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AN ANALYSIS OF NIMBY SOLUTION AND TENANTS' PROPERTY RIGHT TO A HOME WITH A GRAVE IN THE PRIVATE RENTED SECTOR

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ABSTRACT

Purpose*:* The purpose of this paper is to determine the practicality of applying not in my backyard concept to prevent location of grave within home in the private rented sector.
Method: This research applies both quantitative and qualitative research approach. It starts by analysing the voice, exit and loyalty option available to renters in a private residence with a grave. It applies logistic model to analyse the role of elitist status, property right and other variable in opposition to the use of private residences for grave.
Findings: The study establishes a link between property right and tenants' ability to oppose a grave within private residence; unfortunately, the awareness of property rights is very low. Though we found that the tenants' elitist status is high, it has no significant contribution to the model. Parameter estimates show that elitist tenants are less likely to oppose the location of a grave in their current residences. The result also shows that 67% would rather move home than opposing grave.
Implication of Findings: As most renters prefer the exit option to applying the nimby approach in a home with a grave, their security of tenure is not guarantee in the private rented sector.
Originality and Value: This is the first attempt to explore not in my backyard approach to negative externality from the African perspective. It establishes a logic between the approach and ability to defend welfare in the renter sector.

Keywords: Property right; Nimby; grave; housing

1. INTRODUCTION

Attempts to address the occurrences of negative externality in cities were advanced through the tenet of planning and development control from the beginning of last century in developed countries. However, a recent phenomenon has seen residents and property owners to lobby to achieve a Nimby (Not in My Backyard) solution to protect their social welfare, property rights and security of tenure. These interventions in developed countries occur alongside sophisticated planning systems that are deemed to have failed the local community's welfare. In Africa and other developing countries, the role of local community groups and planning is very different. Despite the presence of established

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environmental health law and planning policy which ostensibly regulate urban land use in Africa, implementation suffers technical capacity, inadequate resources and poor understanding of the operation of the property market (Berrisford, 2013). Furthermore, tenants in developing countries tend to have restricted property rights which, offer little or no protection to social welfare. The issues of negative externalities in urban areas are therefore likely to be more extensive.

This paper focuses on these issues, using the location of graves on residential properties in Nigeria as a case study. Residential properties with graves are common in Nigerian cities but the study is based on the experience of Akure, the capital city of Ondo State in Southwestern Nigeria. According to the NPC (2016) estimate, it has a population of 582,128 and covers an approximate land area of 331km2. By virtue of the political status of the city, it represents the commercial nerve centre and most populous city in Ondo State. The city is selected based on the elitist status of its households, which is perceived to be higher in comparison with other comparable urban centers. The use of private residences in the city has become a culture. The mantra of location and environmental factors widely chronicled as crucial to housing choice may be rendered less important in the face of visible environmental threat of a grave to social welfare in the impacted residences.

Debatably, this is a subject of private nuisance to tenants and perhaps a public nuisance to the owners of adjoining properties and other stakeholders. The issues raised by the perceived nuisance motivate this study to look beyond a weak planning system to property rights. Literature is replete with a large debate on property rights, but the focus vary from developed to developing countries. In developing countries, most of the debates focused on tenure security and lately gender discrimination. However, regardless of the vagary of the property right movements in different countries, one of its common cardinal priorities is the promotion of social welfare of the populace. Arguably, this priority is more pronounced by a growing interest in the role of civil society in planning and urban development in Europe than other continents (Murray 2010). According to Swyngedouw (2005), the involvement of the local residents seeks to encourage governance beyond the state modes of policy-making. Emphases are on the role of the civil society in urban land use, policy formulation, administration and implementation. To a large extent, this paradigm shift in urban land use development has entrenched the use of Nimby concept in defense of household welfare in the developed countries. Rather than functioning as a well-defined concept, it is more often used as a pejorative term. Nevertheless, it does not deconstruct its original idea as a mechanism that causes local residents to act logically, without a strong normative component (Wolsink, 2006).

The study is conceptualized on Hirschman (1970) model of Exit, Voice and Loyalty Responses to declining organization performance. According to Hirschman, an unsatisfied person may address deterioration in the performances of a service provider by exit (quitting the services of the organization to patronize another competitor), agitating for a change by voice, and loyalty (continue to purchase the services of the organization by allowing voice to perform its function). The current use of residential homes for graves which calls for opposition raises three fundamental questions in this study. First, is the location of a grave within residences acceptable and is there any loss of welfare attributed to it by PRS tenants? Second, the study raises a question on the awareness of tenants' property rights that could be used to oppose psychosocial deprivation and visual blight. Third, the effectiveness of the environmental health laws protecting the welfare of all stakeholders in the residential market is queried. The aim is to examine the possibility of applying Nimbyism to protect tenants' welfare in the private rented sector.

The paper is structured into eight content specific sections. Section 2 reviews planning and property rights with reference to their inherent deliverables. Section 3 advances the property right argument by reviewing opposition to some locally unwanted land uses through not in my backyard concept. Section 3 sets out the private rented housing market context in Nigeria. Section 4 explains the legislative framework for burials in Akure, and the constraints that ensue. Section 5 sets out the research methodology and hypotheses. Analyses of the empirical findings from the study are presented in Section 6 while the last section presents the conclusion and policy recommendations on the issues raised.

2. LITERATURE REVIEW

2.1 Planning and Property Rights

Across the world, there is a complexity of rights, restrictions and responsibilities over land. Planning and land use control has a focus on social welfare and environmental benefits in the developed world as opposed to a more traditional focus on the economic benefits in most developing countries. For instance, the land use planning system in the UK is the principal mechanism for mediating social interest in the allocation, use, control and development of land. According to Ratcliff et al. (2009), urban planning in the UK is a post war invention traceable to the Garden City movement at the turn of the twentieth century and the enactment of the Town and Country Planning Act of 1947. The development of the Garden city was predicated on the need to avoid perceived negative externalities resulting from land uses in the squalor of Victorian cities. According to (Jones, 2014), planning is a value driven activity with a normative philosophy. It addresses negative externalities and could be interpreted as conveying the message of not in anyone's backyard to prohibited land uses in residential neighbourhoods.

