

PARLIAMENT OF KENYA

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*Paper laid by the  
Departmental Committee on  
Transport / Public Works & Housing  
on 8/11/18 (pm)*

THE NATIONAL ASSEMBLY

TWELFTH PARLIAMENT - SECOND SESSION

**THE DEPARTMENTAL COMMITTEE ON TRANSPORT, PUBLIC  
WORKS AND HOUSING**

REPORT

ON



**CONSIDERATION OF PUBLIC PETITION BY RESIDENTS OF THE  
NATIONAL HOUSING CORPORATION TENANTS WELFARE  
ASSOCIATION IN CHANGAMWE CONSTITUENCY, MOMBASA COUNTY**

CLERK'S CHAMBERS  
NATIONAL ASSEMBLY  
PARLIAMENT BUILDINGS  
NAIROBI

*Approved for Tables  
8/11/18  
DS*

NOVEMBER 2018



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## **1.0 PREFACE**

On behalf of the Departmental Committee on Transport, Public Works and Housing and pursuant to provisions of Standing Order 199 (6), it is my pleasant privilege and honour to present to this House the Report on the Petition on the National Housing Corporation Tenants Welfare Association in Changamwe Constituency, Mombasa County.

The petition was tabled before the House pursuant to Standing Order 225 (2)(a) by the Member for Changamwe Constituency, Mombasa, Hon. Omar Mwinyi, MP on behalf of Changamwe Constituency residents on 25<sup>th</sup> July, 2018 and was referred to the Departmental Committee on Lands.

Pursuant to Standing Order 227 (1), the petition was referred to the Departmental Committee on Transport, Public Works and Housing on 31<sup>st</sup> July, 2018 for consideration and preparation of a report within 60 days, after noting that the subject matter did not fall under the mandate of Departmental Committee on Lands.

### **1.1 Mandate of the Committee and Membership**

#### **a) Mandate**

The Departmental Committee on Transport, Public Works and Housing is established under Standing Order 216(1) whose mandate, pursuant to the Standing Order 216 (5), is as follows;

- a. investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned Ministries and departments;
- b. study the programme and policy objectives of Ministries and departments and the effectiveness of the implementation;
- c. study and review all legislation referred to it;
- d. study, assess and analyze the relative success of the Ministries and departments as measured by the results obtained as compared with their stated objectives;
- e. investigate and inquire into all matters relating to the assigned Ministries and departments as they may deem necessary, and as may be referred to them by the House;

- f. to vet and report on all appointments where the Constitution or any law requires the National Assembly to approve, except those under Standing Order 204 (*Committee on Appointments*);
- g. examine treaties, agreements and conventions;
- h. make reports and recommendations to the House as often as possible, including recommendation of proposed legislation;
- i. make reports and recommendations to the House as often as possible, including recommendation of proposed legislation;
- j. consider reports of Commissions and Independent Offices submitted to the House pursuant to the provisions of Article 254 of the Constitution; and
- k. examine any questions raised by Members on a matter within its mandate.

Further, the Second Schedule to the Standing Orders mandates the Committee to consider matters relating to the following subjects:-

- a) Transport;
- b) Roads;
- c) Public works;
- d) Construction and maintenance of roads, rails and buildings;
- e) Air and seaports; and
- f) Housing.

In executing this mandate, the Committee oversees various State Departments, namely:

- i. The State Department of Transport;
- ii. The State Department of Infrastructure;
- iii. The State Department of Housing and Urban Development;
- iv. The State Department of Public Works; and
- v. The State Department of Shipping and Maritime Affairs.

**b) Committee Membership**

- 1.Hon. David Pkosing, M.P.
- 2.Hon. Moses Kuria, M.P.
- 3.Hon. Johnson Many Naicca, M.P.
- 4.Hon. David Njuguna Kiaraho, M.P.
5. Hon. Peris Pesi Tobiko, M.P.
6. Hon. Rigathi Gachagua, M.P.
- 7.Hon. Samuel Arama, M.P.
- 8.Hon. Savula Ayub Angatia, M.P.
- 9.Hon. Suleiman Dori Ramadhani, M.P.
10. Hon. Ahmed Bashane Gaal, M.P.
11. Hon. Ahmed Abdisalan Ibrahim, M.P.
12. Hon. Dominic Kipkoech Koskei, M.P.
13. Hon. Gideon Mutemi Mulyungi, M.P.
14. Hon. Kulow Maalim Hassan, M.P.
15. Hon. Mugambi Murwithania Rindikiri, M.P.
16. Hon. Rehema Dida Jaldesa, M.P.
17. Hon. Shadrack John Mose, M.P.
18. Hon. Tom Mboya Odege, M.P.
19. Hon. Vincent Kemosi Mogaka, M.P.

**Chairperson**

**Vice Chairperson**

**c) Committee Secretariat**

- |                             |                              |
|-----------------------------|------------------------------|
| 1) Ms. Chelagat Tungo Aaron | <b>First Clerk Assistant</b> |
| 2) Mr. Ahmed Salim Abdalla  | <b>Third Clerk Assistant</b> |
| 3) Ms. Mercy Wanyonyi       | <b>Legal Counsel</b>         |
| 4) Mr. James Muguna         | <b>Research Officer</b>      |
| 5) Mr. Abdinasir Moge Yusuf | <b>Fiscal Analyst</b>        |
| 6) Mr. Eugene Luteshi       | <b>Audio Officer</b>         |

## **1.2 Committal and Consideration of the Petition**

Pursuant to the provisions of Standing Orders 227 (1), the petition was referred to the Departmental Committee on Transport, Public Works and Housing for consideration and preparation of a report within 60 days.

The Committee proceeded with the consideration of the petition by holding meetings to set up terms of reference and scheduling meetings.

In considering the petition, the Committee invited and held meetings with the officials from the National Housing Corporation as well as Hon. Omar Mwinyi, MP who was standing in on behalf of the Petitioners. The meeting was aimed at responding to issues raised by the petitioners.

## **1.3 Committee Observations**

Having held meetings and considered the submissions presented on the petitions, the Committee observed that:-

- a) NHC developed 719 rental units in Changamwe in 1976 comprising of 2 bedroom and 3 bedrooms. The NHC lastly reviewed the rent in November 2005 where they are currently charging Kshs 7,500 for 2 bedroom and Kshs 8,500 for three bedrooms.
- b) The tenants have filed several court cases restraining the Corporation over the rent issues with the latest being *High Court Civil Suit No 59 of 2018- Dominic Otieno Miguna and Others vs National Housing Corporation..*
- c) The Committee noted that some of the plaintiff in the High court case for instance Dominic Miguna were still the signatories of the petition.

## **1.4 Response to the Prayers in the Petition**

The petitioners prayed that the National Assembly through the Committee Transport, Public Works and Housing:-

- a) Recommends that rent rates be harmonized, disputed arrears be waived, sewer issue be addressed and maintenance of the houses be commenced with immediate effect so that Petitioner plight is addressed

- b) Causes the tenants to be included in key decision making processes by the management of National Housing Corporation;
- c) Intervenes on the matter to ensure that tenants are allowed to purchase the houses under the NHC policy scheme on “Tenancy Agreement Option” ;and
- d) Makes any order or direction that it deems fit in the circumstances of the matter

**In response to the above prayers**

*The Committee could not investigate the petition further since the issues in the petition were subjudice vide HIGH COURT CIVIL SUIT NO 59 OF 2018- DOMINIC OTIENO MIGUNA AND OTHERS VS NATIONAL HOUSING CORPORATION.*

### 1.5 Adoption of the Report


We the members of the Departmental Committee on Transport, Public Works and Housing have pursuant to Standing Order 199 adopted this Report on the Petition on the National Housing Corporation Tenants Welfare Association in Changamwe Constituency, Mombasa County. We affix our signatures to affirm our approval and confirm its accuracy, validity and authenticity today Tuesday 6<sup>th</sup> November 2018.

1. Hon. David Pkosing, M.P

  
.....

**Chairperson**

2. Hon. Moses Kuria, M.P.

  
.....

**Vice Chairperson**

3. Hon. Samuel Arama, M.P.

  
.....

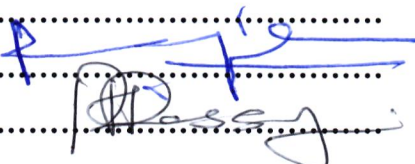
4. Hon. David Njuguna Kiaraho, M.P.

.....

5. Hon. Johnson Many Naicca, M.P.

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6. Hon. Rigathi Gachagua, M.P

  
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7. Hon. Peris Pesi Tobiko, M.P.

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8. Hon. Suleiman Dori Ramadhani, M.P.

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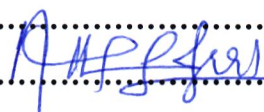
9. Hon. Savula Ayub Angatia, M.P.

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10. Hon. Ahmed Abdisalan Ibrahim, M.P.

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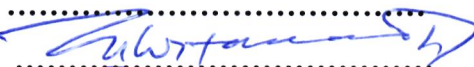
11. Hon. Ahmed Bashane Gaal, M.P.

  
.....

12. Hon. Dominic Kipkoech Koskei, M.P.

.....

13. Hon. Gideon Mutemi Mulyungi, M.P.

  
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14. Hon. Kulow Maalim Hassan, M.P.

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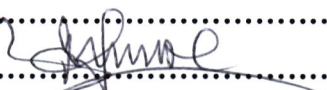
15. Hon. Mugambi M. Rindikiri, M.P.

  
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16. Hon. Rehema Dida Jaldesa, M.P.

.....

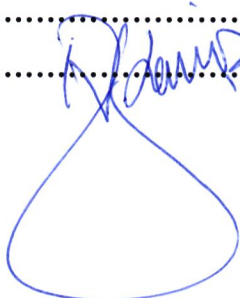
17. Hon. Shadrack John Mose, M.P.

  
.....

18. Hon. Tom Mboya Odege, M.P.

.....

19. Hon. Vincent Kemosi Mogaka, M.P.

  
.....

## 1.6 Acknowledgment

The Committee wishes to sincerely thank the Offices of the Speaker and the Clerk of the National Assembly for the support and services extended to the Members to enable the Committee complete this report within the given timelines.

I am grateful for the Members of the Committee whose support enabled the Committee to accomplish this task. Special thanks to the Secretariat for their technical support during the compilation of the report.

On behalf of the Committee, and pursuant to Standing Orders 227(2) of the National Assembly, It is my honor and privilege to present these report to the House for consideration and adoption of the Committee Report

SIGNED .....



6/11/2018

HON. DAVID PKOSING, CBS, M.P

CHAIRPERSON,

DEPARTMENTAL COMMITTEE ON TRANSPORT, PUBLIC WORKS & HOUSING

## 2.0 BACKGROUND INFORMATION

2.1 The Petition by the residents of Changamwe Constituency was presented to the House by the Hon.Omar Mwinyi, MP, Member for Changamwe Constituency on 25<sup>th</sup> July , 2018 pursuant to Standing Order 225 (2)(a).

2.2 Pursuant to House rules, the petition was referred to the Departmental Committee on Transport, Public Works and Housing for consideration and preparation of a report within 60 days. The Committee considered the petition pursuant to the provisions of Standing Order 227.

2.3 The petitioners wished to draw the attention of the House to the following:-

- I. Provisions of **Article 43(1) (b)** of CoK, 2010- *“Every person has the right- to accessible and adequate housing , and to reasonable standards of sanitation.”*
- II. THAT, affordable and decent Housing is one of the four big pillars contained in the Presidents Manifesto.
- III. THAT, residents of the National Housing Corporation Tenants Welfare Association have been tenants in the said estate for a long time and they got into the house hoping to own them one day.
- IV. THAT, the arbitrary increases in rent which are different, despite the houses being similar.
- V. THAT, Repairs of the said houses are undertaken by tenants themselves other than the contracted cleaning companies of the National Housing Corporations
- VI. THAT, the sewer system is messy occasioning tenants to contact individual experts to fix that cause
- VII. THAT, the roofing material is asbestos which contains hazardous substance that cause cancer and other respiratory ailments
- VIII. THAT, decisions made by the management are never all- inclusive specifically the on-going construction in the estate

IX. THAT, Efforts to resolve the issues with the relevant Government agencies have been futile. (Why? This petition is timely, given the failed attempts to resolve the issues)

X. THAT, the matters presented in the petition are not before any court of Law.

The petitioners prayed that the National Assembly through the Committee Transport, Public Works and Housing:-

- a) Recommends that rent rates be harmonized, disputed arrears be waived, sewer issue be addressed and maintenance of the houses be commenced with immediate effect so that Petitioner plight is addressed
- b) Causes the tenants to be included in key decision making processes by the management of National Housing Corporation;
- c) Intervenes on the matter to ensure that tenants are allowed to purchase the houses under the NHC policy scheme on “Tenancy Agreement Option” ;and
- d) Makes any order or direction that it deems fit in the circumstances of the matter

### **3.0 SUBMISSIONS AND EVIDENCE**

Having been seized of the Petition, the Committee commenced its consideration by inviting the Hon. Omar Mwinyi MP, on behalf of the petitioners to appear before it. The National Housing Corporation was also invited for a meeting on the same date. During the meeting, written and oral evidence was adduced as recorded hereunder:-

#### **3.1 Meeting with the Director National Housing Corporation (NHC)**

On Tuesday 4th September, 2018, the Committee met with Officials from NHC who made their presentation as follows, that:-

NHC developed 719 rental units in Changamwe in 1976 comprising of 2 bedroom and 3 bedrooms. IN 2005 the Corporation developed a further 72 flats.

