

CHALLENGES OF PROPERTY TAXATION IMPLEMENTATION IN LOCAL
AUTHORITIES OF YOBE STATE, NIGERIA

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UNIVERSITI TEKNOLOGI MALAYSIA

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A PROJECT REPORT SUBMITTED IN PARTIAL FULFILMENT OF
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DEDICATION

I dedicate this research work to Almighty Allah and to my beloved parent, who taught me how to be respectful, never give up and be thank to Almighty Allah for what you have.

ACKNOWLEDGEMENT

I am eternally grateful to Almighty Allah for fulfilling His desires upon my life and for sustaining me throughout my educational adventure at Universiti Tecknologi Malaysia. I owe Him all praises and appreciation. Thank you Almighty Allah.

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ABSTRACT

Rating tax is a form of property tax that is levied by Local authorities in order to ensure the continuous provision of services which are beneficial to all (Busari, 2017). This source of revenue forms a substantial part of municipal government revenue in most countries. It is disheartening to know that this variable source of revenue to the state seems to have been underutilized or neglected by the local authorities in Yobe state, hence the local authorities in the state lives and cries on non-availability of revenue. It is against this background that the research was embarked upon to examine the challenges of property taxation in Yobe state, as the current practice by the State and Local Authorities to depend solely on revenue generated from the oil sales is no longer sustainable. The State and the Municipal Government must complement the oil revenue generated and shared by the Federal Government through its internal revenue (IGR) sources, hence the need to unleash the full potential of property taxation is important to boost the internally generated revenue (IGR) of the state. The study established that there is zero level of readiness to implement property taxation by local authorities in the state as there is no policy to implement property taxation, the local authorities lack property taxation experts and there is partial awareness of the existing rating laws in the country by the municipal councils. The study also established that the municipal councils requires property databank, funding, rating authority/unit, infrastructure, tools and human resources to implement property taxation in the state. The study found that the challenges hindering implementation of property taxation in the state include; lack of housing databank, assessment problems, lack of expert, security challenge, public perception, funding, government policy, technology and corruption. The study demonstrated the wider implications of these challenges and in order to achieve the sole aim of implementing property taxation by the municipal councils of the state. The study recommended a range of measures as follows: The Tenement rates law of 1989 has outlived its usefulness and should be amended to pave way for reforms and policies that would enhance rating tax implementation; local government should be given proper autonomy as guaranteed in the law of the land by operating independently; laws and policies guiding the administration of property tax should be vigorously implemented; public enlightenment and sensitization should be embarked upon to keep the public well informed about the processes and practices throughout the course of the implementation; adequate funding should be provided for the purchase of equipment needed such as computers, networks, storage devices and staff training for easy implementation of the property taxation; adequate mechanism should be in place to checkmate corruption cases in the municipal councils; requisite human and logistical resources should be given priority to address the lack of capacity to implement property taxation due to unqualified staff; the use of statutory formula should be avoided because it has been adjudged to be primitive and unscientific; property databank should be established to enable easy capture, storage, updating and interrogation of all types of property data and technology based rate administration should be implemented despite high initial installation costs. It was concluded that only with the fulfilment of the above resources as well as addressing the above mention challenges, implementation of property taxation in the seventeen local authority would generate the revenue needed at the municipal level to provide adequate and quality public amenities, facilities and services as well as to enhance local development of Yobe state.

