

The Functionality of the Housing Policy Instruments in Uganda

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ABSTRACT

This article explored the functionality of the housing policy instruments in Uganda, using a case of Kira Municipal Council (KMC) in Wakiso District (a Local Government). Housing is a basic human need only next to food and clothing. There are many policies and other legal instruments that enforce physical planning and partnerships with key stakeholders in the housing sector. The policies aim at reducing the housing shortage in Uganda, although there has been very minimal success in their implementation. Quantitative data was collected from 32 respondents while qualitative data was collected from 8 respondents. The research questions addressed were; 1) What is the importance of the housing legal instruments that support housing development in Uganda? 2) What is the importance of physical planning in helping housing development in Uganda? 3) Who are the key players in the housing sector in Uganda? The study concluded that housing (accommodation of people) is a basic human need only next to food and clothing that highly requires functional housing policy instruments. This helps in forging more partnerships with key stakeholders who are interested in the housing development. This is done with the aim of reducing the increasing housing shortages most of the poor Ugandans despite numerous challenges.

INTRODUCTION

Housing is a basic human need only next to food and clothing. Housing generally refers to shelter or collective buildings used for accommodation of people either owned by public or private entities. Across the world, affordable, accessible, adequate, safe, decent and quality housing is a fundamental human right that is used to accord respect

to human dignity. All countries face housing shortages. For example, the United States of America (USA) had a housing shortage of more than 7.4 million people who could not afford renting a decent house available to extremely low-income groups. The functionality of the housing policy requires that genuine statistics are generated by countries on shortage of housing, and be used for proper planning if the problem is to be solved. Additionally, the analysis of the functionality of the housing policy is normally done in economic terms (as a form of market that matches supply and demand) which stimulates competition. The study investigated how best the housing policy instruments can be made more functional despite the existence of partnerships, multiple suppliers and multiple purchasers in Uganda given the country's growing housing financial sector. This study explored the functionality of the housing policy instruments in Uganda using the case of KMC in Wakiso District. The key questions addressed were:

1. What is the importance of the housing legal instruments that support housing development in Uganda?
2. What is the importance of physical planning in helping housing development in Uganda?
3. Who are the key players in the housing sector in Uganda?

The article is divided into 6 sections and these include: introduction, background to the study, literature review, methodology, findings and discussion, conclusions and study implications.

Background of the study

The housing policy in Uganda has evolved through three notable periods. The first period covered from 1978-1986. This period had poor implementation and outcome of housing caused by war disruptions and political instability. The second period followed immediately in 1986, with political stability and better implementation of housing policy instruments that somehow improved access, infrastructure, and social service. This was aimed at reducing the housing shortage. The third period commenced from 1992, with the inauguration of the National Shelter Strategy (NSS). The goal was to improve housing conditions, and warrant adequate shelter for all Ugandans by the year 2000 (which did not happen) despite numerous implementation strategies of diverse housing programmes and projects. Among them also included attaining institutional strengthening, slum upgrading, and giving support to various housing contribution projects for both public and private sectors. The Ministry of Lands, Housing and Urban Development (MLHUD) is charged with the provision of safe, accessible, adequate and quality housing to all its citizens without any sort of discrimination.

Effective housing remains significant in promoting and protecting human beings (human dignity) from physical, economic, political, cultural, social, institutional, communal and environmental threats. Effective housing promotes better incomes, employment opportunities, housing standards, high life expectancy and better health among others. Although the MLHUD, (2017) put Uganda's housing deficiency at 1.6 million units, the Uganda Bureau of Statistics (UBOS) in August 2014 confirmed a housing shortage of up to 8 million units, including a 2.3 to 2.5 million deficit in urban areas. Kampala City (the capital city of Uganda) alone had a deficit of 100,000 units with an urbanization rate of 5.6% with a total population of about 40 million people (Amy, 2015). In the next two decades, Kampala alone is assumed to have a population of more than one million extra. The Africa City and Urban Development Conference (2015) held in Kampala warned that by 2050, Uganda will be amongst the most urbanized countries in Africa with more than 70% of the population living in urban areas. At the same time, renting an affordable decent housing remains a challenge.

