



An Appraisal of Government legislative and Policies on Housing in Nigeria

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Abstract

Nigeria still has one of the highest housing deficits in sub-Saharan Africa, ranging from 17 million to 23 million housing units, a deficit that remains a longstanding problem for the country. Access to affordable and decent housing continues to be a distant dream for most Nigerians, despite decades of legislation, policy formulation, and institutional intervention by successive governments. This paper critically examines the key housing legislations and policies in Nigeria, such as the Land Use Act of 1978, National Housing Policy of 1991 (revised 2012), Federal Mortgage Bank of Nigeria Act, and the National Housing Fund Scheme among others. It critically analyzes policy goals, implementation outcomes, and structural constraints of these frameworks through a qualitative analysis of policy documents, government reports, and academic research. The results indicate that although Nigeria has established a relatively strong legislative framework for housing, the policies have not been effectively implemented due to several factors, including institutional weaknesses, the lack of adequate financing, bureaucratic delays, and rapid urbanization. The article calls for a broad-based land reform, reform of mortgage finance institutions, more public-private partnerships, and more sound urban planning as avenues for addressing the housing problem in Nigeria.

Keywords: Housing Policy, Land Use Act, National Housing Fund, Housing Deficit, Nigeria, Public-Private Partnership, Affordable Housing

1.0 Introduction

Housing is seen as a basic social right and human need and plays a pivotal role in the social, economic, and physical growth of any nation. Beyond shelter, healthy housing is a fundamental part of personhood, community and nation productivity, and community stability. Decent and affordable housing impacts the physical and mental health of citizens, the pattern of urban development, and the broader socioeconomic outcomes. Yet, in many developing countries, the concept of decent housing is far from reality, and Nigeria offers a compelling example of the longstanding housing problem (Makinde, 2020).

The housing challenge in Nigeria is tremendous, with over 220 million people as the population in 2023 (United Nations, 2023). The housing deficit is now estimated at 17–23 million units (National Bureau of Statistics, 2022; Federal Ministry of Works and Housing, 2021), highlighting the enormous mismatch between decent housing and the needs of the growing population. This deficit is not new but a result of

decades of poor planning, underinvestment, poor policy execution, and structural economic problems.

Over the years, the Nigerian government has seen the need to tackle the housing problem and has passed several laws and policy frameworks to help solve the housing problem. Over the years, successive governments have expressed the desire to embark on housing reforms, starting with colonial era land use policies and culminating in significant policies like the Land Use Act of 1978, National Housing Policy of 1991, Federal Mortgage Bank of Nigeria Act, National Social Housing program of 2020, and much more. However, despite the significant amount of policy action, the housing deficit has grown, and fundamental questions are being asked about the effectiveness, coherence, and practicality of Nigeria's housing governance (Makinde, 2012).

This article is a critical appraisal of the body of government legislation and policy with regards to housing in Nigeria. It reviews the intent of major housing legislation and policies and their performance history and examines structural and institutional challenges that have inhibited performance. The

article places Nigeria's housing policy into a theoretical and comparative context as a way of enriching the debate on policy in the country and the continent in general on how to improve the housing situation in Nigeria, a country experiencing a chronic housing problem.

1.1. Statement of the Problem

The housing problem in Nigeria is not simply one of mere lack of numbers but rather multidimensional in nature, having implications that relate to land governance, urban planning, financial systems, demographic pressures, and institutional capacity. The issue is essentially one of lack of sustainable success and failure of successive efforts by governments to translate good intentions in legislation and policy into better access and affordability of housing for the majority of Nigerians (Makinde, 2014). The extent to which the housing shortage exists is alarming. Nigeria has an estimated deficit of 17–23 million housing units, which is unprecedented in terms of investment and building requirement, both to meet existing demand and future population growth. The challenge is being exacerbated by the urbanization process in Nigeria, as the urban population is increasing at an average rate of about 4.7%, with millions of people living in urban centers with the highest level of housing pressure in Nigeria being Lagos, Abuja, Kano, and Port Harcourt (World Bank, 2018). This means that there are increased informal settlements, slums, and overcrowded homes that can be a source of serious public health, social, and economic problems (Akangbe, et al., 2025).