ABSTRAK

Cukai Kadaran adalah satu bentuk cukai harta yang dikenakan oleh Pihak Berkuasa Tempatan bagi tujuan memastikan kemampuan untuk menyediakan perkhidmatan awam secara berterusan serta berfaedah kepada warga bandaran (Busari, 2017). , Bagi negara-negara yang melaksanakan cukai ini, ianya merupakan sumber hasil terbesar yang berupaya dijana oleh pihak kerajaan tempatan. Adalah amat menyedihkan apabila diketahui bahawa sumber hasil melalui kaedah ini tidak diamalkan di negeri Yobe, Nigeria, sedangkan pihak berkuasa tempatan di Yobe mengalami masalah ketiadaan hasil. Diatas alasan ini maka kajian ini telah dijalankan untuk meneliti cabaran-cabaran bagi melaksanakan cukai kadaran memandangkan kebergantungan kepada hasil dari sumber minyak tidak lagi mampu menampung kos perbelanjaan pihak berkuasa tempatan. Hasil pendapatan yang dijana daripada sumber dalaman oleh kerajaan negeri serta pihak berkuasa tempatan, perlulah saling lengkap melengkapi dengan hasil yang dikongsi oleh pihak kerajaan persekutuan. Justeru itu maka adalah amat penting untuk mencerna daya potensi sepenuhnya cukai kadaran dalam membantu mempertingkatkan hasil dalaman pihak kerajaan negeri. Hasil dapatan kajian menunjukkan bahawa tahap kebersediaan pihak berkuasa tempatan dalam melaksanakan cukai kadaran adalah sifar. Ini kerana tiada terdapat polisi untuk pelaksanaan cukai kadaran, pihak berkuasa tempatan tidak mempunyai pakar cukai kadaran dan juga kerana pihak berkuasa tempatan tidak menyedari akan wujudnya undang-undang cukai kadaran diperingkat negara. Kajian telah menunjukkan bahawa bagi tujuan pelaksanaan cukai kadaran, pihak Majlis Tempatan memerlukan bank data hartanah, pembiayaan, unit khas pihak berkuasa cukai kadaran, infrastruktur, peralatan serta sumber tenaga manusia. Kajian juga telah menunjukkan bahawa antara cabaran-cabaran yang telah menjadi penghalang kepada pelaksanaan cukai kadaran adalah: ketiadaan bank data perumahan, masalah penaksiran cukai, ketiadaan pakar penaksiran cukai kadaran, cabaran sekuriti, anggapan pihak awam, pembiayaan, polisi kerajaan, teknologi serta rasuah. Kajian ini juga telah mendedahkan implikasi yang lebih luas cabaran-cabaran ini terhadap pelaksanaan cukai kadaran di Yobe, Nigeria. Beberapa langkah pengukuran telah dicadangkan seperti berikut: Undang-undang Kadaran 1989 perlu di pinda untuk memberi laluan kepada reformasi serta polisi-polisi yang berupaya melancarkan pelaksanaan cukai kadaran; pihak kerajaan tempatan perlu diberi kuasa autonomi untuk beroperasi secara bebas sepertimana diperuntukkan dibawah undang-undang; perlu memberi pencerahan serta lebih peka kepada keperluan awam supaya orang awam jelas serta memahami proses pelaksanaan cukai kadaran termasuk amalan-amalan disepanjang tempoh pelaksanaan cukai kadaran; menyediakan pembiayaan yang mencukupi bagi tujuan pembelian alat seperti komputer, jaringankerja, peralatan simpan dan latihan kakitangan bagi memudahkan pelaksanaan cukai kadaran; menyediakan mekanisma yang lengkap bagi tujuan mengawal kes rasuah yang terdapat di Majlis-majlis Bandaran; keperluan sumber manusia serta logistik perlu diberi keutamaan bagi mengatasi masalah kekurangan kakitangan yang berpengalaman serta berpengetahuan dalam bidang cukai kadaran, penggunaan kaedah Formula Berstatut perlu dielakkan kerana kaedah ini dianggap

sebagai primitif dan tidak saintifik; bank data hartanah perlu disediakan supaya aktiviti capaian, penyimpanan, mengemaskini dan soal siasat bagi kesemua jenis hartanah dapat dilaksanakan, dan pentadbiran cukai kadaran berasaskan teknologi perlu dilaksanakan walaupun melibatkan kos pemasangan awal yang tinggi. Sebagai kesimpulan, pelaksanaan cukai kadaran di kesemua tujuh belas pihak berkuasa tempatan yang terdapat dalam negeri Yobe, Nigeria, akan berupaya menjana hasil yang diperlukan bagi tujuan penyediaan kemudahan, fasiliti serta perkhidmatan awam termasuk mempertingkatkan pembangunan tempatan dalam negeri Yobe, hanya sekiranya sumber-sumber yang diperlukan dapat disediakan serta cabaran-cabaran yang dinyatakan dapat ditangani serta diatasi.