Unfortunately, the population projection in Uganda was 42 million people in 2020 and 63 million by 2030. There are approximately 6.82 million households in 6.2 million housing units with an average household size of 5.0 persons. Hence, the national occupancy density is about 1.1 household per housing unit, leaving a backlog of 710,000 housing units. Of the existing 6.2 million housing units, about 900,000 housing units are sub-standard houses and among them, 211,000 are in urban areas and 1,395,000 in rural areas. The shortage is coupled with severe dearth of basic services like; potable water, proper drainage systems, electricity, roads, sewerage networks, health and sanitation facilities among others due to weak housing policies. This warning calls for serious and immediate housing planning. The Prime Minister of Uganda Dr. Ruhakana Rugunda stated that the 2014 census results showed that there was a huge shortage of housing, absence of affordable, decent and quality housing which highly hindered transformation of the Ugandan economy into a modern one. This forced President Museveni (current president of Uganda) and his cabinet to suggest that all sub-county chiefs in the country must enroll for law and physical planning courses so as to implement the new Physical Planning and Housing Policy (PPHP) which was passed in May 2016.

In addition, the housing construction industry in Uganda is growing with more stakeholders engaged in building homes, commercial, recreational, hotels and educational buildings. The real estate sector which is growing at about 15% annually, contributes about 13% to the growth domestic product (GDP) has also been fundamental in stimulating housing development in Uganda. Uganda has more than 6000 mortgages with an average mortgage size of \$30 000 USD. Therefore, \$30 000 USD is the cheapest for a newly built house in a space of 120 square meters. This means that both the construction and the real estate industry has spurred socio-economic development in the country. The current production of new decent housing by the players in the construction sector in urban areas is only 20,000-30,000 housing units annually, giving a short fall of over 120,000 units per annum. Houses developed by individuals (using their own savings) were estimated at 70% while owner tenancy was at 72.8%. However, the housing policy has been mainly influenced by political, social and economic milieu among others.

Kira Town was upgraded to Kira Municipality Council (KMC) and is located in Wakiso District. Kira was reported in 2016 to be the 2nd largest city/district by population after Kampala City. Administratively, KMC is under the local government of Uganda with six administrative parishes namely: Bwoyogerere, Kimwanyi, Kira, Kireka, Kirinya, and Kyaliwajjala. In 2010, the physical planner (urban planner) estimated KMC to have a population of more than 300,000 but warned that continues to rise day by day. While the national population census estimated the population to be 313,761 in August, 2014. KMC being the “bedroom community” for Kampala, the population is higher during the night. KMC also comprises of many economic activities, tourist sites.

LITERATURE REVIEW

Housing policy instruments

There are many housing policy instruments in Uganda. The policy and institutional environment in Uganda was historically structured by the colonial administrators (masters) whose powers were vested in the Urban Control Act (1964) and consolidated by the Local Government Act (1997). The Local Government Act (LGA) mandates local urban authorities to control urban development and provide services including: solid waste management, building and maintenance of roads, development of primary education services and public health management for organized development.

The MLHUD created in 2006 also mandates the various government departments in charge of infrastructure provision, organization and management of urban housing in Uganda to engage strongly in ensuring housing for all. The MLHUD empowers them to plan, design, implement, monitor and evaluate issues concerned with housing provision for all. This is through the Directorate of Physical Planning and Urban Development (DPPUD) that houses the departments of physical planning, urban development and land use regulations that are interconnected.

The National Housing Policy (NHP) and The National Shelter Strategy (NSS) established in 1993 by the government of Uganda (GoU) are among the legal policy instruments or documents for guiding the building of structures and providing an enabling approach of housing development in the country. This is through partnering with key stakeholders and establishment of the public private partnership (PPP) approach. The building control Act (2013) is another legal instrument which puts much significance and adherence to the planning standards, codes and statutes in relation to housing provision in Uganda. The building control Act aims at among others: to consolidate, harmonize and amend the law relating to the erection of buildings; to provide for building standards; to establish a National Building Review Board (NBRB) and Building Committees; to promote and ensure planned, decent and safe building structures that are developed in harmony with the environment and for other related matters. The Building Control Act is a supplement to the Uganda gazette no. 51 volume of 11th October, 2013.

