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Article

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Research Article

Rental housing policies and associated legal covers: Case of middle income formal housing in Karachi



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ABSTRACT

In the global south, policies related to the housing sector have a general inclination towards property ownership. Little efforts are put in supporting, strengthening and promoting the rental housing market. Similar practice is witnessed in Pakistan for provision of housing for middle income groups. The fact that making housing available through the rental market is less time consuming, more efficient and perhaps a better solution, at least in the short run, is not acknowledged. Furthermore, the policies related to rental housing are inadequate and the sector despite having great potential has been facing grave issues, such as lack of appropriate legal covers and safeguards for property owners. This research, using systematic literature review and being based on semi structured interviews of key stake holders critically analysis the existing regulations, policies and bye-laws within the rental market in Pakistan. It also assesses the viability of this housing market as an alternate to home ownership. The conclusions point towards rental housing as a potential alternate to home ownership if the legal covers are clear and safety nets for tenants and landlords are stronger. The results also point towards the flexibility that rental housing offers for younger middle-income households as it encourages movement when searching for better economic options.

1. Introduction

There are many variations in the definition of affordable housing, but generally it is defined as housing for which the occupant pays no more than thirty percent of his or her income, including total housing expenses related to running the household. This covers the payment of the utilities and rent for premises (Angel, 2000). Thus, the statistics of people who can afford living in rented/owned premises is diverse. Furthermore, there are no particular statistics or literature that outlines demographics related to profile of the people who can afford to live in houses, either on the basis of ownership or on rent.

For households that have a modest means of earning, the ability to afford suitable housing impacts on other aspects of their livelihoods. When housing is affordable, these families are able to invest in other necessities of life, ensuring nutritious food, adequate health facilities and the provision of reasonable education for children. In short, affordable mortgage or rent can ensure stability for families as it directly impacts on child development and attainment levels in school and on health (Lubell & Brennan, 2007; United Nations Centre for Human Settlements, 2003). The benefits of affordable housing extend beyond the occupants of the house and to the community at large (Lubell, Crain, & Cohen, 2007). Generally, a satisfied household will not engage in unnecessary quarrels and fights within the neighborhood or in the community. Thus, easy access to housing is vital for a number of social and economic reasons.

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On the other hand, for millions of people, rental housing ensures a significant source of income, as they have the option of renting out complete or some part of their property. While there is commercial, public-sector, social and employer rental property, the small-scale middle-income home owners who rent out their self-built homes, partially or completely, are the largest group of landlords who supply rental accommodation (Coccalo, 1996).

In Pakistan, rental housing has remained a neglected area of National Housing Policy (Ministry of Housing and Works, 2001). Studies outlining the National Housing Policy reveal a shortage of 19.3 million housing units on a country wide basis. Access to housing in Pakistan is largely through the basis of ownership, in some form or the other, thus eighty eight percent of the total existing housing stock is owner occupied (Ministry of Housing and Works, 2001).

Despite the fact that housing choices have become exceedingly expensive in Pakistan, especially in the urban areas and more so for the middle-income groups, rental housing has remained an under developed option in Pakistan (Jabeen, Sheng, & Aamir, 2015; Ministry of Housing and Works, 2001). This is because affordability is not an issue for higher income groups and the housing demand, both for ownership and rentals requirements, for low-income groups is catered through the informal sector operational in major cities of Pakistan. Thus, the middle-income groups, who are defined by Pakistan Bureau of Statistics, Government of Pakistan (2017) as having six family members and a monthly income between Pak Rs. 50,000 (US \$ 250 approx.) and Pak Rs. 75,000 (US \$ 300 approx.) are dependent on limited housing options available within the formal sector (Pakistan Bureau of Statistics, 1998).

Additionally, there are social issues associated with rental housing, as ownership of housing is promoted both by the media and the housing policies, as compared to living on rent. An owned home is seen as instilling a sense of security in terms of heritance being passed on from one generation to the next. This scenario forces people to access house ownership through formal or informal means, rather than wanting to live on rent (Coccalo, 1996; Jabeen et al., 2015). Furthermore, renting a house is not preferred by majority of residents in Pakistan because of lack of legal covers and other security systems. A positive aspect however, is the flexibility of movement that a rented house provides for young households who are willing to relocate for better economic opportunities. Within this larger premise, this research reviews the viability of rental housing in Pakistan (with a focus on the largest city within the country, which is Karachi) as an alternative to home ownership for middle income households, using qualitative research methods and the associated policies and legal covers in place.

At the time of this research Karachi was divided into six (now seven) districts for administrative and governance purposes. Thus, the data was collected from each of the six districts through qualitative interviews of property owners, tenants, real estate agents and local councilors. The research methods also incorporated secondary literature review of international publications on rental housing (Angel, 2000; Beitel, 2007; Coccalo, 1996; Conley & Gifford, 2006; Diaz & Akresh, 2010; Dreier, 1982; Ellen, Schwartz, Voicu, & Schil, 2002; Glaeser, 2011; Goetz & Sidney, 1994; Green, 2011; Hassan, 2011; Kumar, 2016; Lang, Anacker, & Hornburg, 2008; Lubell & Brennan, 2007; Lubell et al., 2007; Mbuyisa, 2019; Pink, 1955; Quigley & Raphael, 2004) as an alternative to address housing shortage in developing countries and associated local policies, laws and legislation. Qualitative interviews with developers, planners and policy makers, associated with making policies and laws about rental housing also inform this research. In all twenty-nine qualitative interviews were conducted and analyzed.

