

SPONSORS OF THE BILL FOR MIXED-INCOME HOUSING IN LAGOS STATE

HEINRICH BÖLL STIFTUNG, ABUJA NIGERIA

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Draft Bill prepared by Barr. Francis T. Ochei ACIS, Deputy Registrar and Head of Legal Unit, Veritas University, Abuja; on behalf of HEINRICH BOLL STIFTUNG, ABUJA NIGERIA and ARCTIC INFRASTRUCTURE, LAGOS, NIGERIA.

A BILL
FOR
MIXED-INCOME HOUSING DEVELOPMENT IN LAGOS STATE

Sponsored by:

[] Commencement

ENACTED by the Lagos State House of Assembly as follows:

Section

1. Establishment of Mixed-Income Housing in Lagos State
2. Definition of Mixed-Income Housing
3. Purpose of the Mixed-Income Housing
4. The Goals of Mixed-Income Housing
5. Objectives of Mixed-Income Housing
6. Guiding Principles
7. General duty to Promote Mixed-Income Housing
8. Power to Make Policy for Mixed-Income Housing
9. Meaning of Income
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11. Prohibition of Speculative Land Sales and Purchase
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MIXED-INCOME HOUSING DEVELOPMENT BILL OF LAGOS STATE

A Bill for a Law to provide for the statutory establishment of Mixed-Income Housing Development in Lagos State and for matters connected therewith.

1. Establishment of Mixed-Income Housing Development Bill of Lagos State

There shall be established a Law to be known as the Mixed-Income Housing Development Law of Lagos State.

2. Definition of Mixed-Income Housing

- 1) For the purpose of this Bill, Mixed-Income Housing shall refer to housing with differing levels of affordability to market-rate housing which shall be available to all income groups resident in Lagos State.
- 2) It shall apply to housing for people with diverse income classifications in Lagos State.
- 3) It shall apply to housing that is available to low-income residents in Lagos State.
- 4) The percentages at which mixture in housing projects occurs shall vary as may be approved by the Lagos State Ministry of Housing.

3. Purpose of the Mixed-Income Housing Bill

The Mixed-Income Housing Bill of Lagos State is established-

- 1) To resolve the deficit of housing affordable to low income groups in Lagos State by making it statutory for mixed housing policies to be introduced in real estate projects in Lagos State.
- 2) To develop appropriate measures for sustainable development in the housing sector that is equitable, socially diverse and inclusive for all persons resident in Lagos State.
- 3) To create policy frameworks, financial mechanisms and spatial strategies that support class and income mixture with regards to housing and infrastructure within Lagos State.
- 4) To regulate the use of public land for housing in Lagos State in order to abate the appropriation of land for private residential development exclusive for persons in the high-income bracket.
- 5) To improve low-income residents' access to public amenities and infrastructure.
- 6) To improve access of women to public amenities and infrastructure

4. Goals of Mixed-Income Housing

- 1) To evolve a housing development system for Lagos State that is inclusive, equitable, sustainable, economically vibrant, gender-friendly and safe for all people residing in the State irrespective of social class or standing.
- 2) To aid in resolving the housing deficit of Lagos State by promulgating policies that provide for adequate mixed-income housing on lands designated for residential use in Lagos State.
- 3) To promulgate policies that prohibit speculative profiteering in the sale of available public land in Lagos State.
- 4) To increase the social capital for the lowest socio-economic groups resident in Lagos State.
- 5) To develop an avenue that prohibits discrimination especial against marginalized groups like single mothers, widows, elderly and PLWD from low-income communities.

5. Objectives of Mixed-Income Housing

The objectives of the Mixed-Income Housing shall be to-

- (a) Achieve successful and sustainable mixed income housing in Lagos State through the alignment of mixed communities within the urban development process in Lagos State,
- (b) Empower the Lagos State Ministry of Housing to develop and implement policies for subsidized mixed income public housing in the State.
- (c) Empower the relevant Lagos State Ministries, Departments and Agencies to create flexible zoning and density regulations in the State and encourage the development of mid-rise housing to achieve higher densities on available public land in the State.
- (d) Ensure that Lagos State Ministry of Housing develops gender-specific measures to improve and promote sustainable, inclusive and equitable public housing delivery
- (e) Ensure that public housing contracts awarded by the Lagos State Government to private developers meet ecological efficiency, social mixture, gender-sensitive and affordable rent levels at anticipated cost of construction.
- (f) Empower the Lagos State Ministry of Housing through its agencies, departments and existing housing schemes to offer low-interest financing with long term loan repayments to private developers in order to maintain the affordability of mixed housing.

