



**LAND TENURE CENTER**  
University of Wisconsin - Madison

Consultancy Services to  
The Government of the  
Republic of Trinidad &  
Tobago

## **LAND USE POLICY AND ADMINISTRATION PROJECT (LUPAP)**

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### **ASSESSMENT OF STATE AGENCIES WITH RESPONSIBILITIES FOR LANDS AND OTHER REAL PROPERTIES**

## ***Property and Real Estate Services Division Ministry of Public Administration***

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**February 29, 2000**

# Property and Real Estate Services Division

## Introduction

The Property and Real Estate Services Division (PRESD) of The Ministry of Public Administration develops and maintains government properties to ‘ensure maximum utilization and economic returns’<sup>1</sup>. The Division was established to undertake the following:

- Negotiations for acquisition and rental of properties on behalf of The State
- Allocation of Office and Residential accommodation for Government officers
- Planning and Research on property and real estate matters

Investigations indicate that the land management functions being carried out by PRESD include the management of all buildings owned and leased by the state and the acquisition of lands by private treaty. The functions of PRESD are closely related to those of The Commissioner of State Lands and The Commissioner of Valuations. The Division has no authority vested in it but acts as a facilitator for the acquisition and leasing of properties. The Authority is vested in The Commissioner of State Lands and The Commissioner of Valuations.

## Land or real property-related functions performed

The Property and Real Estate Services Division has four sections:

- Government Quarters Section
- Office Accommodation, Allocation and Investigation Section
- Acquisition Section
- Support Services Section

A Director heads the Division and a senior Organization and Management Officer heads each of the sections with the exception of Support Services which is headed by an Administrative Officer. The Mission Statement of The Division attached at Appendix I includes an organizational chart.

The following are the functions performed by PRESD that are relevant to this assessment:

- a. The negotiation and management of government leases and rentals
- b. The negotiation of government acquisitions by private treaty

## Supporting Laws, Regulations and Policies

The PRESD, has no statutory functions. It facilitates the statutory functions of The Lands and Surveys Division and The Valuations Division by serving as a central focus for the activities indicated at (a) and (b) above. Therefore, the laws and regulations that govern these Divisions indirectly govern it. However, PRESD is not required to refer to these laws as it deals closely with the Divisions in question. Its activities are largely governed by the land policies of The Government of the Republic Trinidad and Tobago (GORTT). The Division indicated that it experiences difficulty in locating these policies as they exist in a number of documents and Cabinet notes.

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<sup>1</sup> Strategic Review of The Ministry of Public Administration, October, 1998

## **Staff and Functional Management**

The (PRESD) maintains the following categories of staff:

- a. Director
- b. O&M Officer II assigned to Government Quarters portfolio
- c. O&M Officer III assigned to Office accommodation, Allocation and Investigation
- d. O&M Officer II assigned to Acquisition
- e. Three (3) Property Officers
- f. Three (3) Search Clerks
- g. Administrative Officer II
- h. Supporting Clerical Staff

The Division was established utilizing staff of The Organization and Management Division and these officers have remained in their O&M posts with PRESD. They have no formal training in property management. Three Property Officers have been hired on contract with some property management expertise.

PRESD also has three search clerks on staff which are stationed at The Lands and Surveys Division. These clerks execute title searches for PRESD and their employment is largely related to searches required to support the decision of the GORTT to sell all government quarters.

The Division does not have an annual operation plan or a performance monitoring system. Rentals and renewals are planned but approximately 80% of the workload is generated on an ad hoc basis as requests are received. Data on total area managed, annual land budget, number of leases processed and revenue collected is not available. All revenue is paid to the Comptroller of Accounts. Maps and plans are not available for buildings or lands managed.

The Public Service is in the process of introducing a new staff appraisal instrument, which is aimed at performance management and linked to task performance. However, the new appraisal document is not currently available. The Division conducted a job analysis exercise and contributed to the strategic plan of The Ministry of Public Administration. The Strategic Plan makes several recommendations for the proposed structure and functions of PRESD. Among the recommendations made are the outsourcing of a number of required services and the conduct of professional property and real estate management by The Division.

The Division has recognized the need for training of its staff in real estate and property matters and relevant staff have attended a three day course in Principles of Real Estate Management conducted by The Property and Real Estate Buyers Guide and facilitated by PIDCOTT.

The Division does not have a Research & Development Unit. The research conducted by the Division is confined to the matters being processed.

## **Relationship with other State Agencies**

PRESD maintains a regular relationship with a number of agencies, as listed in Table 1, towards the performance of its duties. Almost all its functions depend on input from other agencies. Information on land capability, procedures to protect the land resources, property value and legal services are all sought from the agencies listed below.

PRESA does not currently have the capacity to detect encroachment on the buildings / lands it manages. It indicates that this is the responsibility of The Ministry of Housing and Settlements.

The agency implements an internal data sharing and dissemination policy that provides free access to information on request.

