of the land registration process in Nigeria. In the same vein, Ekemode et al. (2017) identified high cost of registering a property, procedural problems, stringent requirements and inadequate infrastructures to be some of the significant factors preventing the land registration system from conforming to international best practices. Given the aforementioned factors, there is need for improvement of the land registration system in Nigeria.

Some of the main functions of the land registration system is to record and provide land information, and ensure that the data are up-to-date, reliable and available to potential users

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(Ojo, 2016). The potential users include public parastatals and private businesses or individuals. The latter includes the professionals and beneficiaries. Ghebru and Okumo (2017) identified the *professionals* as built environment or land-allied professionals¹ such as lawyers, architects, real estate surveyors and valuers, and land surveyors, working with land related issues. They usually belong to a regulated body and provide their services at a predetermined fee; and the *beneficiaries* are the landowners, which could be individuals, institutions or investors.

In the field of research of development of information system, ‘users’ are described as the “ultimate judge of a system’s utility”, and problems and solutions can be determined by communicating with them (McDoniel et al., 1993). Applying this idea to land registration system, which is also fundamentally an information system (i.e. land information system), will help to understand the important contributions that users can make to its improvement. In addition, in the field of land administration, more attention have been drawn to utilization of users’ oriented land administration system, as exemplified in the introduction Fit-For-Purpose land administration system (see Enemark et al., 2014). Furthermore, a recent study have stressed the importance of understanding of the needs and expectations of users of the land registration system (Krigsholm et al., 2018). This suggests that consultation of users are in fact pertinent to facilitating effective and efficient land registration system. Hence, adopting a service-oriented approach to solving the problems of land registration system in Nigeria would be insightful. Several studies have also examined the problems of land registration system in Nigeria, from the perspective of the users. Thontteh and Omirin (2015), Ojo and Adebayo (2012), and Ekemode et al., (2017) have examined the factors influencing the land registration system using Lagos State, Ondo State and Osun state respectively. Nevertheless, a study examining ways to improve the system from the user’s perspective is still lacking.

Hence, this paper aims to supplement these efforts towards improving the land registration practices in Nigeria, and possibly other developing countries. However, it does so with special focus on Lagos State land registry, and from the perspective of land-allied professionals operating within the State. The *land-allied professionals* are targeted because they often act as agents between their numerous clients and the land registry, and this provide them with recurring experiences with the registry compare to *beneficiaries* who may be visiting the registry just for few times. To achieve the purpose of this study, the following research questions are asked;

- What are the perceived challenges of land registration system in Lagos state?
- What kinds of needs exist for improvement of the land registration system in Lagos state?

Targeting qualified land-allied professionals who have first-hand experience with the Lagos State land registry to answer the first research questions, we collect information on the problems they face at the registry in respect of property registration. For the second question, we collect information on perceived ways by which the land registration system can be improved. The study identifies the challenges of effective land registration system in Lagos State, and strategic ways to overcome the identified challenges from the viewpoint of the users.

¹ Subsequently, we only use ‘land-allied professionals’ for the rest of the paper.

One of the main contribution of this study is the introduction of user-oriented approach to solving the problems of land registration system, which can be useful to achieving an effective land registration system in Lagos State, and can be applied on a wider scale to all Nigerian States and other developing countries as well. The rest of this paper proceeds as follows. The next section gives a review of previous studies examining issues with land registration system from the point of view of developing countries, followed by the next section that offers an overview of the methodology adopted for this study. The subsequent section presents the results of data analysis, followed by discussion section. Finally, the conclusion of the study is provided.