- (g) Empower the Lagos State Ministry of Housing to mandate private developers that collaborate with the State Government through Public-Private Partnerships for the provision of affordable housing to rent a minimum of 15% of new apartments to low and moderate-income households.
- (h) Empower the Lagos State Ministry of Housing in accordance with relevant provisions of the Tenancy Law of Lagos 2011 to regulate rent for mixed-income housing in order to maintain affordability.

6. Guiding Principles

In making mixed-income housing statutory in Lagos State, the following guiding principles shall be crucial in providing clear strategic direction for its implementation:

(a) *Integration:*

- (i) Mixed-income housing shall foster social mixture in the State through the integration of affordable housing units in the development of housing for residents of diverse income classifications in Lagos State.
- (ii) Affordable mixed-income housing projects shall include the provision of amenities and communal spaces to serve all households.
- (iii) Mixed-income housing projects shall create affordable units for low-income earners that are well integrated and generally indistinguishable from the market-rate units in such projects,

(b) *Location:*

- (i) All mixed-income housing shall be located in areas that are accessible to public transport and services for food and shopping to ease mobility for the lower income residents.
- (ii) The Lagos State Ministry of Housing shall reserve the right and power to approve all Government funded projects of mixed-income housing that are accessible to public transportation.
- (iii) The Ministry shall plan for a sustainable mix of occupants of mixed-income housing to achieve a good social balance and healthy mixture.

(c) *Maintenance:*

- (i) Mixed-income housing shall maintain neighbourhood diversity in order to keep high opportunity areas affordable to low and moderate-income households.
- (ii) Mixed-income housing shall have on-site professional management and maintenance in place to attend to the maintenance of shared facilities.

(d) *Participation:*

- (i) Mixed-income housing shall allow for the participation of residents (including marginalized groups like single mothers, widows, elderly, PLWD) of diverse income classifications in the State to form communities that include diverse types and background.
- (ii) In the distribution of affordable units in mixed-income housing projects, special consideration shall be given to single parent families (especially single mothers), widows and PLWD

7. General Duty to Promote Mixed-Income Housing

- 1) The Lagos State Ministry of Housing must carry out its relevant functions with a view to promoting mixed-income housing development in the State.
- 2) All departments and agencies of the Lagos State Ministry of Housing shall have regard to any policy guidance given by the Ministry in carrying out that duty.

8. Power to Make Policy for Mixed-Income Housing

- 1) The Ministry shall have the powers to make regulations and policies for mixed-income housing development in Lagos State; and such policies may be made in form of mixed-income housing criteria.
- 2) Mixed-income housing criteria shall mean the criteria, specified by the Ministry that relate to the development of different types of mixed housing in the State by private registered home providers and estate developers.
- 3) The criteria may be expressed by reference to other documents or building designs/proposals as may be approved by the Ministry from time to time.
- 4) In making any policy, the Ministry shall publish such policy and or mixed-income housing criteria.
- 5) Before making any policy under section 8 of this Bill that relates to mixed-income housing within any local housing area the Ministry shall consult with the residents of the area, representatives of the local authorities and relevant professional bodies as appropriate.

9. Meaning of Income

- 1) The Ministry shall rely on periodic publication of the Lagos State Households Survey or the prevailing minimum wage to set the benchmark and definition of what is meant by high-income, middle or moderate-income and low-income for the purposes of this Bill,
- 2) The Ministry shall make provision about how a person resident in Lagos State income is to be calculated.

- 3) Any regulation made under this section in particular shall —
 - (a) Define high income, middle or moderate-income and low-income in different ways for different areas of the State;
 - (b) Specify items that are, or are not, to be treated as income;
 - (c) Make provision about the period by reference to which a person's income is to be calculated which may be a period in the past;
 - (d) Make provision about how a person's income is to be verified;
 - (e) Require a person's household income, as defined by the regulations to be taken into account.

