



# THE ESTATE AGENTS REGISTRATION BOARD

## STRATEGIC PLAN 2013 – 2017

NOVEMBER 2012

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## LIST OF ABBREVIATIONS AND ACRONYMS

AG	–	Attorney General
CMA	–	Capital Markets Authority
EARB	–	Estate Agents Registration Board
GIS	–	Geographic Information System
HR	–	Human Resource
ICT	–	Information Communication Technology
ISK	–	Institution of Surveyors of Kenya
KPIs	–	Key Performance Indicators
MTP	–	Medium Term Plan
M&E	–	Monitoring and Evaluation
NGOs	–	Non-Governmental Organizations
REITs	–	Real Estate Investment Trusts
SWOT	–	Strengths, Weaknesses, Opportunities and Threats

## FOREWORD

Estate Agents Registration Board (EARB) is the regulatory body for estate agency practice in Kenya and it derives its mandate from Estate Agents Act, 1984 Cap 533 which was operationalized in 1987. As per the provisions of the Act, the Board is charged with the responsibility of registering estate agents and ensuring that the competence and conduct of practicing estate agents are of a standard sufficiently high to ensure the protection of the public.

The real estate sector in Kenya has experienced phenomenal growth over the period that the Act has been in operation and this growth has come with various challenges. Key among the challenges has been the entry into the market of a high number of unlicensed persons operating as estate agents who the Board cannot regulate.

The Board thus commissioned the preparation of the strategic plan 2013 – 2017 with the overall goal of undertaking legal and institutional reforms aimed at improving the effectiveness of the Board in the regulation of the estate agency practice in Kenya. In addition, the plan is intended to enable the Board to serve its members and the society better.

In preparing the strategic plan, the board developed its vision and mission statements, and the core values which will guide its future activities in order to remain relevant both locally and globally.

The key objectives set for the planning period include the review of the Estate Agents Act, boosting of membership, enforcement and ensuring of compliance to the Act, creating public awareness and recognition of the Board's functions, enhancement of institutional capacity of the Board and the development of collaborations and linkages with partners in other sectors.

The Board looks forward to attaining these objectives by 2017 as per the implementation plan.

***Chairman***

## EXECUTIVE SUMMARY

The Kenya Vision 2030 underpins the importance of ensuring growth in Kenya and emphasizes the value of land reforms, housing and urbanization as a foundation for national transformation and development. The development blueprint recognizes that housing and urbanization are critical to socio-economic, political and cultural development in Kenya. The Vision 2030 is anchored on three pillars: economic; social and political. The economic pillar aims to attain an average economic growth rate 10% per annum and maintain the same till 2030. The social pillar aims to create a just, cohesive and equitable social development in a clean and secure environment. The political pillar seeks to realise an issue-based, people-centred, result-oriented and accountable democratic system.

The social pillar has identified housing and urbanization as a key sector and aims for an adequately and decently-housed nation in a sustainable environment. This will be attained through initiation of a nationwide urban planning and development strategies, better development of and access to affordable and adequate housing, enhanced access to adequate finance for developers and buyers, and pursuit of targeted key reforms to unlock the supply potential of the housing sector.

This Strategic Plan provides a framework and actions that the Estate Agents Registration Board will implement within the next five years (2013-2017). While formulating the Strategic Plan, the operating environment in relation to the economic, social, political and technological have been considered. The Strategic Plan articulates the EARB's operations and outlines strategies and activities to be implemented to achieve the set objectives. Having re-examined its mandate, the Board developed its vision and mission statements, and the core values which will form the guide for its activities in the future. The situation analysis identified strengths, weaknesses, opportunities and threats of EARB which formed the basis for the identification of the strategic themes and objectives for the next five years.

The strategic themes identified are: (i) review of the Estate Agents Act; (ii) membership and regulation; (iii) public awareness; (iv) institutional capacity, and (v) partnerships and collaborations.

To address the strategic themes identified, the following strategic objectives were set for the five years period:

- i. To review the Estate Agents Act by the year 2013.
- ii. To increase membership from the current 200 to 600 by end of year 2017.
- iii. To enforce and ensure compliance to the Estate Agents Act and any other rules and regulations.
- iv. To create public awareness and recognition of the functions of the Board
- v. To enhance institutional capacity of the Board.
- vi. To develop collaboration and linkages with other partners.

Further, strategies and activities that will help in the attainment of the objectives have been identified and documented in an implementation plan. The implementation plan has also provided the expected output for each strategy, the output indicators for each activity, the time frame, the resources required and the implementing actors.

A monitoring and evaluation framework that will help track the implementation of the strategic plan has also been provided. In addition, annual key performance indicators that will help track the progress towards the achievement of the set objectives were identified and documented.

## CHAPTER ONE

### INTRODUCTION

This chapter covers the Estate Agents Registration Board background, rationale for strategic planning, role of Estate Agents Registration Board towards Vision 2030 & the 2008-2012 medium term plan (MTP), methodology of developing the plan and organization of the plan.