2. LITERATURE REVIEW

Land registration “is the process of recording legally recognized interests (ownership and/or use) in land” (McLaughlin and Nicholas, 1989 quoted from Zevenbergen, 2002). Land registration ensures that the rights subsisting on a land/property is guaranteed including subsequent legally recognised transactions regarding those rights (Ekemode et al., 2017). Land registration formalizes land/property rights, which facilitates the security of the rights therein. Earlier studies have highlighted the benefits of tenure security arising from land registration, such as enabling access to formal credit, and promoting increased investment in land, whilst enabling greater efficiency of land market (Feder and Nishio, 1998; Holden et al., 2011), and increasing productivity (Holden et al., 2009). However, these benefits may not be realized unless the land registration system is efficient and effective. Ekemode et al. (2017) described land registration system as involving “the authentication of the ownership of, or a legal interest in a parcel of land”. It is important for recording and accessing land information on ownership, value and use of land (Arnot and Meadows, 2006). Several groups of users, ranging from individual to collective real estate investors, banks, insurance companies, public parastatals and various land-allied professionals (Krigsholm et al., 2018), use the information recorded in the system. However, in most emerging economies, like Nigeria, the presence of ineffective land registration system is obvious. For instance, the land registration system in Nigeria ranked 184th out of 187th according to the World Bank Doing Business (2019). According to the ranking, Nigeria has one of the highest number of procedures, cost and time taken to register property, with a low land administration index and registering property score, compared to the Sub Saharan African average and her counterparts like Rwanda.

Researchers have examined the factors influencing land registration system in developing countries. Binswanger et al, (1995) suggested that high transaction cost and bureaucratic processing are some of the issues with land registration and titling, which put smallholders at disadvantage and contribute to inadequate economic growth. In addition, they observed that the lack of institutional and political will are part of the problems influencing effective and transparent land registration system in developing countries. In the same vein, Feder and Nishio (1998) examined the benefits of land registration to economic growth, focusing on several third world countries in Asia, Latin America and Africa. The study enumerated several essential factors for effective land registration. The factors include cost of transaction for land registration, simplicity of the procedures and speed of registration, ease of access to the land registry and the transparency of the land registry activities, which are lacking in some

developing countries. Törhönen (2004) identified inadequate land policy, ambiguous land administration organisation and duties, prevalence of informal land administration, and low resources as some of the key issues that affect sustainable land registration in developing countries. The study further emphasized that to establish and maintain a viable land registration system in developing countries, there is need for good governance, adequate resources and culturally sensitive approach, equity and commitment. Similarly, Ahene (2009) attributed the ineffectiveness of land registration system in Uganda to inadequate technical infrastructure. The field study indicated that the information are manually managed by the land registry, and this results in frustrating title search, slow and cumbersome service delivery, which sometimes affects the reliability of the information produced by the registry. These problems, which are also visible in some other African countries, have been identified as significant barriers to land investment and effective development of land market (Ahene, 2009).

In Nigeria, several studies have also investigated various factors affecting the land registration system. Arnot and Meadows (2006) investigated some of the issues associated with land registration in Nigeria. They claimed that some of the factors includes poor state of infrastructure, deficiencies in available maps, and inadequate technical and human capacity. Some of the physical infrastructures are run-down, basic office tools are either unavailable or are inappropriate for the tasks, registration systems are manual and totally paper based, which easily exposes documents to possibility of malpractices and mutilation (Arnot and Meadows, 2006). The poor state of the land registration system have been ascribed to be the cause of underdevelopment (De Soto, 2000; Nubi and Ajoku, 2009). Nubi and Ajoku (2009) equally identified the high cost of transaction, cumbersome and slow procedures of registration facilitated by the Land Use Act 1978, and multiplicity of the institutions responsible for land registration, as the factors influencing land registration system in Lagos State, Nigeria.

Recording land information and making the information available to potential users are some of the important functions of the land registration system. Consequently, some studies have tended towards examining land registration system from the perspective of the users in Nigeria. Ojo and Adebayo (2012) examined the user's performance evaluation of Ondo State land registry using factor analysis approach. They noted the poor state of the land registry and identified factors that affect its performance from users' perspectives. These factors include efficiency of the service provided by the registry, the competence and strength of the staffs, suitability of the organisational structure, impact of bureaucracy in service delivery, environmental quality and cost of service provided (Ojo and Adebayo, 2012). Likewise, Ojo (2016) performed an assessment of the end-users satisfaction of the same land registry (Ondo State land registry). The study established high level of end users' dissatisfaction with the services provided by the registry. Some of the factors recognised are lack of transparency and accountability, use of obsolete technologies, long waiting period and inadequate equipment, materials and personnel (Ojo, 2016).