**Table 1: Relationship with other Agencies**

<i>Name of State Agency</i>	<i>Relationship</i>	<i>Method of Communication</i>
Maintenance Division, Ministry of Works	Seek assistance	Telephone calls, meetings, visits, facimile and memorandum
Designs Branch, Ministry of Works	Seek approvals	Telephone calls, meetings, visits, facimile and memorandum
Architect Branch, Ministry of Works	Seek advice	Telephone calls, meetings, visits, facimile and memorandum
Chief Fire Officer	Seek approvals	Telephone calls, meetings, visits, facimile and memorandum
Lands and Surveys Division	Seek approvals	Telephone calls, meetings, visits, facimile and memorandum
Valuation Division	Provision of valuation services	Telephone calls, meetings, visits, facimile and memorandum
Chief State Solicitor	Provision of legal services	Telephone calls, meetings, visits, facimile and memorandum
Town and Country Planning Division	Seek approvals	Telephone calls, meetings, visits, facimile and memorandum

### **Policy integration and issues**

PRESA is represented in Cabinet by the Minister of Public Administration. Policy issues that arise are conveyed to the Minister in the form of Cabinet Notes that are prepared and sent to The Permanent Secretary of the Ministry. The Division considers its main impact on land policy / land use to be the allocation of land to Government Agencies and Non-governmental Organizations.

### **Strengths of the Division**

The Division considers its main strength to be that it is the authorized agency to manage government property and it provides a central focus for this activity. As a result it is able to facilitate the processing of acquisitions by private treaty and lease management / renewal. It can determine building and land use on behalf of the State.

### **Major problems facing the agency**

The following are the major problems facing by the Division:

- a. A severe staffing shortage.
- b. The lack of in-house property valuation skills
- c. Delays in obtaining advice, decisions and services from other Government Agencies.

The Division indicated that the staffing shortage was a critical issue. The lack of valuation skills contributes to the delay in processing matters since the advice of the Valuations Division must be sought. Delays experienced in dealings with Government Agencies render time planning a theoretical exercise. To this end, the Division is pursuing the establishment of Liaison Officers in critical agencies to expedite matters on their behalf.

### **Suggested improvement to the agency**

The agency is of the opinion that the following actions would improve its capacity to perform its functions better:

- a. The continued training of staff in property and real estate matters
- b. The availability of in-house valuation expertise
- c. The availability of clear readily accessible policies
- d. Improved efficiency of Government Agencies

### **Future Developments**

The Strategic Review of The Ministry of Public Administration proposes that provisions will be made for PRESD to outsource such services as:

- interior design
- large scale construction project management
- office design and layout
- building and grounds maintenance
- architectural services
- cost/quantity surveying
- legal and advisory services

It envisages a Property Portfolio Management Unit which will ‘analyze governments portfolio of properties and determine its development, leasing arrangements, property income streams, equity valuation, risk and financial structuring’. This unit will also conduct a continuous assessment of development potential and implement opportunities.

A Project Delivery and Construction Consultancy will be established to function as an in-house advisory service. It will monitor the performance of contracts by the Property Development Section.

It is also proposed to establish a Property Information Management System which will combine estate data, financial and client transactions.

### **Conclusion**

The efficiency of the PRESD is constrained by its function and staffing characteristics. The PRESD primarily facilitates the activities of The Lands and Surveys Division and The Valuations Division. This role requires that it liaise extensively with other agencies and delays associated with this activity severely affect the efficiency of the PRESD. In addition, the PRESD was established with officers that were lacking in property related skills and the Division is still lacking the required in-house skills. The lack of staff with property management skills along with a general lack of staff is the second major constraint to the efficiency.

## **Annex Ia: Function-Staff Relationship**

### ***Manager, Property Management Office***

#### **1. Duties and responsibilities/ tasks/ job descriptions.**

- To acquire lands and buildings for government.

#### **2. Expected Performance Standards**

- The nature of the activity does not allow for performance standards to be set because of the impact of input from other government agencies.

#### **3. Expected Performance Outputs**

- Not applicable.

#### **4. Conflict Resolution**

Conflict resolution involves discussion with all parties to mediate.

#### **5. Examples of typical conflicts that may arise**

No response.

## **Annex Ib: Function-Staff Relationship**

### *Manager, Accommodation Unit*

- 1. Duties and responsibilities/ tasks/ job descriptions**
- 2. Expected Performance Standards**
- 3. Expected Performance Outputs.**
- 4. Conflict Resolution**
- 5. Examples of typical conflicts that may arise**

## Annex IIa: Resource Management

Function: **ACQUISITION OF PROPERTY BY PRIVATE TREATY**

### 1 Staff Requirements

Staff Category	Salary Range	Minimum Qualification Required	Skill Type Required	Minimum Years of Experience	Number of Staff Required	Number of Staff Available
Manager, Property Management Office	65	First Degree	NR	NR	1	1

### 2 Physical Resources Requirements

Physical Resources	Year of Acquisition
One Personal Computer	2000

### 3 Annual estimated cost attributed to the performance of this function

Cost Category	Cost (TT\$)
Staffing	\$155,520.00 p/a
Physical Resources (equipment etc.)	NR
Consumables	NR

### 4 Annual estimate of revenue collected due to the performance of this function

- Not applicable

### 5. Procedure used in the performance of this function

- Request relevant department to provide owner's deed and price.
- Visit site with staff of Lands and Surveys Division.
- Negotiate price of land with owner.
- Submit note to Cabinet and request Chief State Solicitor to convey land to The State.
- Maintain database.