#### 1.1 ORGANIZATIONAL BACKGROUND

The Estate Agents Registration Board (EARB) is established under Section 3 of the Estate Agents Act, 1984 Cap 533. The Act was subsequently operationalized in the year 1987. The functions of the Board as provided in the Act are:

- a) Registration of Estate Agents; and
- b) Ensuring that the competent and conduct of practicing Estate Agents are of a standard sufficiently high to ensure the protection of the public.

#### 1.2 RATIONALE FOR STRATEGIC PLAN

The process of strategic planning is aimed at identifying and selecting the most appropriate ways (strategies) of utilising an organization's resources to achieve specified objectives, while taking into account the external environment in which the organization operates.

The estate agency sector in Kenya is experiencing challenges such as a high number of persons operating as agents but not licensed and lack of awareness of the existence and functions of the Board by the public among others. Therefore the development of the Estate Agents Registration Board strategic plan (2013-2017) has been necessitated by the need to undertake legal and institutional reforms which will enable the Board to come up with objectives geared towards improving the effectiveness of the Board in regulation of the estate agency sector. In addition, the plan will enable the Board to serve its members and the society better. Further, directing the Board's activities towards achieving specific outcomes will help in accomplishing the most of limited resources.

### 1.3 THE ROLE OF EARB TOWARDS VISION 2030 AND MEDIUM TERM PLAN

The Vision 2030 is anchored on three key pillars: economic, social and political. The economic pillar aimed to achieve an average economic growth rate of 10 per cent per annum by 2012 and sustain the same till 2030 in order to generate more resources to meet the MDGs and Vision goals. The social pillar seeks to achieve just, cohesive and equitable social development in a clean and secure environment. The political pillar aims for an issue-based, people-centered, results-oriented and accountable democratic system.

The Vision has identified land as a critical resource for the socio-economic and political development and has identified initiatives in relation to this. A key initiative identified is the formulation of a national land policy to facilitate:

- The process of land administration;
- The computerization of land registries;
- The establishment of national spatial data infrastructure in order to track land use patterns; and
- The introduction of an enhanced legal framework for faster resolution of land disputes.

To enable the achievement of the goal of equitable social development, the Vision has identified housing and urbanization as one of the key social sectors that will need consideration. The vision for housing and urbanization is “an adequately and decently-housed nation in a sustainable environment”. This is to be attained through:

- Better development of and access to affordable and adequate housing;
- Enhanced access to adequate finance for developers and buyers;
- Pursuit of targeted key reforms to unlock the supply potential of the housing sector; and
- Initiation of a nationwide urban planning and development strategies, starting with Kenya’s major cities.

The Medium Term Plan (2008-2012) has identified the following programmes and projects to be undertaken with regard to land:

- Preparation of the First National Spatial Plan for Kenya to guide physical development activities over the next 50 years;



- Development of Geographic Information System (GIS) and Land Registry System; and
- Land reforms to address issues concerning land ownership and administration, security of tenure, land use and development, and environmental conservation.

Further, the MTP identifies specific flagship projects for housing and urbanization which include:

- Preparation of a national land-use plan in order to facilitate better urban planning;
- Installation of physical and social infrastructure in slums in 20 urban areas to make them formal settlements, permit construction of permanent houses and attract private investment;
- Production of 200,000 housing units annually by 2012 under Public-Private Partnership (PPP) and other initiatives;
- Establishment of housing technology centres in each constituency to increase access to decent housing by promoting location-specific building materials and low-cost housing;
- Establishment of a secondary mortgage finance corporation to increase access to housing finance; and
- Enactment of the Housing Bill, 2006 to legislate for a one-stop housing development approvals mechanism to fast track approval of housing plans and reduce the time cost of construction.

The identified areas fall within the concerns of the Estate Agents Registration Board making the Board vital in the attainment of the Vision 2030.

#### **1.4 METHODOLOGY OF DEVELOPING THE PLAN**

A participatory strategic planning process was used to ensure ownership of the strategic plan by the stakeholders. This was also aimed at ensuring effective and efficient implementation of the plan.

The process entailed involvement of the Board members and other key players in the strategic planning. Specifically the following methodology was used:

### 1.3.1 Document review

Various documents were reviewed for the purposes of extracting relevant information for use in the strategic planning process. These documents included:

- a) Estate Agents Act, Chapter 533;
- b) The draft Housing Bill 2006;
- c) Capital Markets Authority (CMA)'s Real Estate Investment Trusts (REITS) regulations;
- d) Vision 2030 and the Medium Term Plan (MTP);
- e) The National Land Policy;
- f) Other relevant documents.

### 1.3.2 Interviews/Discussions

Discussions were held with members of the Board and representatives of practicing estate agents.

### 1.3.3 Strategic Planning Workshop

To incorporate the views of key stakeholders and in order to enhance ownership of the strategic plan, a one-day workshop was held with the members of the Board and representatives from practising estate agents.