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LIST OF ABBREVIATIONS

CBN	-	Central Bank of Nigeria
EIA	-	Energy Information Administration
USA	-	United State of America
NIESV	-	Nigerian Institution of Estate Surveyors and Valuers
VAT	-	Value added tax
CGT	-	Capital Gains Tax
CTT	-	Capital Transfer Tax
FAAC	-	Federal Account Allocation Committee
FCT	-	Federal Capital Territory
IGR	-	Internally generated revenue
NBC	-	National Bureau of Statistics
QDA	-	Qualitative data analysis miner
OECD	-	Organization for Economic Co-operation and Development
AICPA	-	American Institute of Certified Public Accountants
FRI	-	Full Repairs and Insurance
JTB	-	Joint Tax Board
LGAs	-	Local Government Areas
ESV	-	Estate Surveyors and Valuers
GDP	-	Gross Domestic Product
PPP	-	Purchasing Power Parity
MCRDF	-	Majesty Community Rural Development Foundation
NPC	-	National Population Commission
YEDC	-	Yola Electricity Distribution Company of Nigeria
YOGIS	-	Yobe state geographic information service
UTM	-	Universiti Tecknologi Malaysia

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CHAPTER 1

1.0 INTRODUCTION

1.1 BACKGROUND OF THE STUDY

Real estate can be regarded as one of the most significant tool of national growth. It is the physical structure of a nation on which the standard of a nation's development is established. Thus, a nation could be classified as developed or developing, advanced or third world. Prior to the emergence of the modern urban development, the traditional African society has been used to the system of tax payment, except that the mode varies from time to time. In its initial form, contribution of labour was regarded as "sweat tax" while compulsory collection of farm produce after harvest based on the value of land was regarded as "property tax" (Kuye, 2017).

These taxes are used for maintenance of roads, market, emir palaces, village square and other public places. With increasing urbanization complexities, it became apparent for greater interdependence in provision of public goods and services for the society. Moreover, because of the nature and enormous financial involvement in the provision of these goods and services, it became imperative for a legally constituted government, protected and permitted by law to levy and collect taxes from qualified individuals and organisations. Taxes are now in monetary form and can be collected and for the provision and maintenance of public goods and services (Afuberoh and Okoye, 2017). A précised definition of taxation by Farayola (1987) is that taxation is one of the sources of income for government, such incomes used to finance or run public utilities and perform other social responsibilities. Chika (2017) defines tax as a levy imposed by the government against the income, profit or wealth of individual and corporate organizations.

Lowell (2017) defined property tax as a levy that is imposed primarily upon land and buildings. In some countries, including the United States, the tax is also imposed on business and farm equipment and inventories. Sometimes the tax extends to automobiles, jewelry, and furniture

and even to such intangibles as bonds, mortgages, and shares of stock that represent claims on, or ownership of, tangible wealth. The amount payable is based not on a person's or a company's total net wealth but on gross value without regard to debts.

Property tax which is a form of tax chargeable by government was defined as “a tax imposed by municipalities upon owners of real property within their jurisdiction based on the value of such property” (Olusegun, 2016). Such taxes are administratively feasible in virtually any circumstances and, being locally fixed and are particularly suitable as a source of locally generated revenue for state and local governments.

In Nigeria, property taxation has limited revenue potential because the nation places higher priority on oil revenue and in some cases real estate taxes has proven to be difficult to administer. To ensure effective utilization of property tax policies in Nigeria, government needs to adopt a vibrant legal and administrative structure.

Nigerian major revenues come from oil source, historically oil has been the largest contributor; CBN data shows that 2016 was the only year since 1981 where non-oil revenues were larger than oil revenues hence Nigeria is titled as an oil-dependent economy.