The major challenges to the effective implementation of these legal instruments are: political meddling, inadequate enforcement mechanisms, public sector bureaucracy, conflict of interests between politicians and technocrats in urban authorities that continue to cause wrangles between the District Land Boards and the Urban Local Governments among others. These result in serious restraints to housing delivery, streamlining housing related institutions and increasing budgetary allocations to the housing sector among others. Despite the legal instruments, there remains huge housing shortages mainly because of poor functionality and enforcement of the instruments [1].

Physical Planning and its importance

Physical planning or urban planning in its broadest sense refers to a set of actions aimed at improving the physical, environment, social and economic welfare of a place and its dwellers. It involves the organization of land uses through zoning of urban activities aimed at ensuring that people enjoy the highest achievable degree of efficiency in resource utilization, functionality of places and aesthetic quality (Amy, 2015). Physical planning concerns the process of organizing the structures and functions to warrant orderly and effective setting and location of land uses. Among others: physical planning deliberately determines the spatial patterns to maximize the most optimum level of land utilization in a sustainable manner. Physical planning is done by an expert called the physical or urban planner mandated by law to: initiate, formulate and review the National Land Use Policy (NLUP); to ensure national and regional planning; standard setting and provide technical support to local authorities among others.

The main concerns of urban planning include; ensuring spatial orderliness, conservation of aesthetics of the urban places, efficiency of operations in the social, economic and other arena, promotion of industrialization, provision of social and physical infrastructure, ensuring agricultural modernization, ensuring buildings are approved and ensuring building regulations and building standards are followed. Others include: to enhance economic development, to plan cities and towns; to facilitate the provision of infrastructure, utilities and services, to create order where there is chaos, creation of beauty; to reduce psychological stress, to create a conducive environment for all and therefore poverty eradication amongst the people aimed at promoting man's wellbeing (MLHUD, 2015). The major challenges of effective physical planning are: political interference, poor land tenure systems, high levels

of corruption, and poor expertise among others. The rigidity of the authorities to understand that physical planning is not a static but a dynamic process that faces a new environment that they have to adopt as fast as possible for effective delivery of adequate housing for all Ugandans.

Key players in the housing sector

The housing sector concerns the development, construction and sale of homes determined by the availability of demand and supply for housing in a country. The GoU continues to call upon foreign investors to come and invest in this sector through public private partnerships (PPPs) approach. According to Odyek (2017), the UN-HABITAT a United Nations Agency for human settlement that is mandated by the UN General Assembly (UNGA) to promote social and environmental sustainability of towns and cities with the goal of providing adequate shelter for all as a lasting solution. However, Uganda has many other key players in the housing industry including: MHLUD which provides policy direction, national standards and coordination on all matters concerning land, housing and urban development through four major directorates. These directorates' include lands, physical planning, urban and human settlements, and housing (MHLUD, 2015). The other is the Ministry of Works and Transport (MoWT) mainly charged with promoting standards in the construction industry. The Uganda Local Governments' Association (ULGA) established as Uganda Local Authorities Association (ULAA) as a non-profit entity in (1994) acts as the National Association of Local Governments of Uganda. The ULAA also manages land use and physical planning for developments in their respective areas of jurisdiction. Other players are: Commercial banks that offer mortgages are Housing Finance Bank and Standard Chartered Bank, construction companies like Roko Construction Company, and real estate dealers for example Jomayi Properties, Akright, Kamoga and others [2].

The major challenge faced by both these players and the citizens is lack of adequate information on existing ownership patterns and land values, poor financing and expertise, technology and high rates of corruption among others. The failure to address pressing poverty related issues in the rural areas mounts pressure on urban areas.

METHODOLOGY

The study used an exploratory design, which is best for studies with few or no earlier studies to refer to (Yin, 2014). The research methodology was both quantitative and qualitative. The study used methods: self-administered questionnaire (SAQs) that were testing opinions on a Likert scale of 1 (strongly disagree) to 5 (strongly agree), face to face interviews (best for probing) and systematic documentary review among others: policy documents, reports, minutes of meetings, memos and the internet (Creswell, 2015). The researchers collected data for a period of three months, which was considered adequate time for creating intimate experience for the respondents to understand and cooperate in data collection process. The study sample for quantitative study (included members of the physical planning committee) which was 32 out of a population of people whose response rate was 94.5%. The qualitative data was collected with the use of interviews for in-depth analysis) with 10 people (included real estate developers - directors and managers) as the target but 8 responded (response rate of 80.0%). Thus the overall response rate was 90.9%. This response rate was above the recommended two-thirds (67%) response rate.

