Sanitation Partnerships: Landlord or tenant?

The importance of rental relationships to poor community sanitation in 3 African countries

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Date: August 2005

Introduction

While we increasingly understand the circumstances in which partnerships to provide drinking water or solid waste can be successful, much less is known about sanitation. Yet with the re-emergence of sanitation on the international development agenda, calls for such partnerships are numerous and growing.

This situation prompted BPD to undertake a review of five case studies in cities in Southern and Eastern Africa. We observed first-hand the consequences of rapid urban settlement in the region. This is escalating demand for affordable housing, with cheap rental accommodation multiplying to meet this demand. However, services lag far behind. Sanitation advances in the 1980s are being reversed as settlement densities rise steadily, and as single unit latrines are shared by more and more families.

This paper asks what partnership means for sanitation in this context: Which stakeholders relate to sanitation and do their different concerns overlap? Is there consensus on the best way to move forward? Given the significance of those renting, how can approaches targeting owner-occupiers be adapted to serve tenants better? Should landlords be incentivised – or sanctioned – to do the right thing, and what norms and standards are appropriate when the demand from tenants is for cheap accommodation? [1]

Overview of three case studies

The sanitation challenges raised by tenancy in a context of poverty are complex. This paper reviews some issues raised by three of the five BPD case studies – namely Maputo, Maseru and Kibera.

➢ Kibera in Kenya is an extreme case – a densely settled slum housing a fifth of Nairobi's people on less than 4% of its surface area. Over 90% of its inhabitants are tenants. Space is at such a premium that landlords prefer to maximise rents by building rooms rather than latrines; one consequence is there are allegedly more churches in Kibera than latrines. The scale and complexity of the challenges of sanitation provision in Kibera may set it slightly apart from other settlements on the continent, but are nonetheless relevant and instructive because they are so stark.

➢ Maseru in Lesotho is in rapid transition, with new forms of urban poverty in low income tenant settlements underlining the need for a fresh look at sanitation approaches relevant to rental areas.

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[1] This paper is one of a series of outputs (a 'spoke') from BPD's study on sanitation partnerships in Dar es Salaam, Durban, Maputo, Maseru and Nairobi. Other papers from the work by David Jones, Kathy Eales and Linda Tyers (including the overview 'hub' paper) can be found on the BPD website, www.bpdws.org. Its aim is to provoke debate, highlighting the need to differentiate between owner-occupiers and tenant households. It is not an evaluation of existing or former sanitation programmes.

> ➢ In peri-urban Maputo, Mozambique, renting is the exception. Land has been nationalised and most poor households have secured their own plots; many are converting their temporary shelters into cement block houses. Renting here tends to be the prerogative of better-off households who want the convenience of interim housing without ownership. Most rental accommodation comes with sanitation facilities.

The table below summarises some comparisons between the three case study areas.

	Peri-urban Maputo	Maseru	Kibera
Land ownership and access	Nationalised; land transactions are with the state around use-rights; historically comparatively cheap access to land is now declining.	Mix of private title (urban) and traditional (peri-urban). Virtually no temporary shacks – vast majority of structures are block-brick and permanent.	Nominally title owned by government, yet 'captured' by several private individuals. A minority of individuals with informal rights construct dwellings for rental.
Dominant residential form	Predominantly 'owner' occupiers who regard the land and house as their own. Temporary structures now being upgraded to permanent housing. Approximately 10% rental.	Owner-occupiers, with rapid growth in permanent rental accommodation over the past decade. An estimated one third of the population or more now live in low-cost rental accommodation.	90% rental, in an extremely dense settlement with an acute shortage of space for additional dwellings, facilities or services.
Nature of rental accommodation	Mixed – mostly cement block housing, usually not purpose-built for renting.	Rooms in cement block 'line housing' on large stands.	'Long-term temporary' line structures in corrugated iron in a congested settlement.
Who rents?	Not the poorest – e.g. traders who rent. Short-term occupiers.	Urban poor – factory workers, work-seekers, micro-traders, etc.	Urban poor – daily labourers, work-seekers, micro-traders, etc.
Predominant type of sanitation for tenants	Mix of unimproved and improved pit latrines and septic tanks.	Unimproved, some improved pit latrines.	Simple pit latrines.
Access	Generally private access, or facilities are shared with the house-owner living at the front of the plot.	A single latrine is shared by 5-10 households.	Extremely poor. A single latrine might be shared by several hundred users. A small but growing number of communal and public facilities.
Responsibility for major maintenance	Landlord.	Landlord. When the old pit is full, a new pit and toilet is usually constructed adjacent to it. Triggers and dynamics warrant further exploration.	Landlord arranges manual or mechanical desludging. In practice, tenants may take responsibility for opening out a full pit during the rainy season for 'gravitational evacuation' at no cash cost to themselves. Triggers and dynamics warrant further investigation.
Level of organisation among tenants	None.	None.	Limited.[2]
Support from external role-players	NGOs and CBOs support service improvements to general populace. The government used to supply subsidised latrine slabs.	Negligible – one NGO focusing on new housing development. Urban sanitation programme focuses on owner-occupiers.	Range of NGOs and other agencies with limited co-ordination.
Social marketing targeting tenants	None.	None.	Some.
Evidence of partnerships encompassing tenants	Non-specific inclusion.	None.	Some.