In addition, a recent local study by Thontteh and Omirin (2015) examined the reformed Lagos State land registry. They identified key features of the land registration system to address the effectiveness of Electronic Document Management System (EDMS) in land registration. Thontteh and Omirin (2015) argued that the EDMS has increased the confidence of the users

in land related transactions, centralized and consolidated storage of land information, and made it available and accessible online. However, the EDMS has not facilitated land-boundary dispute resolution and has not significantly increased the number of application processed. These results were attributed to problems of land registration such as, lack of institutional framework, ambiguous legal framework and inadequacy of technical skills and competent staffs. In a more recent study from the perception of users, Ekemode et al. (2017) examined the land registration process in Osun State Nigeria. The study identified twenty-one factors influencing land registration in Osun State. These factors were simplified into four components such as issues bordering on financial considerations, procedural issues relating to processes and stages of land registration, documentation issues and issues related to land registry personnel and infrastructures. Emanating from the above review of existing literature, it is apparent that most of the studies have focused intrinsically on the problems of land registration system in Nigeria, even those that examine user's perspectives. Hence, this study aim to complement the literatures by examining users' perspective on ways to improve the land registration system.

3. THE STUDY AREA-LAGOS STATE

Lagos State is located in the south-western part of Nigeria, and lies approximately on latitude 6°35'N longitude 3°45'E. It is the economic and commercial centre of Nigeria (Ekemode et al., 2017). Lagos state is the smallest state in terms of landmass, with a surface area of 3,474km². However, according to the Nigeria population census conducted in 2006, Lagos State is the second most populous state in the country with more than 9 million people (NPC, 2014).

The law governing land in Nigeria is the Land Use Act 1978. The implementation of the Act was made the responsibility of each State in the federation. The urban and rural lands were to be administered by the Governor and Local Government of each state respectively. However, in 1980, all land within Lagos State was declared urban, placing the administration directly under the Governor, who must grant consent prior to any form of alienation of land rights (Nubi and Ajoku, 2011). Hence, all land administration activities are centralized in the capital city–Ikeja, and performed by the Lagos State Land Bureau.

3.1. Lagos State Land Registry

The land registry is a department under the Lagos State Land Bureau. It has one of the oldest land registration documents from 1863 during the colonial period when Lagos was administered alongside Ghana, formerly Gold Coast. The Lagos State land registry is “saddled with the responsibility of keeping an up-to-date record of land transactions in the state”², and it is the only government agency that is empowered by the law to store registered documents relating to land according to the Lagos State Lands Registration Law 2015. Both deed and titling systems are in operation in the state (Thontteh and Omirin, 2015). Some of the land instruments under the jurisdiction of the Lagos State land registry included deeds of assignments, leases,

² Information retrieved from Lagos State official website. <https://landsbureau.lagosstate.gov.ng/directorate-of-land-registry/> [Accessed September 12, 2019].

sublease, mortgages, releases and assets, orders of court/judgements, purchase receipts, and certificates of occupancy among others (Thontteh and Omirin, 2015).

In January 2005, a comprehensive project was embarked on to reform the land registry. The project aimed to improve the working environment of the land registry through total refurbishment, digitalize the land documents and make it easily accessible to the users (Arnot and Meadows, 2006). The introduction of the EDMS is expected to promote security of land title, improve revenue generation for the state, improve the reliability of the land information and simplify land related transaction, and simplify land registration procedures (Arnot and Meadows, 2006). Currently, the Lagos State land registry is one of the most advanced land registration system in Nigeria (Arnot and Meadows, 2006; Ghebru and Okumo, 2017), and has been considered a forerunner in the development of land registry in Nigeria. Other states in Nigeria have seen the improvement and planned similar reform of their land registries³. However, despite the reform project undergone to improve the effectiveness of the registry, some of the problems still persist, which makes Lagos State an interesting case study.

3.2. Overview of procedure of land registration in Lagos State.

Certificate of occupancy (C of O) is granted to landowners for first registration of a property, while subsequent transaction on same property only requires Governor's consent⁴. Processing a C of O or obtaining Governor's consent involves same procedures, however, the application for C of O must be advertised in national newspapers for 21 day (Nubi and Ajoku, 2011). These are part of the major functions performed within the Lagos State land registry.