The Corporation reviews its rent rates periodically; however after 1994 rent review the tenants went to court to restrain the Corporation from implementing the reviewed rates. The last rent increment was affected on November 2005.

Implementation of the new rates has been a challenge due to the frequent court orders

restraining the corporation to a status quo.

The tenants have filed several court cases restraining the Corporation over the rent issues with the latest being *High Court Civil Suit No 59 of 2018- Dominic Otieno Miguna and Others vs National Housing Corporation*. It was noted that some tenants have taken advantage of the legal system to benefit from the rent differential between the prevailing market rate and the amount they pay to the corporation.

#### **4.0 COMMITTEE OBSERVATIONS AND RECOMMENDATION**

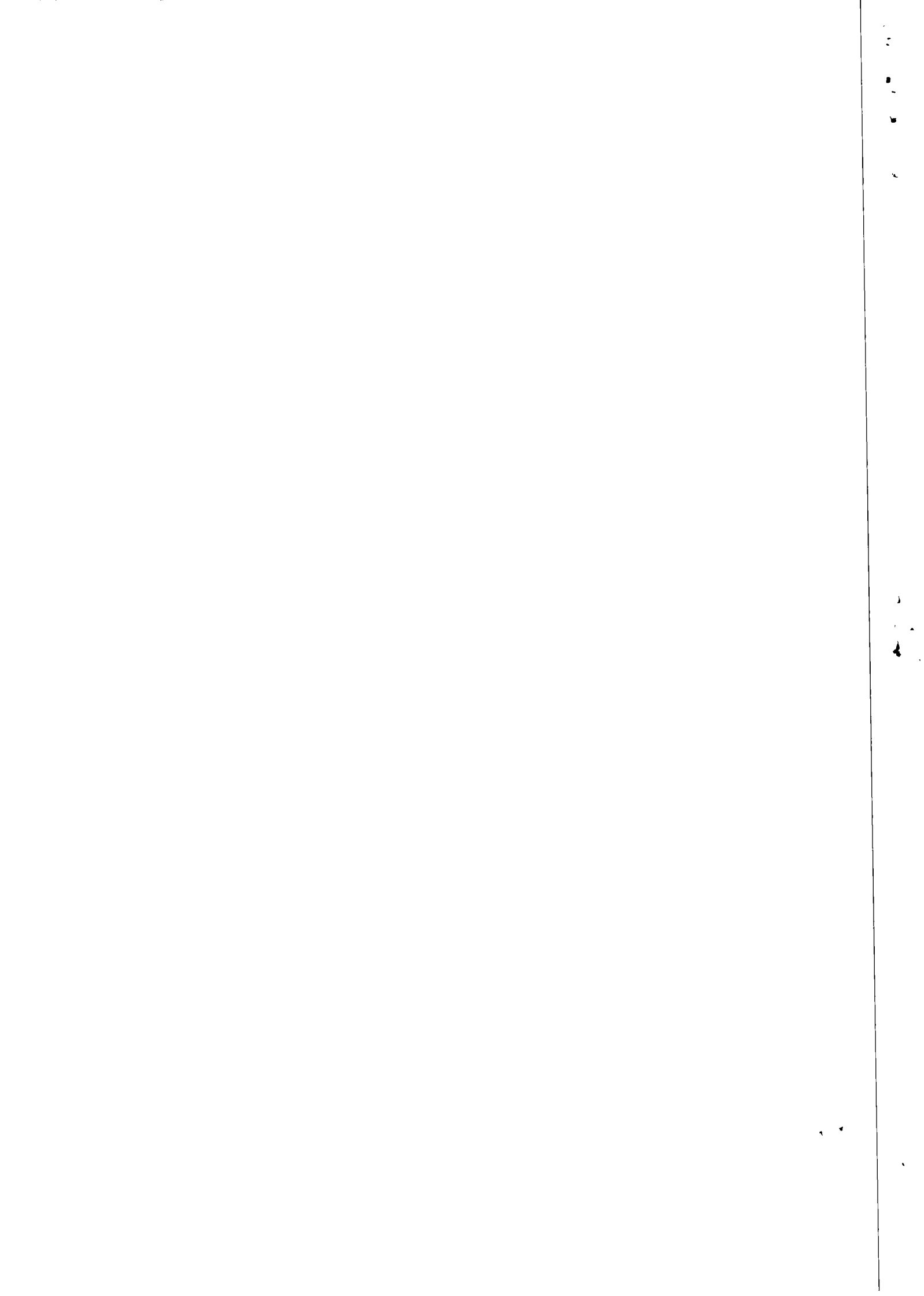
##### **4.1 Observations**

The Committee made the following observations, that:-

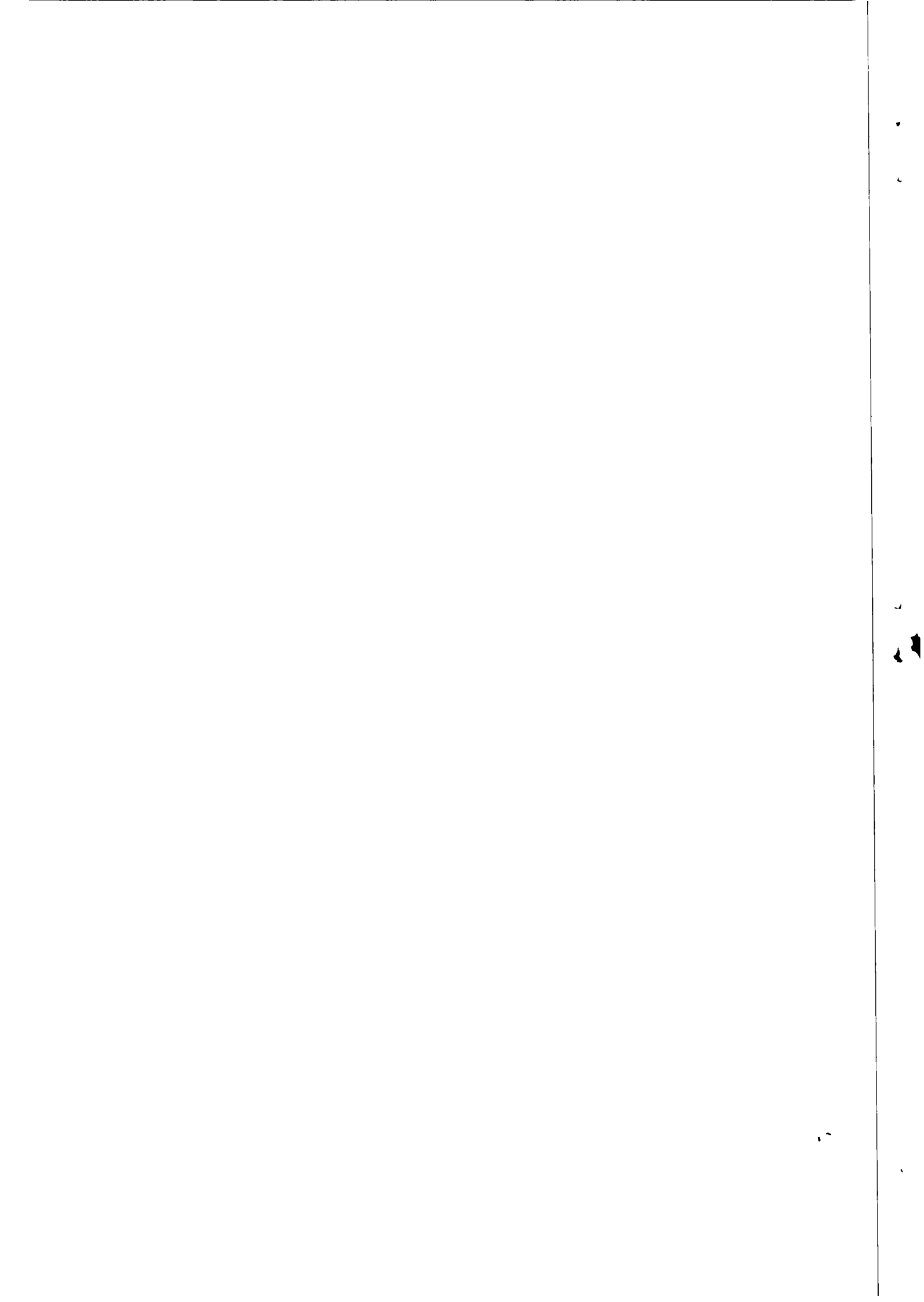
- a) NHC developed 719 rental units in Changamwe in 1976 comprising of 2 bedroom and 3 bedrooms. The NHC lastly reviewed the rent in November 2005 where they are currently charging Kshs 7,500 for 2 bedroom and Kshs 8,500 for three bedrooms.
- b) The tenants have filed several court cases restraining the Corporation over the rent issues with the latest being *High Court Civil Suit No 59 of 2018- Dominic Otieno Miguna and Others vs National Housing Corporation*.
- c) The Committee noted that some of the plaintiff in the High court case for instance Dominic Miguna were still the signatories of the petition.

##### **4.2 Recommendation**

***The Committee could not investigate the petition further since the issue in the petition were sub-judice vide HIGH COURT CIVIL SUIT NO 59 OF 2018- DOMINIC OTIENO MIGUNA AND OTHERS VS NATIONAL HOUSING CORPORATION.***



**ANNEXURE 1**  
**COPY OF THE PETITION**



Directorate of L&P (NA)  
The Table Office

# MEMO

THE NATIONAL ASSEMBLY  
RECEIVED  
25 JUL 2018  
DIRECTOR COMMITTEE SERVICES  
Time:.....

TO: DIRECTOR, COMMITTEE SERVICES

FROM: PRINCIPAL CLERK ASSISTANT I  
(HEAD OF TABLE OFFICE)

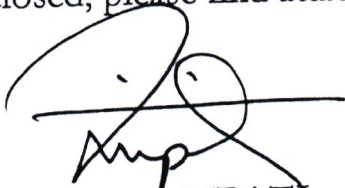
DATE: July 25, 2018

SUBJECT: PUBLIC PETITIONS

The following Petitions were presented to the House, on Wednesday, July 25, 2018 (Morning Sitting): -

1. Public Petition by residents of the National Housing Corporation Tenants Welfare Association in Changamwe Constituency, Mombasa County on their welfare by the Hon. Shimwi Omar Mwinyi, MP (Changamwe) (*referred to the Departmental Committee on ~~Lands~~ Transport*); and
2. Public Petition by the Transport Operators Workers' Union of Kenya on creation of Regulation of Digital Taxi/Cab Operations (E-Hailing Apps) in Kenya by the Hon. Simba Arati, MP (Dagoretti North) (*referred to the Departmental Committee on Transport, Public Works and Housing*).

Enclosed, please find attached the Petitions for your necessary action.

  
RANA K. TIAMPATI

(Encls.)