Planning regulates market impact on the use and allocation of land among competing human needs. Its objectives could be achieved by zoning and other planning regulations. With effective planning, landlords are neither always allowed to build what they want, where they want it, nor use their property in ways that they want (Hartman & Needham, 2012). However, planning is only one element of intervention in the property market and property rights are also relevant. Property rights are important per se to an individual owner/tenant as they not only set out the financial and non-pecuniary benefits to be gained from a building or plot of land, they also frame the operation of the market through for example leases and security of tenure. In the absence of planning they can limit the scope for negative externalities. In Nigeria, like many African countries, there is a formal planning system that ostensibly guides all development in the built environment but there is a chasm between legislation and its implementation. The enforcement of this law is minimal. The effectiveness of planning as a tool for development control has suffered from a range of factors. A particular reason is the lack of professional resources to support planning. There is also a lack of a political will to implement master plans that tends to freeze development despite the rapid growth in urban populations. The result is the development of irregular land use patterns at peri-urban areas (Akinbogun et al., 2014). Planning therefore offers only a limited intervention in the property market.

Residential property rights in many African countries vary as dictated by the formal and informal mode of acquisition in the market. These differences are important because formal contract law determines the efficient transfer of rights and transactions in the market (Malpezzi, 1999). Formal contract law facilitates the definition and transfer of property

rights from landlords to tenants particularly through lease agreements. If it is well specified, there are clear remedies for violation by either party provided to prevent spill-over cost. These rights must be well-defined, transparent, agreed upon and enforceable at reasonable cost by the parties involved. According to Malpezzi (1999), the transfer of property rights in Africa reveal a clear flux, particularly in the informal sector where most property transactions are often conducted by oral agreement.

Unfortunately, efficiency and maximization of the social value in the housing market depends on the characteristics of the property right stated in the agreement, planning law and the regulation governing it. Many programmes have been embarked upon to enhance property rights through increasing home ownership in Nigeria but their contribution remains insignificant (Onabule 1992; Abiodun, 1999; Okupe et al. 2000, EFInA, 2014). For instance, the enhancement of property rights for tenants through the placement of a ceiling on rents via edicts enacted in Ondo and Lagos States failed (Oni et al. 2012). The result is a freely operated market in which property owners tend to use their property rights to maximize private marginal benefits particularly in the informal residential estates. This often puts the social benefits of other stakeholders at risk. The onus is then on planning policy and environmental regulation to defend social welfare by providing clear cut statements on the acceptable use of land within urban areas. Specifically, land use policy provides a framework which regulates the use of land in an organized fashion. Its effectiveness enhances the ability of households to defend their social welfare and property rights. Unfortunately as noted above, the planning process is under-resourced in Nigeria with the result that this protection is lacking, so the only mechanism to do so is the limited property rights.

2.2 Property Right, Opposition to Unwanted Land Use; the Nimby Context

Nimbyism is often seen as protectionist attitudes and oppositional tactics adopted by community groups facing an unwelcome development in their neighborhood (Dear, 1992). Normally, residents are usually aware that these 'noxious' land uses are necessary, but not near their homes, hence the term 'not in my backyard. The main nimby actors in England are the elites who are well connected with a strong sense of civic duties (cite the authors here). A careful look through the publications on this concept shows that most authors see it as a negative idea, a challenge to planning and the provision of human services. A point of concern is the imprecise and simplistic way the concept is used by academics and policy makers. What is remarkable about the entire discussion at policy level is that most authors using the label are not very specific about what exactly the NIMBY phenomenon is (Wolsink, 2007). According to Dear (1992), the protectionist attitude of local residents make it difficult to find a place for vital human services such as jails, homeless shelters, wind farm, incinerators and drug treatment centers (La Roche et al, 2014).

Freudenberg and Pastor (1992) provided a summary of the relevant literatures on nimbyism and classified the motivating factors into three. The first two classes of literature conceived it with a negative connotation by attributing the major motivating factors as ignorance and selfishness. The third group of literatures noted that Nimby move is rationally motivated and based on wider social interest. Looking beyond the negative motives behind it, some credible research findings revealed that not all oppositions to locally unwanted land uses are counterproductive. As observed by Burningham et al. (2006), while opposition to many proposed land uses is crudely summarized as selfish and

homo-economicus, many of the studies did not present a credible research position especially when wider social and environmental concerns are at stake. This is the gap not currently covered by the existing literatures which may not be a major problem in the developed world but a massive environmental threat to households' welfare in many developing countries.

Empirical studies of the reason given for opposition reveal a wide range of motivation and explanations. According to Schively (2007), the two major factors which motivate opposition against an unwanted land use are the potential health impact and effect on property value. In light of the positive aspect of the opposition movement, DeVerteuil (2013) outlines several compelling theoretical and empirical reasons to embrace the importance of opposing some land uses within urban social geography by linking it to concerns around property rights and social welfare. Other researchers also provide commentaries which reinforce the positives of an obstruction to a land use with potential environmental threat in the residential area. For instance, Rydin (2011) states that people should have a say on land use decisions that affect them and put the society's interest ahead of the landlords.

Arguing from the contextual stance of an environmentalist, the fundamental human right to decent housing corroborates the ability of households in various tenures to defend their social welfare by opposition which reinforces planning intention and environmental health law. According to Wallace (2012), three attributes of a house; namely legal (property rights), economic and psycho-social attributes are important to the tenants and generic to other residents. However, as noted by Maclennan (1982), the psycho-social attributes of a property is contingent upon the efficacy of the legal attributes, particularly where the property market is operating somewhat in isolation (without the influence of planning and other regulatory mechanisms). The legal traditions of different countries have defined the relationship between tenants and landlords in many ways which fit within a wider social fabric and a web of relational obligations, connections and potential negative externalities (Blomley (1997 cited in Willem, 2016).A review of the relationships in many countries shows some commonalities in tenants' de jure property rights that encompass:

- Right to a residence that meets the require safety standard.
- Right to a residence in habitable condition and free from defect
- Right to know the details of the terms and a tenancy agreement.