10. Rate of Mixed Income Housing

- 1) For the purpose of this Bill, mixed-income housing shall apply to estate development on land measuring five (5) hectares and above in Lagos State.
- 2) A minimum of twenty (20) percent of the plots shall be reserved and earmarked for constructing affordable units in buildings and developments of more than 50 housing units.
- 3) (a) Arising from sub section (2) of this section, 20% of housing units shall be offered to the Housing Cooperative groups or other affordable housing associations for affordable housing schemes.
(b) From the 20% offered to the Housing Cooperative groups or other affordable housing associations, a minimum of 15% shall be reserved for workers of moderate-income and class while a minimum of 5% shall be reserved for the low-income class.
- 4) Notwithstanding the provisions in subsection (2) and (3) of this section, where a further study of local market conditions and community engagement arise, the Lagos State Ministry of Housing shall reserve the right to adopt a different sustainable rate of mix at any time.

11. Prohibition of Speculative Land Sale and Purchase

- 1) The Ministry shall make policy to avoid speculative sale and purchase of land without the intention of developing it and such policy shall be implemented to prevent an inflated hike in the value of land, reduce the un-affordability of housing as well as bridge the housing deficit in Lagos State.
- 2) Pursuant to subsection (1) of this section, residential land left undeveloped within Lagos State shall accrue a tax relative to the value of the land every two (2) years.
- 3) Taxes accrued from undeveloped land shall be paid into Lagos State Affordable Housing Development Fund or any Government Housing Investment Fund as may be approved and directed by the Ministry.

- 4) Notwithstanding the provisions of sub section (2) of this section, the Lagos State Ministry of Housing shall reserve the right and power to waive or dispense with any tax due or accrued under this section.

12. Prohibition of Sale of Affordable Units of Mixed-Income Housing

- 1) Affordable units in mixed-income housing projects shall be sold only to Cooperative groups or other affordable housing associations registered and recognized in Lagos State.
- 2) Members of Cooperative groups or other affordable housing associations who are beneficiaries of the affordable units under mixed-income housing projects may only transfer or sell their share to other members of the Cooperative groups or associations they belong to.
- 3) This policy is promulgated to avoid speculative reselling at market value.

13. Policy on Rent Control

- 1) The Lagos State Ministry of Housing shall reserve the right to control the rent of all mixed-income housing that is retained by the Government and leased to low-income residents under section (10) of this Bill in order to maintain long term affordability relative to monthly earnings.
- 2) The power to set rent vested in the Lagos State Ministry of Housing in sub section (1) of this section shall include the power to set the minimum and maximum rent payable by the beneficiaries of the affordable units in mixed housing projects.

Rent
Control

14. Beneficiaries of Mixed-Income Housing

The beneficiaries of mixed-income housing shall include but not limited to the following:

- 1) Residents of Lagos State, which shall include persons who fall into the low and middle-income group of the State, gradually the percentage of mixed-income housing allocated to women, especially single mothers, widows and elderly will increase.
- 2) Cooperative Groups or other Affordable Housing Associations.
- 3) Real Estate, Housing and other Allied Industry players.

15. Stakeholders of Mixed-Income Housing

The relevant stakeholders in mixed-income housing shall include:

- (a) The Lagos State Ministry of Housing
- (b) Mortgage Banks and Microfinance Banks

Relevant Stakeholders

- (c) Real Estate Developers Association of Nigeria and other related associations and Housing Developers
- (d) Mortgage Refinance Companies
- (e) Other Ministries, Departments and Agencies (Lands and Physical Planning) of the Lagos State Government empowered by existing Laws of the State to engage in housing and development matters.
- (f) Professional Associations
- (g) Civil Society Organizations
- (h) Intermediary Agencies such as Trade Associations, Cooperative Societies and Labour Unions.
- (i) Beneficiaries of Mixed-Income Housing

16. Role of Stakeholders

1) Lagos State Ministry of Housing:

- (a) The Ministry shall implement the provisions of the Mixed-Income Housing Development Bill to ensure the inclusion of mixed housing development in the designs and development of housing projects in Lagos State.
- (b) The Ministry shall coordinate and monitor compliance of mixed-income housing in Lagos State through the development and issuance of policies and regulations.
- (c) The Ministry shall provide regulatory and facilitate legislative framework within which mixed-income housing development shall operate in the State.