While there are several legislative frameworks and policy instruments in place, access to affordable housing is highly problematic. The Land Use Act of 1978, which entrusts the control of the entire land to the state governors, has been heavily criticized because it has created a lot of bureaucratic hurdles in land acquisition, which affect more low- and middle-income households (Adewumi & Ogunleye, 2016). The National Housing Fund aimed at providing mortgage finance in an affordable manner to workers has been marred by low borrower participation, lack of adequate capitalization, and systematic inefficiencies (Onyebuchi, 2018). At the same time, the overall mortgage finance market is not well developed, and Nigeria's mortgage-to-GDP ratio is said to be one of the lowest in the world, less than 1% (center for Affordable Housing Finance in Africa, 2020). In addition, weak institutional arrangements, the high prevalence of corruption in land allocation, high construction expenses due to reliance on imported building materials, inadequate urban infrastructure, and the lack of coordination among the agencies responsible for the delivery of housing create challenges to the problem (Makinde, & Makinde, 2025). The various housing programs that have been in place since the 1981/82 National Housing program, 2012 National Housing Policy, and 2020 National Social Housing program have not succeeded in achieving the targets set. Often, only a part of the housing units have been delivered (Bello, 2022).

The central problem is less a lack of policy and more a lack of policy implementation, or a persistent policy implementation gap. This is important because it would be necessary to know

the reasons why Nigeria's past housing legislations and policies have never been able to achieve their targets to successfully craft a more effective and sustainable way of housing governance in the future. The following specific objectives were used to guide this study, which are to: explore the critical legislative and policy structures that shape the provision of housing in Nigeria and their evolution since independence up to present. The study also critically examines the achievement of existing housing laws and policies in Nigeria in relation to the housing problem with emphasis on its affordability, accessibility, and equity. The study finds the structural, institutional, and political constraints that have hindered the effective implementation of housing policies in Nigeria. Finally, the study evaluates how key institutions, such as the Federal Housing Authority, Federal Mortgage Bank of Nigeria, and National Housing Fund, are either promoting or hindering housing delivery.

There are several significant contributions to academic research and policy debates about housing in Nigeria and sub-Saharan Africa as a whole, which this study reaffirms. Academically, the study adds to the growing body of work on the failure of housing policy in a low- and middle-income country (LMIC) by providing a critical and comprehensive analysis of Nigeria's housing policy and law. Although a number of laws have received scholarly discussion (for example, the Land Use Act), Nigeria's housing policy history has received relatively little systematic study and integrated analysis of the causes and effects of the relative failure of housing policy. This study aims to fill that void. The results and recommendations of this study have policy implications of great practical significance. Finally, Nigeria's housing deficit is not only a social problem but also a constraint for the economy in that it reduces productivity, worsens poverty, and impedes urbanization. The deficit is estimated at N111.08 trillion (or \$363 billion USD), one of the biggest investment challenges in the country (NBS, 2022). To develop a viable means of rectifying it, it is important to have a clear understanding of what was wrong and what happened in the past.

The study is also important because of its timing. Nigeria is at a crucial point in its urbanization journey; by 2050, it is expected to be one of the top 10 most urbanized countries globally (United Nations, 2022). The housing and urban governance choices to be made in the next decade will be used by millions of citizens. Thus, the study is timely and necessary in helping to understand what can be learned from past policy failures and outlines a different road to success and in going forward. Nigeria's housing governance problems, such as the complexity of land rights, fragile mortgage markets, urbanization, and implementation gaps, are common in many other African and low- and middle-income country (LMIC) countries. Consequently, the analytical approach and policy messages from this study could be applicable to other countries and researchers throughout Africa. Lastly, the study is of comparative value in housing development in Nigeria.