Nigerian Oil revenues hit ₦8 trillion in 2011 and have never been as high since. The big drop happened in 2015 when oil revenues fell from ₦6.8 trillion to ₦3.8 trillion following a plunge in oil prices and a subsequent drop in oil production due to militant activities in the oil region (Niger Delta) of the country. Oil prices were above \$100 per barrel prior to the collapse; presently, we have an assumed price of \$57 per barrel for the 2021 Budget. Moreover, future projections are equally modest. The United States Energy Information Administration (EIA) expects oil prices to average \$60 per barrel in 2021 and the World Bank expects \$70 per barrel in 2030. So, oil revenues will grow in the future, but probably not fast enough to solve Nigerian revenue problems (EIA, 2021).

Unlike in Nigeria, taxes from real estate and non-real estate sectors are typically the primary source of government revenue in some countries, real estate tax accounting for more than 50% of the federal revenue in USA, South Africa, Ghana and other developed and developing countries in the world. Professionals on tax matters in the real estate sector have described Property

tax as an untapped goldmine in Nigeria. They have called for an overhaul of the policy that renders Nigerian property tax ineffective and costly over the years.

Newspapers in Nigeria had been reporting that Nigerian government has been borrowing to fund its developmental project/budget especially now the country is facing serious financial challenges as a result of sustain depletion in oil revenue and financial loss cause by the COVID 19 pandemic. The Nigerian Institution of Estate Surveyors and Valuers (Niesv) have also expressed concerns and worries on the present system of land and real estate taxes in the country. It is against this backdrop that this research is proposed to examine the challenges of property taxation by Local Authorities in Yobe State, Nigeria.

1.2 STATEMENT OF RESEARCH PROBLEM

Nigeria is the most populated country in Africa with more than one-seventh of the continent's estimated population. With the current population of 206, 139, 587, the impact of the nation's population growth on public utilities is better imagined than described as most of the social services and amenities have been over stretched. Most of the public utilities are seriously in need of repairs, this does not overlook the need to extend the provision of such amenities to areas that are lacking.

In Nigeria, the petroleum sector has, since independence, taken the major part in revenue mobilization and taxes have been pushed to the background as an optional source of public finance. Hence tax policies, administration and implementation in Nigeria receives not the deserved commitment from the government taking into cognizance the current realities. Taxes imposed in Nigeria are classified as direct and indirect taxes administered via the three tiers of government, the federal, state and local governments. Direct taxes are company's income tax, personal income tax, petroleum profits tax and capital gains tax; while the indirect taxes include stamp duties, customs and excise duty and Value Added Tax (VAT) among others. Another form of taxation constitutes the property tax which is the major theme of this research work. Although property tax is not given the desired attention by government, several property related taxes have featured in various legislations in the country such as Tenement Rate, Capital Gains Tax (CGT), Capital

Transfer Tax (CTT), Betterment Tax, Inheritance Tax, Severance Tax etc, hence the need for the study.