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[2] In the past, efforts to improve this have been strongly resisted by landlords (see Weru).
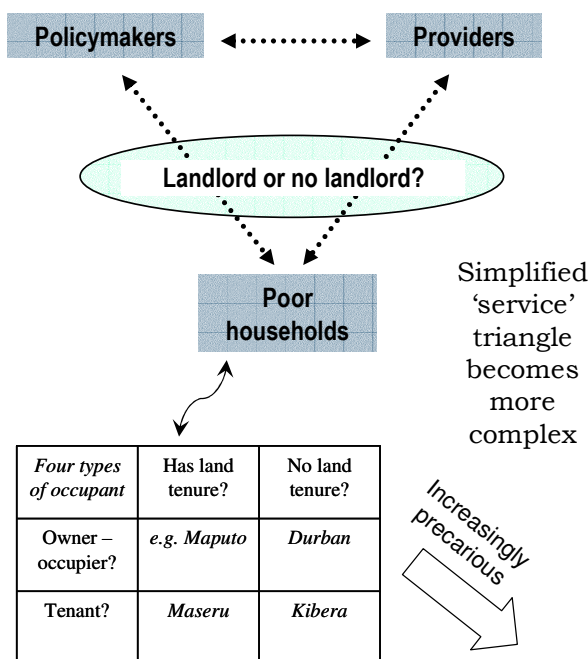
Interestingly there was a broad inverse correlation between the prevalence of low-cost rental accommodation and sanitation coverage in the cases we visited. There is generally greater investment in sanitation facilities where people have secure tenure or own their houses, and owner-occupiers are more likely to invest in improvements. There are few surprises here: by definition, tenants do not own the property they live on; they pay rent and rely on the landlord to provide amenities like a latrine. They have little incentive to invest their own resources, are not often permitted to modify infrastructure or construct facilities without the approval of the landlord, and those who do invest could well forfeit any compensation should they relocate or be evicted. Landlords providing low rental accommodation attach little importance to water and sanitation services, and, where they are provided, facilities are generally rudimentary at best.[3]

This means that the straightforward service triangle (put forward in the World Development Report 2004 and elsewhere) needs to be refined somewhat. At household level we need to distinguish between owner-occupiers and tenants, and to acknowledge the landlord as an agent of provision, or possibly intermediary between tenants and other actors.[4]

This immediately raises a red flag over sanitation improvement programmes in many African countries, which are premised on raising demand for improved sanitation. The assumption is that households will act on their raised awareness of the benefits of better sanitation – improved privacy, convenience, safety, status and health – by investing in better facilities.

One example of where this approach has been used to great effect is the urban sanitation improvement programme (USIT) in Maseru, Lesotho, which has motivated and assisted households to invest in ventilated improved pit (VIP) toilets since the late 1980s. Yet subsequent developments in Maseru now highlight the limitations of that approach in the changed circumstances of that town. The USIT programme targeted and lent to owner-occupiers – but tenants living in low-income rental stock are now the most needy group, and current approaches do not speak to their needs. High user ratios are now the most pressing sanitation problem.[5]

Simplified 'service' triangle becomes more complex

Four types of occupant	Has land tenure?	No land tenure?
Owner – occupier?	*e.g. Maputo*	*Durban*
Tenant?	*Maseru*	*Kibera*

Increasingly precarious

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[3] The correlation between services and rental cost could be better understood. Provision of facilities in one community in Dar (one of the other case studies) meant higher rents but not significantly so. In Kibera, Wegelin et al found that rents were dependent on provision of electricity and type of structure, but not access to water and sanitation infrastructure.