2) Mortgage Banks and Microfinance Banks:

- (a) Mortgage Banks and Microfinance Banks shall facilitate lending of funds to housing developers and beneficiaries for mixed income housing.
- (b) They shall comply and operate along the guideline established by the Ministry of Housing for mixed-income housing in the State.
- (c) They shall mobilize savings from beneficiaries and support the process of creating mortgage culture for mixed housing development in Lagos State.

3) Real Estate Developers Association of Nigeria and Other Related Associations

Role of the Ministry

Mortgage and Microfinance Banks

- (a) They shall procure and adopt affordable mixed income housing designs, through the relevant Professionals, that motivate mass housing delivery in a cost effective manner and a scale that promotes aesthetic appeal of the State.
- (b) Secure development approvals for mixed-income housing within the framework of Lagos State's development plans.
- (c) Secure funding from available sources for the purpose of developing affordable mixed-income housing for pre-identified target beneficiaries.
- (d) Work closely with government agencies and the beneficiaries to ensure that affordable units in mixed-income housing developments are delivered to the specific pre-identified beneficiaries in a right manner and at the right time.
- (e) Provide awareness and capacity building/training on the inclusion of affordable mixed-income housing to housing developers within its fold.

4) Mortgage Refinance Companies

- (a) They shall provide the necessary safety net for all relevant transactions that will emanate from the utilization of funds from approved sources for mixed income housing.
- (b) Provide full insurance cover for the operations of any approved funding product by the Lagos State Ministry of Housing for any affordable mixed income housing programme.
- (c) Guard and manage the funding sector against financial risks and unprecedented debt.
- (d) Provide advisory and monitoring services on regular basis to ensure the success and sustainability of any mixed-income housing project of Lagos State.

5) Other Ministries, Departments and Agencies

Other Related
Ministries,
Departments and
Agencies

- (a) They shall assist in promoting and creating awareness for mixed-income housing in Lagos State.
- (b) They shall support the goals of establishing mixed-income housing by reducing the bureaucracy and expediting action on all land allocations and acquisitions for the purpose of delivering affordable mixed housing in Lagos State.
- (c) Advise and offer regular technical support services to the Ministry on how the goals and objectives of this Bill can be realised in a timely, efficient and seamless manner without creating an additional burden to the developers and beneficiaries.

6) Professional Associations

- (a) They shall assist and guide the housing developers and beneficiaries in submitting viable proposals for approval of mixed housing development projects in Lagos State.
- (b) Ensure that the successful funding application which bears professional recommendations are strictly utilized for the development of affordable housing units within mixed-income housing projects of Lagos State.
- (c) Participate in policy and performance assessment of mixed-income housing development in the State.

7) Civil Society Organizations

- (a) Civil Society Organizations shall participate in policy and performance assessment of the Mixed-Income Housing development Bill.
- (b) Support the Ministry to achieve affordable housing in Lagos State by mobilizing funding options for the housing sector and providing technical assistance to the implementation of this Bill.
- (c) They may offer advice and regular technical support services to the Ministry on how the goals of the Bill can be realised in a timely, efficient and seamless manner with the protection of stakeholders' interest.

8) Intermediary Agencies (Trade Associations, Cooperative Societies and Labour Unions)

- (a) They shall secure accreditation with the Ministry for the purpose of securing affordable housing allocation from mixed income housing projects for their respective members.
- (b) They shall compile and maintain a waiting list of members in need of affordable housing units from mixed income housing development projects.
- (c) Liaise and submit members' list to housing developers for the purpose of housing allocation.
- (d) They shall mobilize and retrieve repayments from the beneficiaries for remittance to any approved Government Fund as approved by the Ministry through mortgage and microfinance banks.
- (e) They shall provide organizational guarantee (irrevocable undertaking for payment or act as co-signor) for members who will benefit from the mixed income housing opportunities.
- (f) They shall provide a financial safety net for defaulting members, who are in occupation of affordable housing allocated to them from mixed housing developments.
- (g) Assist in the eviction process of members engaged in anti – social behaviour that can defeat the purpose of growing mixed communities or neighbourhoods.

Intermediary
Agencies

9) Beneficiaries (Households)

Requirement for Beneficiaries

- (a) The main beneficiaries of the affordable housing units of mixed-income housing shall be the low and middle income groups, especially single mothers, widows and the elderly, in the State organized through Intermediary Agencies such as Trade or Professional Associations or Cooperatives.
- (b) Beneficiaries shall access loans from mortgage banks or any approved Government housing funding programmes through the Intermediary Agency to which they belong.
- (c) Financial membership of an accredited Intermediary Agency shall be a pre-requisite for any beneficiary of the affordable housing units of mixed-income housing.
- (d) Ensure prompt repayment on a monthly basis on the loan taken for affordable housing of mixed-income housing development projects.

