



## INFLUENCE OF LAND BROKERS ON COST OF PRIVATE LAND IN MOSOCHO DIVISION OF KISII COUNTY, KENYA

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### Abstract

*The overall objective of the study was to assess the influence of land brokers on cost of private land in Mosocho Division in Kisii County, Kenya. The specific objectives were to assess the degree of competence of land brokers in determining the cost of private land; to assess adherence levels of land brokers towards government land acquisition procedures and lastly to establish the degree of influence of land brokers over land buyers and sellers. The three theories that grounded the study were: the Karl Marx theory of class conflict; the Emile Durkheim theory of the functionalist perspective and the Vilfredo Pareto (1848-1923), Gaetano Mosca, (1858—1941), Robert Michels, (1876-1936) and Max Weber, (1864-1920) theory of the Elites. The research design adopted in the study was the descriptive research design using both qualitative and quantitative approaches to research. The respondents were drawn from a target population comprising: the land brokers, land buyers, land sellers, land control board members, and land transaction officials/managers. The sample size comprised a total of 254 respondents out of a target population of 374 people. The open and ended questionnaire was the main instrument used for data collection. Data was analyzed using SPSS version 22. Study found that the public had a negative attitude towards land land brokers which had been orchestrated by the poor land market infrastructure. The Pearson correlation analysis report revealed that land brokers had an influence on the cost of land in Mosocho Division with the Pearson's  $r = 0.247$  indicating a positive value, and a direct correlation between the two variables, while the*

*Pearson 2 tailed at 0.012 confirming a statistical significance of the study. The Pearson analysis also revealed a positive direct correlation between the degree of competence of land brokers and their adherence levels to government procedures; The Pearson 2 tailed at 0.049 indicating a positive value while the Pearson correlation had a direct positive correlation of 0.162.*

*Keywords: Competence of Land Brokers, Government Land Acquisition Procedures, Cost of Private Land, County Governments, Land Transaction process*

## **INTRODUCTION**

Land was one of the cherished properties the world all over, and matters of land are matters of the heart hence very emotive; The land factor land motivated the fight for Kenya's independence from the colonial masters in 1963; and to date has been the cause of disputes /conflicts in many African countries (Auma, 2014; Anulo, 2015). Land as a factor of production remained the most important asset for survival of humanity and has contributed to a number of local, national and international disputes; Kenya being one of the casualties (Dalton, 2017).

The long bureaucratic nature of land transaction processes and paper work within the land registries over the years had discouraged the common man to pursue and acquire the legal papers that authenticate landownership; consequently land buyers and sellers sought services of land brokers to assist them acquire land (Ngunjiri, 2017). The land brokers depended on rich networks of the locals to successfully undertake their jobs in terms of information gathering; these local networks range from water vendors, security guards at construction sites, civil servants and land management officials from both government and private sector. Land brokers therefore require the support of surveyors, lawyers/advocates, money lenders; land registrars and financial institutions both government and private.

Land brokers need to be defined in terms of what they do for example they trade on social structure gaps, and can only provide their services as long as information that is crucial for the good functioning of an economic sector was poorly distributed.

It had been observed that most land sellers and buyers were not always conversant with the land transaction procedures; consequently the land brokers came in handy because they knew well where the best investments were strategically located and when to buy such properties for maximum returns; meanwhile due diligence should always be done by a land broker during land transaction processes (Taboola, 2015).

Once a land broker concluded a land deal through signing of land documents by both buyer and seller, the land broker would thereafter earn commission from both land seller and

buyer. The ideal situation of any land transaction begins once all parties involved in this process were in agreement of what they needed, how they expected the process to proceed until when the process came to an end when all parties' needs had been met (Taboola, 2015). These activities of land brokers therefore if not well managed may contribute to the escalated cost of private land.

Land acquisition in Europe was not any different from the global South, with middle men helping foreign investors to acquire land at a fee; these middle men were also land brokers working in secrecy within the Eastern parts of Europe where land was cheap and available. These land brokers of the south approached the unsuspecting land-owners while arm-twisting the government land laws through the assistance of political, social and economic elites. The government agencies on the other hand turned a blind eye, and facilitated the land transaction processes to assist these foreign investors in the name of Foreign Direct Investments. (Sylvia Kay, 2015).

In Eastern Europe member states of the European Union like Hungary, Romania, and Italy; the Elite land brokers were also known as *arendatoris* who took advantage of the cheap available land to link large commercial foreign investors from China, Germany, and Denmark in the acquisition of large tracks of land for commercial use. These "*arendatoris*" ended up making huge profits at the expense of the unsuspecting land buyers and land sellers. This was done under the platform of linking land sellers and buyers to potential agri-business and bio-oil investors. This move had been motivated by the food and energy crisis of the mid 2000. (Kay, 2016).