Similarly, landlords' responsibilities generally include the principles:

- The landlords must allow tenants' to enjoy their unexpired term without "disturbance"
- Landlords must ensure that the residential property complies with building regulations and environmental laws.

These rights potentially establish a legal and practical basis for tenants to oppose grave and any other land use that could affect their welfare. The key is to what extent these rights exist and are enforceable, and this is a prime issue in Africa. Most academic debates on "not in my backyard" opposition to certain land uses are somewhat related to this study but are relatively unknown in the African context. To date, its studies are restricted to the developed countries where land use planning is based on Decide, Announce and Defend (DAD) model. This model prioritizes property right and encourages local involvement in land uses which often translate to Nimbyism. As noted by Burningham et al. (2006), the use of the term is fairly culturally specific, describing opposition to developments in relatively rich communities and developed countries but much less likely to be used of opponents in poorer developing countries. His argument was based on the fact that most of the projects (wind farms, social housing, addiction treatment centers) considered as locally

unwanted in the developed world may be seen as major developments to communities in the developing countries. Nevertheless, opposition to environmentally unfriendly land uses is a general phenomenon which can be studied in all country contexts (Esaiasson, 2014).

Apart from a proposed developmental facility, there are many locally unwanted land uses bestowed by private landlords in the developing countries not covered by the current literatures. Such uses are inconsistent with planning and environmental health law, they need to be addressed with some measures of opposition not consistent with the popular motive of Nimby in the developed world. At the moment, nothing is known about the protectionist attitudes of residents in developing countries. The use of residences for graves in Nigeria, the subject of the empirical analysis in this paper, offers the first case study in a developing country. Graves located in residential accommodation are of high private marginal benefits to the landlords but without any social benefit and are literally in the back yard of the tenants. According to the backyard logic, local residents could oppose such a land use of this kind on the basis of maximizing their own individual utility (Wolsink, 2007).

In addition, such opposition could be seen to have met wider societal environmental goals which form a good basis for its justification. From the foregoing, it is expected that a tenant would stand on the platform of de-jure property rights in defence of such hazardous uses of residential land. However, while the landlord's duties strengthen a tenant's capacity to obstruct a potentially harmful uses, enforcement and ignorance of property rights on the part of tenants may obviate its achievement because a duty is not an action in itself. In developed countries the educated elite have led nimby movements and it is expected that educated tenants in a developing country would similarly be prepared to enforce their rights. This is highly expected because the basis of opposition is consistent with planning and environmental law and contrary to the popular negative motive of a nimby, which restrict planning aspiration and provision of essential human services.

2.3 Private Rental Housing Context in Nigeria

The paper now focuses on private tenants in Nigeria as a perquisite to considering their response to an environmental threat. A substantial percentage of the low and middle income groups reside in houses provided by the private rented residential sector (PRS) in Nigeria. Statistics on the precise contribution of the sector is difficult to find. According to Akpom (1996), most of the housing stocks in this sector in Nigeria are provided by individuals who occupy a flat in the building (or rooms in case of rooming apartment) and let out the remaining parts. The private rental market is often located on informal settlements and enshrouded with the illegal use of property rights. According to Habitat (2015), localized qualitative data on the informal residential environment are limited and often without any link to robust city-wide evaluation process. Consequently, the association between households welfare is unknown to policy and planning responses. The PRS suffers a negative reputation often caused by tenants' perception of landlords' disposition to letting substandard property (UN, 2003).

In cities with serious housing shortages particularly for low-income households unscrupulous landlords abuse their rights knowing that tenants have little or no option. Tenants are forced to put up with exploitative and illegal rental conditions because they lack the financial resources and the ability to take legal action against the landlords (UN, 2003). From a policy point of view, the state of urban housing and the complex socio-economic conditions are some of the major challenges facing the developing countries (UN,

2003). A good proportion of the rental housing stock is in the informal market and outside the direct control of government rules and regulations. Few of these tenancies have a legally acceptable rental agreement, which contributes to the insecurity of tenure in the PRS and the ability of landlords to locate graves within their residences. Before analyzing the impact of this latter issue in more detail the paper provides the policy context and then an explanation of the research methodology.

2.4 Environmental Health Law and the Location of a Graves within a Home

The Ondo State Environmental Health Agency is charged with the responsibility of preventing the location of graves on residential property in Akure. Similar to other states in Nigeria, the agency operates on the basis of a public health law that emanated from the national legislation. The public health bye-law provision in Section 3 of the Burial on Private Premises law of Ondo state, stipulates that: No corpse shall be buried in or on any private premises unless the disease was by customary law entitled to be buried thereon and the person responsible for burying the corpse has obtained a written authorization from a Health Officer for the burial of the corpse. Inferences from the provision of the law show ambivalence and lack of sufficient definition for exceptions to the rule. It allows those permitted by customary law to bury a deceased on residential premises. However, the law is silent on the class of people who are by custom entitled to do so, on residential property. Debatably, the definition of those exempted is at the discretion of property owners. In addition, the law also allows permission to be sought to locate a grave within a residential property based on approval of an environmental health officer. The implication is that compliance with this law is rendered voluntary. The cumulative effect is that a tenant whose landlord decides to locate a grave on a residential property may think that permission has been sought or he is entitled to do so by virtue of customary law. Consequently, this may reduce tenants' ability to oppose location of a grave within private residence.

Against the backdrop of an ambivalent legal context of the Burial on Private Premises' law, observation shows that the land allocated for public cemeteries and the required workforce to ensure that the location of graves is confined to them is inadequate. Although there are few private cemeteries in Akure, only one public cemetery covering about five acres is available in the city. It is generally unavailable to the residents but reserved for the interment of unidentified corpses and other special cases. The cemetery is largely unkempt and overgrown by weed. At the moment, government commitment to approving more cemeteries' land that would be opened to the public is poor. While the inadequacy of a public cemetery is a problem in Akure, observation shows that there is no working relationship between the two government agencies that regulate land use and environment. For instance, while the Ministry of Lands absolves itself from any direct involvement in the prevention of the location of graves on informal residential estates, it could allocate more land for a public cemetery to eradicate the location of graves within private residences. With regard to enforcement of the law, record shows that only 12 environmental officers were employed to carry out such responsibility in a city with more than half a million people. This number is inclusive of the heads of departments, desk officers and field workers. The numbers of staff appear inadequate; and hence are a major constraint on the effectiveness of the law and what could be enforced to ensure compliance.