Registering property in the Lagos State land registry requires at least 12 procedures⁵. The procedures are performed by at least six agencies, which include the land registry, accredited banks, Directorate of Land Services, Surveyor General's office, Internal revenue services, Stamp duties office, and a representative (land-allied professional). First, the buyer/owner or the representative makes an application for property title search to the registry to ascertain that there is valid rights to the property, and there are no encumbrances or overriding interest subsisting on the land. Subsequently, the respective parties (assignor and assignee) execute a Deed of Assignment and the Land Form 1C. The Deed is a legal instrument conveying the property rights from one person to another, and the Land Form 1C is a document obtained from the registry to be duly signed by both parties and notarized.

Afterwards, the applicant makes an application to the registry to obtain certified true copies of title document or survey plan coupled with sworn affidavit of the purpose to support application. Upon obtaining the copies, advice on payments is obtained from the revenue office and the applicant makes payment to the accredited bank. After payment has been confirmed, the receipts issued by the bank is submitted along with the application for Governor's consent,

³ Beating a track through the land rights maze: Land Registry reforms in Lagos. Available at: http://www.sparc-nigeria.com/RC/files/5.4.4_Land_registry_reforms_in_Lagos.pdf [Accessed September 3, 2019]

⁴ By virtue of the Land Use Act 1978, the Governor grants statutory right of occupancy (C of O) and the consent of Governor must be sought prior to any further transaction in respect of the subject land.

⁵ According to World Bank doing business report (2019). Available at www.doingbusiness.org

to the Directorate of land services. The application for the Governor's consent is accompanied with some of the aforementioned documents such as the Deed of assignment, the Land Form 1C, receipts of payments and other mandatory documents⁶. At this point, a reference number is given to the application. Simultaneously, charting of the survey plan is done at the Surveyor general's office, to ensure that the plan was prepared in accordance with the survey rules and that the property is free from any encumbrances (and 21 days advertisement for application of C of O). However, if the survey plan does not meet the expected requirements or has some encumbrances, a "*notice of query*" is sent to the applicant to act on. Otherwise, the assessment of the true value of the property is done and the applicant is issued with demand notice of the fees to be paid. The payments are to be made by the applicant to the respective banks and evidence of payments is presented at the land registry.

After the confirmation of the payments of the fees by the land registry, the file containing documents of the subject property is forwarded to the authorised personnel to grant the Governor's consent. Next, the consented Deed are handed over to the applicant, who then proceeds to stamp the Deeds at the Stamp Duties Registry, and subsequently follow-up on filing the Deed into the land registry. This process may take more than 120 days to complete for Governor's consent (Thontteh and Omirin, 2015), and around nine months to three years for C of O (Nubi and Ajoku, 2011).

4. METHODOLOGY

4.1. Method and data collection

A qualitative research method is employed for this study. The study used a hybrid of snowball sampling and purposeful sampling method in data collection. The reason is to ensure access to professionals with rich experience with the land registry, and the ability to provide relevant and in-depth information (Mack et al, 2011).

Initially, the snowball sampling was used by distribution of online questionnaires to three familiar land-allied professionals who were then asked to respond and forward same to their colleagues. The online questionnaire was left opened for the period of June to July 2019, however, the method yielded only a handful of data (7 responses). Predicting the possibility of low response from the online questionnaire, the purposeful sampling method was subsequently employed. This was done by using a proxy who was physically present at the premises of the land registry in July 2019. The proxy approaches land-allied professionals visiting the registry as part of their work duties. The purpose of the questionnaire was explained to the participants, and the listed questions were asked from willing participants whilst the proxy fills the information directly into his PC. This method yielded additional 28 responses. In total, 35 responses were received, however, 32 responses were found suitable for analysis.

The data was collected using structured open-ended questionnaires. This is to obtain richness of responses that can be achieved by using open-ended questions, and the opportunity for respondents to comment freely (Sekaran, 2003), which is important for this study, compared to

⁶ Information on required documents from, <https://landsbureau.lagosstate.gov.ng/directorate-of-land-registry/>

other forms of enquiry. The questionnaire was divided into two sections; the first section inquired demographical information of the respondents. The second section inquired information on the problems faced in the registry and suggestions on how it can be improved. The data collected were analysed using thematic analysis to identify and interpret important themes that are relevant to answering the research questions.