Copy to: -

1. Clerk of the National Assembly
2. Director of Legislative & Procedural Services
3. Chairperson, Departmental Committee on Transport, Public Works & Housing
4. Chairperson, Departmental Committee on Lands

1. MAETHRA  
2. TUNGO ✓  
Pls deal  
FA  
25/7/18

REPUBLIC OF KENYA



TWELFTH PARLIAMENT (SECOND SESSION)  
THE NATIONAL ASSEMBLY

Approved. <sup>11/07/2018</sup> July 26 2018  
BWA SNA  
24/7/18

It is for you approval  
24/7/18

**PUBLIC PETITION  
BY RESIDENTS OF NATIONAL HOUSING CORPORATION TENANTS  
WELFARE ASSOCIATION IN CHANGAMWE CONSTITUENCY, MOMBASA  
COUNTY**

I, the **UNDERSIGNED**, on behalf of residents of National Housing Corporation Tenants Welfare Association in Changamwe Constituency, Mombasa County,

**DRAW** the attention of the house to the following: -

1. **THAT**, Article 42 of the Constitution recognizes the right of every Kenyan to a clean and healthy environment which includes the right to have the environment protected for the benefit of present and future generations through legislative and other channels;
2. **THAT**, affordable and decent housing is one of the four big pillars contained in the President's Manifesto;
3. **THAT**, residents of the National Housing Corporation Tenants Welfare Association have been tenants in the said estate for a long time and they got into the houses hoping to own them one day;
4. **THAT**, there has been arbitrary increase of rent by the Management of the Estate leading to disparities despite the houses being similar;
5. **THAT**, repairs of the said houses are undertaken by tenants themselves other than the contracted cleaning companies of the National Housing Corporation;
6. **THAT**, the sewer system is messy occasioning tenants to contact individual experts to fix them at a fee and this is too expensive;
7. **THAT**, further, the roofing material is asbestos which contains hazardous substances that cause cancer and other respiratory ailments;
8. **THAT**, decisions made by the management are never all-inclusive specifically the ongoing constructions in the estate;

## PUBLIC PETITION

### BY RESIDENTS OF NATIONAL HOUSING CORPORATION TENANTS WELFARE ASSOCIATION IN CHANGAMWE CONSTITUENCY, MOMBASA COUNTY

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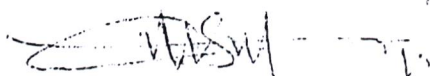
9. **THAT**, currently, there is an ongoing construction within the estate which hampers children from playing;
10. **THAT**, there have been numerous attempts to evict the tenants in the estate for no apparent reasons;
11. **THAT**, efforts to resolve this matter with the relevant Government agencies have been futile; and
12. **THAT**, the matters presented in this petition are not pending before any tribunal, court of law or Independent body;

**THEREFORE**, your humble Petitioners pray that the National Assembly, through the Departmental Committee on Lands: -

- i) Recommends that rent rates be harmonized, disputed arrears be waived, sewer issue be addressed and maintenance of the houses be commenced with immediate effect so that Petitioners' plight is addressed;
- ii) Causes the tenants to be included in key-decision making processes by the Management of National Housing Corporation;
- iii) Intervenes on the matter to ensure that tenants are allowed to purchase the houses under the NHC Policy Scheme on "*Tenant Purchase Option*"; and
- iv) Makes any other order or direction that it deems fit in the circumstances of the matter.

And your **PETITIONERS** will ever pray.

**PRESENTED BY:**



**HON. SHIMBWA OMAR MWINYI, MP**  
**MEMBER FOR CHANGAMWE CONSTITUENCY**

Date: 21 July 2018

REPUBLIC OF KENYA



THE NATIONAL ASSEMBLY

TWELVETH PARLIAMENT

PUBLIC PETITION

BY THE RESIDENTS OF NATIONAL HOUSING CORPORATION TENANTS WELFARE ASSOCIATION IN CHANGAMWE CONSTITUENCY MOMBASA COUNTY

I, THE UNDERSIGNED, on behalf of the residents of National Housing Corporation Tenants Welfare Association in Changamwe Constituency, Mombasa County.

DRAW the attention of the House to the following:

- i. THAT, tenants got into the houses hoping to own them one day.
- ii. THAT, there has been an arbitrary increase of rent. From Kshs 400- 800- 1200- 2400- 4,800- 6,000- 7,500- 10,000 for 2 bedroom and 800- 1,600- 3,600- 5,800- 6,600- 7,500- 8,500- 12,000 for 3 bedroom house. This has brought rent disparities even though the houses are similar.
- iii. THAT, repairs to the houses are also being undertaken by the tenants themselves. Maintenance of the estates is done by the tenants rather than the contracted cleaning company of NHC.
- iv. THAT, the sewer system is messy. Tenants have to contract individuals at a fee on a weekly basis to temporarily fix it.
- v. THAT, the roofing system is asbestos and poses a health hazard to tenants which we believe can cause cancer. Efforts to have them removed have proved futile.

*P. Kariri*  
*Chairman*

BY THE RESIDENTS OF NATIONAL HOUSING CORPORATION TENANTS WELFARE  
ASSOCIATION IN CHANGAMWE CONSTITUENCY MOMBASA COUNTY

---

- vi. THAT, decisions are made without the consultation of tenants including the ongoing construction.
- vii. THAT, open spaces within the estate meant for recreation, fire assembly points and garbage collection have been absorbed by the ongoing construction.

**THEREFORE** your humble petitioners PRAY that the National Assembly through the Departmental Committee on Lands intervenes to have the Government investigate the matter and consider

- i. Harmonizing the rent.
- ii. Waive disputed arrears.
- iii. That maintenance of the houses is undertaken immediately.
- iv. That our children no longer have playgrounds due to the ongoing construction on open spaces.
- v. Infrastructure such as roads, sewer system, street lights is taken care of.
- vi. That any attempts to evict tenants be halted till the matter is resolved.
- vii. That in the spirit of the President's four pillars one being affordable housing, current tenants are allowed to purchase and own their respective houses.

And your **PETITIONERS** will ever pray.

**PRESENTED BY:**


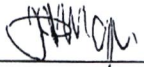
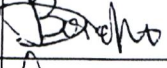
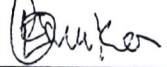
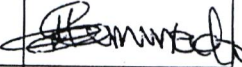
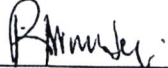


**HON. SHIMBWA OMAR MWINYI, MP**  
**MEMBER FOR CHANGAMWE CONSTITUENCY**

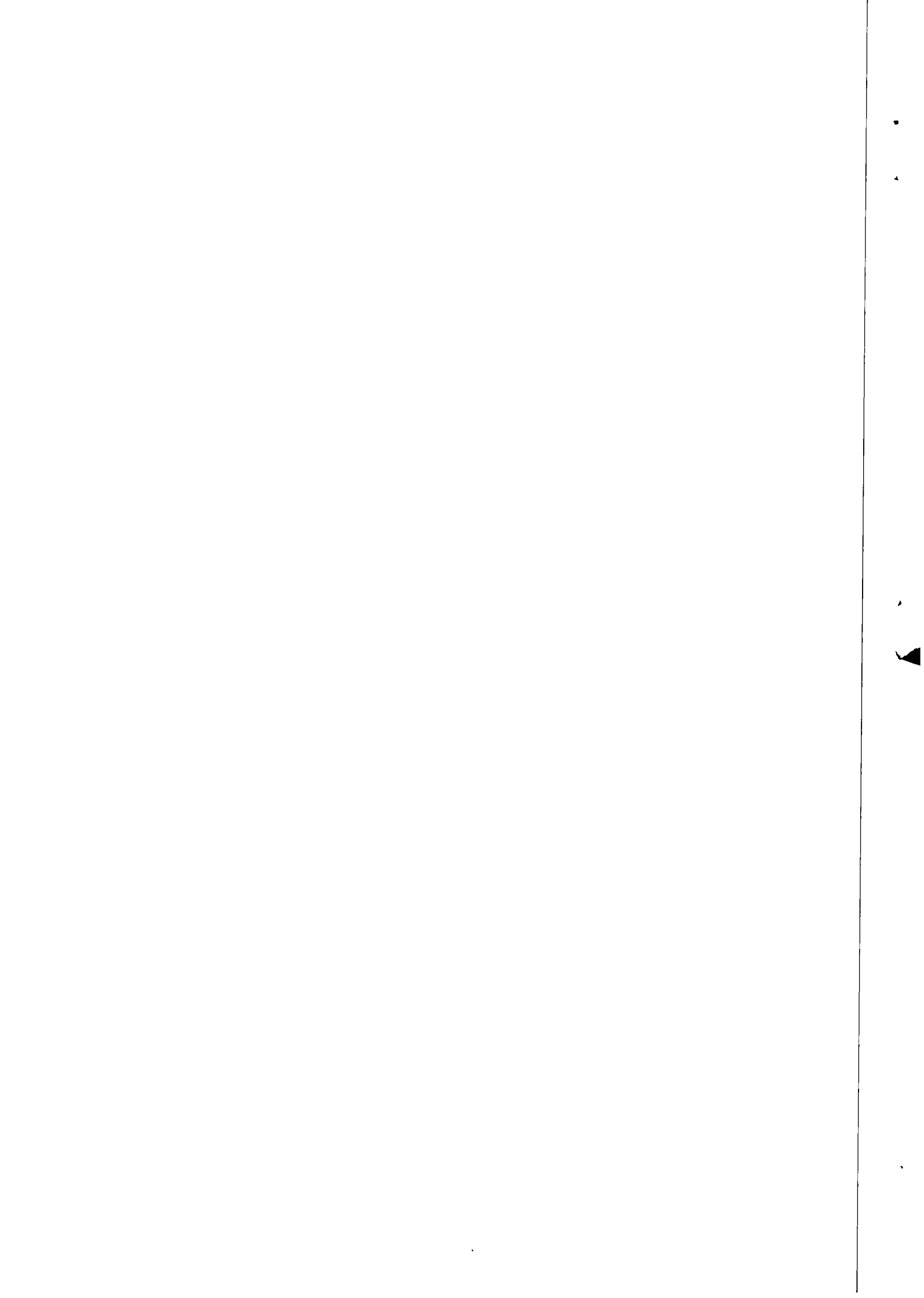
**DATE.....**

PUBLIC PETITION

BY THE RESIDENTS OF NATIONAL HOUSING CORPORATION TENANTS WELFARE ASSOCIATION IN CHANGAMWE CONSTITUENCY, MOMBASA COUNTY

S/N	NAME	ID NO	TEL NO	SIGNATURE
1	Francis Ndichu Nganga	1026877	0722857320	
2	Domnic Miguna	13466168	0723974682	
3	Suzan Kamau	13126227	0724156831	
4	David Mbogho	0118568	0710187579	
5	Evans Okeyo	6379222	0721274793	
6	Malachi Orondo	04591258	0722798899	
7	Rose Sindiga	1369925	0721820198	
8	Raphael Langat	5476925	0721376139	
9	Elizabeth Tatu Mutisya	1165367	0737941744	
10	Benard Simiyu	8759139	0721439525	

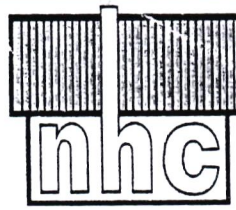
**ANNEXURE 2**  
**SUBMISSION BY THE NHC**



599

# National Housing Corporation

From the Office of the Managing Director



NHC House  
Aga Khan Walk  
P. O. Box 30257-00100, Nairobi  
Telephone: +254 3312147/9  
Telegrams 'HOUSING'  
Fax : +254 (020) 3311318  
E-mail: info@nhckenyaco.ke  
Website: www.nhckenyaco.ke

Your Ref: NA/DCS/TPWH/CORP/2018/065

Our Ref: NHC/CONF/GEN/1/209 (69)AS

Date: 23<sup>rd</sup> August, 2018

The Clerk of the National Assembly  
Clerk's Chambers  
National Assembly Parliament Buildings  
P. O. Box 41842-00100  
NAIROBI

*Plans.*  
*31/8/18*

ATT. MR. JEREMIAH W. NDOMBI

Dear *Sir,*

**RE: PETITION BY RESIDENTS OF THE NATIONAL HOUSING CORPORATION  
TENANTS WELFARE ASSOCIATION IN CHANGAMWE CONSTITUENCY,  
MOMBASA COUNTY**

Your letter ref. NA/DCS/TPWH/CORP/2018/065 dated 14<sup>th</sup> August 2018 on the above subject refers.

Enclosed herewith please find, detailed supplementary information both in hard and soft copy regarding Changamwe petition.