FINDINGS AND DISCUSSION

Responses based on a Likert scale of strongly disagree (SD), disagree (D), undecided (UD), agree (A) and strongly agree (SA) were obtained to determine the functionality of the housing policy in Kira Municipal Council. The average responses are indicated as shown in Table 1 below.

Table 1: Descriptive statistics of functionality of the housing policy.

Statement	N	Minimum	Maximum	Mean	Std. deviation
The housing policy is functional in promoting the housing sector in Kira Municipality	32	1	5	4.56	0.504
The housing policy facilitates the provision of infrastructure in Kira Municipality	32	1	5	4.62	0.492
Effective physical planning has helped in developing the housing sector in Kira Municipality	32	1	5	4	1.078
The housing policy has helped in improving the housing conditions of the people of Kira Municipality/Uganda	32	1	5	4.19	0.397
There are key players who have participated in the development of the housing sector in Kira Municipality	32	1	5	3.81	0.397
The housing policy supports the land tenure systems in Kira Municipality	32	1	5	4.24	0.647
Valid N (list wise)	32				

The study findings in Table 1 show that for a total of 32 respondents, the mean score 4.56 (SD = .504 indicates that the housing policy in Kira Municipality is functional and thus promotes the housing sector in the municipality. This explains the growth in the infrastructure (including housing facilities) development in Kira Municipality. Most of the respondents strongly agreed that the housing policy facilitates the provision of housing development in Kira Municipality, confirmed by the mean score of 4.62 and SD of 0.492. This appears to be the reason for improved urban development in the area. This finding is supported by Alemiga, (2016) who confirmed that the national housing policy instruments in Uganda particularly the NSS promoted sustainable human development settlements through building of adequate shelter with secure tenure, accessible infrastructure like; roads, health facilities, sewer lines, water, electricity drainage systems and improved sanitation, among others to provide a basic human

life for the urban poor that lack housing facilities. Majority of the respondents agreed that the housing policy has helped in improving the housing conditions of the people of KMC and Uganda at large as represented by the mean score of 4.19 and a relatively low (SD = .397). This means that the housing policy instrument had improved access to housing infrastructure and social services at affordable standards through upgrading of slums and effecting better urban planning which findings are supported by in KMC as supported by (GoU, 2013).

On average, most of the respondents agreed that there are key players who have participated in the development of the housing sector in KMC evidenced by the mean score of 3.81 and the low (SD = 0.397). This shows combined efforts from the different stakeholders which is believed to be one of the reasons behind the development of the KMC. This finding was also concluded by who argued that key stakeholders had complemented the GoU by contributing to the development of the housing sector in Uganda. According to findings, effective physical planning had played a significant role in developing the housing sector with an average score of 4.00 (SD=1.078). This shows that majority of the respondents agreed that effective physical planning was key in developing the housing sector and spurred socio-economic development in KMC. This is confirmed by MLHUD, (2015) which had earlier highlighted that the objectives of physical planning include: to enhance economic development; to plan cities and towns; to facilitate the provision of infrastructure, utilities and services; to create order where there is chaos; creation of beauty; to reduce psychological stress; to create a conducive environment for all; and conservation of aesthetics as emphasizes the importance of physical planning for a better organized and planned cities.

Most of the respondents agreed that the housing policy instruments supported the land tenure systems in KMC as indicated by the mean score of 4.24 and (SD = 0.647). This means that the housing policy has been harmonized with the land tenure systems, thus contributing to the housing development. In a similar finding, Alexander, (2011) reported that land tenure systems have an impact on housing development [3].

Qualitative findings

Legal instruments: Interviews exposed that respondents knew the many housing policies and their importance to the provision of housing in KMC. Most of them interviewed cited the MLHUD which is concerned with providing access to decent and adequate housing for all regardless of their income and status, infrastructure development, organization and management of urban housing. They claimed this could help to transform the social economic status of the people. Others also explained that the MLHUD is charged with improving the quality of existing structures, environmental protection and conservation, sustainable use of energy and other resources in housing provision, increase access to affordable housing, improve the poorly structured land tenure systems, institute mechanisms for development and management of real estate industry in KMC and the country at large. One respondent commented on the major legal instrument; Since 2006, The MLHUD has been the key document used as a guiding principle for provision of adequate housing for all Ugandans progressively. It also provides a conducive environment to stimulate housing development as well as to directly intervene in housing production for specifically targeted groups especially the low-income people.