Most African government facilitated the multinationals to acquire land by creating an environment with weak regulations giving room to activities of land brokers. Consequently the law of demand and supply controlled the land market leaving the land brokers to determine the cost of land to benefit the Elites (Schnoveld, 2014).

In Hosanna town, Addis Ababa Ethiopia, land brokers had formed tightly organized syndicates and made huge profits out of the housing needs of low income groups using public land but working in cahoots with the local administrators', police officers and military personnel to cover the dirty activities of land brokers in return for bribes (Anulo, 2015).

In Uganda land brokers in Apac, District Northern Uganda, sometimes after winning the trust of the buyer and the land owner takes over land ownership documents and instead hands over only copies of the same to the buyer without full consent of the seller. The land broker thus took advantage of the ignorance of the land seller hands over fake documents to the buyer keeping back the original documents which he uses to resale the land originally entrusted to him by the land owner. This was very common when land brokers were dealing with the female

gender especially after death of a spouse whereby out of necessity, the widow sold out a portion or absolute land parcel to meet the basic needs of life (Auma, 2016).

In Tanzania, Southern Sudan, Ghana, and Mozambique legal recognition to customary claims to land had been extended to land ownership by indigenous communities, who are charged with responsibility of protecting land without requiring formalization of the same. This move was taken to protect land from being irregularly transferred to investors by land brokers who would dispose the local land and transfer it further to investors both local and international cheaply in exchange for hefty commissions.

In Mozambique, Zambia, and Tanzania consent of the indigenous communities was a precondition for land alienation to an investor who wished to use the land privately for any investment; hence land brokers were kept at bay by the community elders and no one would lease or sell land without seeking consent of the community (Schnoveld, 2014).

These protective measures put by these state/governments in Africa to regulate land transactions however had been misused because they took advantage of their authority and negotiated with multinationals amongst the projects within their respective countries.

The land tenure system in Kenya had evolved from pre-colonial period, through colonialism to post independence. In fact before Kenya became a British colony, customary land tenure system prevailed where land was owned by clans on socially and culturally accepted arrangement among the community members, and all land transactions were done according to the customary law.

The constitution of Kenya (2010), Article 61 sub1 and 2, avers that land in Kenya belongs to the people of Kenya collectively as a nation, Communities, and as individuals. Land in Kenya was classified into public, community and private; Public land is unalienated government land lawfully held, used or occupied by state organ, example includes the national parks, schools, water bodies, forests, (CoK, 2010, Article 62). Community land is held by the communities identified on the basis of ethnicity and culture or similar community interest like among the pastoralists of Maasai and Pokot tribes where grazing land is community land. (CoK, 2010, Article 63).

Private land was registered land held by any person under any freehold tenure for example it can be in large parcels in the form of ranches or plantations in Kericho, Kitale regions; or can be in small scale owned by Luo, Luhya and Kisii communities among others. (CoK, 2010, Article 64).

The report shared by the chairman of the National Land Commission of Kenya (2016) posit that land brokers, cartels and conmen had assumed the role of land and property values

and had gone further to hike the charges for valuation charging fees contrary to what was stipulated in the land agency's Act.

Mosocho Division had a population of 155,057 with a population density of 1,485, according to the 2017 population projections, Mosocho Division covered an area of 104.6 square kilometer (KNBS, 2017). The approximate acreage per family was two acre meaning land was held in small portions due to the high population pressure coupled with cost of living causing people to subdivide agricultural land to meet basic needs. This situation therefore opened an active window for the land brokers and their agents to thrive. Cases of illicit land sale had been documented in Kisii County and examples included land belonging to the police station within the Kisii CBD came to be possessed by the Redeemed Gospel Church; Politicians had illegally transferred land meant for the construction of Kisii market; a family had also hived off land belonging to Gusii Institute of technology, (NLC Report, 2014). The report goes further to discuss cases of collusion between cartels and the land administration officers. The most affected areas were Nyamataro, Jogoo, Nyabururu, Nyanchwa, and Nyangena estates. This study was concerned with assessing the influence of land brokers in the cost of private land within Mosocho Division.