## 1.5 ORGANIZATION OF THE PLAN

This strategic plan consists of seven chapters:

Chapter one is the introduction, which covers the Board's background, the rationale for strategic planning, Vision 2030 and Medium Term Plan, the methodology of developing the plan and organization of the strategic plan. Chapter two provides the institutional review covering the core-business, vision, mission and core values. Chapter three presents situational analysis covering evaluation of the internal and external environment and the stakeholder analysis. Chapter four covers the strategic themes, objectives and strategies. Chapter five presents the implementation matrix, which covers for each of the strategic objectives, the strategies, proposed actions, implementing actors, time frame, expected outputs and output indicators. Chapter six covers the organizational structure. Chapter seven covers the mechanisms for monitoring and evaluation of the implementation process and the key performance indicators.

## CHAPTER TWO

### INSTITUTIONAL REVIEW

This chapter covers the mandate and core functions, vision, mission and core values.

#### 2.1 MANDATE AND CORE FUNCTIONS

The Estate Agents Registration Board derives its mandate from the Estate Agents Act, CAP 533.

Its mandate is to register estate agents and ensure that the competence and conduct of the practicing agents are of a standard sufficiently high for the protection of the public. Arising from the overall mandate, the Board is expected to carry out the following core functions:

- i. Keep and maintain the register of estate agents;
- ii. Approve and register qualified estate agents;
- iii. Regulate and promote the professional conduct/ethics of estate agents having due regard to the public interest;
- iv. Advise on the standard of training and practical experience of estate agents;
- v. Investigate complaints against estate agents and institute disciplinary proceedings against offending estate agents;
- vi. Ensure that all practicing estate agents have an indemnity cover as required by law; and
- vii. Advise on the scale of fees to be charged by estate agents in consultation with the Ministry of Lands.
- viii. Creating awareness to potential members and the public at large.

#### 2.2 VISION

***To be an effective and efficient estate agency practice regulator of international repute.***

#### 2.3 MISSION

***To promote the development and integrity of estate agency sector in Kenya through effective regulation.***

## 2.4 CORE VALUES

In an endeavour to realize its vision and mission, the Estate Agents Registration Board upholds the following core values:

- **Integrity**

To always act morally and ethically, and consistently demonstrate a high degree of probity in dealing with the stakeholders.

- **Accountability**

We will always be accountable to the public and other stakeholders for our actions, decisions, and policies including their administration.

- **Professionalism**

To always offer high quality services to all stakeholders.

- **Efficiency**

Commitment in ensuring that the provision of services to all members, the public and other stakeholders is efficient and timely.

- **Participation and Consultation**

To endeavour to involve all relevant stakeholders in its programmes and work with them for service delivery improvement.

## CHAPTER THREE

### SITUATION ANALYSIS

This chapter covers an analysis of internal and external environments which culminated in identification of strengths, weaknesses, opportunities and threats (SWOT) and stakeholder's analysis.

#### 3.1 INTERNAL ENVIRONMENT

Analysis of internal environment entails identification of issues within the Board that positively (strengths) or negatively (weaknesses) affects its operations and performance.

##### 3.1.1 Strengths

The main strengths of the Estate Agents Registration Board include:

- i. The establishment of the board and its mandate are entrenched in a legal framework.
- ii. Support by the Government through the Ministry of Lands by providing the Board with an office and staff.
- iii. Representation of key stakeholders in the composition of the board members.
- iv. Support from other stakeholders such as Institution of Surveyors of Kenya (ISK).
- v. Support from members.

##### 3.1.2 Weaknesses

The weaknesses of the Board are:

- i. Inadequate regulation of the practice resulting in many persons and firms operating without licenses. This has led to low membership some of which have arrears in subscription.
- ii. Lack of a strong secretariat to undertake the operational activities of the Board.
- iii. Lack of adequate financial resources to undertake the Board functions.
- iv. Inadequate record keeping of the operations of the Board.
- v. Lack of standing committees in the Board.
- vi. Lack of a mechanism/system for following up members with arrears in subscriptions and take appropriate action.

- vii Inadequate operational policies and procedures.
- viii Lack of awareness creation initiatives among the public on the existence and functions of the Board.
- ix Inadequate linkages/partnerships with other stakeholders.

## **3.2 EXTERNAL ENVIRONMENT**

Analysis of the external environment identifies factors outside the Board that may impact favourably (Opportunities) or adversely (threats) on the performance.

### **3.2.1 Opportunities**

The opportunities available to the Estates Agents Registration Board include:

- i. Government initiatives for economic development e.g. the Vision 2030, building codes revision, housing bill, Nairobi Metropolitan Development, millennium cities among others.
- ii. Vibrant property markets and the current high investment in real estate.
- iii. Linkages with other organisations such as other professional bodies, local authorities and the provincial administration among others.
- iv. Increased infrastructure development in the country.
- v. Many qualified members who can be registered.
- vi. Increase in institutions of higher learning which can offer training in estate management providing a pool from which membership could be increased.
- vii. Political, legal and institutional reforms being undertaken in the country, e.g. land reforms, devolved government etc.
- viii. Technological advancement which can be adopted for ICT and in construction.
- ix. The East African community which presents a wider market.
- x. The introduction of regulations on real estate investment trust and credit reference bureaus by the CMA.