3. DATA AND METHODS

3.1 Sampling Procedure

The respondents' sampling frame is relatively large and unknown for selection of a representative sample. Consequently, the study relies on Ordinary least squares (OLS) simulation to determine the required sample size using Sawtooth software. As suggested by the relationship between the ideal and actual standard errors of the OLS simulation, a sample size of 300 respondents was confirmed to be statistically significant for the survey. The data were collected through interview survey from 10 residential districts in Akure (See map of study area in the appendix). The study targeted 100 respondents each from low, middle and high income group. This stratification was necessary to find out possible income effect. However, observation shows that majority of the high income earners do not reside in the informal residential estates which limits the application of probabilistic sampling. Therefore, the study adopted convenience sampling technique to allow the inclusion of a good number of respondents from the high income group in the informal area. Inconsistent respondents were excluded until the target sample size of 300 was obtained. The questionnaire survey was personally administered with the help of five trained research assistants.

3.2 Measures

Assessment concerning the possible actions a tenant may take to oppose the location of a grave within a residence were deduced from the Exit, Voice and Loyalty Approach a dissatisfied tenant may adopt to address the shortcoming of a service provider. The measure of voice approach to dissatisfaction with a grave was derived from a pilot study conducted and are two folds. The first is a gentle advice to a landlord not to locate a grave within his residence. The second is a formal report to the Environmental Health Authority who should act to stop the prohibited use of land. The exit option is attributed to those who cannot do anything about it than to move homes while the loyalty measure described similar set of tenants who would not move homes for other reasons. Tenant action on the exit and loyalty option is made clearer by asking the individual to state what they would do if a grave is suddenly located within their current residence. The responses were composed into three options, which include: "I will move home before expiration of my current tenancy". "I would move after expiration of tenancy". "I would continue tenancy in the grave impacted residence." (See Figure 1 in the analysis for detail).

3.3 Data

The core of the study comprises a questionnaire survey of tenants undertaken to assess tenants experience and views on the incidence of a grave within their residential accommodations. As these graves are only located in residential properties within the informal sector, data collection was restricted to these neighbourhoods. The data collected from the survey described the profile of 12.7% and 86.3% of tenants who are currently living in residences with and without a grave in Akure respectively (see Table 1 for detail). This shows that the data collected on the effect of grave on tenants is not totally based on its hypothetical impact on social welfare. The data also show that 27% and 25% noted that the presence of a grave in a residence would have psychological effect and also affect their

thought process respectively. Damage on desired aesthetic and the horrible effect on tenants represent 8.7 and 17.7% respectively while 9.7% say it is of no effect. This being so, the data show that 33.7%t of the tenants are aware of their property while 66.3% are not. The data collected consist of 45% responses each from low and middle income. Only 10 percent of the high tenants could be reached for data collection. The skewness of the distribution toward the low and middle income group confirms the fact that most of the high income tenants reside in the formal residential estate where the location of grave on residences does not occur. Using educational attainment as a crude qualification for elitist status, Table 1 shows that, 26%, 35.3% and 17% have a Diploma, Bachelor and postgraduate certificates respectively. With this, the data show that 78.3% of the respondents are elites.

Table 1: Multinomial Logistic Model Case Processing Summary

Variables	Levels	N	Percentage %
Presence of a grave in a private residence	Yes	38	12.7
	No	262	86.3
Possible resistance to location of grave within residential building	I will advise my landlord not to locate grave within his property	81	27.0
	I will inform the development control authority to stop it	42	14.0%
	I cannot do anything to stop it	177	59.0%
Tenant's right awareness	Yes	101	33.7%
	No	199	66.3%
Impact of grave on sight	Psychological effect	81	27.0%
	It would affect my thought	75	25.0%
	It would be an eye sore	26	8.7%
	I can't explain the horrible effect	53	17.7%
	No effect	65	21.7%
Income group	High income group	29	9.7%
	Middle income group	139	46.3%
	Low income group	132	44.0%
Highest level of education attended by decision taker	Nil	2	.7%
	Primary school	11	3.7%
	Secondary school	51	17.0%
	NCE/OND	78	26.0%
	Bachelors/HND	106	35.3%
	Postgraduate	52	17.3%
Length of stay in current Residence	1-5 years	217	72.3%
	6-10 years	68	22.7%
	11-15	15	5.0%
Valid		300	100.0%
Missing		0	
Total		300	
Subpopulation		131[a]	

4. MODEL SPECIFICATION

Multinomial Logistic regression was applied to explain factors that would make tenants to oppose the use of private residence for grave. Three dummy variable outcomes were considered; the first coded 0 analyses opposition by a subtle advice to landlord not to locate grave within his property. The second variable coded 1, measures opposition by a formal report to environmental health authority to stop location of a grave in a home. The

third variable "cannot do anything to oppose the location of grave in a home" is set as the reference variable. The predictor variables are;

AWARI = Awareness of property rights
IMPGRA = Impact of grave,
INCG = Income Group
EDU = Education
LENST. = Length of stay

The Logistic Regression Model Estimation Algorithms

$$\ln\left(\frac{p}{1-p}\right) = \log(odd) = logit = \alpha + \beta x \dots\dots\dots\dots Equation\ 1$$

Where P is the probability of opposing location of a grave within a private home under variables.