2. Literature review

The literature survey revealed that most of the research on aspects of housing affordability is descriptive and less analytical and is divided between documenting unaffordability of housing for disadvantaged sections of society (Diaz & Akresh, 2010; Mutchler & Krivo, 1989) and regulatory frameworks around creating a balanced relation between demand and supply of housing (Beitel, 2007; Goetz & Sidney, 1994; Lang et al., 2008; Orfield, 1997; Pattillo, 2007). In general, the literature on rental housing is very minimal, is at times outdated (Pink, 1955; Rodwin, 1952; Rudney, 1951) and the data is mostly available for the global north (Green, 2011). Furthermore, there is even more limited literature on middle income households, as most of the literature focuses on low-income housing and how housing can be made available with respect to affordability (Ellen, Graves, O'Regan, & Schuetz, 2002; Ellen, Schwartz, et al., 2002; Quigley & Raphael, 2004; Quingley, 2011). Other literature reviews the relationship between legal framework (Schuetz, 2009), house prices, taxation, policy and affordability (Conley & Gifford, 2006; Kumar, 2016; Pugh, 1997).

The literature on affordability of housing points towards the fact that a country's level of economic development and its distribution is directly proportional to house prices and rents, as these are the aspects to be considered for analyzing affordable housing (Angel, 2000). The Global Survey of Housing Indicators outlines three measures of affordability: the house-price-to-income ratio, the rent-to-income ratio and the down-market penetration. The house to income ratio is the relationship between the median house price and the median household income. The rent-to-income-ratio is the relation between the median annual rent and the median household income of the tenants. Lastly, the down-market penetration is the relationship between the lowest priced dwelling unit offered by the private sector in respectable numbers, which is not lower than two percent of the annual housing production and the median annual household income (Angel, 2000).

Through these definitions it can be ascertained that the relationship between the income levels and housing price (both in terms of rental amount or installments for ownership) is the major determinant for establishing housing affordability and the overall housing market performance (Mbuyisa, 2019). The eccentricities of this indicator point towards the global norm of serious distortions in the housing market. With a higher value, such distortions restricted housing supply or inflate the demand of housing (Coccalo, 1996). Inversely if its value is very low, then values of housing will be kept insincerely low with low quality construction, depraved environmental conditions, tenure insecurity, no housing finance or lack of confidence of the consumer on the market economy. The rent to income ratio is a delegation measure of expenditure of housing as the part of income (United Nations Centre for Human Settlements, 2003). When it is high it indicates supply bottlenecks in the rental housing and when it is low it points towards pervasiveness of rent

control and the lack of incentives for supplier in production of rental housing. The third indicator, down market penetration is the measure of affordable degree of the house produced by the formal sector in the lowest price. The low-income households are generally restricted to new housing in informal sections of a city, where as normally the formal private sector only focuses on the production of houses for higher income groups (Cuccalo, 1996). However, in some countries the private sector formally produces housing for lower income groups without any support from public or incentives or subsidies by the government (Angel, 2000; Cuccalo, 1996).

The argument that is put forth with respect to down market penetration is centered on improvement of housing security by increasing affordable long term rental housing inventory (Ellen, Graves, et al., 2002). The idea is centered around dropping the assets price to encourage investors to purchase houses and give it out on affordable rent. This method of acquiring housing stock, according to Ellen, Graves, et al. (2002) offers availability of housing stock at a lower price as compared to constructing new units. This is one of the strategies discussed in the literature but other options are not much offered. Additionally, making rental housing affordable in the face of many informalities in the global south and non-compliance to existing laws and policies is not much researched, which this paper touches upon, within the larger premise of rental housing as an alternative to house ownership.

In order to address the housing shortage, the entire housing system and delivery mechanisms need to be addressed. Policies need to support land and housing reforms and address security of tenure within a regulatory framework (Hassan, 2011). Furthermore, according to Sheng (2016) different types of partnerships with the informal and private sectors should be encouraged. “Rental housing is one of these much-neglected segments; government needs to promote a private-sector supply of a variety of low-income rental housing types. Yet, ownership remains important, as a house is an investment object, even for the poor” (Sheng, 2016, p. 171).

According to Lubell and Brennan (2007) and Mbuyisa (2019) some of the strategies to facilitate rental housing internationally are shared accommodation, exchange of lodging for domestic help and payments in kind, instead of monetary transactions. Some of these trends are already seen in Pakistan, labeled as rent-free accommodation. According to Sheng (2016) this strategy reduces the capacity of property being seen and retained for speculative purposes. Furthermore, when the landlords and tenants live in the same place, main dwellings are generally of better quality, have better services and are generally well maintained. Furthermore, according to Dreier (1982) tenants generally occupy a disadvantaged position in society in terms of righteousness, self-assurance and standing in the society with the attached stigma often resulting in discrimination against renters (Glaeser, 2011; Goetz & Sidney, 1994; Pattillo, 2007). But this disadvantage can be minimized in rent free housing as the monetary exchange is not the sole objective behind renting property here.

One of the positive attributes of rental housing is that it does not tie the people renting the property to a particular city and location, which works for younger professionals as they are willing to locate to other cities for better economic opportunities (Angel, 2000). But the proliferation of rental housing can only be ensured through strong implementation of policies and legal covers which ensure peace of mind for both the investors and people renting out the property (Dreier, 1982; Glaeser, 2011; Goetz & Sidney, 1994).

Some of the approaches proposed in the literature review, like down market penetration, shared accommodation, clearer and stronger policies governing rental housing and acknowledgement of the flexibility offered by rental housing, can help improve current rental housing situation for middle income groups in Pakistan, but their viability and applicability in the local context needs to be ascertained. The applicability of policies from western countries needs to be assessed on the basis of the economic gap and market performance between countries and acknowledgement of various informal processes of acquiring housing within the local context. Within this premise the primary research for this paper is set to explore affordable rental housing policies and their implementation, taking the case of Karachi, the biggest city and economic hub of the country for the middle-income groups. The theoretical framework revolves around affordability, flexibility and stronger policies governing rental housing.