### 6. Data required in the performance of this function

Data Required	Sources of Data	Cost of data acquisition	Problem Associated with the Data
Survey Plans	Director of Surveys	NR	Delays due to staff shortage
Valuation Reports	Commissioner of Valuations	NR	Delays due to staff shortage
Legal advice	Chief State Solicitor	NR	Delays due to staff shortage
Funding	Requesting Ministry	NR	Delays due to staff shortage
Copies of Deeds	Chief State Solicitor	NR	Delays due to staff shortage

### 7. Annual Frequency at which this function performed

- Varies with number of requests

8. **Main clients who benefit directly from this function**

- Government Ministries and Departments.

9. **Initiation of the function**

- Cabinet Minute approving acquisition.

10. **Time required to perform a particular task**

- Between one and two years.

**Annex IIb: Resource Management**

Function: **MANAGEMENT OF ACCOMMODATION**

**1. Staff Requirements**

Staff Category	Salary Range	Minimum Qualification Required	Skill Type Required	Min. Years of Experience	Number of Staff Required	Number of Staff Available

**2. Physical Resources Requirements**

Physical Resources	Year of Acquisition

**3. Annual estimate of cost attributed to the performance of this function**

Cost Category	Cost (TT\$)

**4. Annual estimate of revenue collected due to the performance of this function**

Figure is not available. Revenue paid to Comptroller of Accounts. Rental rates are charged at 10% of salary.

**5. Procedure used in the performance of this function**

**6. Data required in the performance of this function**

Data Required	Sources of Data	Cost of data acquisition	Problem Associated with the Data

**7. Annual Frequency at which this function performed**

**8. Main clients who benefit directly from this function**

**9. Initiation of the function**

**10. Time required to perform a particular task**

- lease renewal : 3 months
- issuance of new lease: 3 months
- lease assignment: 3 months

## Basic Indicators of State Land Management

Agency Name: **Ministry of Public Administration**

	<b>Indicator</b>	<b>Quantity</b>	<b>Comments</b>
1	Total Area Managed Acres	Not Available	
2	Total Land Mgt. Budget \$/year	Not Available	
4	Number of leases, etc issued—non agrcultural	Not Available	
6	Number of leases, etc., prepared and sent to Commissioner—non agrcultural	Not Available	
8	Rental rate charged—residential (specify method of calculation)	10% of Salary	
9	Rental rate charged—industrial: (specify method of calculation)	Not Available	
10	Rental rate charged—other classification (specify)—(specify method of calculation)		
12	Total Revenue collected, last available year (gross) \$	Not Applicable	
13	Total Revenue which should have been collected in that year	Not Applicable	
14	Months required for lease renewal (comment on procedures typically involved)	3 months	Subject to time taken for valuation
15	Months required for lease assignment (comments)		Unable to provide average time as time is dependent on processing at other state agencies
16	Months required for issuance of new lease (comments)		see above
17	Months required to complete a sale (comments)		This is the responsibility of The Ministry of Housing and Settlements
18	Months required to complete an acquisition (comments)		
19	<i>Number of households squatting on land—1999 or last available</i>		

	<i>year</i>		
20	<i>Acres occupied by squatters</i>		
21	<i>Number of squatter households fully regularized since 1990</i>		
22	<i>Acres of squatter households fully regularized since 1990</i>		
23	<i>Number of squatter households in process of regularization</i>		
24	<i>Acres of squatter in process of regularization</i>		

1. Are maps/plans available for all lands managed by agency? Not Available

Scales: \_\_\_\_\_ Comments:

Formats: \_\_\_\_\_ Comments:

When last updated? \_\_\_\_\_ Procedures for updating:

2. What authority is vested in the agency for control over the land? **No authority is vested.**

3. Does agency have access to land capability for establishing desired use? **YES**

From whom? **Relevant agencies**

Evaluation of use and usefulness of this information. **Very useful**

4. What are the procedures of the agency for protecting the land resource base to assure sustainable use by future generations?

**Advice of relevant agencies on proposed use.**

5. Does agency have capability for assessing the value of land? **No**

From whom? **Valuation Division**

Evaluation of use and usefulness of this information. **Very useful**

6. Does agency have capacity for drawing up leases and other use and possession agreements, licenses, grants, sales, and acquisitions of land? **No**

From whom? **Chief State Solicitor**

Evaluation of use and usefulness of this information. **Very useful**

7. Does the agency have the capacity to detect **encroachment** onto its lands? **No**

8. What procedures are used to inhibit **encroachments** and to evict encroachers? **Responsibility of Ministry of Housing and Settlements**

What procedures are used to regularize “squatters”, including ti