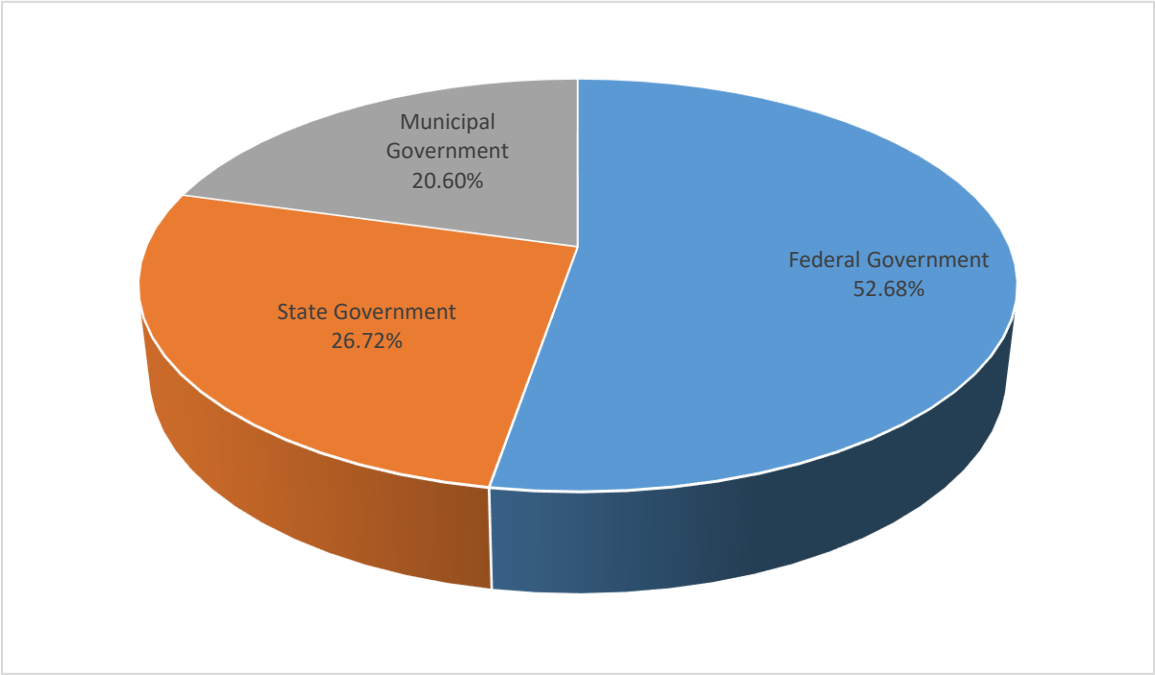
Property tax is very unpopular with homeowners in Nigeria particularly Yobe State. Some countries embrace property taxation as one of the viable tool for equitable distribution of land. For instance, the governments in Taiwan and Chile levy taxes on vacant lands to stimulate development in certain zones, in Jakarta, Indonesia, the government collects higher tax rates on land not in use and the Republic of Korea taxes speculative gains in land transactions. This approach has never been practically adopted in Nigeria although there are some legislations to that effect. Furthermore, the 1999 Constitution of the Federal Republic of Nigeria provides the constitutional basis for property taxation, unfortunately, this warrant is not being utilized to properly enlist one of the most vibrant sources of public revenue at the state and local government levels.

Yobe State was created in 1991. It is one of the state that are least developed in Nigeria and one of the two state that was severely affected by the activities of the Boko haram terrorist group. To enable it developed and be among other developed states, it requires substantial revenue which are these days very difficult to come by. Revenue is required for reconstruction of public facilities destroyed by the Boko haram insurgent in addition to the provision of new basic amenities like school, road, hospitals, drainages and efficient refuse disposal system. All these amenities and services could not be provided in sufficient quantity because the revenue required is not available.

The State government's ability to invest be it physical or human capital, relies on raising enough money to meet those need. Local Authorities in the state has to make enough money to keep up with its expensive civil servant salary and rising debt servicing costs. The State and Local Authorities seems to rely very much on the subvention from the federation account, which is not adequate enough to meet the need of the people in terms of provision of basic amenities. What the State and Local Authorities earn from oil proceed from the Federal government does not meet their needs as a result of sustain depletion of oil revenue and the financial challenges posed by the COVID 19 pandemic. The sharing formula for the allocation of the subvention by the Federal Account Allocation Committee (FAAC) is fixed, the allocation for the Federal Government is

52.68%, and the 36 state of the Federation including the Federal Capital Territory (FCT) are given 26.72% of the revenue generated while 774 Local Authorities of the country are given 20.60% to share among themselves. The sharing among the state and the Local authorities is based on factors which include; population, equality, internal revenue generation effort, water, education, health and landmass and terrain.

Figure 1.1: Revenue Allocation formula



Source: FAAC, (2022)

One variable source of revenue to the state seems to have been underutilized or neglected is the property taxation, hence the state lives and cries on non-availability of revenue. Property could provide the much needed revenue to the government if thoroughly implement since other real estate speculators and actors are making fortunes from transactions on land and landed properties in the State.

This research work intends to examine the challenges of property taxation in Yobe state, as the current practice by the State and Local Authorities to depend solely on revenue generated from the oil sales is no longer sustainable. The State and the Municipal Government must complement the oil revenue generated and shared by the Federal Government through its internal

revenue (IGR) sources, hence the need to unleash the full potential of property taxation is important to boost the internally generated revenue (IGR) of the state.