### 3.2.2 Threats

The threats to the Estates Agents Registration Board are:

- i. Limiting legal framework e.g. lack of enforcement mechanisms.
- ii. Slow computerization of land management leading to inefficient operations.
- iii. Many unregistered persons practicing as estates agents including other professionals such as lawyers, accountants and surveyors.
- iv. Low level of knowledge about property matters among the public.
- v. Political interference in the regulation of the estate agents.
- vi. Stiff competition from multinational estate agencies that are doing business in the country.
- vii. Lack of cooperation between the Board and media, Attorney General (AG) and local authorities may affect the Boards ability to deal with offending practitioners.
- viii. Negative perception of the agency profession by the public.

## 3.3 STAKEHOLDERS ANALYSIS

Active involvement and partnership with other stakeholders is important for the Board in achieving its mandate. The Board identifies several stakeholders who can be grouped as follows:

### 3.3.1 The Government

Government institutions, ministries and departments have a great role in the real estate industry and hence need for mutual cooperation to ensure achievement of government policies. The Board may from time to time require liaising with other government institutions in fulfilling its mandate. The Board should therefore aim at strengthening linkages with these institutions.

### 3.3.2 Estate Agents

These form the key stakeholders of the Board and expect quality and timely service delivery by the Board. On the other hand the estate agents are required to actively participate in the activities of the Board, pay their subscriptions on time and display professionalism and ethics in their undertakings.

### **3.3.3 Property owners**

Property owners play a significant role in the real estate sector and expect the Board to effectively regulate the sector to ensure that the agents carry out their work with integrity. The Board expects property owners to ensure that they engage estate agents that are registered by the Board.

### **3.3.4 The Public**

The general public expects the Board to resolve issues relating to errant agents and offer advice where need be. The Board on its part expects the general public to provide any information to the board and also seek professional services on estates agency matters from the registered agents only.

### **3.3.5 The media**

Media is an important channel of information to the public and therefore the Board should ensure accessibility and correctness of relevant information to the media. In addition, the Board should partner with the media to enhance public awareness and to ensure that the information given to the public is informed.

### **3.3.6 Training Institutions**

Linkages and collaborations with training and research institutions will enhance dissemination and access to relevant information and emerging issues influencing the practice of the profession which could be incorporated in the training curricula.

### **3.3.7 Professional bodies**

Linkages with professional associations and their members can help the Board to create awareness of its functions and the importance of engaging registered estate agents. In addition, these bodies offer opportunities for adoption of best practices. They also offer a platform for exchange of information.

### **3.3.8 Financial Institutions**

Financial institutions are important in the industry as they finance development and acquisition property. The financial institutions expect a well regulated real estate industry as this reduces the financial risks and promotes the development of the sector.



## CHAPTER FOUR

### STRATEGIC ANALYSIS

This chapter identifies and highlights the key strategic themes, objectives and strategies arising from the situational analysis.

#### 4.1 STRATEGIC THEMES

Strategic themes are the key areas of performance for an organization in a given time period.

The following are the strategic themes of Estate Agents Registration Board for the planning period.

##### 4.1.1 Review of the Act

The Estate Agents Act provides the professional qualifications required for one to be registered as an estate agent. However, the Act under section 13 1 (e) provides that a person without the prerequisite qualifications can be registered as an estate agent. Further, due to the changes in the business environment, the amount of the indemnity bond needs to be reviewed. There is therefore need to review the Act so as to enhance the Board regulatory role and enable it to better address the current and emergent issues in the profession.

##### 4.1.2 Membership and regulation

The Board has a mandate to register estates agents and promote standards of conduct in the profession as a way of protecting the public. Currently, many estate agents are operating without licenses from the Board. Therefore there is need for the Board to ensure that those that qualify for registration are registered while those that do not qualify are dealt with as per the law. Further, the Board should come up with ways that ensure that registered members remit their annual subscriptions timely.

To enhance its regulatory role, the Board needs to develop rules and regulations that will guide the members of the profession. In addition, the Board should promote continuous professional development of its members though organising training seminars and workshops.

### **4.1.3 Public awareness**

Members of the public are unaware of the existence and the functions of the Board. In addition, the public does not appreciate the benefits of engaging estate agents that are licensed by the Board and thus this presents an opportunity for unregistered persons purporting to be estate agents to operate. The Board needs to create awareness to the public on its role as well as publicize the licensed estate agents as a way of ensuring that the public has access to information on whether an estate agent is registered or not. The public should also be made aware of the avenues available for reporting errant agents.

### **4.1.4 Institutional capacity of the Board**

To discharge its mandate the Board will require to enhance its institutional capacity to ensure that it has adequate resources to serve the needs of the sector stakeholders. The financial base of the Board is an area that will need to be addressed. The Board's funds are mainly derived from the members' subscriptions. These funds are not sufficient to meet the Board's requirements geared towards streamlining the estate agents sector. There is need to explore other sources of finance such as government funding.