1.2 Scope and Limitations of the Study

The present study is limited to examining the federal legislative and policy framework of housing in Nigeria between 1978 (when the Land Use Act was enacted) and the latest policy interventions of the early 2020s. Historically, colonial and post-colonial housing policies are discussed to give background to the period under analysis, but the focus of the analysis is on the period after 1978 because this period was the most influential in housing governance in Nigeria. The research focuses on federal-level legislation and policy and draws on selected state-level initiatives that are exemplary of federal-level trends. All 36 housing frameworks in the states are examined in the broader study, but this article does not cover the specific study of them all. There are some important caveats. The study is based mainly on secondary sources (government policy documents, legislation, academic journal articles, and institutional reports), with no primary data collection (household survey, interviews with policy makers, and field-based housing condition assessment). The study is limited in its ability to represent the lived experience of people who are constituencies of housing and frontline implementers because it lacks primary data. Secondly, Nigeria's housing data are often ambiguous, inconsistent, and out-of-date. The figures of the housing shortage, mortgage penetration rates, and the results of the programs vary from source to source, and, where possible, the most recent and authoritative data have been used in this study. However, there is always a certain amount of uncertainty in the empirical picture. Third, the study fails to examine informal housing markets, which are a major component of housing transactions in Nigeria. Informal housing is recognized as an integral aspect of the housing picture, but the detailed study of the dynamics of the informal sector is outside the scope of this article. This study relies exclusively on secondary sources and does not incorporate primary empirical data. This means that the study's findings are, to some extent, filtered through the perspectives and methodological choices of prior researchers. Where possible, the study has triangulated data across multiple sources to mitigate this limitation. In addition, the study acknowledges that housing policy in Nigeria is a dynamic field, and some developments that occurred after the most recent sources consulted may not be fully reflected in the analysis.

2.0 Research Methodology

This study adopts a qualitative, desk-based research design grounded in systematic document review and critical policy analysis. The choice of a qualitative approach is consistent with the study's objectives, which center on understanding the content, context, and consequences of housing legislation and policy rather than on testing hypotheses or generating statistical data. Qualitative policy analysis is well-suited to examining the complex institutional, political, and socioeconomic factors that shape policy outcomes, particularly in contexts where primary data collection is constrained by access or resource limitations (Bryman, 2016). The study draws on three primary categories of data sources. The first category comprises official government documents,

including legislative texts (the Land Use Act of 1978, the Federal Mortgage Bank of Nigeria Act, the NHF Act of 1992, and the Nigerian Urban and Regional Planning Act of 1992), policy documents (the National Housing Policy of 1991 and 2012, the Economic Recovery and Growth Plan 2017-2020, and the Nigerian Economic Sustainability Plan 2020), and institutional reports from agencies, including the Federal Housing Authority (FHA), the Federal Mortgage Bank of Nigeria (FMBN), and the Federal Ministry of Works and Housing.

The second category comprises peer-reviewed academic journal articles, books, and book chapters drawn from disciplines including urban planning, public policy, housing studies, law, and economics. Key databases consulted include Google Scholar, JSTOR, and Research Gate, with searches focused on Nigerian housing policy, land tenure reform, affordable housing in Africa, and mortgage finance in low-income countries. The third category comprises institutional and gray literature, including reports from international organizations such as the World Bank, the United Nations Human Settlements program, and the center for Affordable Housing Finance in Africa, as well as data from the National Bureau of Statistics of Nigeria. The study employs a critical policy analysis framework that examines housing legislation and policy across three dimensions: policy content (the objectives, instruments, and target populations defined by each policy), policy process (the institutional arrangements, funding mechanisms, and coordination structures through which policy is implemented), and policy outcomes (the extent to which policies have achieved their stated objectives and the distributional consequences of implementation). This three-dimensional framework draws on the work of Hill and Hupe (2014) on the multilevel analysis of public policy and is particularly well-suited to examining the gap between policy design and delivery that is so characteristic of Nigeria's housing governance.