4.2. Demographic characteristics of the participants

The overview of the demographic characteristics of the participants is depicted in Table 3. The highest number of respondents are the real estate consultants (53.13 percent and 25 percent) followed by lawyers and land surveyors representing 9.38 percent and 6.25 percent of the sample respectively. In addition, majority of the professionals are from real estate consulting firms (78.13 percent), followed by land surveying firms and law firms with 9.38 percent and 6.25 percent respectively.

Table 3: Demographic characteristics of the participants.

<i>Characteristics of participants</i>	<i>Frequency</i>	<i>% of response</i>
<i>Professional qualification</i>		
Real estate surveyor	8	25.00
Real estate valuer	17	53.13
Lawyer	3	9.38
Land surveyor	2	6.25
Others	2	6.25
Total	32	100.00
<i>Company</i>		
Real estate consulting	25	78.13
Land surveying	3	9.38
Law firm	2	6.25
Others	2	6.25
Total	32	100.00
<i>Academic Qualification</i>		
Ordinary National Diploma from Polytechnics (OND)	1	3.13
Higher National Diploma from Polytechnics (HND)	7	21.88
BSC	17	53.13
Postgraduate Diploma (PGD)	3	9.38
MSC	3	9.38
Others	1	3.13
Total	32	100.00
<i>Years of experience</i>		
0 – 1 year	0	0.00
2 – 4 years	19	59.38
5 – 8 years	7	21.88
9 + years	6	18.75
Total	32	100.00
<i>Frequency of visit</i>		
1 to 2 times/year	0	0.00
3 to 5 times/year	9	28.13
6 to 8 time/year	10	31.25
9 to 11 times/year	3	9.38
12 + times/year	9	28.13
No response	1	3.23
Total	32	100.00

5. RESULTS

5.1. Challenges of land registration practices in Lagos State land registry

As part of the open-ended questions, the professionals were requested to enumerate some of the problems faced at the Lagos state land registry. One of the major challenges emanating from the analyses of the data is related to the negligence, incompetency, corrupt practices and nonchalant attitude exhibited by the some of the staffs of the land registry towards their work. One respondent indicated “*propensity to commit fraud by stakeholders in land registration [sic]*”. The data reveals that some of the staffs request for bribe before they perform their duties. Respondents also noted that the incompetency and nonchalant attitude of some of the staffs sometimes result in the loss of vital documents in the registry. Other respondents decried the problem of unavailability of authorized personnel whose signature maybe needed to continue the processing of the land documents. This sometimes leads to increase in the time taken to register a property.

Another common challenge relates to the time and procedures for registering land/properties. A number of respondent identified the lengthy time taken to process land registration, coupled with rigorous and ambiguous procedures, are part of the challenges faced. A respondent noted “[s]ome of the problems I have faced has to do with the turnaround time”, and the procedures are sometimes encumbered with what a respondent tagged “unnecessary [notice of] queries” by the registry officials before the land registration is processed, which further results in delay and contributes to the long-time taken for land registration. This notice of query is sent to applicant especially when the survey plan does not meet the expected requirement as noted in the procedure section (Section 3.2).

Some respondents indicated the problem of inadequacy in land/property information. These respondents noted that some properties are not recorded in the database of the land registry, which makes accessing information on those properties impossible. Other respondent also noted that the land registration system is plagued with record mismanagement and inaccuracy in the information provided. According to a respondent, the information on a client’s “landed property came out with different name and different information [sic]”, another also stated that the information on “properties having different names on it”. Another problem identified by respondents relates to the government and its policies. Some of the respondents acknowledged that lack of adequate funding of the registry and changing government policy pose another challenge to land registration process. Other problems indicated include the out-dated analogue method used by the registry in providing their services, such as use of paper files that can sometimes be misplaced. In addition, a respondent noted the lack of strong collaboration between the land registry and the respective professional bodies in the state, such as the ‘Nigerian Institution of Estate Surveyors and Valuers’ (NIESV).