17. Value Chain of Mixed-Income Housing

- 1) The Ministry shall drive the mixed-income housing development policy and plan of Lagos State and shall mobilize resources from the State Government in conjunction with the private sector towards the provision of adequate affordable housing units under the mixed-income housing development projects of the State and the private sector for the benefit of residents of Lagos State.
- 2) The following shall constitute the value chain of mixed-income housing in the State:
 - (a) Allocation of land by the Ministry to private developers specifically for the development of mixed-income housing development projects in the State.
 - (b) Private developers design and build affordable and gender specific housing units within mixed-income housing development projects.
 - (c) Ministry approves designs, building and set rent control for mixed-income housing development projects in the State.
 - (d) Private developers allocate 20 percent of affordable housing units in mixed-income housing development projects to the Cooperative Groups or other affordable housing associations.
 - (e) Only Cooperative Groups or other affordable housing associations shall buy affordable housing units in mixed-income housing projects from private developers and the Ministry.
 - (f) Cooperative Groups or other affordable housing associations shall deliver affordable housing units in mixed-income housing projects to registered member beneficiaries.

- (g) Ministry shall monitor and track delivery of mixed-income housing to beneficiaries in the State.
 - (h) Ministry oversees impact assessment of mixed-income housing development in the State.
 - (i) Ministry may impose tax for undeveloped land within a period of two years.
- 3) The Ministry shall have the powers to make regulations for accessibility of funds by relevant stakeholders from any of the existing housing funding programmes for affordable housing in the State.

18. Financing Mixed-Income Housing

- 1) Mixed-income housing projects shall be financed through a mix of public and private finance.
- 2) It shall also be financed by private developers with private funds.

19. Incentive for Mixed-Income Housing

- 1) To achieve the goals and objective of this Bill the Lagos State Government shall provide for financing/funding schemes through Lagos State Affordable Housing Development Fund to developers for the development of affordable mixed-income housing.
- 2) The Lagos State Ministry for Housing shall lead the drive for all financial mechanisms and incentives to be made available to private developers to encourage them to embrace mixed-income housing development in the State.
- 3) Pursuant to sub-section (2) of this section, the following shall be incentives to private developers for mixed-income housing:

(a) The Ministry shall offer subsidized or free land to developers for mixed and affordable housing development projects.

(b) The Ministry shall, after due consultation with the Ministry of Finance and relevant stakeholders make necessary recommendations for approval of low interest rate long term loans of 0 - 2% interest rate to cover up to 35% of the project cost payable over 20 years for affordable mixed-income housing or as stipulated in the Lagos State Affordable Housing Development Fund.

(c) The Ministry may grant density bonuses which shall allow developers of mixed-income housing to build more units per acre than would normally be permitted to increase their profitability.

Land
Subsidization

Low Interest
Loans

Density
Bonuses

- (d) The Ministry shall have the power to offer tax abatements and incentives to developers providing mixed income and affordable housing in the State.

20. Pricing for Affordable Mixed-Income Housing

- 1) The Lagos State Ministry of Housing shall incentivize private developers to designate a minimum of twenty (20) percent of the units in any given mixed housing project at below market rate.
- 2) Notwithstanding sub section (1) of this section and section (10) of this Bill, the proportion of below market rate units a developer shall build may further depend on the size of the project.
- 3) Projects with hundreds of units in Lagos State may have steeper requirements for mixed-income housing as may be determined by the Lagos State Ministry of Housing.

21. Access to Mixed-Income Housing

- 1) Mixed-income Housing shall be available to residents of Lagos State.
- 2) Residents who seek to acquire affordable units in mixed-income housing shall be required to join a Cooperative Group or other affordable housing associations to have access to them.