However, majority of respondents expressed their disappointment about the poor policies in the housing sector development. They cited the huge shortage of adequate housing for many people in KMC and Uganda at large. To them, basic housing was considered a human right to be enjoyed by all, but was highly neglected by the GoU. One respondent added house is human right;

The GoU has to ensure adequate housing for all as a matter of human rights. The housing policies should ensure that such houses have to be affordable, accessible, adequate, and decent and of quality as part of respect of fundamental human right and dignity. The quantity, quality, availability and affordability of housing becomes a key component in national economic development for the country. The people need these houses because housing is where jobs go to sleep at night [4].

Another respondent expressed the poor state of housing: The fact that housing is generally poor in Uganda, the more reason we continue to experience poor social service delivery. Our infrastructure like: schools, hospitals, and roads are in a very bad state. To them, this resulted into poor employment opportunities, low levels of women's participation in socio-economic and political issues.

Another respondent spotted the vaguely defined definition of key concepts: The continued housing deficiencies in Uganda is as a result of a vaguely defined definition of key concepts that directly relate to the housing problem. For example, terms like affordability, adequate, access, and quality among others differed from person to person. In addition, the current policies on affordable housing are based on unrealistic indicators among them; aimed at making financing more accessible and providing low interest rate. But, the majority of the people are very poor with many spending their household income on housing rent only. The study also revealed that the housing policies were still stringent and did not fully support the developments of real estate in Uganda despite their continuous efforts to develop planned estate communities (through zoning) with proper facilities. One respondent specified poor infrastructure: The lack of proper access roads, health centers, electricity (hydro, solar, and other sources), schools, recreation centers and shopping malls. In addition, estates did not integrate urban agriculture in their concept, did not care about protecting the environment, historical and religious sites. Their houses are expensive (both for rent and buying) despite the presence of the housing legal frameworks.

Another respondent confirmed delay of housing projects: The housing policies in this country are so bad that it can take years to bring a project from the initial planning stage through construction to final completion. Yet, there are plenty of obstacles that policies have not put into consideration for real estate dealers despite the business being a highly profitable investment opportunity due to poor land tenure system.

The findings above showed that the policy and institutional environment in KMC and Uganda generally lack proper enforcement and a conducive environment from which housing for all is possible. This implies that quality and quantity of houses is still not affordable, accessible, adequate, available and decent owing causing the huge housing shortages.

According to the legal instruments in charge of housing development are all significant and to adhere to the planning standards, codes, and statutes. The instruments put much emphasis on affordable, accessible, adequate, available, decent and safe building structure decent among others for all. However, according to Alemiga (2016), the housing policy and legal instruments are ineffective and inefficient due to numerous challenges such as: political meddling, inadequate enforcement mechanisms, public sector bureaucracy, conflict of interests between politicians and technocrats in urban authorities that continue to cause wrangles between the District Land Boards and the Urban Local Governments among others among others [5].

Physical planning and its importance

Interviews revealed that majority of respondents supported that physical planning is concerned with experts (urban planner and their technical team) to support housing development. One respondent cited the importance of physical planning: Physical planning guides the public on matters of land development and use, protection and use of the environment, public welfare, and the design of the urban setting to ensure systematic development and beauty, preservation of cultural and historical sites, planned infrastructural development.

Another responded added the importance of orderly planning: The urban planner guides orderly development by planning settlements and communities, and also responsible for the planning, zoning and development of water use and resources, agricultural land, parks and conserving areas of natural environmental in the municipality.

Another argued the key function of the physical planner: The urban planner boosts the efficient working of the municipality by monitoring and approving land for residential, commercial, industrial, institutional and recreational purposes which can cumulatively contribute to better housing development.

However, some few others believed that urban planning in KMC and other parts of the country was ineffective and inefficient. One responded advanced delays in plan approvals: There are a lot of delays in approval of building plans due to factors like: unrealistic fines and charges, corruption, and bureaucratic tendencies in approvals of plans buildings.