5.2. Strategies to improve the land registration practices in Lagos State land registry

Although there were diverse view of ways to improve the land registration process, most respondents suggest that competent personnel should be employed to work in the registry, such as “good IT oriented staff” as stated by one of the respondents. In same vein, periodical training of staffs was proposed by some respondents to be important to improving the land registration practices at the registry. A respondent emphasized that

*“[G]overnment should also make sure that **officers should be enlightened on what to check on the documents submitted** for the processing of title documents because too much of procedures delays the job [sic]”*

Also, recurring from the data is that staff should be enlightened on their functions, and there should be regular monitoring of the various stakeholders in the registry to prevent corrupt practices. Majority of the respondents perceived this would help to prevent the problems emanating from staffs’ incompetence, and facilitate the better performance of the personnel in the registry.

Quite a number of the respondents enumerated the need to employ the use of advanced or improved technology in the registry. Use of modern technology could facilitate the timeliness

of services provided and reliability of the information provided, and ensure that the record are up-to-date and easily accessible. For instance, one of the participants suggested, “[T]here should be an updated filling system whereby all land information will be computerized and made available on the public domain without having to come to the land registry physically”.

Another respondent suggested that the registry should “[h]ave an e-platform for processing request[s]” where the users can have the privilege to follow the processing stages of their documents online, without having to visit the land registry; these are consistent with the view of past studies.

Few respondents noted that there is need for the improvement of government policies concerning land registration in the State. The respondents suggest that flexible policies should be created to enable easy process of registering properties, such that land registration could be made obligatory for landowners. Some respondents also added that the government should ensure adequate funding of the land registry, another respondent also suggested the land registration system “*should be privatised*”. There are several ways by which privatization could be employed, this could be through privatization of some of the services provided by the registry through public-private partnership solutions. However, this could be a topic for further research, to examine how this strategy could be used to improve the land registration system.

6. DISCUSSION

The demographical characteristics reflects the distribution of the respondents of this study. Majority of the respondents are real estate consultants who work in real estate firms, which suggests that the data may reflect more of their views than the view of other land-allied professionals. This is an advantage for this study, since the real estate consultant’s specialty relates majorly to the subject of this study. In addition, the responses received from other professionals help to provide multidisciplinary views, which are also useful in this study. In addition, the responses show that majority of the land-allied professionals graduated from either a university or polytechnic suggesting they are well educated, this is not just specific to this study. Ojo (2016) noted a similar result in Ondo state, which suggests that they are legally competent to perform their professional services. Furthermore, majority of the respondents have less than 4 years’ experience in the profession, which may not be termed as a great wealth of experience. However, majority of the respondents have had several first-hand experiences with the land registry, and taking into consideration that they are educated suggests that they are users capable of providing reliable information.

As demonstrated in the previous section, several interesting findings regarding the challenges and ways of improving the land registration process at the Lagos State land registry emerged. Among the challenges noted by the users is that the incompetence, nonchalant attitude and corrupt practices among some of the registry staffs. This finding appears to be consistent with previous studies from Lagos State (Thontteh and Omirin, 2015), and from other states in Nigeria. For instance, Ekemode et al., (2017) identified corrupt practices and incompetence of the personnel saddled with the land registration as significant factors affecting land registration in Osun State. However, this finding is in contrast with Arnot and Meadows (2006) that

identified transparency and accountability as part of the benefit of the EDMS to the Lagos State land registry. This implies that the persisting lack of transparency coupled with inadequate professionalism within the registry have continued to cripple the effectiveness of the land registration system in Lagos State.

As noted by earlier literature, some of the essential factors for effective land registration are simplicity of the procedures and speed of registration (Feder and Nishio, 1998). However, respondent expressed dissatisfaction with the procedures and lengthy processing time taken to process land registration. This finding also appeared in studies from other states in Nigeria-Ondo (Ojo and Adebayo, 2012) and Osun State (Ekemode et al., 2017), which identified cumbersome procedures and speed of land registration delivery as some of the factors affecting effective land administration. Other challenges that emanated from the findings include the dissatisfaction expressed regarding unreliable information, which can be attributed to the lack of adequate facilities. However, the challenge of changing government policy identified by the users may be related to the effect of the changes brought about by the recently enacted Lagos State Land Registration Law 2015 on land registration. This may be a topic for future empirical study, to examine how the law affects land registration practices in Lagos State.