3.0 Literature Review

3.1 Conceptual Framework: Housing Policy and the State

Theories of the state-housing nexus have been developed through various academic fields. Classical liberal views have always supported market-based solutions to housing in which government interventions lead to less housing and higher prices (Whitehead, 1999). In contrast, structuralist and welfare-state views focus on the tendency of markets to fail to supply low-income families with affordable housing and thus require direct state action, such as state subsidies, public housing production, and regulatory measures (Kemeny, 1995). To explain the lack of progress in bridging the intention – outcome gap in developing countries, housing scholars have increasingly turned to institutional theory. Institutional arrangements influence the incentives, constraints, and capacity of both public and private actors, and a lack of effective or working institutions is often viewed as a key factor in the failure of housing policies (Arimah, 2010). The Nigerian housing governance system is a textbook illustration of many of the institutional pathologies discussed

in this literature: the dispersion of regulatory authority, lack of regulatory capacity, poor incentives, and rent-seeking and corruption.

3.2 The Land Use Act of 1978: Intentions and Contradictions

The Land Use Act of 1978 is the comprehensive land law since the independence of Nigeria. Under the military rule of General Olusegun Obasanjo, the Act placed all lands in each state in the custody of the governor of the state, for the benefit of all Nigerians. The aim of the Act, which was achieved by centralizing land ownership, was to eradicate the unfairness of customary land use, enable land to be equitably distributed, and make land readily available for development purposes, such as housing for the population (Nwosu, 2011). In reality, the Act has produced results that are far from its intended goals. The Act abolished customary rights and introduced statutory rights of occupancy to land at the discretion of state governors, fostering a very bureaucratic and politically pliable land administration system. Getting a Certificate of Occupancy (C of O), which is an essential requirement for being, granted legal ownership of land and accessing mortgage finance, is a cumbersome, expensive, and mysterious process in most states in Nigeria. Adewumi and Ogunleye [2016] explain how these administrative hurdles are unfavorably affecting the economically underserved and how these small developers are struggling to get around them. Critics have also contended that the Act has inadvertently handed exclusive control of land to politically connected elites because governors' discretionary powers on land allocation have been put to regular use for patronage purposes (Aluko, 2021). The Act has not done anything to promote the equitable distribution of land, but in fact, in many contexts, it has worsened land inequality while providing fertile soil for land speculators who are making ordinary Nigerians lose access to formal land ownership.

3.3 National Housing Policy: Continuity and Reform

The National Housing Policy, which was initially drafted in 1991 and significantly amended in 2012, is Nigeria's most detailed, formal, and unambiguous policy on housing governance. The policy aims at various aspects of housing development, such as settlement and land development, mobilization of housing finance, production of building materials, policy support for low-income housing, and monitoring and evaluation of housing programs (Federal Ministry of Housing, 2012). One of the key innovations of both the 1991 policy and the 2012 policy was the focus on moving away from the direct provision of housing units by the government toward an environment that encourages the private sector to provide housing. This change was a result of the enabling strategy for housing promoted by the World Bank in the 1990s and 2000s, which was integrated into the governments of low- and middle-income countries (LMIC). The policy highlighted what the government saw as the most effective approach to scaling up housing supply through public-private partnerships. But opponents have always claimed that the enabling framework, when it is used in Nigeria, has not provided sufficient housing for the poor.

Olayiwola [2005] argues that enabling conditions such as well-managed land markets, easy access to mortgage finance, and a strong private construction sector are missing in Nigeria. If these conditions are not in place, the withdrawal of direct government provision has left a void which has not been filled by the private market, especially the affordable and social housing market.

3.4 Housing Finance and the Mortgage System

The role of affordable housing finance in determining access to housing has been widely acknowledged as one of the most important factors for low and middle-income households, as well as more generally. The housing finance situation in Nigeria is one of underdevelopment. A major challenge facing the Federal Mortgage Bank of Nigeria (FMBN), which is tasked to manage the National Housing Fund and offer long-term mortgage financing, is the failure to achieve adequate capitalization, governance problems, and limited outreach (Onyebuchi, 2018). Under the NHF Act of 1992, the National Housing Fund Scheme was introduced to provide long-term housing finance that would be sustainable, based on the principle of contributions from workers, commercial banks, and insurance companies. Although the scheme is very ambitious, it has faced low participation, including from the majority of the informal sector, who make up the bulk of Nigeria's labor force, and ongoing delays and inefficiencies in loan application and disbursement processes (Ogunleye, 2020). Nigeria's mortgage-to-GDP ratio is estimated at less than 1%, which is not competitive with South Africa (70%), the United Kingdom (30%), or the United States (more than 80%) (Center for Affordable Housing Finance in Africa, 2020). The above comparison shows the magnitude of the housing finance problem in Nigeria and the extent of the institutional changes needed to make the Nigerian mortgage market more like that of other countries.