The physical and human resource capacity requires to be sufficient to support the Board in regulation of the operations of the sector. Currently, the secretariat is not strong enough to help the Board in discharging its mandate. The secretariat need to be strengthened in terms of numbers of staff and their skills in order to enable the Board to better monitor, regulate and provide the necessary direction and facilitation to the practitioners. In addition, there may be need to decentralize the Board's services to increase accessibility by the stakeholders. Further, there is need to strengthen corporate governance of the Board.

#### 4.1.5 Partnerships and collaborations

The discharge of Board's mandate could be improved through enhanced coordination and collaboration with the relevant bodies/institutions such as the local authorities and the provincial administrative among others. There is need for the Board to develop linkages with other institutions and organisations as a means of enhancing its effectiveness in discharging its role.

### 4.2 STRATEGIC OBJECTIVES

The objectives of the Estates Agents Registration Board are:

- vii. To review the Estate Agents Act by the year 2013.
- viii. To increase membership from the current 200 to 600 by end of year 2017.
- ix. To enforce and ensure compliance to the Estate Agents Act and any other rules and regulations.
- x. To create public awareness and recognition of the functions of the Board
- xi. To enhance institutional capacity of the Board.
- xii. To develop collaboration and linkages with other partners.

### 4.3 STRATEGIES

The following are the strategies geared towards the attainment of the respective objectives:

	Objective	Strategy
1.	<b>To review the Estate Agents Act by year 2013</b>	i. Lobby for the review of the Act.
2.	<b>To increase membership from the current 200 to 600 by end of year 2017</b>	i. Partner with ISK and training institutions ii. Sensitize and recruit potential members iii. Publicize the registered members iv. Enhance member continuous professional education
3.	<b>To enforce and ensure compliance to the Estate Agents Act and any other rules and regulations</b>	i. Strengthen the enforcement capacity of EARB and establish networking mechanisms with other law enforcement agencies ii. Develop and disseminate the appropriate rules and regulations for the practise iii. Enhance advocacy on the estate agency interests with the

		<p>government and other relevant stakeholders</p> <p>iv. Decentralise and strengthen EARB services to all regions</p>
4	<b>To create public awareness and recognition of the functions of the Board</b>	<p>i. Brand the EARB</p> <p>ii. Public sensitization on the role of EARB</p>
5.	<b>To enhance institutional capacity of the EARB</b>	<p>i. Enhance EARB's funding</p> <p>ii. Strengthen the secretariat</p> <p>iii. Enhance EARB's physical infrastructure</p> <p>iv. Improve on operational processes and systems</p>
6.	<b>To develop collaboration and linkages with other partners</b>	<p>i. Create collaborations with local and international partners</p> <p>ii. Identify projects to collaborate with other institutions</p> <p>iii. Partner with training institutions training in estate agency profession</p>

## CHAPTER FIVE

### IMPLEMENTATION PLAN

This chapter presents the implementation matrix, which covers the strategic objectives, the strategies, activities, implementing actors, time frame, expected outputs and output indicators.

#### Objective 1: To review the Estate Agents Act by year 2013

Strategy	Expected Output	Activity	Output Indicator (s)	Implementing Actors	Resources (Shs million)	Time Frame
<b>Lobby for review of the Act</b>	Enhanced legal framework	i. Set up a working committee to oversee the review process	Committee in place	Board Members	1	In place
		ii. Develop the Estate Agents amendment bill in consultation with AG Chambers drafting department.	Draft bill in place			April 2013
		iii. Lobby with the MPs to seek support for the bill.	Consultation meetings held			June 2013
		iv. Submit bill to Parliament for enactment	Revised Act enacted			July 2013
		v. Implement the revised Act	Adoption of the provisions of the Act in the practice			Jan 2014

**Objective 2: To increase membership from the current 200 to 600 by end of year 2017**

Strategy	Expected output	Activity	Output indicator	Implementing Actors	Resources (Shs million)	Time frame
Partner with ISK and training institutions	Access to potential members	Hold discussions with ISK and training institutions to agree on ways of ensuring that members that practice as estate agents are registered with the Board	Number of members registered through ISK and training institutions	Board/ Secretariat	0.2	April 2013
Sensitize and recruit potential members	Increased membership	<ul style="list-style-type: none"> <li>i. Organise nationwide member recruitment drives</li> <li>ii. Recruit new members</li> </ul>	<ul style="list-style-type: none"> <li>Number of drives organised</li> <li>Number of new members recruited</li> </ul>	Board/ Secretariat	1	<ul style="list-style-type: none"> <li>March 2013 and Continuous</li> <li>"</li> </ul>
Publicize the registered members	Attracting more practitioners to register	<ul style="list-style-type: none"> <li>i. Publish the licensed members in the local print area</li> <li>ii. Upload the list of licensed members in the EARB website</li> </ul>	<ul style="list-style-type: none"> <li>List of registered members published</li> <li>List of licensed members in EARB's website</li> </ul>	Board/ Secretariat	0.5	<ul style="list-style-type: none"> <li>Annually</li> <li>Annually</li> </ul>
Enhance member continuous professional education	Informed members	<ul style="list-style-type: none"> <li>i. Develop a member education calendar</li> <li>ii. Undertake education forums for members</li> <li>iii. Undertake research and dissemination on emerging issues in the profession</li> </ul>	<ul style="list-style-type: none"> <li>A member training calendar in place</li> <li>Number of education forums held</li> <li>Number of researches and dissemination forums held</li> </ul>	Secretariat	0.5	<ul style="list-style-type: none"> <li>June 2013</li> <li>September 2013 and continuous</li> <li>January 2014</li> </ul>