On the strategies to improve the land registration practices in Lagos State, the result proposed employment of professionals and training of staffs that manage the land registration services, this was also noted by past studies in another State in Nigeria. According to Ojo (2016), to overcome the challenges of dissatisfaction with the land registration system in Ondo State, there is need to employ professionals with sufficient knowledge to manage and coordinate the land registration services. To improve the land registration system in respect of time, procedure and reliability of land information, the results suggested the use of advance information and technological facilities in the registry such as use of electronic platforms for processing land registration requests (even within the registry), and making the information remotely accessible to users via the internet. This finding emphasizes the significance of digitalization and computerization as noted by Ekemode et al., (2017) and Arnot and Meadows (2006) that the adoption of appropriate technologies at the land registry could considerably improve the land administration processes in developing countries.

Other strategies according to the results include proper funding of the land registry and reform of government policy on land registration. There is need for government to fund regularly the operations of the registry to promote its effectiveness. By financially empowering the land registry, the land registry could be able to make proactive response to challenges (Ojo, 2016), and improve its working environment (Ekemode et al., 2017), which can promote the efficiency of the land registration process. Finally, the results suggest the need for government to improve the policy governing the land registration system. However, this could relate in a larger scale to the law governing land in Nigeria, Land Use Act 1978, which has been severally criticised for its negative effects on land registration system in the country. For instance, Nubi and Ajoku (2011) criticised the cumbersome procedures required by the law before a property can be transferred or registered. For this reason, it is essential that the law is reviewed with a view to ease land registration process, in order to promote effective land registration practices in Nigeria.

7. CONCLUSION

In the field of land administration emphasis has shifted towards user-oriented land administration system, both in the developed and emerging economies. The effectiveness of land registration system depends on how well it meet the needs and expectation of its users. Effective land registration system is essential for good governance and can promote poverty alleviation. However, with the obvious lack of effective land registration system in some developing countries like Nigeria, the necessity of identifying ways to improve the system, particularly from the perspectives of the users, becomes indispensable. Consequently, this paper examined the challenges and the needs that exist for improvement of the land registration system in in Lagos State Nigeria, from the perspective of the land-allied professionals.

The study supports the theory that users' consultation is relevant to improving land registration system, as several interesting findings emerged from the data. Using a qualitative research method, the study identifies the challenges of land registration system in Lagos State, which includes corrupt practices and incompetency of personnel, cumbersome procedures and lengthy time taken to obtain required service, reliability of the information provided and government policy. To improve the land registration system in Lagos State, the study suggested the employment of competent professionals and regular training of staffs on quality service delivery, use of appropriate modern technology and improved facilities, improved government policy to ease land registration and adequate funding be channelled towards the improvement of the land registration system.

One of the main contribution of this study is the introduction of a user-oriented approach to solving the problems of land registration system in Nigeria. Unlike earlier studies that focused implicitly on users' perceive of the problems, this study takes a step further by soliciting user perspective on ways to make land registration process more effective. In addition, this study underscores the idea that paying attention to users, and effectively meeting their needs are ways to promote the effectiveness of land registration systems in Nigeria. However, there are a few limitations to this study concerning the perspective of the land-allied professional collected for this study. Although, it can be argued that the professionals are major users of the system since they deal regularly with the registry, but future studies could implore the perspective of other user groups such as landowners who do not seek professional services. This could provide more views into issues that were not covered by the professionals (like transaction cost).

In conclusion, the results from the analysis also suggest that changing government policy in Lagos State poses a challenge to the land registration process. Further studies are necessary to evaluate how the new government policy (e.g. Lagos State Land Registration Law 2015) affects the land registration process in the state. Furthermore, in view of the results that emanated from this study, further study using other States as case study will be relevant to determine similarities or otherwise. In addition, our results noted privatization of some part of the registry's services, which could be by means of public-private partnership. Future empirical studies is needed to examine how this strategy can be used to improve land registration system.