[4] This is clearly simplistic, with policymakers and providers often overlapping, and several goods and services bundled together constituting 'sanitation provision'. Yet as the hub document "Harnessing Partnerships" shows, it can still be a useful tool for exploring the various relationships that need to work to see sanitation delivered.

[5] More on the USIT programme and on the current challenges in Maseru, along with details of the other four case studies, can be found at www.bpdws.org.

Maseru's population has virtually doubled to over 300,000 people since its urban sanitation improvement programme was launched in the mid-1980s, and growth continues at about 7% a year.

The majority of new residents are poor, spurred by recurrent drought in rural areas, loss of income from migrant mineworkers no longer able to find work in South Africa, and the creation of over 35,000 poorly paid jobs in the textile and garment industries. The USIT programme has not been revised to address the implications of this major shift.

The biggest sanitation gap is no longer among owner-occupiers, but tenants living in 'line houses', or malaene – rows of one-roomed dwellings rented out for the equivalent of US$13 to US$24 per month. It is common for five or more families to share a single pit toilet. As transient tenants, these households have little incentive to invest in improvements and major maintenance themselves.

Tenants living in low-income rental accommodation may well want the same sanitation benefits as owner-occupiers, but their means of achieving them are very different. Implicitly, the landlord is expected to address both the private good (privacy, convenience) and public good (health) aspects of sanitation, but frequently does neither. The result is that many tenants live in squalid surroundings, with little leverage, few acknowledged rights and little incentive to invest their own resources.

This has important implications, both for service provision and for partnerships. The interests of landlords and tenants are quite different. A poor tenant's priority is likely to be an affordable place to stay with some degree of security, while the landlord's might be to maximise income. The cost of providing and maintaining a latrine is not necessarily factored into the cost of the rent, and so the landlord has little reason to provide more than a crude structure that must be shared; equally, the landlord may try to extend the intervals between desludging for as long as possible.[6]

Where the landlord is remiss and does nothing to address the problem of a full pit, the consequences are likely to be felt by a number of user households – but shared usage does not necessarily engender a sense of shared responsibility or a practical response. Tenants tend to weigh their options individually: relocate, undertake desludging or pit relocation themselves, or make other arrangements – find an alternative latrine, 'wrap and carry', or practice open defecation.

Evidence from Kibera indicates that rents for rooms that offer toilet access may not be higher than those that do not, and there is certainly no shortage of demand for cheap rooms without access to a toilet. What can we deduce from this – that there is a desperate shortage of accommodation? That most of the available latrines are so grim that landlords can hardly extract additional rent for a room with latrine access? Is space in Kibera so limited that most landlords prefer to maximise income by using available space to build additional rooms for rent, rather than providing sufficient latrines for their tenants? Given the shortage of accommodation, landlords seemingly hold the power to set service levels and the result is very low service. (see Wegelin-

Tenants, Live-in landlords and homeowners face similar health risks in this Nairobi slum
© Sabine Bongi / WSP

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[6] There are many different types of landlord and many different types of tenant, never mind landlord-tenant relationships. Generalising these carries risks, however the points made about the different incentive structures facing each are important and are backed up in work looking at the issue (see Gilbert, or Kumar, for more). One important distinction amongst landlords is whether they are absentee landlords or live-in landlords.

A Maseru line house of rental rooms with shared latrine

© Linda Tyers / BPD

Schuringa & Kodo for more on the sanitation situation faced by tenants in poor settlements in Nairobi).

Sanitation facilities are often better where the landlord and tenant live on the same plot. In Maseru, line housing was often built on the property where the landlord lived; a growing number of landlords now live elsewhere, and have less direct interest in ensuring that facilities are adequate or usable. Kibera residents distinguish between the minority of structure owners who live within the settlement and share similar living conditions to their tenants, and the 'baddies' – the faceless landlords who live outside the settlement (including MPs, senior civil servants and councillors) who engage with their tenants via agents.[7]

Improvement options

In looking to understand what the implications of the landlord / tenant scenario are for partnerships it helps to first consider what approaches could ensure tenants have access to at least sound basic facilities. A few of the possibilities include:

> Provide access to land with secure tenure, so that existing tenants who wish to invest in their own property and amenities can do so, moving from rental to ownership. Here the example of peri-urban Maputo is instructive. The land is owned by the State and the transaction to get use-rights to an area is much cheaper than land purchase. Refugees from Mozambique's civil war settled in the city and erected temporary cane and corrugated iron houses with simple latrines. Over time, a growing number have built permanent cement block houses, some with improved toilets. In short, even the poorest households are likely to invest in a simple toilet where the property is their own.8

> Provide some contractual security to tenants to incentivise them to invest in constructing their own resources, so that, for example, they are compensated when they move on. But how realistic is this? Where a landlord cannot be persuaded to provide even a rudimentary facility, it is unlikely that a compensation agreement between landlord and tenant is feasible.