### Objective 3: To enforce and ensure compliance to the Estate Agents Act and any other rules and regulations

Strategy	Expected output	Activity	Output indicator	Implementing actors	Resources (Shs million)	Timeframe
Strengthen the enforcement capacity of EARB and establish networking mechanisms with other law enforcement agencies	Effective regulation of the sector	i. Develop an enforcement policy and procedures manual	Policy and procedures manual in place	Board/ Secretariat	1	Sept 2013
		ii. Sensitize and engage the stakeholders on the Estate Agents Act, rules and regulations and any other matters governing the sector	Number of sensitizations forums			Nov 2013
		iii. Undertake enforcement and monitoring	Level of compliance			Oct 2013
		iv. Liaise with other regulatory enforcement agencies on best practices	Number of enforcement agencies approached			April 2013
Develop and disseminate the appropriate rules and regulations for the practise	Adequate regulatory and enforcement framework	i. Preparation of a rules and regulations necessary to govern the Estate Agent practise	Rules and regulations in place	Board	0.5	Jan 2014
		ii. Hold a national stakeholders' workshop to disseminate the rules and regulations	Dissemination workshop held			
		iii. Implement the rules and regulation	Level of adoption of rules and regulation by the practitioners			
Enhance advocacy on the estate agency interests with the government and other relevant stakeholders	Increased stakeholders support to the estate agents sector	i. Offer regular policy advice to the government on estate agency matters	Number of policy areas addressed	Board	0.5	Continuous
		ii. Hold regular meetings with the ISK and other stakeholders	Number of meetings held			"

Strategy	Expected output	Activity	Output indicator	Implementing actors	Resources (Shs million)	Timeframe
		iii. Advocate for enhanced support to the sector by the government and ISK	Level of government and other stakeholders support	Board		"
Extend and strengthen EARB services to all regions	Quick delivery of services and response to stakeholders queries	Identify point persons in the various regions	Number of access points	Board/ Secretariat	1	Jan 2014



#### Objective 4: To create awareness and recognition of the Board

Strategy	Expected output	Activity	Output Indicator	Implementing actors	Resources (Shs million)	Timeframe
Brand the EARB	Good corporate image	i. Develop a logo and motto for the Board	Awareness level of the EARB brand	Board and Secretariat	1	Feb 2013
		ii. Develop a website for EARB	EARB website in place			Dec 2012
		iii. Implement and popularize the EARB brand				March 2013
Public sensitization on the role of EARB	Increased awareness and appreciation of role of the EARB	i. Place advertisements in media- print and broadcast (radio & TV)	Number of advertisements in media	Secretariat	2	March 2013
		ii. Hold talk shows in broadcast media	Number of talk shows held			June 2013 & continuous
		iii. Place adverts on bill boards and road banners and digital advertising	Level of public awareness			June 2014
		iv. Participate in relevant trade shows and exhibitions	Number of exhibitions held			June 2013
		v. Launch the strategic plan through a supplement in the print media	A supplement run in local newspapers			March 2013

Strategy	Expected output	Activity	Output Indicator	Implementing actors	Resources (Shs million)	Timeframe
Ensure effective service delivery to customers by members	Protection of the public	i. Establish a complaint desk	Complaint desk established	Board/ Secretariat	0.2	Jan 2013
		ii. Investigate complaint against estates agents	Number of complaints investigated			When need arise
		iii. Institute disciplinary proceedings against offending estate agents	Number of members facing disciplinary measures			"

#### Objective 5: To enhance institutional capacity of EARB

Strategy	Expected output	Activity	Output Indicator	Implementing actors	Resources (Shs million)	Timeframe
Enhance EARB's funding	Adequate financial resources	i. Lobby for financial support from government through the Ministry of Lands	Amount of funds from government	Board/ Secretariat	0.5	April 2013
		ii. Identify development partners from which EARB could source funds	List of identified development partners			Feb 2013
		iii. Develop programmes to be funded by the various identified partners and make proposals for funding	Number of programmes externally funded			June 2013
Enhance EARB's physical infrastructure	Well functioning infrastructure	i. Conduct a facilities/resources needs analysis	Facilities needs report	Secretariat/ Board	0.1	July 2013
		ii. Acquire appropriate facilities and equipment	A well functioning EARB			Jan 2014