Another cited the loss of relevancy of the urban planning profession: The Urban planning profession has lost its relevancy because of political bickering between the technical and political wings of the council which frustrated some of the real estate developers. The physical planners are left with no impartiality in sorting the huge housing shortages in the country.

The findings mean that, although people knew the importance of physical planning, they continue to complain of the irregularities that may hinder the professionals from conducting their work efficient and effectively. This implies that more effort was needed to clearly communicate the importance of physical planning to all regardless of the challenges that may hinder the profession. According to Amy (2015), physical planning was key in the development of the housing sector because it spurred development and land use, protection and use of the environment, public welfare, designing of the urban environment, planning for transportation, communications, and distribution networks for systematic development among others. Additionally, the MLHUD (2015), recognized all the importance of physical planning in creating beauty and planning for infrastructure within the law, which also contributed to the reduction of poverty and improved welfare of the people. However, Kayiira & Kalema (2012) noted that physical planning has to be conducted in a dynamic process, and not static. This approach will help to avoid all the challenges and gaps that may hinder the success of efficient and effective service delivery by enhancing communication with the public.

Key players in the housing sector

According to the interviews, majority of the respondents agree that there are many players who promoted housing development in Uganda. One person cited the role of mortgages: Commercial banks offered mortgage financing generally as a long-term loan used to finance the purchase of houses where the borrowers paid back the principal plus interest, gradually building your equity in the property. The advantage with this loan is that it is secured against your property, and encourages many to get such deals to improve housing.

However, some respondent disagree with the unstable and high interest rates off mortgages: Although the mortgage loan definitely helps increase the buying capacity of people, it's secured against your property. But the biggest problem with commercial bank housing mortgages is that the interest rates are not stable (not fixed) and high especially for private commercial banks given the fact that there are very few government banks that give loans.

Other key players revealed in the interviews included: non-governmental organization (NGOs), the ministry of MHLUD, and the Ministry of Works and Transport among others. One respondent cited key players in the housing sector: All main players in housing development are key stakeholders. They however have to coordinate and partner through PPPs to realize the housing development dream that aims to provide decent accommodation for all Ugandan without discrimination. The findings above mean that alongside government which has the primary responsibility in ensuring that all Ugandans have a decent housing, there were other key players in the housing sector development. Nonetheless, most were profit oriented. This implies that genuine partnerships could help reduce the housing shortages in Uganda despite the different interest in the same. According to both public and private entities can highly contribute to the housing development and other infrastructure in any country, and can improve the welfare of its people. Ball (2012), and Howard (2014), confirmed that decent, affordable, quality and safe housing remains both a basic need and human right. To Odyek key partnerships with the different stakeholders (both public and private) remain key in effective functionality of housing policy instruments.

CONCLUSION

The study concluded that housing (accommodation of people) is a basic human need only next to food and clothing. Therefore, the functionality of the housing policy instruments remain significant for effective and efficient housing development and delivery. Housing has to be planned, organized, safe, sufficient, affordable, accessible, adequate, decent and of quality as a matter of human rights that promote respect to human dignity. Nevertheless, the functionality of the housing policy requires the District Land Boards and the Urban Local Governments to fully support the efforts of physical planners and other technocrats to fully empower them to serve people better in line with housing developments. In addition, the GoU should forge more partnerships with key stakeholders interested in the development of the housing sector to help reduce housing shortages especially for the majority poor Ugandans.

IMPLICATIONS

Policy makers in the housing industry in Uganda must realize that the availability of the housing policy instruments alone does not guarantee adequate housing for all people. Rather the enforcement, monitoring and evaluation of the instruments can actually realize their objectives in the provision of housing for all Ugandans. The GoU must be more proactive than reactive in dealing with housing shortages given the dynamic changes facing the world today brought about by globalization. The high birth rates and rural-urban migration that highly contributed to the problem of housing shortages in urban centers should be checked. The same facilities and activities that attract people to the urban areas can be instituted in the rural areas to deter rural-urban migration. Additionally, the District Land Boards and the Urban Local Governments should support physical planners better (eliminate them from politics) and also encourage/motivate key players to engage in quinine partnerships to reduce housing shortages.

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