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[7] Both tenants on plots with tenure and owners without tenure have disincentives to invest. Should we make a distinction or approach them similarly? Wegelin believes a distinction is useful as developments (such as a programme of slum upgrading) affect the two groups differently.

[8] Although there are many households in Urbanisacao, a poor bairro of Maputo, where free sanitation platforms sit unused in people's yards as they continue to use 'traditional' latrines. Also land tenure is clearly a wider issue that affects not just sanitation. Furthermore Gilbert points out that the assumption that all tenants wish to become landowners is neither true nor helpful. Strategies to support rental accommodation must also be developed.

> ➤ Provide public or communal facilities that cater to tenants alongside others. This begs the question of who will take this on – drive it, fund it, oversee operation and maintenance, and so on. Public and communal sanitation facilities are notoriously vulnerable to failure and require enormous commitment from a number of role-players.9 Can government be persuaded to see this as its responsibility? Are there NGOs or other agencies willing to take the lead? What kind of partnerships are feasible and between whom?

> ➤ Note that public or multi-plot communal facilities require a critical mass of users to be viable, and may not be appropriate where plots are large, settlements are dispersed, and users would need to walk some distance to a common facility – as in parts of peri-urban Maseru. They are also to a great extent dependent on community support and must therefore provide a service that is appreciated and accountable to community members at a price they believe is fair and are prepared to pay.

> ➤ Use the demand for water to drive sanitation improvements. In a few instances organisations have tried to overcome the low demand and willingness to pay for sanitation by bundling it together with improvements in water supply. This was true in Mukuru, Nairobi, where a poor community and NGO covered the operation and maintenance costs of public latrines through a margin on the sale of water from the same facility (Wegelin et al). More recently in Maputo, an NGO was planning on providing improved house water connections contingent on the community working together (combining both landlords and tenants) to reach 100% improved sanitation coverage.

> ➤ Require the landlord to provide better facilities, and define norms and standards around pit dimensions and construction, loading and sharing, and so on. This raises questions about how to enforce these norms: is the emphasis on sanctions, or can public authorities offer some incentives? Realistically however, what degree of oversight and regulation are local authorities willing or able to take on? Are sufficiently robust, low-cost sanitation options available and of enough interest to landlords?

> ➤ Should renting not be seen as a business enterprise, and, like any other business, be subject to basic by-laws and regulations stipulating some minimum norms? Whether, or to what extent, government (most probably environmental health offices employed at local level) would get involved in policing these policies is a moot point.

A key tension is that poor households endure bad living conditions in rented accommodation because they cannot afford better. Service improvements will incur costs, which the landlord is likely to pass on to his / her tenants.

How best to strike a balance between asserting some rights for tenants and ensuring that these do not backfire on the most vulnerable?

The first approach would require partnerships that can impact on the land tenure situation, which means looking at a wider set of actors than sanitation programmes sometimes engage. It also suggests the need for linkages between those who promote sanitation and those who focus on land tenure per se (the sort of links that are common in Asia, with the likes of Shack Dwellers International or Pamoja Trust in Kenya).

Kibera's population, estimated at between 500 and 800 000 people, is largely transient and survivalist (although some observers question whether this is changing). Residents work mostly as casual labourers outside the settlement, and move on as other opportunities arise. The inward and outward migration of people makes community mobilisation difficult.

There is little social cohesion, as the settlement is divided along regional, ethnic, religious, political and socio-cultural lines, and attacks and clashes between rival groups are common. These clashes undermine development activities, and the tension and lack of trust among residents inhibits the formation of effective working groups.

Relationships between landlords / structure owners and tenants are even worse, and confrontations over rents have led to bloody clashes. The settlement is highly volatile – and residents have little to lose.