Strategy	Expected output	Activity	Output Indicator	Implementing actors	Resources (Shs million)	Timeframe
Strengthen the secretariat	Effective regulation of the estate agents practice	i. Develop job descriptions and specifications of staff required	Job descriptions and specifications in place	Board	1.5	July 2013
		ii. Recruit the necessary staff	Number of staff recruited			Sept 2013
		iii. Develop departmental and individual work plans	Individual work plans in place			Jan 2014
		iv. Undertake periodic M&E of the performance of the staff	M&E reports			June 2014 & continuous
Improve on operational processes and systems	Increased efficiency in service delivery	i. Develop and implement operational policies and procedures manuals	Operational policies and procedures in place	Board/ Secretariat	0.5	April 2013
		ii. Establish adequate internal controls	Adequate controls in place			April 2013
		iii. Prepare annual budgets and financial statements for EARB	Annual budgets and financial reports			Jan 2013 and annually

## Objective 6: To develop collaboration and linkages with other partners

Strategy	Expected output	Activity	Output Indicator	Implementing actors	Resources (Shs million)	Timeframe
Develop guidelines for partnerships/ linkages	A clear framework on relationship with partners	i. Identify areas to be covered within the policies and guidelines	Guidelines on partnership relations management	Board	0.2	Jan 2015
		ii. Develop and implement the guidelines				June 2015
Create collaborations with local and international partners	Increased support by partners	i. Identify potential partners	Number of potential partners identified	Board/ Secretariat	1	July 2013
		ii. Hold discussions with identified partners on areas of potential collaboration	Number of collaborations secured			Oct 2013
Identify projects to collaborate with other institutions	Effective delivery of services	i. Identify projects to collaborate	Number of projects identified	Board/ Secretariat	1	Jan 2016
		ii. Identify the partners to undertake the projects with	Number of partners identified			March 2016
		iii. Prepare project proposals	Number of proposals discussed with partners			June 2016
		iv. Implementation of the projects	Number of projects supported by partners			Sept 2016
Partner with training institutions training in estate agency profession	Training that is relevant to the requirements of the practice	i. Develop guidelines on curricula and course content development	Curricula guidelines in place	Board	0.5	Jan 2015
		ii. Identify the relevant training institutions	List of training institutions			Jan 2015
		iii. Hold discussions with the relevant departments to disseminate the guidelines	Number of discussions held			March 2015

## CHAPTER SIX

### INSTITUTIONAL STRUCTURE

This chapter covers the role of the Board members and the secretariat.

#### 6.1 THE BOARD MEMBERS

The Board members will be responsible for overseeing the management of the affairs of the Board and for that purpose may give directions to the office-bearers as to the manner in which, within the law, they shall perform their duties. It is to exercise integrity and sound judgment in directing affairs of the Institution. The Board will perform its functions through the Secretariat and may appoint committees to handle emerging issues.

##### 6.1.1 Functions of the Board

Some of the functions of the Board as per the Act are:

- i. To register estates agents according to the stipulated regulations.
- ii. To approve and register members.
- iii. To regulate the professional by ensuring the competence and conduct of practicing estates agents are of high standard.
- iv. To hold disciplinary proceedings.

To discharge its functions, the board has established three committees:

##### (a) Recruitment, Disciplinary and Legal Affairs Committee

This committee will be responsible for assisting the Board in the following areas:

- i. Receiving, considering and approving applications for registration as an estate agent and granting of practicing certificates and annual licenses in accordance with the provisions of the Act.
- ii. Monitor compliance with professional, quality assurance and other standards published by the Board for observance by the members.
- iii. Prescribe regulations to govern quality assurance programmes, including actions necessary to rectify deviations from established standards.

- iv. Advise the Board on matters pertaining to professional and other standards necessary for the achievement of quality assurance.
- v. To receive complaints relating to professional misconduct of registered estate agents.
- vi. To make inquiries on cases of professional misconduct by members.
- vii. To provide legal input/review of the Board's activities such as review of the Act.

### **(b) Public Awareness and Education Committee**

This committee will be responsible for assisting the Board in the following areas:

- i. Advice on measures/programmes required to keep members abreast with contemporary developments in estate agents profession.
- ii. Oversee the running of the continuous professional development (CPD) for members.
- iii. Organize forums for members to exchange information and experiences.
- iv. Educate the public on the role of the Board and the estate agents profession.

### **(c) Finance and Administration Committee**

This committee assists the board in:

- i. Formulation and implementation of financial and administration policies and procedures
- ii. Approval of the annual budgets.
- iii. Ensure adequate controls are in place to guide the use of the Board's resources.
- iv. Reviewing all aspects of financial management and ensuring compliance with the approved policies, procedures and statutory requirements.
- v. Review human resource policies and procedures, staff code of regulations and administrative matters.