### **Statement of the Problem**

The law of demand and supply had comes into play with reference to cost of land within Kisii county and Mosocho Division to be specific. The economic activity in Mosocho area was mostly subsistence farming along with small scale trade in a variety of items; marketing of these goods was provided by the predisposed population distribution. The cost of land in Mosocho Division varied depending on the location of a parcel of land; for example land along the highway/road and around the social amenities of Mosocho was highly valued compared to those in the interior parts within the area. A parcel measuring 50 by 100 feet along the highway and around social amenities costs Kshs 2 million; while the same in the interior costs Kshs 1.5 million according to official government valuation reports of 2018 held by the Kisii land valuation office. However the actual cost of the same parcel of land on the ground according to the land brokers was Kshs 2.5 million regardless of whether it was in the interior parts or along the highway. This land costs had been on the higher trend despite the existence of the government land Acts that would have been used to regulate the value of land (Land Value's Act Cap 532). Other Land Acts used in land management include: Land Act, 2012; Land Registration Act, 2012; Land Surveyor's Act Cap 299; Estate Agents Act Cap 533 revised in 2012; Sectional property Act of 1987 used by Land Registrar and the Physical Planner's Act Cap 286. Despite these government regulations and procedures on land transaction processes in place, the cost of land had been escalating

taking the advantage of the economic law of demand and supply where the major beneficiaries are land brokers and the elites. There was an estimated number of 21 land brokers operating within Mosocho Division in the last one year between January 2017 and April 2018; there were 186 people who bought land and 132 people selling their parcels of land within the same period according to records held by the land registrar Kisii County. This number can be compared to 150 persons who bought land and 100 persons who sold parcels of their land three years ago. This meant that buying and selling of land had been on an upward trend in the subsequent years-an increase of 27.2%. This therefore confirmed that land brokers may have had some degree of influence in the cost of private land given the statistics above.

This study therefore sought to assess the influence of land brokers on the cost of private land in Mosocho Division.

The Specific objectives of the study were:

- a) To assess the degree of competence of land brokers in determining cost of private land within Mosocho Division
- b) To assess the adherence levels of land brokers towards Government land acquisition procedures in determining cost of private land within Mosocho Division.
- c) To establish the degree of influence of land brokers over land buyers and sellers in determining cost of private land within Mosocho Division

## **THEORETICAL REVIEW**

The study focused on various theories as discussed below;

### **Class Struggle Theory**

Karl Marx (1818-1883) was the author of this theory; the theory was advanced by Rummel in the Book entitled Understanding conflict and War (Rummel, 1977). In this theory the argument was that society comprised two classes; the bourgeoisie who are also the owners of factors of production on one hand and the proletariats who provide labor to the bourgeoisies in return for a reward on the other hand. In this theory the bourgeoisies were able to maintain their position of power through manipulating the legal system-the law enforcers, the justice system and other forms of authority for self-aggrandizement and protection of their position within the society where they control ideas that dictate how society should be governed using media and the education sector. The proletariats in this theory were taught to believe that capitalism is something very good and should be embraced; meanwhile they remain powerless, suffer inequality in the hands of their masters. Marx avers that Social change within the society through a revolution would be the only way to bring order in the society and end the class

struggle between the rich and the poor and this would happen when become united with a mission to displace the rich.

### **Functionalist Perspective Theory**

The origin of this theory is accredited to Emile Durkheim (1858-1917). Talcot Parsons (1902-1979) advanced the theory and discussed the structural functions of a society that contribute to the wellbeing of the society this meant that all components of the society work for the good functioning of the society.

According to Crossman who also advanced the theory in her article *Understanding Functionalist theory*, society needs to function like a human body with different organs working for the good of the society;

The different institutions of the society like economy, religion, media, and education operate at a macro level and are compared to the human body working for the good of the society to bring order and relative stability to maintain status quo/equilibrium (Crossman, 2018). The theory appreciated that there are likely to be social changes within the society caused by dysfunctional parts of the society/institutions within the society, and when this happened, the other remaining institutions/societal parts, would adjust and compensate the dysfunctional part in the spirit of interdependency of parts of a system. Crossman affirmed that inequality was a condition in which members of the society had different amount of wealth, prestige or power; and this situation existed in all societies and it was inequality that made societies to function (Crossman, 2018). This theory therefore was contrary to Karl Marx theory of class struggle which was opposed to inequality.

Mwatani (2009) in his Master's thesis used the theory to explain the challenges of land conflict negotiations in Mulunje District, Malawi; where society needed the four institutions to survive without which it dies; the four institutions are family, education, legal institutions and religion (Mwatani 2015)

The theory therefore was relevant to the study because it explained how the different members of the society played different roles and co-existed for the good functioning of the society. The different members in this context would be the land brokers, the land owners and land buyers and the land management institutions; all these members of the society were interdependent and interrelated to each other so that without one component the other would not operate effectively and efficiently. Therefore what was required would be to ensure that each member of the society, despite their different classes/ roles, contributed to the proper functioning of the society to ensure the equilibrium was maintained.