The second approach calls for regulation and casts the landlord as a service provider. Founding partnerships in this climate is likely to be more challenging, and engaging with 'landlords' as a partner may be difficult (the 'hub paper' for this work, "*Sanitation partnerships: harnessing their potential for urban on-site sanitation*" looks more closely at this).

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9 IIED point out that federations of the urban poor are building communal facilities in Nairobi, Kampala and Durban. Sulabh in India have similar experience. Yet Wegelin-Schuringa & Kodo observed at one communal latrine block in Kitui, Nairobi, that with "an increase in tenancy (tenants replacing owner occupiers), (cleanliness) is becoming more of an issue. Not only has the number of users doubled but the tenants do not feel the same kind of responsibility towards keeping the toilets clean. They feel that they are paying rent and, therefore, are not responsible for maintenance."

Communal facilities can, on the other hand, be fertile ground for partnership, as experience in Asia has demonstrated. To succeed, this arrangement is often reliant on a broker and skilled facilitation – a role that is perhaps even more necessary when one is dealing with tenants rather than owner-occupiers.

Brokering the rental relationship?

Tenancy is generally seen as a private arrangement between the landlord and tenant. Public authorities seldom play any role in regulating this relationship or its associated service challenges – sometimes because they see the problems as intractable and prefer to stay away, and sometimes because they do not wish to be seen to be condoning living arrangements that technically may be illegal.

It often falls to NGOs and CBOs to fill the gap and provide leadership and direction in tackling the problems tenants face. However, this presupposes there are NGOs and CBOs on hand, and that they are willing and available to play this role. In Maseru we found none. In Kibera, there are literally hundreds of small organisations representing and servicing the slumdwellers, but most allegedly amount to no more than 'briefcase' structures – single issue entities often more concerned with personal advancement rather than community development; welding them together around a common objective requires immense commitment. The role of traditional leaders and authorities is often an important one also, but not easy to predict. In some instances in Nairobi chiefs have controlled land distribution and are significant landlords, in others they have facilitated community approaches to improving services.

A core challenge is that tenants themselves are often particularly difficult to mobilise and unify. Extreme poverty does not necessarily lend itself to a sense of solidarity across ethnic, regional, political, cultural and other divides. There is often considerable mutual mistrust, wariness of outsiders, and a lack of willingness to engage in collective action because they perceive themselves to be transient, with no commitment to their living environment beyond the immediate short term. Admittedly, the perspectives of longer term tenants may be different, and there are examples of successful organisation among tenants – notably Kibera's 1700-strong branch of the Slumdwellers Federation, with its emphasis on daily savings and daily reinforcement of a vision of an attainable alternative future. Overall however, these examples remain the exceptions and a high proportion of tenants generally poses a challenge to community engagement.

> Kibera tenants have no authority to utilise the space or structures within the plot to construct a pit latrine, and some landlords have refused permission on the grounds that tenants are looking for a loophole to avoid paying rent.
>
> Because of severe over-crowding, some dwellings have had to be pulled down to make space for latrines and water stands, leading to a loss of income to landlords. The fact that nearly 40 units have been built to date is testament to the commitment and negotiating skills of the brokers and facilitators supporting these partnerships.

As for the relationship between landlords and tenants – this can be fraught and conflictual, with landlords holding most of the power to say 'no', or to evict. This structural imbalance heightens the importance of mediators with the skills needed to facilitate constructive communication and negotiation. Additionally landlords themselves have little reason to organise themselves formally (except where their common interests are directly threatened (see Weru)).

For all these reasons, initiatives to mobilise a partnership to serve tenants are likely to have a highly localised focus. It is hard to extrapolate or extend these to a larger area, because issues are likely to differ from plot to plot or cluster to cluster, with common interests tending to be confined to the tenants of a single structure owner or narrowly defined block. The odds are against sustaining successful long-term partnerships – NGO interventions aim to be finite, and low-income tenants often transient.

Yet there are examples of significant successes. In Kibera, AMREF is making a profound contribution to supporting service improvements among slumdwellers. Working closely with core local CBOs and supporting NGOs, tenants have been assisted to install communal or public latrine and bathroom units. Residents are required to contribute 35% of the cost, with AMREF funding the rest.

The initiative has placed great emphasis on building the capacity of a lead CBO to serve as a change agent: extensive training was provided on leadership, community organisation, management and planning, to equip the CBO to mobilise local residents around planning and construction of communal water and sanitation facilities. Extensive effort was put into sharing knowledge and building understanding of tenants' roles in the project and setting up structures for long-term operation and maintenance. To date, Amref has assisted with the construction of nearly 40 units. Each serves roughly 600 people, and has made a visible difference in reducing reliance on 'flying toilets'.