22. Register of Mixed-Income Housing

- 1) The Ministry may make regulations requiring any of its Departments or Agencies or local planning authority in Lagos State to prepare, maintain and publish a register of all mixed-income housing in the State.
- 2) The regulations may require the register to be kept in two or more parts.
- 3) The regulations may—
 - (a) Require or authorise any Department, Agency and or local planning authority to carry out consultation and other procedures in relation to entries in the register;
 - (b) Specify descriptions of Housing that are not to be entered in the register;
 - (c) Confer a discretion on any Department, Agency and or local planning authority, in prescribed circumstances, not to enter in the register mixed housing of a prescribed description that they would otherwise be required to enter in it;
 - (d) Require a Department, Agency and or local planning authority exercising the discretion referred to in paragraph (c) to explain why they have done so;
 - (e) Specify information to be included in the register;
 - (f) Make provision about revising the register.

- 4) The regulations may confer power on the Ministry to require a Department, Agency and or local planning authority—
 - (a) To prepare or publish the register, or to bring the register up to date, by a specified date;
 - (b) To provide the Ministry with specified information, in a specified form and by a specified date, in relation to the register.
- 5) In exercising their functions under the regulations, a Department, Agency and or local planning authority must have regard to—
 - (a) The mixed-income housing development plan;
 - (b) Policies and advice;
 - (c) Any guidance or directions issued by the Ministry for the purposes of the regulations and this Bill.
- 6) In this section “state policies and advice” means policies and advice contained in guidance issued by the Ministry from time to time.

23. Design Guidelines

- 1) Architectural designs, planning guidelines and prescription of mixed-income housing shall be considered and approved by the Ministry of Physical Planning and Urban Development for policy implementation to produce the desired results.
- 2) The professionals involved will have to recognize that male housing design is different from female, therefore the need to be gender-sensitive in the preparation of their proposals as one of the criteria for the plan approval.
- 3) Such approvals shall be granted upon payment of all prescribed approval fees as may be determined by the mixed-income housing planning regulations.

24. Urban Design Guidelines

- 1) Affordable housing units in mixed-income housing projects shall be well-distributed within the developing estate and not clustered or concentrated in any one area that creates segregation.
- 2) All new mixed-housing estate developments shall make provision for-
 - (a) Public Primary School
 - (b) Public Healthcare Clinic
 - (c) Fresh-food market / Farmers market
- 3) Provision shall also be made for accessible, shared community spaces within walking-distance of residences which shall include but not limited to:
 - (a) Children's playgrounds

- (b) Parks / Sports Fields
- (c). Club-Houses
- 4) Estates must be well-connected to public transportation network with a dedicated bus-stop within a minimum of 500m of the main entry point.
- 5) Mixed-income housing estates must encourage openness and visibility of perimeter fencing.

25. Building Design Guidelines

- 1) In the designing of buildings for mixed housing projects, estate developers shall ensure that they comply with the provisions of this Bill and ensure that their designs:
 - (a) Shall be high, mid-rise / medium density and be of two floors and above.
 - (b) Consider shared kitchen facilities on each floor.
 - (c) Adopt flat roofs that may be used for small-scale agricultural use, commercial activity or laundry .
 - (d) Include outdoor courtyard space as well as community space for childcare and other activities.
 - (e) In mixed-use areas, the ground floor shall be used for shop units.
 - (f) Aim to have good environmental performance that ensures passive cooling and natural ventilation and require low maintenance cost.
 - (g) Adopt energy efficiency mode of design, construction and usage of the buildings.
- 2) Estate Developers shall be required to use local building materials and labour within Lagos State, as priority where they are available both in quantity and quality.

26. Monitoring

- 1) The Ministry of Housing shall prepare reports containing information about the execution of its functions with the level of compliance and implementation of mixed-income housing policy in the State.
- 2) The women affairs department of WAPA or a department in Ministry of Housing shall provide report on the progress of gender mainstreaming in design, implementation and general participation.
- 3) The Ministry may by regulations make provision about reports under this section, including provision about their form, content and timing.
- 4) The Ministry shall make its reports under this section available to the public.

27. Compliance Directive

- 1) The Ministry may make a compliance directive if satisfied that—

- (a) Any of its departments or agency or private estate developer has failed to carry out its functions on the mixed-income housing in the State or has failed to carry them out adequately.
- (b) Any policy issued is incompatible with those functions.
- 2) A compliance direction shall remain in force until revoked by a further direction given by the Ministry.
- 3) A direction under this section must include the Ministry's reasons for making it.
- 4) The Ministry must publish any direction under this section and a copy issued to the local planning authorities within Lagos State.