Therefore whenever the societal equilibrium was maintained, the perceived escalated prices of land by land brokers would be demystified along with the weaknesses of institutions managing land.

This meant that each class would contribute honestly in a fair, equitable, efficient and effective manner so that the societal equilibrium was maintained to augment good governance; the malfunctioning of the different parts of the society was a recipe of poor governance in the land sector. The theory had been criticized because it supported status quo and promoted class inequality.

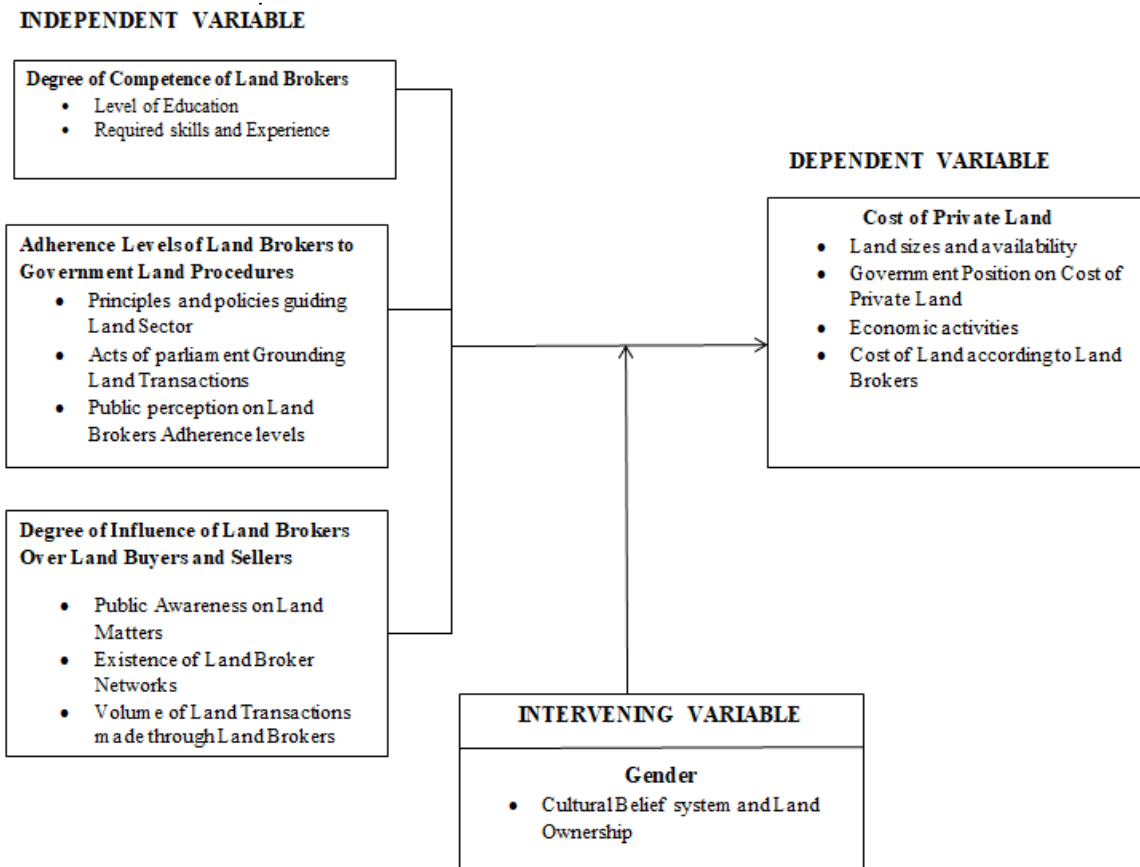


Figure 1: Conceptual framework

### Research Gaps

There had been little attention given by researchers on the influence land brokers play in the land sector in Africa while linking land owners to land buyers interested in private land as property. Africa has been an investment destination for countries in the West as well as those of the East; Kenya just like other African countries did not have a well-functioning land market structure compared to the West and East countries (M.R Mwangi, 2016).



This situation had attracted the activities of land brokers in Africa and Kenya to be specific, who may be breaching a gap that had not been met adequately by the institutions mandated to do so; this situation might be occasioned by the manner land transactions occur on private land which take a low profile and is normally very quiet yet its impact had far reaching effects.

However the available pieces of literature in circulation view land brokers negatively for example as corrupt people who take advantage of their clients' limited knowledge and ignorance to make hefty commissions in return for the services they offer. Meanwhile the activities of land brokers sometimes caused serious family and community feuds that were fatal weakening social ties and family fabrics.