Yours *Sincerely,*

*AS*  
**ANDREW SAISI**  
**MANAGING DIRECTOR**



*2 Evans Am*  
*Bring to the attention*  
*of the committee*  
*31/8/18*  
*HS*

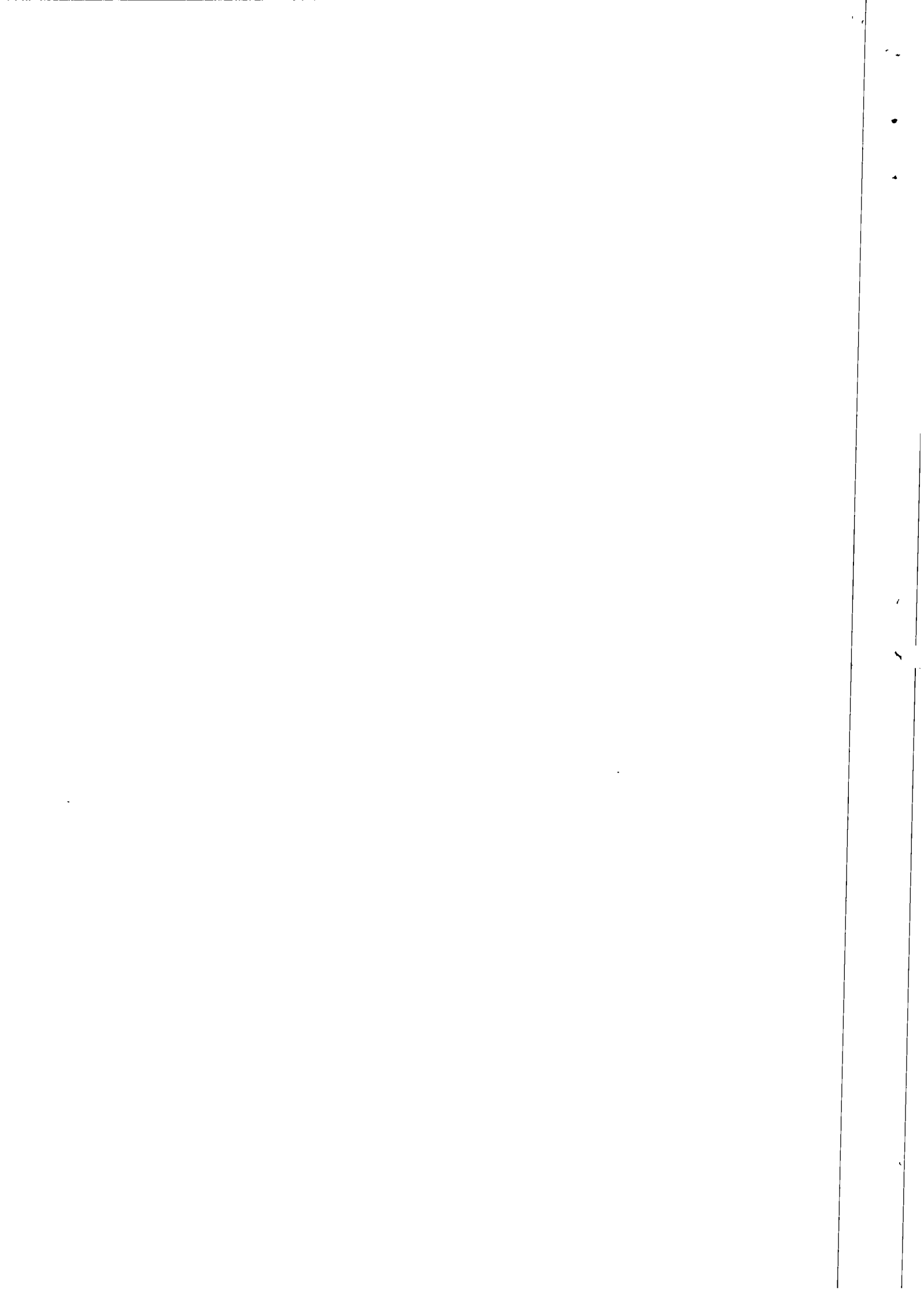
cc. Mr. Charles M. Hinga,  
The Principal Secretary,  
State Department for Housing & Urban Development,  
Ministry of Transport, Infrastructure, Housing, Urban Development & Public Works  
Ardhi House, 6<sup>th</sup> floor  
NAIROBI

Encls. *(A) TUNAO*  
*deaf*

AS/eao

HOUSING THE NATION

*pls*  
*FA*  
*03/9/18*



**RESPONSE BY THE NATIONAL HOUSING CORPORATION TO THE DEPARTMENT COMMITTEE ON TRANSPORT, PUBLIC WORKS, LAND AND HOUSING REGARDING THE PETITION BY RESIDENTS OF THE NATIONAL HOUSING CORPORATION TENANTS WELFARE ASSOCIATION IN CHANGAMWE, MOMBASA COUNTY OF 14TH AUGUST, 2018**

**1.0 INTRODUCTION/BACKGROUND**

NHC developed 719 rental units in Changamwe (old), Mombasa in 1976 comprising of two and three bedroom bungalows and maisonettes, flats and some shops. In 2005, the Corporation developed a further 72 flats on the scheme referred to as Changamwe Infills, two of which are used as offices by the Corporation totaling to 789 rental units and 9 shops.

The Corporation reviews its rental rates periodically. However after the 1994 rent review, the Changamwe tenants went to court to restrain the Corporation from implementing the revised rent. Since then, rents have been reviewed several times, with the last rent increment effected in November 2005. The tenants in the old Changamwe Estate do not pay service charge despite the rents being significantly below market rates.

Over time, it has not been possible to implement new rates for the entire estate due to the frequent court orders restraining the Corporation to a status quo while the never ending court cases are in progress. However, a significant proportion of the tenants who are not party to the cases have complied but with minimal default.

Court orders have impeded the day to day estate administration by imposing restrictions on matters such as levying distress when demanding outstanding rent.

Progressively, the courts have dispensed with most of the outstanding court cases in favour of the Corporation and hence the recent action by the Corporation to try and recover rent arrears owed by tenants, by way of levying distress for rent.

## 1.1 RENT PAYABLE

The tables here below show the amounts of revised rent payable and the current rent paid for the various units:-

### • 2 Bedroom Houses (Bungalows) (Table 1)

No. of Tenants	Rent per month (Kshs.)	Expected monthly Income (Kshs.)	Rent currently demanded since 2005	Total	Loss
291	7,500	2,182,500	7,500	2,182,500	Nil
248	6,000	1,488,000	7,500	1,860,000	372,000
39	4,800	187,200	7,500	292,500	105,300
15	1,400	21,000	7,500	112,500	91,500
19	1,200	22,800	7,500	142,500	119,700
612					688,500

### • 3 Bedroom Houses (Maisonettes) (Table 2)

No. of Tenants	Rent per month (Kshs.)	Expected Monthly Income (Kshs.)
49	8,500	416,500
35	7,500	262,500
4	6,000	24,000
88		703,000

• Shops (Table 3)

No. of Tenants	Rent per month (Kshs.)	Expected Monthly Income (Kshs.)
7	7,500	52,500
1	4,000	4,000
1	Bar and Restaurant	17,400
9		75,400

• Apartments (Table 4)

No. of Tenants	Rent per month (Kshs.)	Expected Monthly Income (Kshs.)
2	8,500 (3br)	17,000
1	800(3br)	800
4	7,500 (2br)	30,000
1 x 3 br unit let out in parts as follows:		
1 room	2,135	2,135
2 rooms	2,130	2,130
8		52,065

• Bedsitter (Store) (Table 5)

No. of Tenants	Rent per month (Kshs.)	Expected Monthly Income (Kshs.)
1	1,500	1,500

## 1.2 HOUSES OCCUPIED BY KENYA PORTS AUTHORITY (KPA) STAFF

There are a total of 86 houses rented by KPA staff in the old Changamwe Estate. The rent is paid by the employer and the rent remitted to the Corporation on a monthly basis. The rent summary for these staff is as follows:-

- 7 tenants in the 3br units are paying Kshs.7,500 as opposed to Kshs.8,500 receivable.
- 73 tenants in the 2br units are paying Kshs.6, 000 as opposed to Kshs.7, 500 receivable.
- 6 tenants in the 2br units are paying the revised rent of Kshs.7, 500.

KPA staff have accepted to pay the revised rates and have made proposals to clear the arrears.

## 1.3 RENTAL MARKET SURVEY

Indicative market rental rates for the general Coast region and Changamwe neighborhood are indicated at *Appendix I*.

It is evident that the rents charged for NHC houses in Changamwe are significantly below the market rate.

Some sitting tenants have taken advantage of the legal system to benefit from the rent differential between the prevailing market rate and amounts they pay to the Corporation to enrich themselves. The number of tenants who have gone rogue is on the increase. This has seen the repeated subletting of public assets at the detriment of 'their tenants' when the Corporation distresses for rent.

The court cases instituted by tenants are intended to protect and propagate this vice, resulting in massive losses (Table 6) to the Corporation.

**Table 6**

Units	Accommodation	Rent Charged (per month)	Total	Market Rate	Total	Loss
612	2br	7,500	4,590,000	12,000	7,344,000	2,754,000
88	3br	8,500	748,000	15,000	1,320,000	572,000
700	<b>Total</b>		<b>5,338,000</b>		<b>8,664,000</b>	<b>3,326,000</b>

## 2.0 REGENERATION OF THE NHC CHANGAMWE ESTATE

National Housing Corporation is currently developing a Master Plan for Changamwe Estate to inform its renewal. This will optimize utilization of the 58 acre plot while ensuring that there is a sustainable human settlement. The Master Plan proposes to house more Kenyans in line with the Housing pillar of the Big 4 agenda.

The Corporation has carved out a 5 acre portion for immediate re-development for sale and rentals (*Appendix II*). Priority to rent or purchase the re-developed property will be given to the existing or current tenants.

Magongo Primary School, Gome Primary School and St. Charles Lwanga Secondary School which are within the estate would require upgrade and refurbishment to cater for the increased population. The existing recreational spaces will be repositioned and redesigned to cater for the community.

The units will be clustered residential blocks linked by landscaped courts to create a compact community that is inclusive, safe and decent in a sustainable environment. It will advance the idea of communal living by introducing common areas such as children play areas, day care centres, fire assembly points and communal parking lots.

The Corporation plans to install a water treatment plant in liaison with the Changamwe Constituency Development Fund (CDF). The plant will treat water from the borehole sunk by the CDF and the portable water will be metered to the houses and the revenue realized will be apportioned to the cost of maintaining the borehole, water plant, piping, CDF and other relevant overheads.

Additional boreholes will be sunk and treatment plants installed as part of the wider Changamwe re-development, guided by the Master Plan.

### 3.0 COURT CASES

a) In 2008, some of the tenants filed a representative suit in court namely CMCC NO. 2665 of 2008 where they sought:

- To challenge the Corporation's decision to increase rent from the initial amount
- An order restraining the Corporation from increasing rent.

The court in its Judgment dated 27<sup>th</sup> March 2014 recognized that the tenants had agreed and/or consented to clause 22 (a) of the Standard Lease Agreements allowing the Corporation to periodically increase rent payable by signing the standard lease agreements. **The court held that the case had no basis and therefore proceeded to dismiss the same with costs to the Corporation.**

b) The tenants being dissatisfied by the court's decision in CMCC NO. 2665 of 2008 appealed the said decision vides HCCA No. 61 of 2014 which case was also dismissed.

c) After the dismissal of HCCA No. 61 of 2014, the tenants filed yet another appeal namely HCCA 112 of 2014 which was also dismissed.

d) The tenants thereafter filed **HIGH COURT PETITION NO 7 OF 2015. STANLEY KAMERE AND OTHERS VS NATIONAL HOUSING & 2 OTHERS** over the constitutionality of the increased rent and the Corporation's actions of evicting tenants in arrears and upon hearing the Petition, Justice Emukule found that the Petition was an abuse of the court process and dismissed the same with costs to the Corporation.

e) The tenants despite knowledge of the above court decisions and in abuse of the court process in May, 2017 filed **HIGH COURT ELC PETITION NO 21 OF 2017. DOMINIC OTIENO MIGUNA AND OTHERS VS NATIONAL HOUSING CORPORATION** over the constitutionality of the increased rent and the Corporation's actions of evicting tenants in arrears similar to **HIGH COURT PETITION NO 7 OF 2015. STANLEY KAMERE AND OTHERS VS NATIONAL HOUSING & 2 OTHERS.**

The Corporation in the interest of justice and in reliance of the principle that litigation must come to an end raised a Notice of Preliminary Objection in June, 2017 premised on Section 7 of the Civil Procedure Act, Chapter 21 Laws of Kenya. The court by its Ruling in March, 2018 upheld the Corporation's Preliminary Objection and dismissed the Petition.

f) The tenants proceeded to file an Application before the Court of Appeal on 27<sup>th</sup> March, 2018 seeking injunctive Orders to restrain the Corporation from evicting the tenants herein pending the determination of Appeal and 2 days later filed a similar application before the high court in **HIGH COURT ELC PETITION NO 21 OF 2017. DOMINIC OTIENO MIGUNA AND OTHERS VS NATIONAL HOUSING CORPORATION.**

g) The High Court in **ELC PETITION NO 21 OF 2017. DOMINIC OTIENO MIGUNA AND OTHERS VS NATIONAL HOUSING CORPORATION** by its ruling in **May, 2018** declined the injunctive orders sought pending appeal and the Application was dismissed on the ground that there was no arguable appeal as no case had been made out to warrant grant of injunction.

h) The tenants have to date not fixed the matter for hearing of the Court of Appeal Application and are cunningly maintaining it in abeyance to the detriment of the Corporation's interest.

i) The Corporation intending to recover the rent arrears appointed a firm of auctioneers who pursuant to rules 6 and 10 of the Auctioneer Rules (1997) made an *Exparte* Application in **Mombasa Chief Magistrate's Court Miscellaneous Application No. 244 of 2018** seeking break open orders and police security to enable them discharge their mandate.

j) The tenants however filed a Notice of Motion Application dated 22<sup>nd</sup> June, 2018 in **Mombasa Chief Magistrate's Court Miscellaneous Application No. 244 of 2018** under Certificate of Urgency seeking review orders against the Police security orders granted.