### **6.1.2 Functions of the Registrar**

The registrar is a public officer who is appointed by the Minister. The duties of the registrar are as follows:

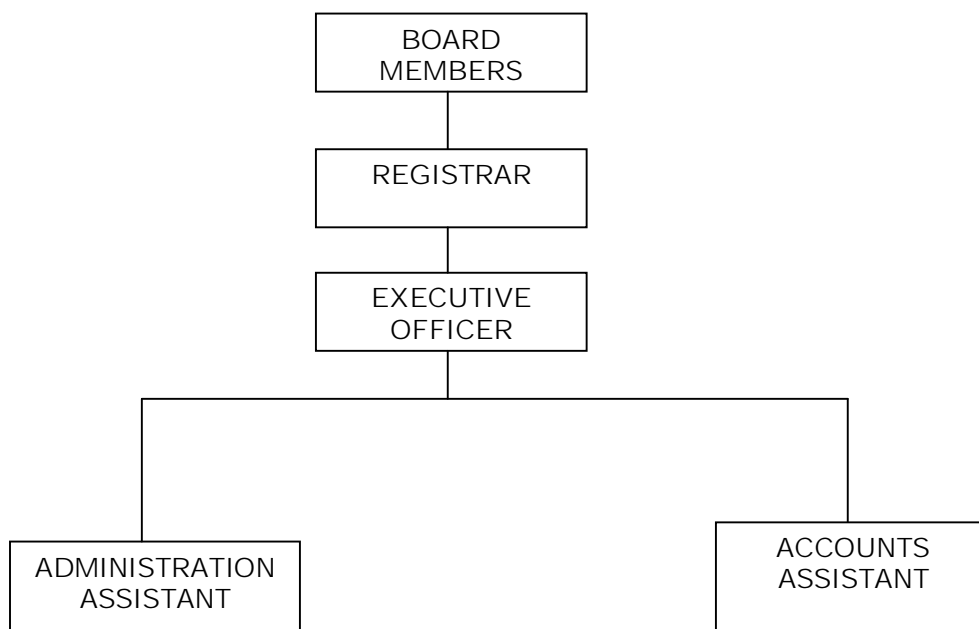
- i. To keep and maintain a register of every person accepted by the Board for registration.
- ii. Make changes in the particulars of registered members
- iii. Remove name of a member from the registrar
- iv. Issue a certificate of registration to a registered member

v. To approve and reject the register for application

## 6.2 THE SECRETARIAT

The Estates Agents Registration Board Secretariat will be responsible for the day-to-day operation and administrative functions of the Board. It will be headed by Executive Officer who will be reporting to the Board members. Initially the secretariat will have three members of staff who will be increased as need arises.

The proposed structure of the EARB is as shown below:



## CHAPTER SEVEN

### MONITORING AND EVALUATION

This chapter covers the mechanisms for monitoring and evaluation (M & E) of the implementation process of the strategic plan, and the key performance indicators.

#### 7.1 OBJECTIVES OF M&E

To successfully implement this strategic plan, a Monitoring and Evaluation (M&E) framework has been developed. The monitoring and evaluation framework will enable the Board to measure performance against set standards so as to ensure effective implementation of the set goals and objectives.

#### 7.2 M&E FRAMEWORK

The following actions will be undertaken to ensure successful implementation of the strategic plan:

- i. Establish M & E team to oversee the implementation of the strategic plan.
- ii. The M&E team will hold meetings regularly to review the status of the strategic plan implementation.
- iii. The M & E team will be reporting to the board members on the progress of the strategic plan implementation.
- iv. The strategic plan will be reviewed annually so as to ensure that necessary changes in the objectives, strategy, activities etc are effected.

**Note:** The key performance indicators documented in section 7.3 will provide guidance on more objective review of the progress of the strategic plan implementation.



### 7.3 KEY PERFORMANCE INDICATORS

The following table shows the projected key performance indicators (KPIs).

	2012	2013	2014	2015	2016	2017
Number of members	290	363	454	567	709	886
Subscriptions (Shs)	725,000	907,500	1,135,000	2,268,000	2,836,000	3,544,000
Government funding and other sources (Shs)	0	9,851,500	4,852,950	3,564,348	3,447,965	1,899,163
<b>Total revenues (Shs)</b>	<b>725,000</b>	<b>10,759,000</b>	<b>5,987,950</b>	<b>5,832,348</b>	<b>6,283,965</b>	<b>5,443,163</b>
<b>Administration costs (Shs)</b>						
Board expenses	282,000	564,000	592,200	621,810	652,901	685,546
Secretariat expenses	144,000	1,680,000	2,280,000	2,394,000	2,513,700	2,639,385
Postage and stationery	10,000	15,000	15,750	16,538	17,364	18,233
Miscellaneous	100,000	100,000	100,000	100,000	100,000	100,000
Implementation of the strategic plan		8,400,000	3,000,000	2,700,000	3,000,000	2,000,000
<b>Total expenses</b>	<b>536,000</b>	<b>10,759,000</b>	<b>5,987,950</b>	<b>5,832,348</b>	<b>6,283,965</b>	<b>5,443,163</b>
Number of new partnerships	2	2	3	3	4	5
Awareness level (%)	10%	30%	50%	60%	70%	80%
Member's satisfaction (%)	15%	20%	40%	60%	70%	80%

#### Notes:

1. Membership is projected to grow at a rate of 25% per annum.
2. Annual subscriptions will be increased from Shs 2,500 to Shs 3,000 as from year 2013.