### Research methodology

The research was conducted in Mosochi Division of Kitutu Central Sub County in Kisii County. The study site had a population of 155,057, a density of 1,485, under an area of 104.4 square Kilometers according to the population projections of 2017 (KNBS, 2017). The target population comprised of five groups namely: land management officers/land transactional professionals, land brokers, local administrators, land buyers, land sellers which comprised a sum total of 374; the five groups constituted: local administrators at the grassroots (chiefs and Assistant chiefs); Land transaction professionals/Land management officers (Assistant County Commissioner, land Registrar, land Valuer, land Surveyor; land Control Board members, Conveyance lawyers), Land Brokers, land buyers and land sellers.

Table 1: Categories of Target Population and number

Target Population Category	Number
Land Brokers	21
Chiefs	7
Assistant chiefs	14
Assistant County Commissioner	1
County Land Surveyor	1
County Land Registrar	1
County Land Valuer	1
Land lawyer (expert)-land conveyance	1
Land Control Board Members	9
Land Buyers (1 <sup>st</sup> Jan 2017-30 <sup>th</sup> Jan 2018)	186
Land Sellers (1 <sup>st</sup> Jan 2017-30 <sup>th</sup> Jan 2018)	132
<b>Total</b>	<b>374</b>

Table 2: Target Population and Sample Size

<b>Population Category</b>	<b>Target Population</b>	<b>Sample Size</b>
Assistant Chiefs	14	5
Assist County Commissioner	1	1
Chiefs	7	2
County Land Officer	1	1
County Land Surveyor	1	1
County Land Valuer	1	1
Land Brokers	21	21
Land buyers(1 <sup>st</sup> Jan2017 – 1 <sup>st</sup> Jan 2018)	186	122
Land control Board	9	3
Land Lawyer expert – Land conveyance	1	1
Land Sellers (1 <sup>st</sup> Jan2017 – 1 <sup>st</sup> Jan 2018)	132	96
<b>TOTAL</b>	<b>374</b>	<b>254</b>

The instrument for data collection was the open ended questionnaire for all the respondents that were sampled in this study. The instrument for data collection was the open ended questionnaire for all the respondents that were sampled in this study as already stated in the Table 2 above. Instrument was relevant because it ensured that the responses drawn are detailed, standardized and saved time for the scholar. The respondents on the other hand had time to respond in a relaxed atmosphere whereby they were able to reveal surprising information which sometimes may not have come out if a different method would have been used. This is because the respondents were left to express their thoughts in the absence of the researcher.

The study applied a descriptive and inferential statistical technique in the data analysis using computerized software SPSS version 22. The excel computer programme was used to key in the coded questions; this data eventually was exported to SPSS for analysis and generation of results which constituted both descriptive and inferential; the SPSS software was used to create frequency tables.

All the three objectives were analyzed descriptively and presented using frequency tables and percentages. For inferential statistical technique, correlation model was used to test the level of significance of the objectives in the study; the relationship between the major categories and sub categories was analyzed, results interpreted using the Karl Pearson model of correlation analysis. The Pearson's Correlation was invented by Karl Pearson, and correlation was a number between -1 and 1 that indicates the extent to which two variables are linearly related. The data is usually represented in a table or a scatter plot graph to understand the relationship between two variables; the data is then interpreted as follows: If Pearson's  $r$  was

close to 1 then there is a strong relationship between the two variables; a change in one variable strongly correlates with changes in second variable. When Pearson's  $r$  is close to 0 then there is a weak relationship between the two variables. When Pearson's  $r$  had positive value there is a direct correlation between the two variables and this meant that as one variable increases in value the second value also increases in value and vice versa. If Pearson's  $r$  had negative value then it indicated an inverse relationship. The sig(2 Tailed) value indicates whether there is a statistical significance correlation between two variables; if its value is greater than 0.05 there is no statistical significance in correlation between the two variables, and if it is less than or equal to 0.05 then there is a significant correlation between the two variables.

## ANALYSIS AND FINDINGS

### Degree of Competence of Land Brokers to Determine Cost of Private Land

#### *Existence of Land Brokers*

The responses to the question were as shown in the table below:

Table 3: Existence of Land Brokers in the Community

Response	Frequency	Percent
Yes	139	85.3
No	12	7.4
Not Answered	12	7.4
<b>Total</b>	<b>163</b>	<b>100.0</b>

According to table 3, the existence of land brokers was a reality and widely acknowledged in Mosocho Division (85.3%); meaning land broker services were sought for by many hence meeting needs of a greater percentage of the population under study. This overwhelming confirmation of the land brokers' existence had a significant influence on the cost of land because the land broker was an added entity in the chain of land transaction making them a power to reckon with.