Like the State Government, the Local Authorities have other sources through which the Government can raise funds and finance its developmental activities, these avenue include issuing of death and birth certificate, approval of local plans, revenue from motor parks and market, issuing of local license etc. Despite that the urban property tax is potentially an attractive means of financing municipal government in developing countries. As a revenue source, it can provide local governments with access to a broad and expanding tax base.

Though several attempts have been made to reposition the Nigerian property tax system, the system is still facing numerous challenges. Preliminary investigation shows that major hurdles to property taxation are in adequate land information system, political interference, administrative cost, insufficient staffing, and insufficient technical capacity of the few staff available at the municipal valuation and rating areas.

1.3 RELEVANT RESEARCH QUESTIONS

The research seeks to provide answers to the following questions in the course of the study:

- 1) What are the resource needs of the Local Authority prior to the implementation of property tax in the State?
- 2) How is the level of readiness for implementing property taxation by Local Authority in Yobe State?
- 3) What are the potential challenges of property taxation implementation in Yobe State?

1.4 AIM AND OBJECTIVES OF THE RESEARCH

The primary aim of this research is to critically examine the challenges of Property taxation by Local Authorities in Yobe State, Nigeria with a view to determining factors that may form

constraints in its implementation. For the study to achieve the above stated aim, the research attempts to achieve the following objectives:

- 1) To identify the resource needs of the Local Authority prior to the implementation of the property tax in the State.
- 2) To assess the level of readiness for implementing property taxation by Local Authority in Yobe State.
- 3) To identify challenges of property taxation in State.

1.5 SCOPE OF THE STUDY

Every government is endowed with obligations to its citizens in provision of amenities like good transportation network, hospitals, pipe borne water, agricultural and education facilities among others. However, these facilities cannot be provided by the government without revenue such as from the collection of property taxation. Recent document from the National Bureau of Statistics (NBC, 2021), however, shows that Yobe state is among the lowest internally generated revenue state (IGR) in Nigeria.

The study therefore is designed to assess the level of readiness and the challenges of implementing property taxation by the seventeen (17) Local authorities in the state being that property taxation is an important source of government revenue and a tool for implementing economic policy of government.