Tight lanes restrict access for vacuum emptying trucks in this Maputo community
© David Jones

Beyond infrastructure

Integration of hard- and software components of sanitation improvement is difficult enough in programmes targeting owner-occupiers. It is even more challenging in a context of tenancy.

The most pressing sanitation need in dense low-income settlements is to ensure tenants have access to a latrine, or communal toilet facility, however basic. The CBO-NGO led approach described above in Kibera, which engaged tenants in the provision of facilities, is rare. More commonly, the roleplayer responsible for providing the latrine is not the same as the end-user. Thus community engagement or marketing programmes need to take account of the different roleplayers involved in the different components of sanitation improvement, and target their interventions appropriately.[10]

On the one hand, software interventions need to acknowledge the very real obstacles that might inhibit tenants from taking charge of their living environment. On the other hand, tenants need to be motivated to address those areas where they can take responsibility, such as safe disposal of wastewater, solid waste and excreta.

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[10] Social marketing is a relatively new approach (although the USIT programme in Maseru pioneered many aspects of it in the mid 1980s), that "puts people at the centre of sanitation provision, as consumers … [and] combines both approaches [marketing of a product and marketing of a behaviour] to create and satisfy a demand, through the provision of adequate services and appropriate hygiene practices." (Cotton et al.)

> AMREF has trained 300 community health workers to educate residents on safe disposal of water, solid waste and excreta. Using PHAST, puppetry, drama and door-to-door visits, they educate residents about the ways in which they can manage their own living environments better to safeguard their health.
>
> One important lesson has been that voluntarism is not viable long-term. Just 20 volunteers remain from the original 300 who were trained. They have been retained by reducing their time commitment to two hours a day, forming them into groups for mutual support, and assisting them to set up micro-enterprises to generate the income needed to support their health promotion work. This model removes dependence on external funding, but requires enormous discipline, motivation and support.

However, even reaching tenants to engage them in programmes around hygiene improvement can be difficult. Aside from the common problem that many residents are simply not at home during the day when health promoters visit, landlords can be reluctant to admit tenants' existence, while the tenants themselves are often migrant and transient. This means a high turnover of residents and a need for repeated and targeted interventions.

If households are to be encouraged to invest in their own latrine or toilet, transaction costs are already high: each household requires information around siting, construction, maintenance and broader hygiene improvement. The transaction costs in a context of tenancy are even higher: both the tenant and the landlord must be engaged, and the tenant may change frequently. Motivating landlords to provide better facilities for their tenants could be especially challenging.

Hence, this all constitutes part of the appeal of other levels of service: toilets shared between a compound of houses, or communal toilets for the use of the general public. Yet for health improvements to become reality, these two also need to encourage behaviour change. Interventions may still need to engage tenants where they live, especially if it is hard to get them involved in community construction or management of the facilities.

When the householder is a tenant rather than an owner-occupier, what does this mean for:
- Social marketing approaches?
- Health and hygiene education programmes?
- PHAST methodologies?
- Micro-credit or subsidy schemes?
- Efforts to organise pit-emptying?
- The ability to work through community-based organisations?
- Partnerships that rely on significant community 'buy-in'?
- The need for communal sanitation solutions?

Conclusions and further questions

The challenges of forming effective sanitation partnerships are amplified in a context of insecure tenure and transient residents, and where relationships between landlords and tenants range between 'limited' and 'fraught'. For public authorities, the problems posed by low income tenancy arrangements often seem intractable; the relationship between landlord and tenant is private, but the consequences of inadequate sanitation frequently impact very publicly.

The tenants themselves are often amongst the poorest and the most vulnerable, and their living conditions are frequently grim. In what ways must we revise our assumptions and our programming to better address the sanitation challenges raised by their circumstances? Viewed pragmatically, where should primary responsibility for remediation lie – with landlords, or with government? Does the onus fall ultimately on the tenants themselves? Can any sort of compact be generated between landlords and tenants such that adequate sanitation becomes part of the rental agreement? What is possible where there are no mediating organisations like NGOs or CBOs to straddle the divide between lone tenant and disinterested landlord? How effective are public facilities at reaching out to tenants where achieving better individual household facilities is problematic, and do they encourage the improved hygiene behaviour needed to deliver health benefits?

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