### Adherence Levels of Land Brokers towards Government Land Acquisition Procedures

#### *Factors Likely to Contribute to Non-Adherence by Land Brokers towards Government Land Acquisition Procedures*

The respondents were required to state whether or not the brokers adhere to government land procedures in processes of land transactions. They responded as shown in the table below:

Table 4: Land Brokers Adherence Levels to Government Land Procedures

<b>Response</b>	<b>Frequency</b>	<b>Percent</b>
Yes	50	30.7
No	86	52.8
Not Answered	27	16.6
<b>Total</b>	<b>163</b>	<b>100.0</b>

According to Table 4, land brokers do not follow government land procedures (52.8%) this could have been attributed to their low level of education and their motivation to make money from land buyer and land sellers (27.8%).

Land brokers were perceived to be incompetent (68.7%); according to the responses land brokers were not covered in the constitution (73.0%), may be this would have been the reason why they do not adhere; further to this their capacities to comprehend land processes was also low may be due to their low levels of education and their motivation to make quick money.

#### ***Factors Likely to Contribute to Non-Adherence by Land Brokers to Government Land Acquisition Procedures***

Table 5: Factors likely to Contribute to non-Adherence by Land Brokers

<b>Response</b>	<b>Frequency</b>	<b>Percent</b>
They are not well trained and there is no school in Kenya that is designated to train brokers	15	9.2
They are not keen on laws	13	8
They are corrupt	23	14.1
They are not bound legally	112	68.7
<b>Total</b>	<b>163</b>	<b>100</b>

According to the table 5 land brokers were not legally bound to follow government procedures (68.7%). The activities of land brokers were not captured comprehensively in the constitution giving them a lee way to design their mode of operation that may be a recipe for corruption; reference is made to Table 4.

### ***Strategies Employed by the Government in Ensuring Land Procedures are Followed***

Table 6: Government strategies to ensure land procedures are followed

<b>Response</b>	<b>Frequency</b>	<b>Percent</b>
The government has established the land control board	15	19.5
The land registrar is registering all the land titles	23	29.9
Surveyors are demarcating land to ensure boundaries are clear	18	23.3
Land agreements are witnessed and consolidated in the office of the chief	21	27.3
<b>Total</b>	<b>77</b>	<b>100</b>

According to Table 6, the land registrar has been capacitated by the government to keep records of all transactions and issue the same whenever required by the client. (29.9%). The survey department equally has been facilitated to ensure all land boundaries are defined at 23.3%; meanwhile the local administration works hand in hand with the land sector to ensure land processes are moving smoothly.

### **Degree of Influence of Land Brokers Over Land Buyers and Sellers**

#### ***Ability of Land Buyers and Sellers to Transact Land Matters without Involving Land Brokers***

The respondents were required to give an opinion as to whether land sellers and buyers could transact land matters without involving land brokers. Their responses were as shown in the Table below.

Table 7: Land Buyers' and Sellers' Competence to Transact Land Matters

<b>Response</b>	<b>Frequency</b>	<b>Percent</b>
NO	106	65.0
YES	31	19.0
Did not answer the question	26	16.0
<b>Total</b>	<b>163</b>	<b>100.0</b>

According to Table 7, the respondents gave opinion that land transaction matters needed the involvement of Land brokers (65.0%) in Mosocho Division. This was attributed to the fact that land brokers were the most critical land actors followed by the land registrar. Their services were the most sought and their existence is widely acknowledged within Mosocho Division at 85.3%.

## Karl Pearson's Correlation Analysis

Table 8: Karl Pearson's Correlation Analysis

Correlations Analysis	Cost of private land (a)	Adherence levels of land brokers to government land procedures (b)	Degree of influence of land brokers (c)	Degree of competence of land brokers on land matters (d)
Pearson	1	0.020	.016	.247
Correlation sig.(2 tailed)		.813	.813	.012
N				
(a)	148	148	148	148
Pearson	0.20	1	0.20	0.20
Correlation sig.(2 tailed)	0.813		0.414	0.049
N				
(b)	148	148	148	148
Pearson	0.016	0.068	1	0.034
Correlation sig.(2 tailed)	0.848	0.414		0.679
N				
(c)	148	148	148	148
Pearson	0.247	0.167	0.034	1
Correlation sig.(2 tailed)	0.012	0.049	0.649	
N				
(d)	148	148	148	148

From the statistics computed and illustrated in the table above, correlation sig (2 tailed) of 0.012 and 0.049 are statistically significant because their value is less than 0.05 i.e.  $0.012 < 0.05$  and  $0.049 < 0.05$ . This further implied that an increase or decrease in the dependent variable significantly influences/increases the independent variable.