3. Methodology

This study has been conducted in two stages. In the first stage, a desk review of literature was conducted in order to find the factors impacting rental housing. Rental housing as an alternative to home ownership was also researched and reasons behind promotion of house ownership as opposed to living on rent were dwelled into. The literature review helped analyze and understand the local rental housing context as well. Furthermore, as part of this review the international policies in support of rental housing as an alternate to house ownership were reviewed. Next the housing situation in Pakistan and relevant statistics were extracted from the literature. An overview survey of Karachi was also done and the percentage of rental housing each district was extracted from the census reports, to create a co-relation between districts within the city and percentages of rental housing within each district (Table 1). As the census report showed an older division of Karachi (based on 5 districts) this was updated to the then current number of districts and within each district at least two middle income households were identified (one household living in a detached or attached house and the other dwelling in apartments). Residents living as tenants and personally known to the researchers were shortlisted for the household

Table 1
Type of housing in Karachi.

District	Rented	Rent Free
Karachi Central	30.74%	10.29%
Karachi South	46.77%	7.36%
Karachi East	27.56%	9.73%
Karachi West	32.62%	6.03%
Malir District	33.84%	7.23%

Source: Pakistan Bureau of Statistics.

interviews, and then snow balling (Biernacki & Waldorf, 1981) technique was used to approach landlords and real estate agents. In light of the literature review, a questionnaire was put together for the qualitative interviews. Questions were asked about affordability of rental housing from residents and the flexibility offered by this type of housing in terms of ease of shifting to newer cities for better job opportunities. The other stakeholders (real estate agents, law makers and professionals) were asked questions related to rental housing as an alternative housing type and related policies. Twenty-nine qualitative interviews were conducted from various stakeholders. The list of stakeholders, some of the questions asked and the responses received are presented in Tables 2–4. The stakeholders ranged from property owners, tenants, developers, planners, policy makers, regulators and lawyers based in Karachi. The resident interviews were conducted in the houses of the tenants and averaged between thirty to 45 min. These interviews were later transcribed and analyzed using narrative and content analyses (Bryman, 2008). As the focus of this research were the middle-income households, the qualitative interviews were spread over various districts of Karachi focusing on this particular income group (district south, district east, district Malir, district Korangi, district Kemari district west, district central) (Fig. 1).

4. Introduction to the local context

4.1. Current housing situation in Pakistan: Rent, owned, rent free

The current housing backlog in Pakistan is around nine million units and there is a demand of nearly 570,000 units, whereas the supply is only 300, 00 units per year (Jabeen et al., 2015). As a result, around thirty-five to forty percent of the population of the country opts for informal squatter settlements (Hasnain, Hussain, Ahmad, Siddique, & Alam, 2005). Although over the years the demand for affordable housing, particularly rental housing that can be afforded by low- and middle-income groups has increased, but the supply has not been able to meet this demand (Jabeen et al., 2015). Furthermore, as per a World Bank's Report, "housing-finance-to-GDP ratio in Pakistan is just 1% whereas it is 7% in India and 50% in rest of the developed world" (p. 331 Jabeen et al., 2015). There are a number of reasons why the demand has not been met by the supply, ranging from affordability, financial constraints, inadequately targeted housing schemes, absence of appropriate institutions operating at grass root levels, inefficient legal framework, lack of coordination between different administrative departments, unclear property rights and lack of institutional frameworks that ensure implementation of housing policies, rules and laws (Jabeen et al., 2015).

According to the 1998 Census (the last official census available) the following is the percentage of rental and rent-free housing in the urban areas of five districts of Karachi (Table 1).

Since this data is more than twenty years old and the official results of the recent census (2017) have not yet been made available, it cannot be ascertained what is the difference between the supply and demand now, but according to other studies (Jabeen et al., 2015) the difference between supply and demand is still very stark. The reasons for this are not very clear either and some research has been done in this paper to dig out some of the possible causes behind the poor supply of rental housing.

Furthermore, in Pakistan there is not much innovation in the rental market and primitive tenancy arrangements are followed. The policies are not aimed towards asset building and there are no fall backs provided by the government for the builders or real estate investors (Jabeen et al., 2015). Thus, the builders are not willing to take risk, as the required institutional mechanisms are not present, or are not functional. The major impact of this scenario is on the middle-income households, because they do not have large amounts of capitals to invest in buying property in one go and do not want to rely on informal means to get a house to live in (Jabeen et al., 2015; Ministry of Housing and Works, 2001).

4.2. Legal covers for owners and tenants in Pakistan

Although there are four laws (under Rent Control Act 1959) dealing with rent restrictions in the country, but the implementation of these laws and control mechanisms are very weak. As a result, people find loop holes and avoid adherence to these laws. These four legal covers were outlined in 1959, 1963, 1979 and 2001. These cover rental properties in the urban and rural areas of the four provinces, in the cantonment areas within the urban centers and in the capital city of Islamabad.

Rent regulations ensure legal cover for the fair payment of rents to the landlords and also provide eviction protection for the tenants.

Table 2
Location of respondents.

District*	Location	Tenants	Landlords	Real Estate Agent	Professionals	Total
South	Saddar	2	1	1		
	Burnsroad					
	Aarambagh					
Malir	Malir	2	1	1		
	Gadap					
West	Kemari	2	1	1		
Central	Gulberg	2	1	1		
Korangi	Korangi	2	1	1		
East	Gulshan	2	1	1		
Total		12	6	6	5	29

* Karachi was divided into 6 districts when the research was conducted.

Table 3

Responses from tenants, owners and real estate agents.