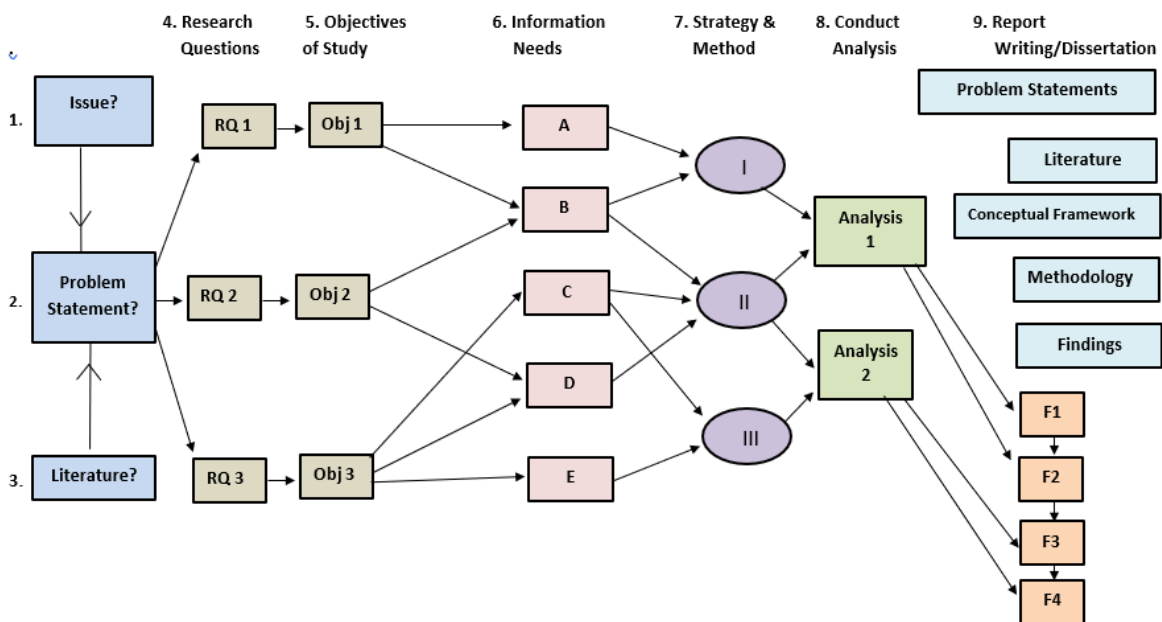
1.6 METHODOLOGY OF THE STUDY

Research can be seen as a systematic investigation toward increasing the sum total of knowledge through new or additional information. While methods are the ways to carryout study in order to obtain a reliable result. The data required for this study are gathered through the application of both primary and secondary sources of data.

Interview using semi structured questionnaire will be conducted across the seventeen (17) municipal areas of the state and answers will be recorded instantly. The population of the study are the Principal Land/Revenue officers of the seventeen (17) Municipal areas in state. The data collected will be presented and analyse through the use of Qualitative data analysis miner (QDA Miner) software package.

The study will be undertaken according to the sequence of conducting interview using semi-structured questionnaire design, followed by analysis of the data collected, as well as presentation of result. The flowchart as shown in Fig 1.2 down below illustrates a summary of the proposed research methodology undertaken for the research. Figure 1.2: below shows the summary of the Proposed Research Methodology.

FIGURE 1.4: SUMMARY OF THE PROPOSED STUDY METHODOLOGY



1.7 SIGNIFICANCE OF THE STUDY

Property taxation is one of those taxes that could be levied and collected on properties/real estate. Although the amount of revenue that could have been generated from this veritable source of revenue is potentially huge, but the source appeared to have been neglected or ignored by the Federal, State, and Local government. The Nigerian government continue to rely on oil revenue and external borrowing in order to finance its developmental projects. Similarly, the state also continue to rely mainly on subvention from the federation without diversifying much in their revenue generation sources.

Hence, there is never a time better than this to embark on this research, as the study will no doubt be helpful to the government to understand the challenges better and strengthen its stand on revenue generation through this form of taxes.

By revealing the challenges, the study will help the policy making process to reposition the implementation of property taxation system in Yobe State. Furthermore, the study will also be useful to redirect research interest from both academic and industry-based researchers as the study will serve as a takeoff point in understanding better the issue.

1.8 CHAPTER ORGANISATION

This dissertation is being presented in the order shown below.

Chapter one (1) comprises of the introduction of the subject matter of the research, background to the study, the problem statement and the established research questions, aim and objectives the methodology, as well as the significance of research.

In chapter two (2), a critical review that discusses the various taxable property types within the context of rating implementation by local authorities is undertaken. This chapter also seeks to uncover the various basis of value for property taxation assessment. It also focuses on the general

framework within which property taxation is pursued in a Local Authority, with an emphasis on the resources requirement and preparation prior to the implementation of property taxation.

Chapter three (3) provides an overview of the 17 Local Government Authorities in Yobe State with the aim to set the background context within which property taxation is expected to be implemented. The discussion in this chapter will provide a basis to assess the level of readiness to implement property taxation on all properties located within the jurisdiction area of the seventeen local authorities found in Yobe State.

Chapter four (4) dwells on discussion of the approach undertaken as method of study for the dissertation. A description of the type and size of data to be gathered as well as the instruments used and approach of analysis adopted will be the focus and provided in this chapter.

Subsequently, Chapter five (5) follows with a focus on the presentation and analysis of primary as well as secondary data gathered for the study. A discussion on the outcome of the analysis with reference to each research questions as well objectives of the research is also provided in this chapter.

Lastly, chapter six (6) focuses on the research findings in relation to the aim, research questions and objectives of the research. A discussion on the limitations of the research is also provided prior to the recommendations and suggestions as well as conclusion made for this research.

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