28. Community Development Associations

- 1) This Bill shall make it statutory for community development associations to work with the Ministry and private estate developers and consultants for the strategic upgrading of existing structures and development of affordable housing in such communities within Lagos State.
- 2) The Ministry shall reserve the right and power to adopt housing strategy and proposals that fit into the housing sector plan of Lagos State on mixed-income housing for communities to cover the gaps of housing deficits in the State.
- 3) Community development associations shall be required to be open to collaborate and cooperate with estate developers and consultants of the Ministry in developing practical ideas and housing solutions that address the present and future challenges of housing within such communities.
- 4) The Ministry may work with private landowners to plan the development of communities to build modern inclusive and integrative housing within selected communities in the State.
- 5) In providing housing finance the Ministry may adopt various funding models for community development associations.
- 6) Funding for upgrade designs may be sourced through cooperatives, thrift society or through joint ventures with private developers to help local landlords generate income and maximize land use.

29. Management of Mixed-Income Housing

The Ministry shall have power to-

- 1) Draw up the Lagos State Government Housing Finance Plan which shall incorporate in it the long term plans of the Lagos State Government for the provision of affordable housing units under the mixed income housing development for residents of Lagos State.
- 2) Review annually and approve mixed-income housing funding investment plan and funding regulatory plan.

- 3) Appoint qualified personnel or consultants as may be expedient and necessary for the proper and efficient implementation of the Lagos State mixed-income housing plan.
- 4) Make special consideration and concessions for women including widows, single-parent families and disabled persons in line with the general provisions of this Bill.

Concession for
Vulnerable women
and disabled

30. Inspection

The Ministry shall have a right of access at all reasonable times to mixed-income housing development project sites in the State to inspect as part of its compliance duty to the implementation of mixed housing in Lagos State.

31. Offences and Penalty

- 1) Anyone found in violation of section 11 (1) of this Bill shall be deemed to have committed an offence under this Bill and shall be liable on conviction to a fine of N250,000.00 or to imprisonment for a term of one year or to both fine and imprisonment.
- 2) Anyone found to be in default of any tax due under section 11 (2) of this Bill for a period of exceeding 6 months after notice has been duly served shall be deemed to have committed an offence under this Bill and shall be liable on conviction to a fine of N500,000.00 or to imprisonment for a term of one year or to both fine and imprisonment.
- 3) Anyone found in violation of section 12 (1) of this Bill shall be deemed to have committed an offence under this Bill and shall be liable on conviction to a fine of N5,000,000.00 or to imprisonment for a term of one year or to both fine and imprisonment.
- 4) Anyone found in violation of section 12 (2) of this Bill shall be deemed to have committed an offence under this Bill and shall be liable on conviction to a fine of N1,000,000.00 or to imprisonment for a term of one year or to both fine and imprisonment.
- 5) Where a body corporate is in violation of any offence under this section, such body corporate shall be liable to a fine of-
 - (a) In the case of subsection (1) of this section, a fine of N5,000,000.00;
 - (b) In the case of subsection (2) of this section, a fine of N10,000,000.00;
 - (c) In the case of subsection (1) of this section, a fine of N5,000,000.00;
 - (d) In the case of subsection (1) of this section, a fine of N5,000,000.00

32. Jurisdiction

The Lagos State High Courts shall have jurisdiction to try all offences under this Law.

33. Interpretation

In this Bill, unless the context otherwise requires-

'Affordable Housing' means new dwellings in Lagos State to be made available for people whose needs are not adequately served by the commercial housing market.

'Class' means a mixture of family background, education and occupation.

'Cooperative Groups' means Trade Associations, Cooperative Societies and Labour Unions operating in Lagos State.

'Income' means monthly earnings.

'Resident' person who lives and works in Lagos State

"Housing Developers" means Housing Development Companies, Real Estate Development Companies or Bodies;

"Ministry" means the Lagos State Ministry of Housing;

"Mixed-Income Housing Project" means any estate development project designated as a mixed-income housing development project with a percentage of affordable housing units in the estate to be sold at below market rate;

"Mortgage Bank" means a mortgage institution licensed under the Mortgage Institutions Act;

"State" means Lagos State

"Worker" means any low or middle-income employee to whom salaries are paid and includes a self-employed person who derives income from his employment and resides in Lagos State.