S. No.	Stakeholders Questions	Lawyer	Academician	social activist	Real estate expert
1.	Why is the rental market in Pakistan small, especially considering middle income formal housing?	It's not small, but it's not favored by the people, difficult to take out hefty amount for rent every month. Even buying new property people ask about average rent of the area to use it as investment	Weak structure of social economic relationship in our society, we are a nation who does not keep the promises and that has made are systems so weak that it is affecting the economy overall. On the second hand, though ownership of plots is one of the great investments in Pakistan but since the property rights are so weak of an owner that, people prefer to keep their plots or their spaces empty so that no body try to capture the land, it is quite common in case of tenants who try to occupy the land and do not pay off the rent on time	One rents are pro-tenants, secondly rents are so high people can't afford them much.	Lack of capital, informal handling of matters and not very supportive policies
2.	Do you think policies regarding rental housing are clear? If not, why?	Laws are very clear, people don't prefer to use them often because of the long procedures or they are afraid of 'court kachahri)	No, we do have policies, in fact we have very strong, detailed policies but they are not of any worth until it is being properly followed. So, we do have laws but what is missing with us is the institutional mechanism.	If they are made pro landlord, investment scenarios would increase.	They are clear but the other linked sectors of job and agriculture/industries is direct linked when these two are in shadows it will effect housing
3.	Why there is an obsession to land ownership then living on rent, does it have any specifications?	Because for a salaried class it's like an anxiety as the new month arrives as they have to part with a hefty amount so it's better to be the owner and live in peace.	Actually, for any middle or upper middle income group this is the most doable option to access some property.	Why not? It is a security; it's your own shelter. Everyone likes to have their own shelter why give rent on anyone else's roof.	When people are on the move for better jobs they should look for rented houses then owned ones but the obsession of nation for investment in housing is so much that all developers focus ownership pattern
4.	How can legal cover be strengthened with regards to rental housing in Pakistan, for both the tenant and landlord?	Legal cover needs no strengthening it's the application of it which people think is quite impossible which it isn't	I would say it's necessary to strengthen the institutional cover, our laws and legalities are present and quite detailed, but the problem is there are no rules to follow them as their need. The courts are already over loaded and they do not see tenancy as a matter of life and death, so the cases here become a problem in reality so these take time	Making it pro landlord and coming out of ethnic and traditional division of resources.	We should study some international models how rental housing in working in other places in better situations, it is a challenge overall but still some places are going in successfully for example in UK and Canada ownership is more common than USA but the model of rents in UK and Canada is stronger than USA.
5.	What is the viability of the rental housing market within the formal sector as an alternate to home ownership,	The government policies should be reviewed for that, in times of inflation it's impossible to cope with the rising rental money for a working class	Viability is good also there is even a lot of innovation opportunities in this category, we can see this in form of bits and pieces in closed communities like ismaili and bohra communities. There are no issues in these communities as they know if they would try to make problems in common issues they would be dealt from above by their religious heads, so they have a check mechanism, so they have such issues well maintained and working properly. Where we talk	If landlords will be given more advantages in policies people would invest more and more and not only rental market would be good also the economic situation of Pakistan	The reason is we have less capital, which has one indicator as current account deficit, so this is not viable for us. If we have money today, then only we would go for housing when most things are done. One would like to invest in power sector, technology, industries which have better returns then housing.

(continued on next page)

Table 3 (continued)

S. No.	Stakeholders Questions	Lawyer	Academician	social activist	Real estate expert
6.	Can easy availability of rental housing contribute towards diminishing the housing shortage?	It can, but it will increase other economic problems	about these non-communities-based housing the problems exist because of lack of institution and common attitudes. In tenancy there are some innovations too like in west, the program of tenant to owner ship stock is one case where the builder treats you like a tenant and over some period of time in 10 years or 20 years you become the owner of that property the rent includes the mark-up and the value of the space. When that cost is done you then own the project. Like this many other options can be applied in the tenancy.	If it is cheap, it's the best option, in other case it's useless	Most certainly yes!
7.	How can rental housing be made affordable for middle income groups? How can rental amounts be regulated?	One it should be owned by the government so regulation is good, secondly it should be on a proper rent receipts not with out it	There is a rental index which decides if the market changes then how the relation between the landlord and the tenant will change.	They can't as they bypass laws there are too many methods. Both put fines and regulate the rents else it's a useless thing totally.	We need to identify long term capital sources, as well since it's a very long-term process then we have to a need to change the mind set even. it is due to cultural, economic and administrative issue and all should be registered and catered too.
8.	Who are more privileged in rental housing? Landlords or tenants? How the difference can be mellowed down?	Both tenants and owners are well protected by the law the landlord is thought to be the muscle man but the laws are equally protecting both.	Both have that privilege but its tilted more towards the tenant. Of he want to disturb then you cant stop him, until the landlord is a muscle man and use it. To put the difference to be mellowed down we need to bring more supply, options are open and there are institutional cover to look over this. The conflict and dispute resolutions options we have are not trustworthy we can work upon its betterment.	Tenants, as the government policy is nobody should be evicted, this favors tenants more. This must be pro landlord with strict regulations to help tenants and would become better that way	This totally depends what are you, landlords think that tenants are in advantage and regulatory framework has a feeling like that but tenants think that landlord are at advantage as the court have people who are landlord and they are sympathetic towards the landlords only
9.	What type of Rental housing conflicts are brought before the courts and how much time they take to be dealt?	All type of tenant-landlord conflicts are brought before the court but mostly they are about rent not paid.		All type of conflicts are there mostly about non payments.	

These regulations also give tenants the margin to alienate rented property. According to [Jabeen et al. \(2015\)](#) the rental laws in Pakistan are quite pro tenants as the legislation indicates: “it is expedient in the public interest to restrict the increase of rent of certain premises within (the specified) limits and the eviction of tenants there from” ([Government of Sindh, 1979](#), p. 157). The courts have stated that these regulations are not only limited to their prelude, which is to restrict increase of rent and eviction of tenants, in fact it also aims to protect and regulate the interest of both landlords and tenants.