In this study therefore if the degree of competence of land brokers on land matters increased, then the cost of land would even be more expensive than it is currently meaning buying or selling private land through land brokers would be damn expensive (correlation sig.(2 tailed) of 0.012 is statistically significant). The Pearson's  $r$  on the degree of competence of land brokers on land matters verses the cost of private land is 0.247( $r = 0.247$ ) confirms a direct correlation with a positive value between the two variables although it is a weak relationship because the positive value of 0.247 is closer to zero than 1. The Pearson's  $r$  on degree of

competence of land brokers on private land matters verses adherence levels of land brokers to government land procedures is 0.162 ( $r = 0.162$ ) confirms a direct correlation with a positive value between the two variables although again it is a weak relationship since it is closer to zero than 1.

The findings of the study therefore affirmed that competence of land brokers was closely correlated to cost of land; thus if the government decides through a policy to improve their competence through capacity building, licensing, and level of participation in this area, then the cost of land would increase. The interpretation for the correlation sig (2 tailed) = 0.049 means that the degree of competence of land brokers directly affects their adherence levels of land brokers to government land procedures, thus an increase in the land brokers' competence to handle land matters would directly increase their adherence to government regulations which eventually would improve good governance in the land sector. The other correlation sig (2 tailed) values are greater than 0.05 i.e.  $0.813 > 0.05$ ,  $0.848 > 0.05$ ,  $0.414 > 0.05$  and  $0.679 > 0.05$ . This implied that they were not statistically significant to the study.

The Pearson's  $r = 0.162$  indicates a positive value meaning there is a positive direct correlation between the two variables thus degree of competence of land brokers to deal with private land matters verses the adherence levels of land brokers towards government land procedures.

Pearson's  $r = 0.247$  indicated a positive value affirming a direct correlation between the two variables thus degree of competence of land brokers to deal with private land matters verses the cost of private land. This meant that influence of land brokers in the cost of private land according to the study conducted was a reality and may be used to inform government policies within the land sector.

Failure to pay attention to the influence observed may adversely affect cost of private land in future and may be a recipe for bad governance within the land sector.

This Pearson correlation analysis therefore answered the research questions raised in the general and specific objectives of the study respectively; thus confirming that there was influence of land brokers in the cost of private land in Mosocho Division. The study confirmed that the degree of competence of land brokers in land matters would affect the cost of land showing statistical Pearson correlation sign.(2 tailed) of 0.012( $0.012 < 0.05$ ), while the Pearson's  $r$  had a direct correlation positive value of 0.247 between the two variables although the relationship was weak. The study also revealed that the degree of competence of land brokers on land matters would affect adherence levels of land brokers to government land procedures, this had a statistical Pearson correlation sig.(2 tailed) of 0.049( $0.049 < 0.05$ ) and the Pearson's  $r$  had a direct correlation positive value of 0.162 between the two variables.



The two variables for Pearson  $r = 0.247$  are:

$V_1$  = Cost of Private land

$V_2$  = Degree of competence of land brokers on land matters.

The two variables for Pearson  $r = 0.162$  are:

$V_1$  = Adherence level of land brokers to government procedures.

$V_2$  = Degree of competence of land brokers on land matters.

## CONCLUSIONS

From the first objective the study concluded that in spite of the many ills attributed to the activities of land brokers in Mosoch Division, land brokers are a common face in land transactions within the Mosoch Division. However, they are not well trained; they are perceived to be corrupt and exploitative to their clients. Therefore the Government should put measures in place to safeguard the public from the negative impact of the land broker activities during private land transaction processes; Training of land brokers by Government should be a priority. Meanwhile the same Government should be keen to regulate the land market so that land brokers operate formally and even contribute to economic growth through taxation of the income from their business; this move shall ensure corruption within the Kenyan land sector is kept at bay.

The research findings had revealed that land managers/ professionals work closely with land brokers to cut out corrupt deals; taking advantage of the unregulated land market. From the second objective, the study concluded that land brokers were not operating under the law and therefore efforts should be put in place to align land brokers activities with the Constitution of Kenya.

## RECOMMENDATIONS

From the first objective the study recommended that the land managers/ professionals to be more active and aggressive in performing their duties and responsibilities so that the negative perception towards land brokers can be demystified. Land Brokers required to be trained in formal schools, registered and licensed by government and have clear job descriptions that ensured they did not encroach into the duties and responsibilities of the land managers/professionals.