The Y intercept is denoted by α while β is the regression coefficient or odd of X categorical variable. With particular reference to multinomial logistic regression used in this study, the logistic regression is written as follows:

$$\ln\left(\frac{p}{1-p}\right) = \alpha + \beta 1x1 + \beta 2x2 + \beta 3x3 + \beta 4x4 + \beta 5x5 \dots Equation\ 2$$

$$P = \frac{x^{\alpha+\beta 1x1+\beta 2x2+\beta 3x3+\beta 4x4+\beta 5x5}}{1+e^{\alpha+\beta 1x1+\beta 2x2+\beta 3x3+\beta 4x4+\beta 5x5}} = OR \dots\dots\dots\dots\dots\dots\dots\dots Equation 3$$

Where x's are the independent variables,
χ_1= AWARI (Awareness of Right)
χ_2= IMPGRA (Impact of grave)
χ_3= ING (Income Group)
χ_4= EDU (Education)
χ_5= LENST (Length of Stay)
OR = Odd ratio
α and βs are estimated by the maximum likelihood which analyse the likelihood of arriving at the data from the parameter estimate.

The model assumes that errors and the conditional mean of the dichotomous variables are distributed by binomial distribution. The overall association between opposition of grave in a home and other variables is presented in Table 2. The association is described by chi-square distribution. The general rule for testing the relationship is that there is no difference between the log likelihood of the intercept and the final model. From the table, the intercept model has a log likelihood of 430.264 while final model with predictor variables has 292.695. The difference (137.57) between the models is the chi-square and shows that there is a relationship between opposition to location of grave within a private rented home and the predictor variables. In addition, the sig. value 000 is less than the set alpha (0.05) value.

Table 2: Model Fitting Information for Opposing Location of Grave in Home

Model	Model fitting Criteria	Likelihood Ratio Tests		
	-2 Loglikelihood	Chi-Square	d.f	Sig.
Intercept Only	430.264			
Final	292.695	137.570	28	.000

Worried about possible cases of collinearity where the standard error is greater than 2 (in Table 9), on some variables (education and income group), multi-collinearity tests were conducted using each variable as dependent variable. The results of the diagnosis show that the variance inflation factor (VIF) is a little above 1 (see Table 3 to 8). This shows that the standard errors recorded in the few cases do not implies collinearity of the two suspected variable.

Table 3: Collinearity diagnostic statistics (EDU)

Model	Colinearity Statistics	
	Tolerance	VIF
IMPGRA	.973	1.028
AWARI	.978	1.022
LENST	.943	1.060
INCG	.935	1.070
Dependent Variable: EDU		

Table 4: Collinearity diagnostic Statistics (INCGR)

Model	Colinearity Statistics	
	Tolerance	VIF
EDU	.962	1.040
IMPGR	.965	1.037
AWARI	.978	1.022
LENST	.982	1.018
Dependent variable : INCGR		

Table 5: Collinearity diagnostic statistics (IMPGR)

Model	Collinearity Statistics	
	Tolerance	VIF
EDU	.801	1.249
IMPGR	.831	1.203
AWARI	.982	1.018
LENST	.945	1.058
Dependent variable : IMPGR		

Table 6: Collinearity diagnostic statistics (LENST)

Model	Collinearity Statistics	
	Tolerance	VIF
INCG	.829	1.207
EDU	.819	1.221
AWARI	.988	1.012
IMPGRA	.961	1.041
Dependent Variable: LENST		

Table 7: Collinearity diagnostic statistics (AWARI)

Model	Collinearity Statistics	
	Tolerance	VIF
INCG	.797	1.254
EDU	.820	1.219
IMPGRA	.964	1.037
LENST	.955	
Dependent Variable:AWARI		

Table 8 shows the model's parameter from which the fit is calculated. The intercept explains a model without independent variables but fits an intercept result. To maximize the log likelihood of the outcomes, the final model incorporates the independent variables. Expectedly, the inclusion of the independent variables improves the log likelihood of the intercept as shown in their chi-square. The value recorded in the sig. shows that none of the coefficient of the variables equals zero at 0.05 alpha. This implies that all the variables are significant contributors to the model fit.

Table 8: Model fitting information likelihood ratio test

	Model fitting Criteria -2 Loglikelihood	Likelihood Ratio Tests Chi-Square	d.f	Sig.
Intercept	2.927E2a	.000	0	
AWARI	313.955	21.260	2	.000
IMPGRA	336.209	43.514	8	.000
INCG	311.269	18.574	4	.001
EDU	312.117	19.422	10	.035
LENST	297.385	4.690	4	.321

The chi-square statistic is the difference in -2 log-likelihood between the final model and a reduced model. The reduced model is formed by omitting an effect from the final model. The null hypothesis is that all parameters of that effect are 0). This reduced model is equivalent to the final model because omitting the effect does not increase the degree of freedom.

4.1 Hypotheses

The research objectives for the study were translated into the following null hypotheses which were tested by means of chi-square statistic.

H_{01}: Tenants level of education has no significant relationship with tenant ability to oppose grave within a residence.

$H_{02:}$ There is no significant relationship between a preferred residential location and willingness to rent a property in such location with a grave.

5. ANALYSIS AND FINDINGS

The first part of the discussion dwells on parameter estimates which compare an opposition move which tenants would adopt by advising the landlords against location of a grave in a home relative to the reference variable.

5.1 Opposing the Location of Grave in Home by Advising the Landlord against it

The beta coefficient and the odd ratio of the logistic regression are presented in Table 4. Comparing the association between property right and opposition to the sitting of a grave within a tenant's current residence, an odd ratio (OR) of 3.294 was estimated for those who are aware of their property right. This shows that tenants who are aware of their property right are more likely to oppose (by advising landlords against) the location of grave within private residences relative to the reference variable (those who cannot do anything to prevent it). The lower and upper bounds of the confidence interval is higher than 1, showing that the variable is an important contributor to the model estimate. A beta coefficient of 0 which implies an OR of 1 shows that tenants who are not aware of their property right are equally likely to advise landlords not to locate grave within a residence or do not nothing about it.

Parameter estimates also show that a tenant, whose psyche, aesthetic desire, thought, is affected and could not explain the horrible effect of a grave is more likely to advise a landlord not to locate grave within a home. The lower and upper bounds of the confidence

interval at 95% shows that there is a significant relationship between the four possible effects of a grave on a tenants and the likelihood of advising a landlord not locate it within a residence. The odd ratio estimate on tenants who are not affected shows that they are equally likely to advise landlords against the practice or do nothing to oppose it. Concerning income, parameter estimates show that the high and middle income earner with an odd ratio of 4.349 and 3.846 respectively are more likely to advise landlord against locating a grave within private residence than doing nothing to oppose it.

