



REPUBLIC OF KENYA



COUNTY GOVERNMENT OF KISUMU

Department of Lands, Housing, Physical Planning & Urban Development
(Office of the CECM-Lands, Housing, Physical Planning & Urban Development)

PREPARATION OF DRAFT VALUATION ROLL 2017, KISUMU COUNTY

What is a Draft Valuation Roll?

A Draft Valuation Roll is a legal document that contains information about properties within a county, such as Kisumu County. It lists details about properties used to calculate property taxes. It is updated every 10 years as required by law. The last Valuation Roll for Kisumu County was prepared in 2007, and the next one should have been in 2017. However, when a new Roll is not prepared, there are provisions to extend the life of the existing Roll to continue raising revenue. The current document we are discussing is the Draft Valuation Roll - 2017, prepared by the County Government of Kisumu for the purpose of generating revenue to fulfill its governmental functions.

The Legal Framework:

It's essential to understand the legal foundation of the Draft Valuation Roll. The law grants Rating Authorities, like the County Government of Kisumu, specific powers:

1. Chapter 12 of the Constitution covers public finance, providing revenue-raising powers for both central and county governments. Sub-section 3 discusses these powers and public debt.
2. Article 209 (3) of the Constitution allows County Governments to impose taxes, including Property Rates.
3. Article 210 of the Constitution gives County Governments the authority to legislate and related matters. If domestication of relevant laws hasn't occurred, the Rating Authority (County Government) uses the National Rating Laws of Kenya, as in the case of the current Draft Valuation Roll for Kisumu County.

The National Rating Legislations:

There are two key national rating laws in Kenya used for the preparation and implementation of Draft Valuation Rolls:

1. **Rating Act CAP. 267:** This act provides the framework for imposing Rates on land and buildings in Kenya. It allows for various forms of Rating. For instance, Section 4 can be adopted when the County Government wishes to levy a Site Value Rate or Site Value Rate in combination with the Improvement Rate. This section also mandates that the provisions of the Valuation for Rating Act apply.



REPUBLIC OF KENYA



COUNTY GOVERNMENT OF KISUMU

Department of Lands, Housing, Physical Planning & Urban Development

(Office of the CECM-Lands, Housing, Physical Planning & Urban Development)

2. **Valuation for Rating Act CAP 266:** This act empowers the Rating Authority to value land for the purpose of Rates and related matters. It is a process-oriented act, directing how the Valuation Roll should be prepared and outlining the necessary procedures.

Public Participation:

The concept of public participation is an important part of the new constitutional dispensation, and it is governed by the Public Participation Act of Kisumu County, among other provisions. This is why the current exercise is taking place, as announced in the Daily Nation on October 16, 2023.

The Draft Valuation Roll:

This document is the foundation for levying land rates. It provides citizens with current land values, which can be used as a basis for selling or mortgaging their properties. Over time, these values become historical, which is why a review is necessary every ten years.

What's in a Valuation Roll Entry?

Each entry in the Valuation Roll includes:

1. Parcel number.
2. Ownership of the property according to land registry records and address.
3. Area in hectares or acres.
4. Value of the land.
5. Location or situation.

Finalized Draft Valuation Roll:

The law requires a completed Draft Valuation Roll to be certified by a Gazetted Valuer/Valuers who prepared it before it is handed over to the County for implementation. The Roll is then presented to the County Assembly, and a notice is published, allowing objections to be raised by affected individuals. The law provides for the handling of objections and any ensuing legal matters.

As soon as the Roll is tabled and a notice is published, it becomes the Draft Valuation Roll for the County for the year it was prepared. After addressing various issues, certificates are signed, and notices are published. At this point, the Draft Valuation Roll for the County becomes the official Valuation Roll, completely replacing any older previous Rolls or Supplementary Valuation Rolls.



REPUBLIC OF KENYA



COUNTY GOVERNMENT OF KISUMU

Department of Lands, Housing, Physical Planning & Urban Development
(Office of the CECM-Lands, Housing, Physical Planning & Urban Development)

In Summary:

Land rates are a vital and equitable source of revenue for the County. They form a core part of the County's income, alongside funds received from the Central Government. A recent Valuation Roll is a key consideration for financial institutions, such as the World Bank and IMF, when the County seeks to borrow funds. It also serves as a financial safety net, ensuring continued service provision in times of delays from other revenue sources.

Hon.Dr.Kennedy Akello Hongo (Hsc)

CECM-Lands, Housing, Physical Planning & Urban Development