3.5 Urbanization, Informal Settlements, and Housing Demand

Housing demand is a result of urbanization, informal settlements, and the availability of services. Housing demand comes from urbanization, informal settlements, and services (Makinde, 2012). Rapid urbanization is a characteristic of Nigeria's housing problem. Nigeria has a high annual rate of urbanization (around 4.7%) and is estimated to have a total population of 400 million by 2050 (United Nations, 2022), imposing huge pressure on Nigeria to expand its urban housing stock. Lack of development in the face of urbanization has led to the emergence of informal settlements and the high proportion of urban Nigerians living in informal settlements. Lagos, Nigeria's largest city, is one of the most populated urban agglomerations in the world and a showcase for the housing issues facing the rapidly urbanizing world. Millions of people live in informal settlements like Makoko, Ajegunle, and Mushin, and these communities face an inadequate supply of basic amenities, including clean water and sanitation, electricity, and other services, and live in overcrowded and often unsafe conditions (UN-Habitat, 2020). The ongoing development and survival of these settlements indicate the absence of a good alternative supply of formal

housing and government programs, which are affordable and available for low-income urban migrants.

4.0 Conclusion and Recommendations

The housing problem in Nigeria is a symptom of the failure of governance and an invitation to radical change in policy action. In the past more than 40 years, successive Federal Governments have made significant laws and established many policy structures explicitly to solve the nation's chronic housing shortage and increase the availability of affordable homes for all Nigerians. The Land Use Act, 1978, the National Housing Policy, the Federal Mortgage Bank of Nigeria Act, the National Housing Fund Scheme, and a series of national housing programs are noteworthy examples of legislative and administrative efforts that have been invested. However, the housing gap has kept expanding, slum settlements have mushroomed, and many Nigerians have failed to get affordable houses.

The main thrust of this article is that the problem of housing is not a lack of good legislation and not just a lack of good policy goals; it is a lack of good policy delivery because of the underlying structural and institutional dysfunctions that have always made it difficult for even good policies to deliver results. The study agreed that various administrative delays in land administration, weak mortgage finance systems, systemic corruption in land allocation, poor infrastructure, and lack of coordination in implementation across agencies contributed to the failure of numerous housing initiatives. Concurrently, policies have been largely ineffective at responding to the needs of low-wage earners, whose housing needs reflect their reduced income, uncertain wage streams, and geographic dispersion, and which do not align well with the assumptions of the mainstream housing system and mortgage finance.

The study resolved that in the future, there are four general areas of reform that seem necessary. The first is the need to reform the Land Use Act of 1978 to simplify land administration, remove the discretionary powers to grant Certificates of Occupancy and approval of building plans by the governors, and establish a transparent system based on digitalization. Secondly, the National Housing Fund and the Federal Mortgage Bank of Nigeria should be recapitalized and restructured to offer affordable long-term mortgage finance in a manner that is people-centered and, more specifically, workers in the informal sector. Third, public-private partnerships in housing delivery need to be strengthened by establishing credible incentive packages, implementing more straightforward regulatory procedures, and creating contract mechanisms which can be legally binding on private providers, thereby providing them with confidence to invest in the affordable housing market. Fourth, urban planning and infrastructure development should be better coordinated with the delivery of housing, with new housing estates connected by appropriate roads, water, sanitation, and public transportation.

In solving the housing problem in Nigeria, there is a need for policy reform on technical issues and a long-term political commitment from a very high level of the government to

make housing a social and economic issue. The price of doing nothing, human hardship, loss of productivity, and long-term perpetuation of urban poverty, is far higher than the price of a credible, well-funded, and coherently implemented housing reform. Nigeria has a legislative base, and what it lacks is the institutional capacity and political will to convert the base into the decent, affordable homes its people deserve.

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