The result also shows that the low income earners are equally likely to advise their landlords or do nothing to obstruct the location of a grave in a home. For education, the result shows that tenants without any formal academic qualification are more likely to advise land than doing nothing to prevent the location of a grave in on private residence. However, the lower and upper bound values at 95% confidence interval show that it is not a significant contributor to the model. The analysis shows that Tenants with Primary and Secondary school certificates have odd ratio of 8.581E-7 and .801. This implies that they are less likely to advise to landlord against the unwanted use of land than doing nothing to obstruct it. The confidence interval show that tenants with secondary school certificates are not significant contributor to the model while contribution of the former to is uncertain.

Model estimates for tenant with a diploma and Bachelor degree are greater than 1 and implies both are more likely to advise landlords than doing nothing to stop them from locating a grave on a private residence. Parameter estimate for a Tenant with a postgraduate certificate show a beta coefficient of 0 which implies an OR of 1. This mean that the highly educated elites are equally likely to advice or do nothing to prevent landlords from locating a grave in a private residence. The outcome of the Pearson chi-square test of hypothesis (H_{01}) also corroborates the robustness of the findings (see Table 10). The X^2 value (10.87) is lower than the critical value of 18.31 at 0.05 alpha with ten degree of freedom. In addition, the asymptotic significance shows a value greater than the alpha. This leads to the acceptance of the null hypothesis which shows that there is no significant relationship between elitist status (education) and ability to oppose grave in a residence.

Table 10: Test of Hypothesis H_{01}

	Value	Df	Asymp.Sig.(2-Sides)
Pearson Chi-Square	10.87	10	.000
Likelihood Ratio	10.56.	10	.0000
Linear by linear Association	10.12	1	0.00
No. of Valid Cases	300		

Findings on the role of elitist status (education) is contrary to the experience in developed countries (as observed by Mathews et al. (2014)), where elitist status is a key factor to opposing a land use in defence of social welfare. An odd ratio of less than 1 was estimated for a tenant who has resided in a home for between 1 and 5 years as well as between 6 and 10 years. These show that a tenant in any of the two groups is less likely to advise his landlord or do nothing to prevent the location of a grave within a residence. For those who have lived in a residence for 11 years and above the odd ratio they are equally likely to advice or do nothing to oppose the location of grave in a home. The confidence interval at 95% shows that both variables are not significant contributors to the model.

5.2 Informing Environmental Health Authority to Oppose Grave within a Home

Regarding tenants who will oppose the location of a grave in home by informing the environmental health officer, estimation shows that those who are aware of their property right with an odd ratio of 5.325 are more likely to do so than those who are unaware relative to the reference variable. This is confirmed by the lower and upper bounds of the 95% confidence interval which show that awareness of right is a significant contributor to the model estimate. The odds of opposing or otherwise are the same for those who are unaware of their property rights. For those whose desired aesthetic were affected by the impact of a grave in a home, model estimation produce an odd ratio of 34.898, showing that they are more likely to oppose it relative to the reference variable. Similar to the parameter estimate for the former variable (subtle advice to landlord not to locate grave within a home), the odds of opposing or doing nothing is the same for those who are not affected by the location of grave in a home. Similarly, parameter estimate show that high income earners are more likely to oppose location of grave in a home by reporting to the environmental health authority relative to the reference variable. It has an odd ratio of 3.706 which is slightly higher than 3.287 estimate for the middle income group. However, the confidence interval of the estimates at 95% shows that the latter is a significant contributor to the model than the former. In addition, the odd ratio for the low income earners shows that they are equally likely to oppose or do nothing to obstruct grave within their residence.

The estimated odds ratio "1.287E8" on respondents without formal education is higher compared to others with formal education. This implies that those with no academic qualification are more likely to oppose the location of a grave in a home than the educated tenants. Those with primary school education have an odd ratio of 2.729E-7 and are less likely to oppose a grave within a home by reporting to the environmental health authority than doing nothing about it. Similarly the estimated odd ratios on tenants with secondary and diploma certificates are less than 1, implying they are less likely to oppose a grave by making a formal complain to the environmental health authority than doing nothing to prevent it (see Table 9 for detail). Tenants with Bachelor degree have an odd ratio of 0.734 which also show that they are less likely to oppose grave by reporting to the environmental health authority than doing nothing to oppose it. However, those with a postgraduate certificate are equally likely to oppose or do nothing to obstruct the location of a grave within a private home. Model estimates for tenants who have resided in residence between 1 and 5 years, 6 and 10 years show that they are less likely to oppose the environmental threat of a grave within their homes by reporting to the authority. An odd ratio of .315 and .601 were recorded on them respectively. In addition, the lower and upper bounds estimates at 95% confidence level show that they are not significant contributors to the model. In addition, parameter estimates for tenants who have stayed longer than 10 years have a regression coefficient of 0 which translate to an odd ratio value of 1. This implies that the tenants are equally likely to oppose or do nothing to oppose a grave within private residence.