The tenants failed to comply with the court's directives that they file written submissions in regard to their Application and further failed to attend court on the **16<sup>th</sup> July, 2018** and consequently the tenants' Application seeking review Orders was dismissed.

k) The tenants filed suit on **8<sup>th</sup> November 2012** vide **HCC No. 5 of 2012 (FADHILA S. ALI, DOMINIC OTIENO MIGUNA AND OTHERS VS NHC AND OTHERS)** seeking to stop the Corporation from constructing the Infills at the Changamwe property and managed to obtain injunctive orders against the Corporation. The matter dragged in court for five years to **26<sup>th</sup> July 2017** when the Court dismissed the tenants notice of motion dated **7<sup>th</sup> November 2012**. Subsequently the matter came up for the hearing of the main case on **11<sup>th</sup> October 2017** but however the tenants and the Corporation recorded a consent in the following terms:-

1. That the Plaintiffs have now fully dropped their objection to the construction and the construction to proceed with full compliance with the NEMA Regulations and in terms of the Approvals from the County Government.
2. The Corporation will carry out repairs of the sewerage system as and when the need arises.

The only remaining issue is the element of costs to be paid.

#### 4.0 THE PETITION

##### PETITION 1:

THAT, Article 42 of the Constitution recognizes the right of every Kenyan to a clean and healthy environment which includes the right to have the environment protected for the benefit of present and future generations through legislative and other channels;

##### PETITION 2:

THAT, affordable and decent housing is one of the four big pillars contained in the President's Manifesto;

##### NHC'S RESPONSE:

The Corporation joins issue with Petitions 1 & 2.

##### PETITION 3:

THAT, residents of the National Housing Corporation Tenants Welfare Association have been tenants in the said estate for a long time and they got into the houses hoping to own them one day.

##### NHC'S RESPONSE:

The tenure systems for housing projects are either for direct sale/purchase (mortgage/cash), or rent to buy (Tenant Purchase for a specific period of time), or rental.

It is instructive to note that the Corporation developed the Changamwe Estate as a rental scheme and continues to administer it as such. A list of the current tenants is attached (*Appendix III*). Rentals are there to allow those without disposable income to buy houses to access decent housing. Those with adequate income to purchase houses can buy from any of the other Corporations' schemes on offer or in the open market.

Under the master plan for Changamwe, the Corporation has proposed that a portion of the redevelopment be reserved for sale/purchase. Tenants interested will be invited and given the first right of refusal. For now, the old houses in Changamwe will not be sold to tenants or any other party.

**PETITION 4:**

**THAT**, there has been arbitrary increase of rent by the Management of the Estate leading to disparities despite the houses being similar.

**NHC'S RESPONSE:**

As shown in tables below, the first rent increment was done in 1994. Thereafter, the Corporation has continued to revise the rents every 4 years.

- **2 Bedroom Houses (Table 7)**

<b>RENT PER MONTH</b>	<b>FROM</b>	<b>TO</b>
800 to 1,200	1 <sup>st</sup> Apr 1990	30 <sup>th</sup> Apr 1994
1,200 to 2,400	1 <sup>st</sup> May 1994	30 <sup>th</sup> May 1997
2,400 to 4,800	1 <sup>st</sup> Jun 1997	30 <sup>th</sup> Jul 2001 not all houses
4,800 to 6,000	1 <sup>st</sup> Aug 2001	28 <sup>th</sup> Feb 2004
6,000 to 6,500	1 <sup>st</sup> Mar 2004	30 <sup>th</sup> Oct 2005
7,500 to 8,500	1 <sup>st</sup> Nov 2005	Up to date. All two bedroom houses' rent was increased uniformly to Kshs.7,500 per month.

- **3 Bedroom Houses (Table 8)**

<b>RENT PER MONTH</b>	<b>FROM</b>	<b>TO</b>
1,000 to 1,600	1 <sup>st</sup> Apr 1990	30 <sup>th</sup> Apr 1994
1,600 to 3,200	1 <sup>st</sup> May 1994	30 <sup>th</sup> May 1997
3,200 to 6,000	1 <sup>st</sup> Jun 1997	30 <sup>th</sup> Jul 2001
6,000 to 7,500	1 <sup>st</sup> Aug 2001	28 <sup>th</sup> Feb 2004
6,500 to 7,500	1 <sup>st</sup> Mar 2004	Up to date. Done as per allocation. All three bedroom houses' rent was increased uniformly to Kshs.8,500 per month in November 2005.

The Corporation abided by the court orders maintaining status quo. Any disparities are as a result of the rent arrears that arise from the court cases when:

- Tenants decline to pay the new rents;
- Tenants take advantage of the status quo order and stop paying current rates hiding behind the court case.

When the case was determined in the Corporation's favor, rent due was computed from the day the case was initiated to the date of ruling with increments where applicable. In the Corporation accounts, there was no variation.

The only difference is between 2 and 3 bedroom units. It is therefore incorrect to claim disparity. The Honorable members will realize from Table 1 & 2 above, that the last increment was done 13 years ago which is still holding to date and the obtaining rents are below the market rate, as shown in *Appendix 1*.

From the table below, 38% of the tenants are up to date with rent payment, in spite of the court issues. 61.4% owe less than 4 months of rent payment.

The contested issues affect about 38.6% of the tenants.

<b>Arrears</b>	<b>No. of Tenants</b>
0 - 20,000	273
21,000 -50,000	212
51,000 -100,000	83
101,000 -200,000	125
200,001- above	96

The total rent arrears which are also subject of Audit and PIC reports amount to Kshs.69,994,948 (*Appendix IV*) which the Corporation is striving to collect. If rent arrears are not collected, the Corporation would incur massive losses. Past tenants have left with Kshs.46, 250,844 in arrears (*Appendix V*) by taking advantage of the court cases.

#### **PETITION 5:**

**THAT**, repairs of the said houses are undertaken by tenants themselves other than the contracted cleaning companies of the National Housing Corporation.

#### **NHC'S RESPONSE:**

The cleaning companies contracted by NHC offer only cleaning and garbage collection services to the estate.

The Corporation undertook an inspection of the houses and a schedule for required repairs and maintenance prepared. *Appendix VI* are copies of letters of award to M/s Nyali Construction and M/s Dickways Limited for repairs of the houses.

Under law and tenancy agreements, developers/landlords are responsible only for external repairs while the tenants are responsible for internal repairs.

It is therefore a misrepresentation by the tenants to claim that they have been solely responsible for repairs and maintenance.

#### **PETITION 6:**

**THAT**, the sewer system is messy occasioning tenants to contact individual experts to fix them at a fee and this is too expensive.

#### **NHC'S RESPONSE:**

NHC acknowledges that the sewer system within the Changamwe estate often clogs up resulting to back flow. In such instances, the Corporation clears and exhausts the sewer line without fail at its cost.

In an effort to conclusively deal with this issue, the Corporation commissioned civil engineers, M/s Avatech Consult Ltd, to investigate the problematic sewer. The consultant engineers have undertaken the study and made recommendations. The Corporation has engaged M/s Newtomic Contractors to fix the sewer.

As earlier discussed under court cases at section 3(k) (2) of this document, **HCC No. 5 of 2012 (FADHILA S. ALI, DOMINIC OTIENO MIGUNA AND OTHERS VS NHC AND OTHERS)**, the tenants and the Corporation recorded the following consent :-

**The Corporation will carry out repairs of the sewerage system as and when the need arises.**

Further to this consent,

1. Infrastructure such as sewer, roads and street lighting have been attended to as per the consulting engineers' recommendation referred to above.
2. The long term solution will be to re-build the sewer line afresh. This will be undertaken during the regeneration of the estate.

#### **PETITION 7:**

**THAT**, further, the roofing material is asbestos which contains hazardous substances that cause cancer and other respiratory ailments.

#### **NHC'S RESPONSE:**

A directive was issued by National Environment Management Authority (NEMA) on 15<sup>th</sup> November 2016 to all Ministries, Departments and Agencies (MDAs) for a requirement on asbestos removal, handling and safe disposal drawing attention to NEMA developed National guidelines on safe Management and Disposal of Asbestos. (*Appendix VII*)

In view of the above, NHC has established an inventory of all its' facilities with asbestos roofing materials amongst them is the NHC Changamwe rental housing estate in Mombasa County. NHC has commenced the process of removal, transport and safe disposal from its housing estates in compliance with the NEMA directive.

The approach adopted is to attend to asbestos roofing materials in our estates scheduled for redevelopment such as Changamwe and then gradually roll out the process to the rest of our facilities.

The proposed exercise for asbestos removal, transport and safe disposal for NHC Changamwe rental housing estate has been subjected to an Environmental Impact Assessment and an EIA project report submitted to and received at NEMA HQ on 9<sup>th</sup> May 2018 for review and consideration for issuance of the EIA license. (*Appendix VII*)

NHC has further procured and awarded the services of a NEMA licensed handler, transporter and identified a NEMA Licensed Asbestos waste disposal site in readiness for the exercise at NHC Changamwe Rental Housing Estate once the EIA license is issued by NEMA. (*Appendix VII*)

It is worth noting that this matter has been adjudicated by the Court in Mombasa and which has directed that .....” the Corporation will implement the said order accordingly.”

**PETITION 8:**

**THAT**, decisions made by the management are never all-inclusive specifically the ongoing constructions in the estate.

**NHC’S RESPONSE:**

The ongoing construction at NHC Changamwe Rental Estate in Mombasa County, comprises of six (6 No) block comprising eighty four (84 No.) apartments.

NHC takes cognizance of the statutory requirement for Consultation and Public Participation (CPP) in the processes of project implementation and operations as enshrined in the Constitution of Kenya, 2010.

Further, CPP is a mandatory requirement by NEMA for issuance of EIA licenses. Any proposed project must undertake and document the CPP process as part of the EIA exercise and provide the evidence in the EIA project/study report.

NHC complies with statutory requirement for the CPP for its proposed projects and existing facilities. In the case of Changamwe estate the following has been done;

1. NHC applied and was issued with an EIA license by NEMA for the ongoing NHC Changamwe Infill Housing Project on 28<sup>th</sup> January 2014 for construction of six (6) apartment blocks. (*Appendix VII*).
2. NHC applied and was issued with Certificate of Variation of EIA license by NEMA for the ongoing NHC Changamwe Infill Housing Project. This was for extension of EIA License validity period by additional twenty four (24) months with effect from 7<sup>th</sup> June 2016. Certificate No. NEMA/EIA/VC/373. (*Appendix VII*).
3. Included in *Appendix VII* is an extract from the EIA project report submitted to NEMA as evidence of the CPP process. This is a record of minutes/proceedings of the meeting / Baraza held with the stakeholders on 18<sup>th</sup> April 2013 and summarized analysis of the CPP process.
4. An Initial Environmental Audit was carried out for the entire Changamwe Rental Housing Estate and the report submitted to and received at NEMA Mombasa County office on 30<sup>th</sup> June 2016. Evidence of CPP process for the Environmental Audit is an extract from the Initial Environmental Audit report; the meeting / Baraza held with the stakeholders, random sample questionnaires from stakeholders and summarized analysis of the CPP process (*Appendix VII*).

5. EIA was carried out for the proposed asbestos removal, transportation and safe disposal for NHC Changamwe rental housing estate. CPP process for the EIA process include minutes of the meeting held with the stakeholders, random sample interviews with feedback forms from lead agencies and random sample questionnaires from stakeholders and summarized analysis of the CPP. (*Appendix VII*).

With reference to the section 3(k) (1) HCC No. 5 of 2012 (**FADHILA S. ALI, DOMINIC OTIENO MIGUNA AND OTHERS VS NHC AND OTHERS**), the tenants and the Corporation recorded the following consent :-

**That the Plaintiffs have now fully dropped their objection to the construction and the construction to proceed with full compliance with the NEMA Regulations and in terms of the Approvals from the County Government.**

**PETITION 9:**

**THAT**, currently, there is an ongoing construction within the estate which hampers children from playing.

**NHC'S RESPONSE:**

The ongoing construction has not hampered children from playing because it is being carried out in enclosed hoarded areas as approved by the County Government, NEMA and NCA.