The rent control legislation of Pakistan provides tenants a legal cover for residential and non-residential property and land. However, as the literature highlights, higher taxation rates for rental units discourage investment in rental property ([Poterba & Sina, 2008](#)) thus the down-market penetration option as discussed previously is difficult to put into practice. Furthermore, as per law, increase in rental value is generally not allowed for up to three years in Pakistan. The only exception to this rule is if some improvement, addition or alteration, is made to the property by the landlord on the demand of the tenant. In such a scenario, the landlord can recover the amount invested in the property from the tenant in the form of the increase in rent, which at times results in distorting the rent to income ratio and directly impacts housing affordability, relating to the argument put forward by [Angel \(2000\)](#) and [Coccalo \(1996\)](#). The law allows for a twenty-five percent increase after every three years' period for non-residential premises and ten percent for residential premises. In case there is a tax increase, the landlord is allowed to charge half the increase in tax from the tenant, but it has to be approved by the Rent Controller first.

Table 4

Responses from professionals associated with rental housing.

S. No.	Stakeholders Questions	Tenants (T1,T2 ... T5)	Owners (O1, O2 ... O5)	Real Estate Agents (R1,R2 ... R5)
1.	What are the terms and conditions under which the property is rented out?	T1: as per agreement mostly which is same as notary public with a few additional comments T2&T6: mostly of agreement a few additional T3&T5: all decided mutually on stamped agreement T4: no agreement, living in a relatives place to take care of their property	O1: tenants only who come with reference -maintenance of property as received -comply with agreement O2: mostly all decided as per agreement O3: all set as per agreement with mutual understanding	R1: normally whatever is set between the two parties on the stamped agreement
2.	-What kind of legal cover is provided? - What legal cover would you like to be provided for your property?	T1: any mentioned in agreement would be viable but we came with a reference who would be a middle person in case of any conflict T2,T3,T5&T6: no legal cover T4: N/A	O1: police prefer our complains over any influential person, and courts are a long process so we avoid it O2: none, some tenants damage the property and you can't do anything about it, the uc should be responsible to solve legal matters O3: the agreement can be challenged in court or with police if the tenants make it difficult for us, new rental contract is quite good	R2: Legal cover is given but in the presence of political influence this becomes a question R3: Agreement is the legal cover, you can challenge it at court and no tenant and landlord can make things difficult for other in its presence.
3.	What is the understanding for the payment of taxes, utility bills and general maintenance?	T1: Bills are paid by us other than water bills and property tax, we look over the maintenance T2: property tax is paid by landlord the rest is paid by us, water bill is 50% paid by us T3,T5&T6: we pay all bills completely except property tax T4: pay all bills including property tax	O1: utility meters are separate so tenants pay their own bills, maintenance is their responsibility O2: all bills except property tax paid by the tenants O3: we pay property and water tax the rest is paid by tenants	
4.	What is the process to be followed in case of any kind of conflict between the landlord and the tenant?	T1: there is a common referee marked in agreement he would settle the case T2&T5: none decided T3: in case of conflict we have to evict house in 1 month as per contract T4: our relatives T6: building council	O1: since police and courts are difficult to reach so it is dealt but by a common referee as per agreement O2: conflicts are taken to building union in our apartment block	
5.	-By what percentage is the rental amount increased annually? - What are asking rental amounts?	T1: increases every three years as per agreement T2&T5: 5% T3: 30% which is very huge for us T4: 10% after every 2 years T6: Rs 1000	O1: every three year as per agreement O2: 10%	R1: from Rs. 25,000-Rs 75,000 depending on square yards increased 10% normally until stated R2: Rs. 15,000 to Rs. 40,000 increases 10% annually R3: 5000–12000 depending of square footage
6.	What is the understanding about subletting the property or using it for any other purpose than mutually agreed upon?	T1: space is small enough for us only T2: we use it for storing bottles and parrots of our business but no plans for subletting T3&T6: no subletting allowed a legal action can be taken T4&T5: we don't want that ourselves	O1: no subletting is allowed O2: no extra persons and subletting allowed	
7.	- Would you prefer to live in a rented or an owned place? -Do you think rental property is a good alternative to owning a house? -Do you see renting out property as a good source of income?	T1&T6: owned property for our future to be secure T2: owned T3: rented until we make an owned property at our own hometown. T4&T5: on rent, as our owned property is too far	O1: this is a source of our running income, as we have a small business O2: I'm retired and have a small business so this is a running kitchen money for me O3: this is my only source of income and its good	
8.	What is the percentage of people looking for rental property?			R1: almost 80% in F.B.Area R2: 60% in Gulshan R3: 25%
9.	What is the profile of these people?		O1: small families O2: students and small families	R1: lower middle and middle income groups in F.B.Area

(continued on next page)

Table 4 (continued)

S. No.	Stakeholders Questions	Tenants (T1,T2 ... T5)	Owners (O1, O2 ... O5)	Real Estate Agents (R1,R2 ... R5)
10.	Why is the rental market in Pakistan small, especially considering middle income formal housing?		O3: student and office workers in shared facility and small families from outside Karachi	R2: nuclear family working class or university students R3: all income groups working around the arambagh area R1: people prefer to own houses as investment R2: here rental market is good and people come for shorter period of time R3: in this area, rental market is strong, people buy out many apartments and put them on rent for people