Table 9: Parameter Estimates

Opposition to location of Grave		B	Std. Error	Wald	d.f	Sig.	Exp (β)	95% confidence interval for Exp.	
								Lower bound	upper bound
I will	Intercept	-3.254	1.047	9.660	1	.002			
advise my	[RIAWA=1.00]	1.192	.328	13.216	1	.000	3.294	1.732	6.265
Landlord	[RIAWA=2.00]	0b			0				
not to	[IMPGRA=1.00]	2.192	.575	14.564	1	.000	8.958	2.905	27.619
Locate	[IMPGRA=2.00]	1.685	.570	8.738	1	.003	5.391	1.764	16.472
Grave	[IMPGRA=3.00]	2.168	.752	8.308	1	.004	8.744	2.002	38.202
within his	[IMPGRA=4.00]	2.046	.595	11.829	1	.001	7.733	2.411	24.810
Property	[IMPGRA=5.00]	0b			0				
	[ING=1.00]	1.470	.591	6.190	1	.013	4.349	1.366	13.845
	[ING=2.00]	1.347	.349	14.919	1	.000	3.846	1.941	7.617
	[ING=3.00]	0b			0				
	[EDU=1.00]	.102	.000		1		1.108	1.108	1.108
	[EDU=2.00]	-13.969	709.547	.000	1	.984	8.581E-7	.000	.c
	[EDU=3.00]	-.222	.575	.149	1	.699	.801	.260	2.470
	[EDU=4.00]	.265	.497	.285	1	.593	1.304	.492	3.452
	[EDU=5.00]	.399	.454	.773	1	.379	1.490	.613	3.624
	[EDU=6.00]	0b			0				
	[LENST=1.00]	-.517	.816	.401	1	.527	.597	.121	2.952
	[LENST=2.00]	-.852	.867	.965	1	.326	.427	.078	2.335
	[LENST=3.00]	0b			0				
I will	Intercept	-3.359	1.298	6.699	1	.010			
inform the	[RIAWA=1.00]	1.672	.438	14.591	1	.000	5.325	2.258	12.560
Developme	[RIAWA=2.00]	0b			0				
nt control	[IMPGRA=1.00]	2.810	.845	11.067	1	.001	16.610	3.172	86.965
authority to	[IMPGRA=2.00]	.807	.992	.662	1	.416	2.241	.321	15.652
stop it	[IMPGRA=3.00]	3.552	.943	14.198	1	.000	34.898	5.499	221.455
	[IMPGRA=4.00]	1.910	.924	4.274	1	.039	6.753	1.104	41.289
	[IMPGRA=5.00]	0b			0				
	[ING=1.00]	1.310	.769	2.899	1	.089	3.706	.820	16.737
	[ING=2.00]	1.190	.509	5.471	1	.019	3.287	1.213	8.912
	[ING=3.00]	0b			0				
	[EDU=1.00]	18.673	6475.923	.000	1	.998	1.287E8	.000	.c
	[EDU=2.00]	-15.114	799.358	.000	1	.985	2.729E-7	.000	.c
	[EDU=3.00]	-1.318	.791	2.777	1	.096	.268	.057	1.261
	[EDU=4.00]	-1.118	.664	2.833	1	.092	.327	.089	1.202
	[EDU=5.00]	-.309	.513	.363	1	.547	.734	.268	2.007
	[EDU=6.00]	0b			0				
	[LENST=1.00]	-1.155	.898	1.655	1	.198	.315	.054	1.831
	[LENST=2.00]	-.509	.942	.292	1	.589	.601	.095	3.811
	[LENST=3.00]	0b			0				

a. The reference category is: I cannot do anything to prevent it.

Floating point overflow occurred while computing this statistic. Its value is therefore set to system missing.

b. This parameter is set to zero because it is redundant

5.3 Implication of Unawareness of Right

Despites the substantial numbers of elites in the study area, findings show that it has no significant relationship with opposition to the location of graves on private residences. Rather than using elitist status to oppose location of a grave within home, the elites prefer to move homes. As the level of education rises, the percentage of tenants who would move homes progressively increases. While 55.5% of the respondents with primary education would move home to avoid a property with a grave, it increases to 57.1% among respondents with secondary education. In addition to this, 59% of the respondents with college education would move home while 74.6% of the respondents with university education would do so instead of enforcing their property rights to obstruct the location of a grave within their current homes. Ultimately, 88.5% of the respondents with postgraduate education would move home rather than obstructing the location of a grave in their current homes. This implies that the elites prefer the exit option to the voice option which tend to improve the performance of an underperforming organization (Environmental health and planning authority) as suggested by the conceptual framework study. In addition to establishing the loss of welfare which queries awareness of property right that could be applied to oppose location of a grave within residential environment, the study analyses the effect of the act on location factor which is widely rehearsed as key to housing choice among households.

The result of the test of hypothesis (H_{02}) which examines the relationship between a suitable residential location and ability to oppose a grave in current dwelling formally corroborates the findings. Table 10 that the X^2 value (2.87) is lower than the critical value of 5.99 at 0.05 alpha with two degrees of freedom. In addition, the asymptotic significance (0.239) shows a value greater than the alpha. Therefore, the null hypothesis is accepted, implying that there is no significance relationship between a suitable location and willingness to rent a residential property with a grave. Inferences from this analyses show that the quest for a suitable residential location paled into insignificance in the face of the grave factor. This finding further corroborates lack of local acceptance for the use of private residences for graves. In addition, in the long run, many tenants would be forced to reside in locations that do not best suit their circumstances because the practice is not acceptable and they are unable to use the voice option to enforce their right by reporting to the Environmental Health Authority.

Table 11: Test of Hypothesis H_{02}

	Value	Df	Asymp.Sig.(2-Sides
Pearson Chi-Square	2.87	2	.238
Likelihood Ratio	2.94	2	.230
Linear by linear Association	2.22	1	.136
No. of Valid Cases	300		

5.4 Exit, Voice Opposition and Loyalty Approach in a Home with a Grave

The findings show that 32.7% cannot withstand the sight of a grave in their current residence; they would move home (exit) before their tenancies periods expire (see Figure 1). However, 34.3% of the tenants can barely endure the sudden location of graves within their residential properties; they would move home as soon as their current leases expire.

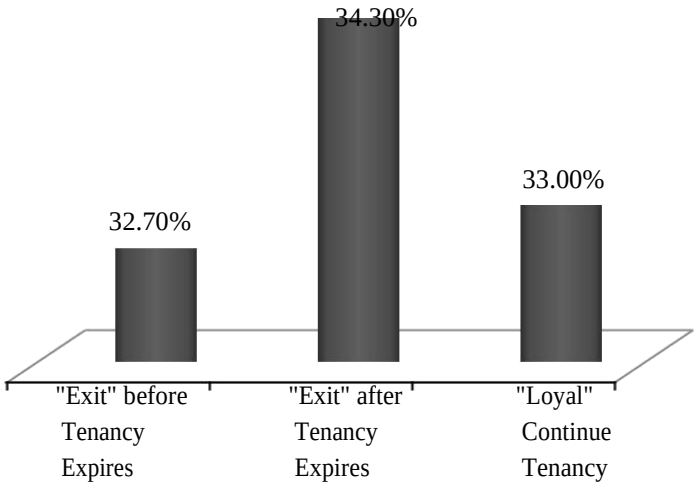


Figure 1: Exit and Loyalty Option in Home with a Grave

On the aggregate, 67% of the respondents, which comprises of those, moving before and after expiration of current tenancy, will take the exit option and a premature decision to move home. Conversely, 33.0% will continue occupation of their present homes for as long as they wish despite the location of graves in them. While opposition to the prohibited use of residence for grave appears to be a common sense question to those who are aware of their property rights, the novel aspect of this study show that awareness is significant but it does not totally translate to opposition. As illustrated in Table 12, 13.2% of those aware of their property right are still residing in houses with a grave.