## SCOPE FOR FURTHER RESEARCH

The Scholar recommended that further study be conducted on the influence land brokers have on land transactions involving government acquisition of private land into public land for

infrastructural development intended to improve quality of life for example road networks and other social amenities.

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**APPENDIX: Questionnaire**

**Land brokers Adherence levels towards Government land procedures**

1. Highlight three major land managers/Land transaction professionals who are critical during a land transaction in your opinion. (Use only the dotted spaces below)

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.....

.....

2. a) who among the following people meets the greatest need of land buyers and sellers in land transaction processes? (Tick only one box)

- Land broker [ ]
- Land surveyor [ ]
- Land Registrar [ ]
- Land Control Board [ ]
- Land Lawyer [ ]
- Land Valuer [ ]
- Chief's Office [ ]

b) Who among the following people least meets the needs of land buyers and sellers?(Tick only one box)

- Land broker [ ]
- Land surveyor [ ]
- Land Registrar [ ]
- Land Control Board [ ]
- Land Lawyer [ ]
- Land Valuer [ ]
- Chief's Office [ ]

c) In one sentence, state the critical role played by the person ticked above in question 2(a)(Use only the dotted spaces below)

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.....  
.....

3. a) In your own opinion, do you think land brokers adhere to government land procedures?(Tick only one box)

- (i) YES [ ]                      (ii) NO [ ]

b) If your answer above is YES, please explain (Use only the dotted spaces below)

.....  
.....

c) If your answer above is NO, please explain (Use only the dotted spaces below)

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d) What factors are likely to contribute to the lack of adherence by land brokers? (Use only the dotted spaces below)

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.....

(a) Do you think the government is doing enough to ensure land procedures are followed by land brokers in Mosoch Division? (Tick only one box)

- (i) YES [ ]                      (ii) NO [ ]

(b) If your answer above is YES, mention at least two strategies the government has used to ensure adherence to land procedures.

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.....

.....5a) Are you aware of any of the eight National Land Policy Principles guiding land management in the Constitution of Kenya? (Tick only one box only).

YES [ ] NO [ ]

b) If your answer above is YES, state any one of the land policy principles you know about?

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.....

c) Comment whether the policy named above is being implemented by the government of Kenya(Use only the dotted space below).

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6. What is your perception of the government's role as the top land broker? (Use only the dotted spaces below).

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7. In your own opinion, do you think the legal requirements at the ministry of land increases or reduces adherence towards government procedures? (Tick only one box)

(i)Increases[ ] (ii) Decreases [ ]

8. How best do you think the authority of land professionals may be strengthened to deal with land procedure matters? (Use only the dotted spaces below).

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**Degree of Influence of Land broker over land Buyers and Sellers**

1. a) In your own assessment can land buyers and sellers transact land matters without involving land brokers?

YES [ ] NO [ ] (Tick only One box)

b) If your answer above is YES, please explain (Use only the dotted spaces below)

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c) If your answer above is NO, please explain. (Use only the dotted spaces below).

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2. a) In your own opinion, which of the following groups are likely to be affected by the activities of land brokers in Mosoch division? (Tick only one box)

Orphans [ ]

Widows [ ]

Widowers [ ]

Married men [ ]

Married women [ ]

Youths [ ]

b) Depending on the answer you have given above (2.a), please explain why you think so? (Use the dotted spaces given below)

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3. In your own assessment, what has been the practice? (Tick only one box only)

(i) Land brokers look for land buyers and sellers during land transaction process

YES [ ] NO [ ]

(ii) Land buyers and sellers look for land brokers during land transaction process

YES [ ] NO [ ]

4.a) Are there other actors likely to influence the cost of land apart from land brokers? (Tick only one box)

YES [ ] NO [ ]

b) If YES, state other actors and their level of involvement (use only the dotted space below).

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c.) If NO, explain why you think land brokers are the only actors. (Use only the dotted space below).

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5. Suggest two practical suggestions that can be implemented to eliminate exploitation of land buyers and sellers by land brokers. (Use only the dotted space below)

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.....



6.a) Have you witnessed any form of corruption perpetrated by land brokers in Mosocho Division? (Tick only one box)

YES [ ] NO [ ]

b) If your answer above is YES, please explain three activities that may lead to corruption (Use only the dotted space below)

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.....

7.a) Apart from land brokers activities, are there other activities that may contribute to corruption in land transaction?

YES [ ] NO [ ]

b) If your answer above is YES, please explain (Use the dotted space below)

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c.) If your answer above is please NO, please explain (Use the dotted space below)

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