REFERENCES

- Ahene, R. A. (2009). Measures to improve access to land resources and related benefits in Uganda. In World Bank/FIG Conference on Land Governance in Support of the MDG's: Responding to New Challenges, Washington, DC.
- Akingbade, A. O. (2005). Improvement of Availability of Land Registration and Cadastral Information in Ondo State, Nigeria. Unpublished master dissertation submitted to International institute for Geo-information science and earth observation. Netherlands.
- Arnot, B. & Meadows, J. (2006), "Reforming the land registration process in Nigeria", Proceedings of Promoting Land Administration and Good Governance 5th FIG Regional Conference, Accra, 8-11 March.
- Binswanger, H. P., Deininger, K., & Feder, G. (1995). Power, distortions, revolt and reform in agricultural land relations. *Handbook of development economics*, 3, 2659-2772.
- Byamugisha, F.K. (1999). The Effect of Land Registration on Financial Development and Economic Growth: A Theoretical and Conceptual Framework. World Bank Policy Research Working Paper No. 2240.
- De Soto, H. (2000). *The mystery of capital: Why capitalism triumphs in the West and fails everywhere else*. London: Bantam Press.
- Ekemode, B. G., Adegoke, O. J., & Aderibigbe, A. (2017). Factors influencing land title registration practice in Osun State, Nigeria. *International Journal of Law in the Built Environment*, 9(3), 240-255.
- Enemark, S., Bell, K., Lemmen, C., & McLaren, R. (2014). Building fit-for-purpose land administration systems. In *Proceedings of the 25th FIG international congress*(pp.16-21).
- Feder, G., & Nishio, A. (1998). The benefits of land registration and titling: economic and social perspectives. *Land use policy*, 15(1), 25-43.
- Ghebru, H., & Okumo, A. (2017). Land administration service delivery and its challenges in Nigeria: A case study of eight states (Vol. 39). Intl Food Policy Res Inst.
- Ghebru, H., Edeh, H., Ali, D., Deininger, K., Okumo, A., & Woldeyohannes, S. (2014). Tenure security and demand for land tenure regularization in Nigeria: Empirical evidence from Ondo and Kano states (Vol. 25). Intl Food Policy Res Inst.
- Holden, S. T., Deininger, K., & Ghebru, H. (2009). Impacts of low-cost land certification on investment and productivity. *American Journal of Agric. Economics*, 91(2), 359-373.
- Holden, S. T., Deininger, K., & Ghebru, H. (2011). Tenure insecurity, gender, low-cost land certification and land rental market participation in Ethiopia. *The Journal of Development Studies*, 47(1), 31-47.
- Krigsholm, P., Zavalova, S., Riekkinen, K., Ståhle, P., & Viitanen, K. (2017). Understanding the future of the Finnish cadastral system—A Delphi study. *Land use policy*, 68, 133-140.
- Krigsholm, P., Riekkinen, K., & Ståhle, P. (2018). The changing uses of cadastral information: A user-driven case study. *Land*, 7(3), 83.
- Mack, N., Woodsong, C., MacQueen, K. M., Guest, G., & Namey, E. (2005). *Qualitative research methods: a data collectors field guide*.
- McDoniel, P. L., Palko, J., & Cronan, T. P. (1993). Information systems development: issues affecting success. *Journal of Computer Information Systems*, 34(1), 50-62.
- National Population Commission. (NPC) (2014). Report of Nigeria's National Population Commission on the 2006 Census, 2006.

- Nubi, G., & Ajoku, C. (2011). Nexus between effective land management and housing delivery in Lagos. *Environment and Urbanization*, 23(1), 285-303.
- Ojo, B. (2016). Evaluation of End-Users' Satisfaction on Land Title Registration Process in Akure, Nigeria. *Covenant Journal of Research in the Built Environment*, 2(2).
- Ojo, B., & Adebayo, M. A. (2012). A factor analytic approach to users' performance evaluation of Ondo state land registry. *Theoretical and Empirical Researches in Urban Management*, 7(4), 72-82.
- Sekaran, U. (2003). *Research Methods for Business: A Skill Building Approach Fourth Edition*. New York: John Willey & Sons.
- Thontteh, E. O., & Omirin, M. M. (2015). Land registration within the framework of land administration reform in Lagos state. *Pacific Rim Prty. Research Journal*, 21(2), 161-177.
- Törhönen, M. P. (2004). Sustainable land tenure and land registration in developing countries, including a historical comparison with an industrialised country. *Computers, environment and urban systems*, 28(5), 545-586
- World Bank, (2019). *Doing Business Report*. Available at: <https://www.doingbusiness.org/> (Accessed 30 June 2019).
- Zevenbergen, J. (2002). *Systems of land registration aspects and effects*. Publications on Geodesy, 51.

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