With reference to section 3(k) (1) HCC No. 5 of 2012 (**FADHILA S. ALI, DOMINIC OTIENO MIGUNA AND OTHERS VS NHC AND OTHERS**), the tenants and the Corporation recorded the following consent :-

**That the Plaintiffs have now fully dropped their objection to the construction and the construction to proceed with full compliance with the NEMA Regulations and in terms of the Approvals from the County Government.**

**PETITION 10:**

**THAT**, there have been numerous attempts to evict tenants in the estate for no apparent reasons.

**NHC'S RESPONSE:**

The Corporation has never attempted to evict any tenant save for enforcing its rights of distressing for rent as per law established.

With reference to Section 3(d), 'The tenants thereafter filed **HIGH COURT PETITION NO 7 OF 2015. STANLEY KAMERE AND OTHERS VS NATIONAL HOUSING & 2 OTHERS** over the constitutionality of the increased rent and the Corporation's actions of evicting tenants in arrears and upon hearing the Petition, Justice Emukule found that the Petition was an abuse of the court process and dismissed the same with costs to the Corporation.'

**PETITION 11:**

**THAT**, efforts to resolve this matter with the relevant Government agencies have been futile.

**NHC'S RESPONSE:**

The petitioners on their own behalf and other tenants have commenced a myriad of court cases before the Magistrates and the High Court in Mombasa which cases have been decided in favour of NHC and/or pending determination in the said courts and therefore the issues raised in this petition are either '*res judicata*' and/or '*res subjudice*'.

Borrowing from one of the judges, the petitions are an abuse of established systems, hence the reason why the various Government agencies namely NEMA, County Government of Mombasa, NHC, Magistrate and High Courts have independently declined to grant the tenants their wishes.

**PETITION 12:**

**THAT**, the matters presented in this petition are not pending before any tribunal, court of law or Independent body.

**NHC'S RESPONSE:**

The latest case is High Court Civil Suit No. 59 of 2018 -**DOMINIC OTIENO MIGUNA AND OTHERS VS NATIONAL HOUSING CORPORATION** which is coming up for hearing on 3<sup>rd</sup> October, 2018 and thereby the matter is '*res subjudice*'.

It is clear that there are matters/issues raised in this petition before the Parliamentary Committee are in the process of being canvassed by the High Court of Kenya contrary to the averment by the petitioners that ".....the matters are not before any tribunal....."

The Corporation prays that the Parliamentary Committee awaits the court verdict.

*(Appendix VIII - rulings, orders and judgments)*

## 5.0 PETITIONERS PRAYERS

- i) Recommends that the rent rates be harmonized, disputed arrears be waived, sewer issue be addressed and maintenance of the houses be commenced with immediate effect so that petitioners' plight be addressed.

### NHC'S RESPONSE

- To date, the rent rates in the estate are harmonized as addressed under petition 4.
  - There is no dispute on the arrears. The rent arrears arise from the tenants own actions i.e.
    - Tenants ignoring the new rates and continue paying the old rent citing status quo from the court cases.
    - Tenants taking advantage of the status quo orders and stop paying rent hiding behind the court case.
    - Tenants who are short-term defaulters.
  - Maintenance of sewer and houses is ongoing and is addressed on a need to basis as mutually consented in court.
- ii) Causes the tenants to be included in key decision making processes by the Management of the National Housing Corporation.

### NHC'S RESPONSE

- Tenants of the Chagamwe estate are consulted whenever key decisions are to be made affecting them as evidenced in our response to petition 8.
- iii) Intervenes on the matter to ensure that tenants are allowed to purchase the houses under the NHC policy scheme on "*Tenant Purchase option*".

### NHC'S RESPONSE

- The Corporation developed the Chagamwe Estate as a rental scheme and continues to administer it as such. Rental properties are there to allow those who cannot afford to buy houses access decent housing. The tenants have definitely outgrown this class and have disposable income to purchase houses on offer for sale.

## CONCLUSION

- Several of the petitions have been brought by the petitioners before the courts of law and have been determined. Even where the petitioners have consented, they continue to raise such matters feigning ignorance.
- The Corporation requests the committee to underscore and protect the rights and interest of the greater public by supporting the Corporation in discharging its duties and more specifically, in its role to contribute to the big 4 agenda, whose sole purpose is to serve the people of Kenya better.
- The various Government agencies that have handled this matter have reached a decision that is in the interest of the greater public, and this is aligned to the objective of the Big 4 i.e. to provide affordable housing to as many Kenyan as possible.
- Issues raised in this petition fall under the landlord and tenants dispute. For the defaulting tenants to try and use Parliament as a refuge to protect their breach is a gross abuse of the contractual arrangement. This should not be entertained or encouraged otherwise it will end up opening an avenue for impunity and anarchy and make tenants think that they have no obligations when staying in houses they do not own.
- From the foregoing, it is evident that the prayers by the residents before Parliament are an attempt to evade their personal obligation to National Housing Corporation. Their denial to pay rent arrears and frustrating the activities of the Corporation are therefore selfish and deny other Kenyans an opportunity to decent housing that they enjoy. The Corporation has lost in excess of Kshs. 140 million from activities related to the Chagamwe estate.
- The Corporation will harmonize the rents to the prevailing market rate. This will eliminate the unethical behavior of subletting by some of the tenants who have continuously enriched themselves using public assets and perpetuating the same by filing a myriad of cases in court.

The National Housing Corporation therefore prays that this petition be dismissed.

  
**ANDREW SAISI**  
**MANAGING DIRECTOR**  
20<sup>th</sup> August, 2018

AS/rm

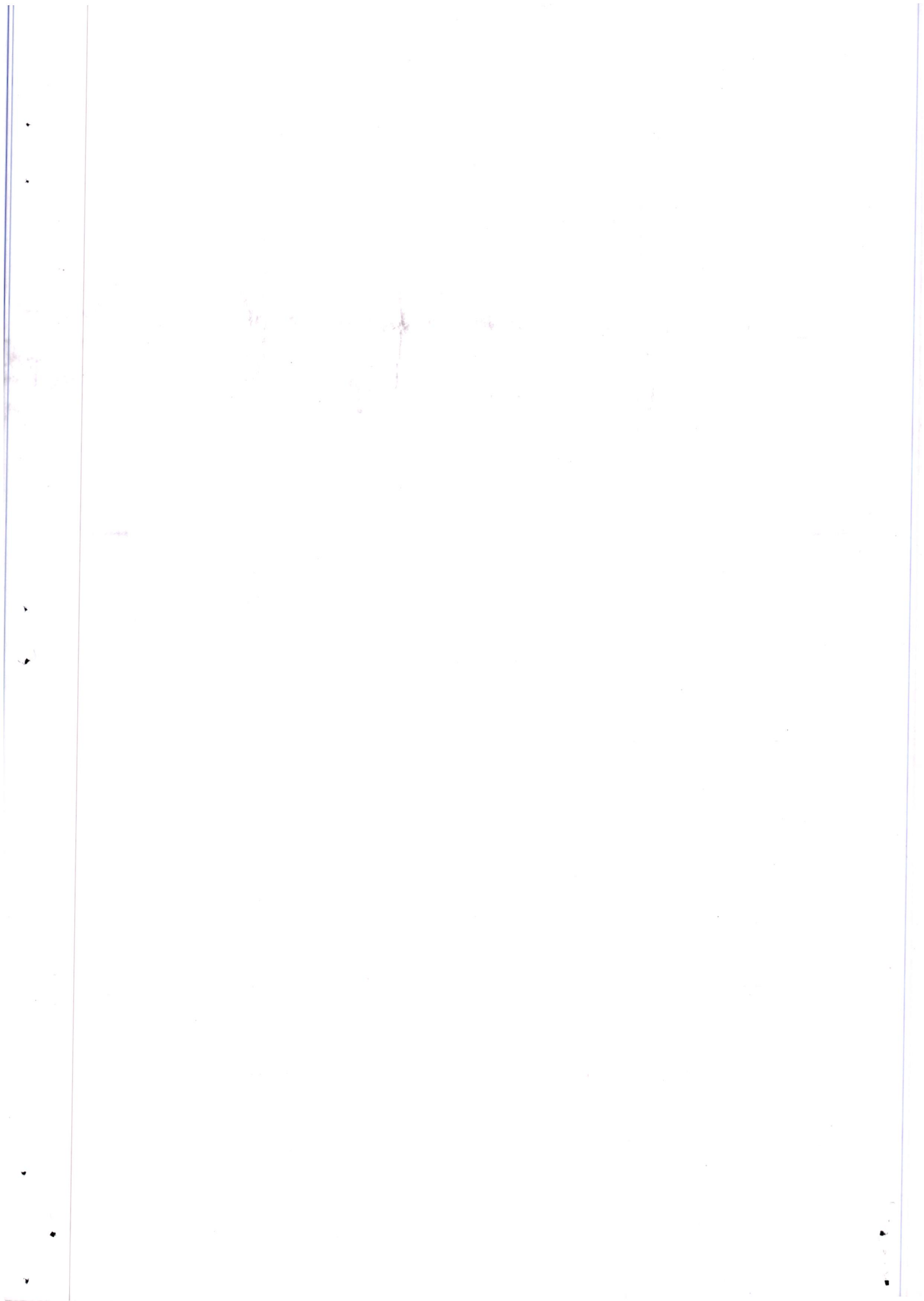
**1.4. MARKET RENTAL SURVEY – MOMBASA/MALINDI/VOI/WUNDANYI FOR THE PERIOD JAN-  
JUNE 2018**

**1. HIGH INCOME**

Type	Estate	Location	Accommodation	Rent per month(Kshs)	Sale price(Kshs)	Date of sale	Remarks
Apartment/Flat	Shanzu	Shanzu	3BR	18-28,000.00	6.5-7.5m	May-2018	The prices depend on the finishing done in the house and the area of locality.
			2BR	12-18,000	4-5m		
			1BR	6.5-9,000.00	2.5m		
			4BR	30-43,000.00	8-11m		
			1acre 1bdr	6,500-8,500	10m		
Commercial	Shanzu	Tudor	4br	36-46,000.00	10-16m		
Maisonnette	Mtwapa	Mtwapa	2br	18-25,000.00	7-12m		
			4br	35-46,000.00	10-17m		
			4BR	36-45,000.00	12-22M		
			1bdr	8000-15,000.	4-5.5m		
Mtwapa	Mtwapa	Mtwapa	2bdr	12-25,000.	5-7.5m		
			3bdr	25-42,000	7.5-15.5m		
			1acre	-	41m		
			1acre	-	16m		
			2bdr	15-20,000	2-3m		
Nyalii	Nyalii	Nyalii	3bdr	20-25,000	3-3.5m		
			4br	45-50,000.00	20-26m		

2. MIDDLE INCOME

Type	Estate	Location	Accommodation	Rent per month(Kshs)	Sale price(Kshs)	Date of e	Remarks
Apartment/Flat	Mikindani	Mikindani	3Br 2 Br 1Br	12-20,000.00 8-15,000.00 7.5-10,000.00	5-8.5m 4-6.5 2.8-3m	may-2018	Rent depend on finishes and location from the tarmac road  No sales data available
Apartment/Flat	Miritini	Miritini	3Br 2 Br 1Br	12-18,000.00 8-15,000.00 7.5-12,000.00	3.5-5.5m 3-4.5m 2.5-3.5m		Rent depends on finishes and location from the tarmac  No sales data available