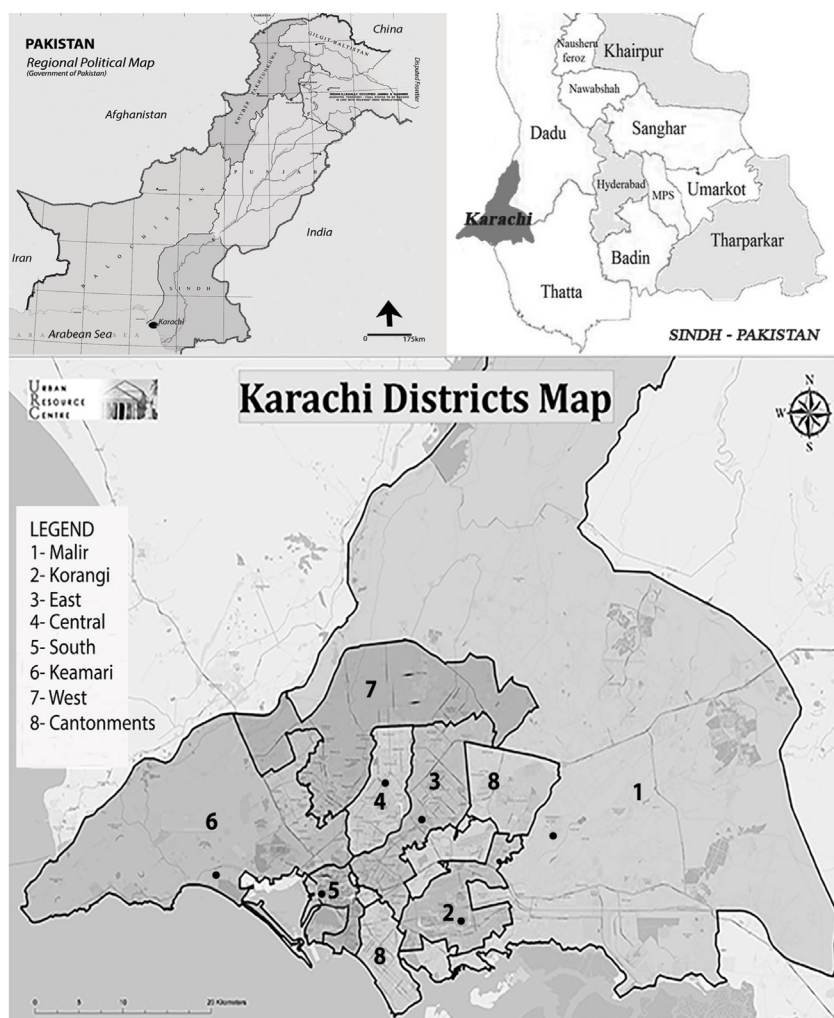


Fig. 1. Locational maps.

The Sindh Rented Premises Ordinance of 1979 includes all the rented properties irrespective of any demarcations of land types. According to this document, the government appoints one or more controllers in every district. These controllers, in theory, are responsible to cater to the needs and conflicts of both the landlord and tenants. The landlord and the tenant sign an agreement for a period of eleven months, which renews with any amendments if required, after each defined term. The ordinance favors the tenant,

unless the following two situations occur:

- a) The tenants are problematic and the premises and the neighborhood are in danger because of them. In this scenario the controller is made a referee through a written application and he decides the fate of the property.
- b) The landlord is a senior citizen, orphan or widow who requires the property for other usage as decided after the agreement has been signed.

The controller can charge a fine from the tenant if he/she is found guilty of any breach of contract and there can be imprisonment up to six months (Government of Sindh, 1979). It is also possible to evict the tenant, as per law, in the case of non-payment of the rental amount within fifteen days, where there is a written contract between the tenant and the landlord and sixty days where such a contract is not present.

According to Jabeen et al. (2015), Rent Control Act in Pakistan does not encourage investment in housing for rental purposes. The reason behind this is that it withdraws the existing housing stock from the rental market and stagnates the municipal property tax revenue which is based on rent. The authors further go on to state that the Rent Control Act, in fact, is the single most important reason for the proliferation of slums in Pakistan, as it creates a shortage of affordable housing for the low- and middle-income families and they are forced to opt for housing in informal localities. This Act also does not support or encourage investment in rental sector either. Thus, there is room to explore options of making rental housing affordable and one of the policy options is offered through down market penetration (Angel, 2000; Ellen, Schwartz, et al., 2002).

5. Findings

According to the qualitative interviews, there is a constant demand for formal sector housing on rent in Karachi, as many blue collared migrants come to the city in search of work and intend to stay for some time and return when they have enough savings to make a house for themselves. The rental housing that the city offers is in many forms, but this paper focuses on rental housing for middle income groups within the formal sector, based on a monthly rental. There are two types of housing options available within this sector; the rented houses and rent-free houses. Rented houses are those which are occupied through an agreement between the landlord and the tenant against an agreed fees and other terms and conditions. In rent free houses no monetary amount is involved and tenants pay back through other arrangements, like taking care of the property while the landlord is away, or taking care of an elderly landlord etc.

The findings from the qualitative interviews of real estate agents and professionals were analyzed in terms of rent to income ratio and down-market penetration, with respect to making rental housing affordable. The findings point towards reluctance on the part of investors to put money in real estate market, because of weak byelaws and regulations that provide protection to their investment, unclear definitions of various stakeholders involved in the property dealings and possibility of vandalism and use of premises by the tenants in ways that violates the agreement or contracts made between tenants and owners. This is evident from the following quote of a real estate agent, “in comparison if someone has an investment and wants to put up a textile mill, it's handling and management resource is easily available. Why would one invest in the rental housing then? Added, the regulatory framework is all tattered and so vague, like Sindh rented premises ordinance is not very user friendly as well as not much applied.”

The weak social and economic relationships in the society add to issues related to rental housing. There are issues of trust and people do not want to give their properties on rent to tenants whom they are unfamiliar with, or who do not come via some reference. According to the interview of a professional, “we are a nation who does not keep promises and that has made our systems so weak that it is affecting the overall economy”. Thus, property owners prefer to keep their apartments locked and wait for the prices to go up, before they sell them off and earn a profit, rather than give them out on rent.