Table 12: Cross tabulation of awareness of property right and residents of a home with a grave

Awareness of Right		Grave	No Grave	Total
Yes	Count	5	96	101
Percentage		13.2%	37.4%	33.7%
No.	Count	33	166	199
Percentage		86.8%	62.6%	66.3%
Total		38	262	300
		100%	100%	100%

6. . CONCLUSION

The paper examined the role of perceived negative externalities, and how planning has been traditionally seen as the main vehicle for addressing these issues. However, it was noted that in developed countries with mature planning systems, not in my backyard movements have emerged to prevent unwanted land uses within residential environment. The power of these opposition movements is associated with the educated elites. In addition it was noted that ability to oppose an unwanted land use is linked to property rights. The study establishes a logical relationship between property rights and the ability to oppose the use of private residences for grave and protection of social welfare. The study touched an aspect of urban land use that has been neglected in academic debates. This is the first study to consider the location of a grave within the private residence in Africa and consider

whether there is a role for an educated elite for credible opposition. The study focuses on the use of residential properties for graves in the PRS in Akure.

To answer the first question asked, the study found that the location of a grave within a private residence lacks local acceptance. Besides, tenants possess de jure and de facto property rights to oppose it so as to preserve their social welfare; however, the majority of the tenants are ignorant of these. While the awareness of property rights is low, the study found that there is no active engagement between it and opposition of grave in private residence as 13.2% of those aware of their property rights are currently residing in a residence with a grave. This is a major obstacle to protection of social welfare, it breaks the link between planning and property rights which could be enforced when an individual uses his initiative to inform the authority to redress the damage done to his interest by action of another (Hartmann and Needham, 2016). In addition, despite the fact that elites are dominant in the sample, it does not translate to awareness of property rights and enforcement.

The study contributes to knowledge by revealing that the elites are less likely to oppose the location of a grave within a private residence. They prefer the exit option by moving homes to protect their welfare. This implies insecurity of tenure, urban blight and loss of place attachment and corroborates the costly consequences of the exit option of the study's conceptual framework as noted by Gehlbach (2006). Regarding this study, if tenants adopt the voice option, planning and environmental health regulators would be motivated to achieve their intentions. The popularity of the exit option among the tenants is a reflection of the lack of 'civil society' in the study area. The context to this position is the ineffectiveness of the environmental health law which prohibits the use of private residences for graves due to the ambivalent legal context and an under-resourced planning system. As tenants' welfare depends on the effectiveness of the legal attributes of their property rights, environmental health law and planning, the research findings open a debate for wider policy issues. If the tenants, especially the elites refrain from exercising the right to oppose the location of grave within a home, welfare and tenure security would become a major issue in the informal residential area.

Based on the empirical findings, the study recommends an urgent need for government to prioritize the welfare of citizens in the PRS. In the context of a dominant informal housing system, severe housing market pressure and tenants' inability to exercise their rights (even the most educated), there is a need for commitment to the enforcement of the law. This would empower tenants' ability to utilize their de jure and de-facto property right in defence of social welfare. Advancing the argument for the realization of the potential benefits of property right in the context of this study, the paper suggests one way forward could be the formation of a tenants' association. This would provide a common front and a synergy for uninformed vulnerable tenants' to defend their social welfare.

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Appendix

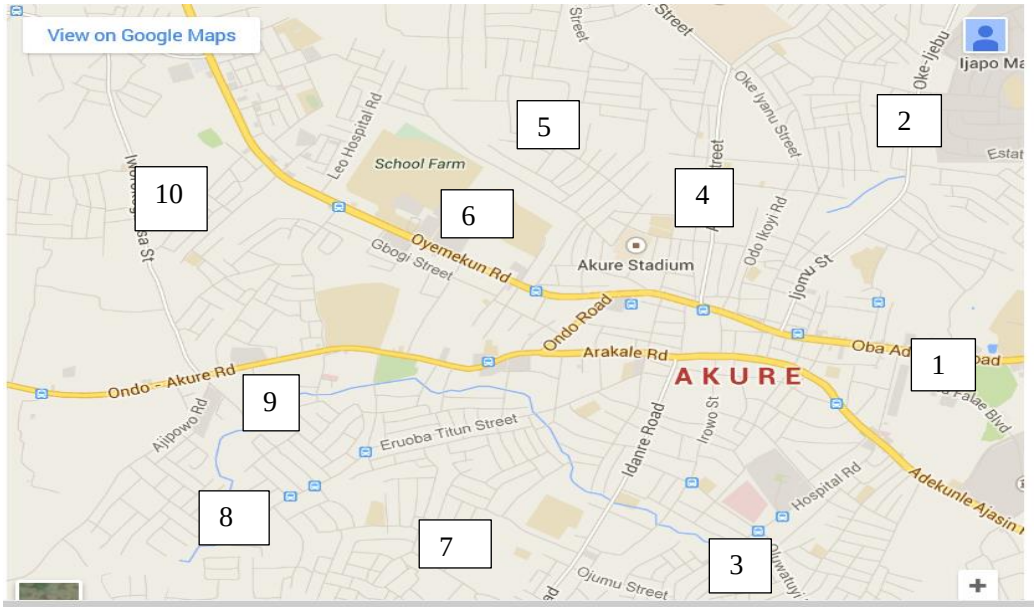


Figure 2: Map of Akure showing respondents' residential districts.