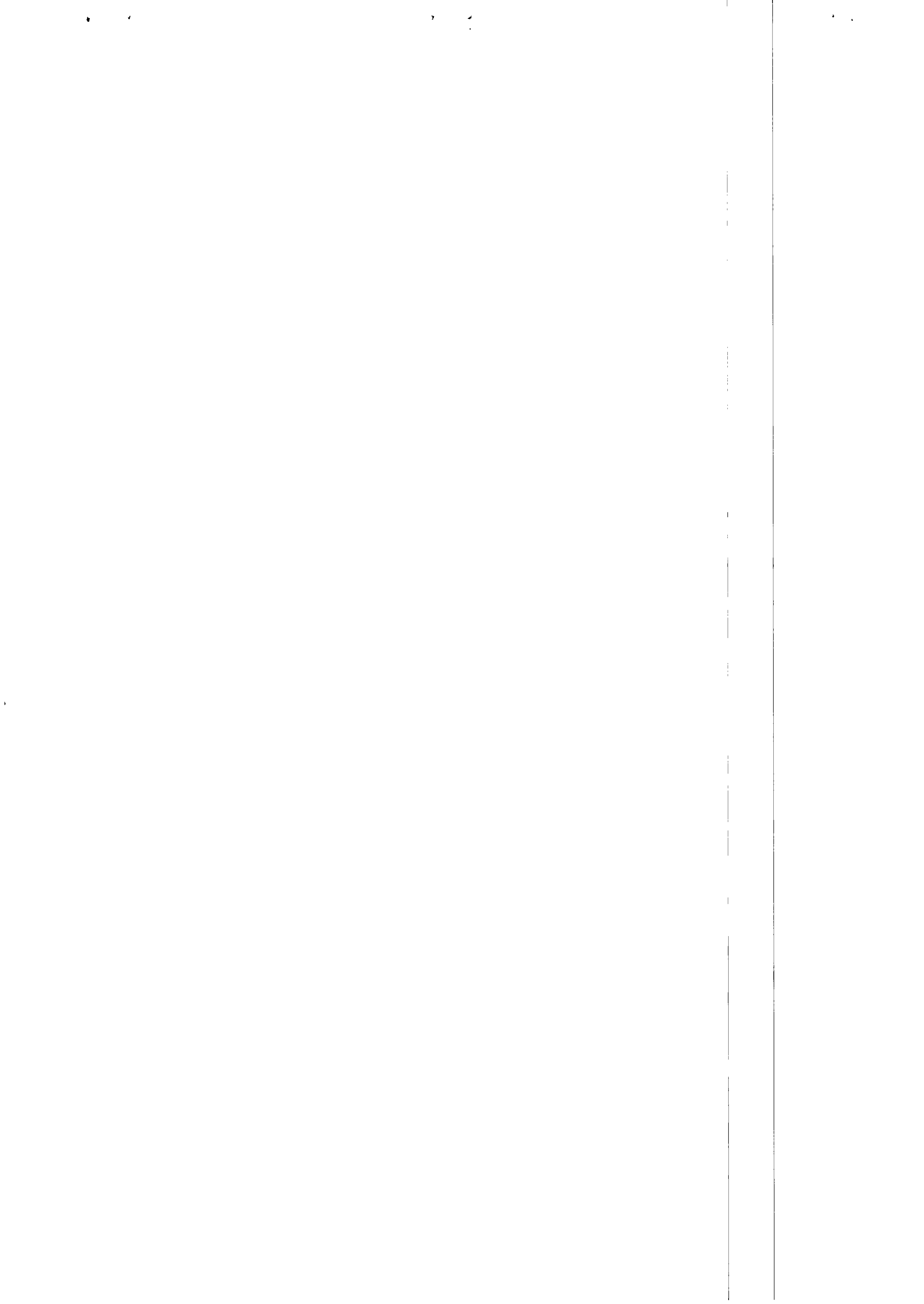
Type	Estate	Location	Accommodation	Rent per month(Kshs)	Sale price(Kshs)	Date of sale	Remarks
		Mbela est-NHC NON-NHC private	1bdr 1bdr single	3500-4500 15,000 3500-6000	1.5m		
Apartment/flat	Jomokenyatta Makande	tudor  tudor slums Posta houses KPA-HSES Bububu	4BR 1bdr 2bdr 3bdr Single room  1BR  2BR 2br 3br 1br 1br 2br	35-45,000.00 7,500-15,000. 12-25,000. 25-40,000 2,000-4,000  5,000  8,000 8-10,000 9-12,000 5-7,000 6-8000 7-12,000	12-20M 3.5-5.5m 5-7m 7.5-15m		Next to the ocean and also the finishing done to the house matters a lot.  Gvt leased houses
	Likoni	Ferry					

### 3. LOWER MIDDLE INCOME

Type	Estate	Location	Accommodation	Rent per month(Kshs)	Sale price(Kshs)	Date of sale	Remarks
Apartment/Flat	changamwe	Magongo	2 br 3br 1br 4br	10/18000 12-15,000 6-9,000 30-40,000	2.5-6m 3-6.5m 5-7m	MAY-2018	Rent depends on finishes and location from the tarmac road and the area of locality.
	Mtwapa	Kikambala- Malindi -Kisumu ndogo	1bdr 1br	5-7,000 6-9,000	3-3.5m 3.5-4m		
		MLD-sabaki	2bdr 3bdr	8-10,000 9-12,000			
Single Room	Mikindani/Magongo/ Miritini /Bombolulu/Migadini/ adini/Kongwea/ Bamburi /Tudor VOI	Mikindani /Magongo/ Miritini / Bombolulu Migadini /Kongwea/Bamburi /Tudor	1 room -kiswahili type houses	3000-5000	3-6m		Depends on the no. of rooms, finishes and area of locality.
	Voi	Vindo/caltex	1bdr-NHC 1bdr-private 2bdr	5000 7-9,000 10-15,000	3.6-4M 3-6m		Rent depends on finishes and location away from the tarmac road.
	Mwatate		1acre		7-1.5m		Plots with title deeds but depends on nearness to university and main road
	Wundanyi	Mwatate	1bdr 1acre	7500			

Apartment/Flat	Zawadi Appt Mtwapa	Bamburi Mtwapa	2/3 br 1/2 br	15-20,000.00 8.5-16,000.00	4.5/6.5m 2.5/4.5m	
Bungalow	Mikindani	Mikindani	3Br 2 Br 1Br	15-18,000.00 8-12,000.00 7.5-10,000.00	4.5-7m 3.5-5m	Sale price/rent depends on finishes and location from the tarmac
Bungalow	Shree estate	Kiembeni	2/3 br	9-15,000.00	2.8/5.7m	Sale/rent depends on the finishing done and nearness to tarmac road.
Bungalow	Utange	S Malindi – Kisumu ndogo Shanzu	3br 2bdr 3bdr	10-12,000 12-15,000	6m 4-6m 5.5-8m	





OLD CHANGAMWE RENTAL HOUSES CURRENT TENANTS		
Hse. No.	Name	Rent P.M.
89	Joseph M. Nzioki	7,500.00
90	Winfred Righa	7,500.00
91	EUNICE ATIENO JEREMIAH	7,500.00
92	ZACHARIA AMING'A MICHIEMO	7,500.00
93	Enos K. Angondi	7,500.00
94	Kipyegon S.Cheruiyot	7,500.00
95	Janet A. Gogo	8,500.00
96	Philip Onyango	8,500.00
97	Grace S.Mzae	7,500.00
98	Michael M. Okumu	7,500.00
99	Samuel Kipchumba Kigen	7,500.00
100	YUSUF OMAR ADAM	10,000.00
101	Erastus Wachira	7,500.00
102	Mahamud Issac Yakub	7,500.00
103	FAITH NKABU	7,500.00
104	CHARLES CHEGE NGURE	10,000.00
105	Abdullahi Hassan	7,500.00
106	SIMON NJOROGI MUGO	7,500.00
107	Christopher M. Gichuhi	8,500.00
108	Charles Peter Icutwa	8,500.00
109	LUKE SHAMALA	8,500.00
110	JOSEPH MWADIME NGIMA	8,500.00
111	EVANS RAJORO OLAL	10,000.00
112	DOULROSE ADHIAMBO OLOO	7,500.00
113	Raphael Marende	7,500.00
114	Irene Wanjugu	7,500.00
115	HENRY MAMBEA MWANDOO	7,500.00
116	PATRICK KARANU NJOROGI	7,500.00
117	Sylvester M. Asembo	7,500.00
118	Simon M. Kihara	7,500.00
119	Samuel K. Mtunji	7,500.00
120	Marcellus Kowa	7,500.00
121	Joseph K.Mathenge	8,500.00
122	Dominic O. Miguna	8,500.00
123	Ayoo C. Ochuodho	8,500.00
124	FRANCIS WAMBUA KYALO	8,500.00
125	Lawrence M. Kisyula	7,500.00
126	Felistus Moli Wambua	7,500.00
127	JOEL MJOMBA MWANGEJE	7,500.00
128	Stephen K. Kangethe	7,500.00
129	Arnold Gitonga	7,500.00
130	SARAH A. MUNA	7,500.00
131	WILSON MITHAMO	7,500.00
132	MARY MUTANU MWENDWA	7,500.00
133	Maalim Adan Yarrow	7,500.00

134	LUCAS OYOMBE OWUOR	7,500.00
135	Monica A. Otieno	8,500.00
136	George M. Kinara	8,500.00
137	Catherine Kapukha	8,500.00
138	Joseph M. Mbiti	8,500.00
139	Julius K. Kidake	7,500.00
140	Raphael Githaka Muti	7,500.00
141	Ephrahim Muruiki Thieri	7,500.00
142	Jacob O. Akuku	7,500.00
143	Angela N. Musumba	7,500.00
144	Gilbert Kiigi Wahinya	7,500.00
145	Charles M. Oirere	7,500.00
146	FLORENCE NDULU NGUI	7,500.00
147	Kinyanjui Dickson Kange	7,500.00
148	ELKANA M. MAKOKHA SAKWA	7,500.00
149	Grace Y. Mututo	7,500.00
150	Geoffrey Sadi	7,500.00
151	Peter Kisengese Mutia	7,500.00
152	ROSE MOKEIRA NYANGAU	10,000.00
153	THOMAS O. KOYO	10,000.00
154	FOUSTINE VIGODI MDINDI	7,500.00
155	Michael Unile Mukuni	7,500.00
156	Isaiah Kiunga Geoffrey	7,500.00
157	Abdul Yusuf	7,500.00
158	Francis G. Kihumbi	7,500.00
159	WILL ANDREW MULI	10,000.00
160	Stephen Olang'o	7,500.00
161	George C Owino	7,500.00
162	Awill Osman Abdulahi	7,500.00
163	VIOLET ANDISI MULINDI	7,500.00
164	Peter M Nyangeri	7,500.00
165	Mwinzi Mwangangi	7,500.00
166	FRANCIS URADZE AMBUKU	7,500.00
167	DAVID MBOGHO	7,500.00
168	JOSEPH NJOROGE KARANJA	7,500.00
169	KENETH OLUOCH OTIENO	7,500.00
170	Patrick Okwiri Ating'a	7,500.00
171	Bernard N. Wanjala	7,500.00
172	Boaz Omori Tala	7,500.00
173	Margaret W. Wahome	7,500.00
174	Peter Imbaya Abukuse	7,500.00
175	Boti Kakunzo Hare	7,500.00
176	SIMON M. MURUNGA	10,000.00
177	Richard Kwama Ogundo	7,500.00
178	Susan A Oyugi	7,500.00
179	Robert Kiptanui Kirui	7,500.00
180	GEORGE M. MWANYAHI	7,500.00

181	Kisiangani F. Kisembe	7,500.00
182	Josiah N. Mbevi	7,500.00
183	Elizabeth N. Gichuru	7,500.00
184	Charles B. Boriga	7,500.00
185	Florence A. Adhiambo	7,500.00
186	John Chege Ngigi	7,500.00
187	Samwel Kabee Ondicho	7,500.00
188	David Mureith Gatimu	7,500.00
189	JOEL MOMANYI	10,000.00
190	Jonathan Kanyi	7,500.00
191	Francis Omondi Oketch	7,500.00
192	Macdonald Mwanza	7,500.00
193	MICHAEL NDIVO	7,500.00
194	LILIAN W. KAVINDU	10,000.00
195	ANTHONY NJUJI WANJIHIA	7,500.00
196	James Kamau Karanja	7,500.00
197	Jomo Mugo Njiru	7,500.00
198	Janet A.Koko	7,500.00
199	MARY OTINGA NJIRI	7,500.00
200	MARTHA MUTHAKYE MBUVI	7,500.00
201	John Ongeso Pamba	7,500.00
202	HAMARA ABDILE IBRAHIM	7,500.00
203	Daniel N Mburu	7,500.00
204	Kennedy Hassan Osanya	7,500.00
205	Donald M.Onzere	7,500.00
206	HUMPHREY G MUGAMBI	7,500.00
207	NASHON OPIYO OYUCHO	7,500.00
208	James Kuria	7,500.00
209	George Kathurima	7,500.00
210	Diana Wairimu	7,500.00
211	Samuel Nganga Mbugua	7,500.00
212	Tom Maoga	7,500.00
213	Atanas O. Ongele	7,500.00
214	Benson K. Ng'ang'a	7,500.00
215	Alice Mbeyu Bosso	7,500.00
216	Jane Katambani Mulama	7,500.00
217	Bernadette Masinde	7,500.00
218	Aggrey Malala Owino	7,500.00
219	KURESHA DAHIR ALI	7,500.00
220	EPAINITO K. KIDAMBI	7,500.00
221	FRANK SAMUEL NDUTI	7,500.00
222	Martin Ikunyua	7,500.00
223	RONALD M.MAKOKHA	7,500.00
224	Rosemary Lovembe	7,500.00
225	Mahamed Ramadhan	7,500.00
226	John B. Akungwi	7,500.00
227	Joyce Albert	7,500.00