Laws and regulations giving lawful cover to the rental market are so complicated that people avoid going to court. The tenancy does not protect laws of tenancy and the property owner's rights are weak. This directly impacts the economic growth of the country, as according to the literature reviewed, accessibility of the housing market is directly related to economic growth and general welfare of a country (Angel, 2000). It was also revealed in the interviews of tenants that they are unaware of their rights and responsibilities as tenants. As the laws are complicated and difficult to understand, often at times because of being unaware they commit frauds or malpractice, which could be avoided if the rental laws and policies were transparent. To add to the situation, some of the institutions providing legal cover to the tenants and the landlords have become redundant over time, which have further weakened the institutional structure. Some examples of these institutional covers are the honoree magistrate and the municipality councilors. The honoree magistrate used to deal with conflicts between tenants and landlords, including tenancy issues. Ideally, municipality counselors should be performing this duty, but currently they are not doing so in good faith. The offices of these municipality councilors are in union councils and are hampered by politics of all kind. Thus, there is lack of trust from both the tenant and the landlords, which was a major issue highlighted in the interviews. One way of addressing this issue is to have offices within the elected councils that facilitate tenancy for both tenants and landlords and are accessible by both parties.

Other issues relate to the unclear definition of the role of various stakeholders who are directly or indirectly involved in the contractual agreement of a property to be given out on rent. As many different stakeholders have access to these agreement documents therefore tampering is possible at many levels and is often witnessed. Estate agents practicing in various parts of the city are the most important people who work on the basis of a commission, which they get from the tenant and the landlord on every finalized deal. Thus, they are in a rush and often fail to meticulously draft and review the contract as evident in this quote of a rent controller, “the estate agents often fail to check the documents, background and details of tenants or the status of the property. Instances of frauds and forgeries are a usual ailment in tenancy relations”. The rent controller added, “the policies covering rental properties are quite strong and many of

these policies are detailed adequately, but they are not of any worth because they are not being properly followed and the institutional mechanisms are weak, thus their implementation is not ensured. This is evident from the following quote, “imagine you have an apartment which you give on rent, your tenant starts disturbing you and now where would you go? There is an arbitrator, but if everyone will go to an arbitrator then it means that the society's own capacity to address an ordinary dispute is null and void and the same is the case here in tenancy”. Thus, although the policies spell out the terms and conditions under which properties should be rented, but the procedures and processes to be followed if a dispute arises are not clear and the institutional framework which defines the process and departments to be involved in such a scenario have not been identified. Furthermore, the regulatory frameworks are very weak, as explained during the interviews of Real Estate Investment Trust (REIT)'s CEO. There is need for regulatory frameworks to be clear, fair and balanced for both the tenant and the landlord. The disposition of justice should also be rapid and dedicated courts should address issues related to rental properties and disputes should be resolved immediately. The focus on this aspect becomes even more important if the down-market penetration is to be implemented as a policy and housing stock price is to be reduced to attract investors.

The issue of utilization of the premises for activities other than what has been agreed upon and for anti-social purposes is also prevalent and control mechanisms to keep this in check are almost non-existent. The interviews of landlords revealed that often at times part of the premises are also sublet without getting consent of the property owners and at other times a residential premise is used for commercial purposes, like running a beauty parlor, an office or a tuition center. This stands in violation of terms and conditions of tenancy, but goes unnoticed or unchecked by the property owners. Furthermore, this practice cannot be stopped, as there are no laws/mechanisms through which the tenant can be asked to vacate the property based on this violation. Thus, as quoted, “after letting out the property, the owner is in a captive situation”. According to another interviewee who owns a property and gives it out for rental purpose, “the landlords get stuck by giving their property on rent and the landlord cannot do anything to remove the tenant from his property and the law favors the tenant to avoid someone from becoming homeless”.

Although the statement about laws favoring tenants is debatable, but the fact that laws and their implementation to safeguard the interest of the landlords are weak does prevent owners from making their properties available in the open market for rent. Furthermore, the property owner is responsible for repairs and maintenance and for paying the property tax. The tenant is entitled to deduct an amount from the monthly rent, if he/she undertakes some repair work in the property. This aspect further diminishes the profit margin of landlords and makes renting property a less viable option in terms of economics. As a result, people prefer to invest in plots as they give high rate of investment return and it is preferred to construct and sell off accommodation in the open market, rather than give it on rent. Thus, the rental market remains small in Pakistan.

Furthermore, there are no rental ceilings set for the amount of rent that can be charged, or should be charged by the property owners, neither are there any policies about the purpose for which the premises can be used. Thus, this aspect of the rental market also goes unregulated and the rental value is mainly determined by the market forces, which puts the landlords in disadvantaged situations.

Lastly, rental housing is viewed as only possible alternative to access housing in the formal sector by middle income households. Thus, it was mentioned by interviewees that alternatives need to be given by the government to ownership of housing for people who do not wish to, or cannot afford to own a house. This idea came through also in the qualitative interview of the CEO of REIT, where he responded to a question as “I suppose for a middle-income young person mobility is very important, which makes it suitable to live on rent.” This is simply because younger people are willing to change cities in search of better livelihoods and income opportunities. Home ownership can actually tie them to one particular place and prevent them from moving, especially in the scenario where renting a property is not supported by favorable policies and bye-laws.

6. Analysis

The responses from the qualitative interviews can be categorized into three larger areas, which if addressed can make rental housing a viable option for the middle-income group in Pakistan, for both the landlord and the tenant. The three areas to be focused on are affordability, flexibility and strengthening of laws and policies that govern rental housing.

It can be ascertained from the literature survey of Pakistani housing and rental market and from the qualitative interviews, that to ensure a healthy housing market, the current housing policies in Pakistan need a complete overhaul. Firstly, there is a requirement to discuss tenure status and its feasibility in terms of the current policies. Secondly, the approach of the housing societies and private developers towards promoting their ability to provide housing for everyone needs to be refreshed, and rental housing needs to be viewed as a feasible and acceptable option as discussed by Angel (2000), Ellen, Schwartz, et al. (2002) and Sheng (2016).

In rental tenancy there are some innovations in the west, which can help develop the rental market in Pakistan. The program of tenant to owner ship stock is one case where the builder treats the tenant like someone who will eventually become an owner of the property after a period of time, say ten to twenty years (Coccalo, 1996). In this scenario, the rent being paid by the tenant includes the mark-up amount and the value of the usage of the property (Coccalo, 1996; Hassan, 2011; Sheng, 2016). Once the total cost of the property and the markup amount is paid, the ownership of the property is transferred in the name of the tenant and his status changes from that of a tenant to a property owner (Sheng, 2016). In order to encourage builders to invest in the building stock for provision of rental housing and to enable down market penetration, subsidies, tax free zones and methods to bypass judicial systems are required to be established by the government, as discussed by Angel (2000) and Lubell and Brennan (2007).

Furthermore, provision of home ownership for each of the household is neither achievable nor desirable, as is evident from the interviews, despite the rhetoric that normally accompanies policy statements. Therefore, rental housing and homeownership should not be based on competing tenure options as highlighted by Mbuyisa (2019) and United Nations Centre for Human Settlements (2003). On the contrary, housing agencies should provide people with a choice of tenure and this should be appropriate to their needs and be affordable. Thus, housing needs to avoid tax breaks in favor of home owners and subsidies need to be provided for poorer sections of the

society irrespective of their tenure status (United Nations Centre for Human Settlements, 2003). Furthermore, prejudice on the basis of tenure status needs to be avoided. Which means that the rental housing ordinance should not encourage certain housing sub markets only, especially through the rent control mechanisms (Ministry of Housing and Works, Government of Pakistan 2001).

Multi-lateral institutions, like NGOs and social housing platforms, need to be taken on board to look into the benefits of rental housing and to provide options related to better precedents for the government (Angel, 2000; Lubell & Brennan, 2007). Rental housing should be regarded as a facility and as an alternative to home ownership, till the time middle income groups are stable enough to own their own houses. It is established through literature review (Dreier, 1982; Green, 2011; Lubell et al., 2007) countries that have good tenancy laws and regulations, help mobility of people as they can easily work in any city and rent out houses.

In order to address the issue of limited housing stock available as rental housing for middle income households, giving out housing on rent should not be considered an active source of income. According to Canadian laws, a property owner giving houses on rent needs to have an office with at least six employees and needs to show that a business is being run proficiently (Angel, 2000). The rental housing owners are also given tax rebates for their efforts of providing housing solutions. The viability of implementing such an idea in the context of Pakistan can be explored and can lead to stabilizing rental market. An idea called ‘rental index’ as explored by Cocco (1996) can help towards this end. The rental index helps decide that with the change in market the relation between the landlord and the tenant would also change. For example, the landlord cannot evict a tenant because he/she cannot give rent according to the increased market rate. If the tenant is able to meet eighty percent of the rent payment, he/she cannot be evicted, according to this mechanism. Thus, the rent index establishment is essential for each neighborhood, so the housing affordability can be benchmarked. Furthermore, subsidies should be provided to the private developers to supply rental housing for different income groups. According to the CEO of REIT, “as the yield on capital in rental housing is low, therefore investors wanting to invest in this type of housing should also be given tax rebates on alternative investment options like power sector, technology and different industries, to encourage them to invest in rental housing”. The CEO also pointed that “rental housing should have a well-defined space in any housing policy” and should also be encouraged socially. These findings, from the literature review and the qualitative interviews, point towards some viable strategies that can be adopted to make rental housing accessible for middle income households and make it as a preferred option too.

Since a large stock of housing is available as rent-free housing in Pakistan, which is based on various informal understandings between the tenant and the landlord, it points towards the fact that this kind of arrangement works well for either party. Lessons can be drawn related to arrangements that strengthen informal arrangements and can be applied for housing being rented out in the open market. The informal arrangement makes the property less of a capitalist investment and more of a space with accommodation fulfillment as a requirement. The whole notion of viewing housing as a capitalist investment needs to be reviewed and policies should be devised to discourage investing in housing for capital gains.

Lastly, as pointed in the literature review, strong institutional covers safeguarding the interest of both the tenant and the landlord are important (Angel, 2000). It is only through these policies that landlords will feel comfortable in giving out their properties for purposes of rent and would result in increase in rental options for middle income households.

7. Conclusion

This research points towards the need for a clear definition, documentation and dissemination of the legal processes and policies governing rental housing in Pakistan. Furthermore, there is need for clear policies about conflict and dispute resolutions. These are pre requisite for increasing rental housing stock and for encouraging investors to invest in this category of housing. Secondly, there is a need to look into different options of rental housing and institutional covers. Here there is room to learn from international examples and policies, for example rent to income ratios and down-market penetration.. Although many laws and regulations are in place that provide cover to both the landlords and the rental tenants, but the implementation is weak and needs to be constantly monitored and further strengthened. Lastly, within the larger premise, rental housing needs to be conceptualized as an alternate to ownership of housing and the flexibility that rental housing offers, especially for younger people in terms of mobility, must be recognized and promoted. Not everyone is interested in owning a house. Some people prefer living on rent because of various reasons. Furthermore, subsidies need to be provided by the government to encourage landlords to provide their properties for rental housing, by promoting security of tenure without discouraging rental supply making rental housing a viable option within the formal sector for middle income households. The larger objective should not be home ownership, rather availability of comfortable and affordable housing to live in.

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