228	GINORAH ZIGHE MWAMBURI	7,500.00
229	MARTIN MWENDA GITHINJI	10,000.00
230	Mwombe Shitanda	7,500.00
231	Benson O. Nyarera	7,500.00
232	Thomas O. Ongolo	7,500.00
233	DAVID NYONGESA MAKHANU	7,500.00
234	Steve Gitau Kaburu	7,500.00
235	Albert A. Kamaliki	7,500.00
236	ALINOOR ABDULLAHI ALI	7,500.00
237	Fatuma Mwamburi	7,500.00
238	NANCY WANGOI	10,000.00
239	Violet T. Olinyo	7,500.00
240	SAMUEL K. MWANGI	10,000.00
241	Thomas O. Bunde	7,500.00
242	Gideon Mutiso Munyao	7,500.00
243	VICTOR NAMAKA LUMBASI	7,500.00
244	Everline J. Moriseni	7,500.00
245	ROSE NANCY SINDIGA	7,500.00
246	Tecla C. Mwakiwiwi	7,500.00
247	Charles Mshilla	7,500.00
248	SIMON MWANGI KIREMA	7,500.00
249	Dennis O. Osino	7,500.00
250	Sammy Muli Mutua	7,500.00
251	Lucas K. Kitsao	7,500.00
252	PETER NYANGARESI OMANWA	10,000.00
253	Gidnorah P. Mjomba	7,500.00
254	Roseline O. Obiero	7,500.00
255	JOSEPH KILONZO	10,000.00
256	Everlyne Atieno	7,500.00
257	PAULINA WANGUI KAGAI	7,500.00
258	Geoffreya Ngonga	7,500.00
259	DENNIS OMONDI	10,000.00
260	Stanslaus M. Kisyoka	7,500.00
261	Okeyo M. Evans	7,500.00
262	Justus A. Ochina	7,500.00
263	Appolonia Atieno Arwa	7,500.00
264	Lucy M. Ngumbao	7,500.00
265	SHABAN MAALIM ISSACK	7,500.00
266	KENNDY MUSOMBA MUKAVI	10,000.00
267	John K. Waweru	7,500.00
268	Margret Waithera NJAU	7,500.00
269	Levy Kisombe Mwashumbe	8,500.00
270	Sophie V. Tsuma	8,500.00
271	JOHNSTONE MAINA GATONYE	7,500.00
272	Irene Mukabi .K.	7,500.00
273	Patrick M. Gicheru	7,500.00
274	Lamech O. Okumu	7,500.00

275	ONESMUS VILISI ISMAEL	7,500.00
276	Norman Mghosi	7,500.00
277	GLADYS KIPROTICH JEPKEMBOI	7,500.00
278	STANLEY GEORGE KENGARA	7,500.00
279	LUCY WAMBUI MAGURU	7,500.00
280	Nicholas K. Kamande	7,500.00
281	JOSEPH M. MBONDOH	8,500.00
282	Ibrahim Ahamed Osman	8,500.00
283	Rose Nzilani Nzomo	7,500.00
284	CHARLES MWALIA MATWEE	7,500.00
285	MAGDALINE ADERA ORONY	7,500.00
286	Gabriel Davis Orony	7,500.00
287	Kiio John Ngula	7,500.00
288	Clementina Matunda	7,500.00
289	Bernadette M. Maithya	7,500.00
290	MULWA MWANIKI	7,500.00
291	JANE NJERI KAMANDE	8,500.00
292	Kenedy Mugathia	8,500.00
293	Alfred T. Machwetta	8,500.00
284	Justus Kasyoka	8,500.00
295	Mary N. Siagora	7,500.00
296	Grace W. Mureithi	7,500.00
297	IBRAHIM ADAM WARDERE	7,500.00
298	Sammy Kisilu	7,500.00
299	CHRISPINUA ONDATTO	10,000.00
300	FRANCIS OPONDO MUSUNGU	10,000.00
301	LAWRENCE N. MWALA	10,000.00
302	ABDULMNUF MOHAMED OMAR	7,500.00
303	Moses .I.Kidanda	7,500.00
304	Evanson. N. Gichuru	7,500.00
305	JOSIAH ANDITI ADOYO	7,500.00
306	Stanley .M. Kungu	7,500.00
307	WASHINGTON MBURU KARANJA	8,500.00
308	MILLICENT AUMA	8,500.00
309	MARTINAH K MWAKULOMBA	7,500.00
310	Rose M. Luseno	7,500.00
311	Mary A. Nyariki	7,500.00
312	Eliezear Kamau	7,500.00
313	Emmanuel K. Cherop	7,500.00
314	Merulius Kiprono Bii	7,500.00
315	Dickson James Oruko	7,500.00
316	AHMED HASSAN DAHIYE	7,500.00
317	DAVID LIYAYI SIMWA	7,500.00
318	Lucas Odhiambo Moro	7,500.00
319	Bernard Njoroge Chege	7,500.00
320	FARHIYA MOHAMED MOULID	7,500.00
321	VICTORIA M.MUHIA	7,500.00

322	NEMO ABDI NASIR	7,500.00
323	Lucas Nyagaka Getanda	7,500.00
324	Zachary Muriithi Ngumi	7,500.00
325	Julius N Nyandoro	7,500.00
326	Petronila Were	7,500.00
327	Bernard Mwalimu	7,500.00
328	S.K. Kamere	7,500.00
329	Benedict Kdeghe	7,500.00
330	Alice Winnie Wanjiku	7,500.00
331	James Mwaura Gutu	7,500.00
332	Alfred K. Kiarie	7,500.00
333	David Chemuku Wekesa	7,500.00
334	PATRICK M. MSINGI	10,000.00
335	Wilson Luke Bare Oriewo	7,500.00
336	Habiba Mohamed	7,500.00
337	Abdi Asman Mohamud	7,500.00
338	Peres Nekesa Wandera	7,500.00
339	Maurice W. Ochieng	7,500.00
340	Beatrice A. Okonji	7,500.00
341	Charity Shikwe	7,500.00
342	Priscilla Ithanzu	7,500.00
343	Bernard Kinoh Mukundi	7,500.00
344	Mbutu Thua	7,500.00
345	Beatrice M Hezekia	7,500.00
346	VINCENT MWANGE AGALA	7,500.00
347	Salvation I Mauki	7,500.00
348	Julius M. Nduru	7,500.00
349	ANDREW MWONGELA MAWEU	7,500.00
350	Isaac Makongolo Lipesa	7,500.00
351	Charles Ouma Oketho	7,500.00
352	Peter M. Zirroh	7,500.00
353	Sheban Athman	7,500.00
354	Otieno Wilfred Ogwe	7,500.00
355	Joel Ombija Muok	7,500.00
356	Joseph Amusala Makomere	7,500.00
357	Christopher Mshimba	7,500.00
358	Thomas N.Ongoro	7,500.00
359	Fredrick M. Mwendwa	7,500.00
360	Washington A Emitundo	7,500.00
361	Margaret Wanjiru Kagwi	7,500.00
362	Richard M.Mwasuga	7,500.00
363	HUSSEIN MAALIM ISSACK	7,500.00
364	Ephraim O.Y. Okumu	7,500.00
365	Judith Abuka	7,500.00
366	Francis M. Mutie	7,500.00
367	WILSON MUSEMBI MUSYOKA	7,500.00
368	Cosmas O. Agolla	7,500.00

369	Joseph Mwithialie M.Thiraki	7,500.00
370	Mbugua Kariuki	7,500.00
371	John M. Kuria	7,500.00
372	Eliud K Mukuongo	7,500.00
373	Mary Muturi	7,500.00
374	Julius N. Wambua	7,500.00
375	JEDIDAH W. N. GITHERE	10,000.00
376	PETER KIPTOO YEGO	7,500.00
377	Zainab Liban	7,500.00
378	CAROLINE WAMBUI MBUTU	7,500.00
379	Annie Njeri Njoroge	7,500.00
380	John Njoroge	7,500.00
381	WESLEY CHERUIYOT LANGAT	7,500.00
382	VINCENT ONYANGO ARAKA	7,500.00
383	Michael K Menjo	7,500.00
384	Alex Oduor Ndege	7,500.00
385	Ronald Nyongesa M	7,500.00
386	CHARLES WACHIRA KABUGI	7,500.00
387	Abdikadir Roba	7,500.00
388	Wilfred K. Arap Rop	7,500.00
389	Betty Chepkemoi	7,500.00
390	Catherine Wangui	7,500.00
391	Joseph Agutu Osura	7,500.00
392	DOMINIC CHIVONA MUCHINA	7,500.00
393	ELSIE N.SABURI	7,500.00
394	Sara O. Okisegere	7,500.00
395	Abdi Shobon Aliyo	7,500.00
396	Richard M.Wambua	7,500.00
397	Janeth Cherotich K	7,500.00
398	Kimonyo Kiliku Muni	7,500.00
399	Mkunzi N. Kaloki	7,500.00
400	Wilfred Kipkoech Komen	7,500.00
401	Jonathan M Mzera	7,500.00
402	PROJERAH AMINA MUNYAO	7,500.00
403	David Mugo	7,500.00
404	Nicholas Maingi Musyoka	7,500.00
405	Humphrey E.Ekirapa	7,500.00
406	Ibrahim Mohammed	7,500.00
407	CHRISTINE ORENGO	7,500.00
408	George R. Owuoche	7,500.00
409	Jane Nzovu	7,500.00
410	GEORGE MAINA NDUNGU	7,500.00
411	Paul Mwandoe M.	7,500.00
412	ISACK MAALIM ABDULAH	7,500.00
413	ASHA NOOR ABAYLE	7,500.00
414	Elly Oloo Aloo	7,500.00
415	Ahmed Mahamed Hussen	7,500.00

416	Zainab Abdi	7,500.00
417	PATRICIA A.OCHIENG	7,500.00
418	JOSEPH MASAI MUTUKU	7,500.00
419	James Nyamweya	7,500.00
420	Eric Paul Ogai	7,500.00
421	JOHN KARIUKI KAMUNDI	7,500.00
422	MILDRED ANYANGO ODHIAMBO	7,500.00
423	Claude S. Karani	7,500.00
424	Joseph Ochieng Magonya	7,500.00
425	Daniel S Mukhovi	7,500.00
426	GEORGE MWAKAVI	7,500.00
427	RAWLAND NJIRU GICIGI	7,500.00
428	Charles Kagwima Karanja	7,500.00
429	ABDIRIZACK ALI ABRAHAM	7,500.00
430	GEORGE OWINO	7,500.00
431	ABDISALAM HUSSEIN MADEY	7,500.00
432	Douglas Muriuki	7,500.00
433	Francis Paul Righa	8,500.00
434	Hassan Issak Abdi	8,500.00
435	ZAB JULIUS KANYI	10,000.00
436	Armstrong Ngumbau M.	7,500.00
437	ONESMUS JEGO RIA	7,500.00
438	Dorothy .M. Kirema	7,500.00
439	ALFRED M. NDOLA	7,500.00
440	John Angore Munyaya	7,500.00
441	Erastus Onyango Osur	7,500.00
442	Cornelius K.Sagas	7,500.00
443	ALI ISSACK ABDI	7,500.00
444	Jane H Onono	7,500.00
445	Francis Gachoki	8,500.00
446	Matilda Ouma	8,500.00
447	MERCY H. KISUKA	12,000.00
448	Amina Abdi Sheik	8,500.00
449	KHADIJA MOHAMED	8,500.00
450	Joseph Obwoye	8,500.00
451	LAWRENCE GITHAE MBUITU	8,500.00
452	Francis Ndichu	8,500.00
453	Stanley C Maiyo	7,500.00
454	Ronoh Kyalo Kimilu	7,500.00
455	Francis O. Odhiambo	7,500.00
456	Humphrey Wandera Ouma	7,500.00
457	Stephen O Ayiko	7,500.00
458	Stanley Salatt	7,500.00
459	NOOR BASHIR MOHAMED	7,500.00
460	Michael Amala Ngicho	7,500.00
461	C.K. Towett	7,500.00
462	JACKSON RAMADHAN KATANA	7,500.00

463	Thomas K. Mboi	7,500.00
464	CONCEPTA NEKESA BURUDI	7,500.00
465	Dickson O.Ochieng	7,500.00
466	VIRGINIA NYAWERA MBUGUA	7,500.00
467	EUNICE MITHEU	8,500.00
468	MOHAMMED H. ABDULLAH	8,500.00
469	DOMINIC KASYOKI WETHA	7,500.00
470	Bernard Kyambi Kinda	7,500.00
471	Bernard N.Nzungi	7,500.00
472	Innocent M. Nyange	7,500.00
473	David W. Kabugi	7,500.00
474	Dormitila Kyalo	7,500.00
475	Elizabeth Tatu Mutisya	8,500.00
476	James M. Kilai	8,500.00
477	Moses Kinyua Njiru	7,500.00
478	Fatuma A. Sunwa	7,500.00
479	Emmanuel Kapombe	7,500.00
480	Joshua O.Akutu	7,500.00
481	Bernard M. Waithumbi	7,500.00
482	JOSEPH NJOROGE KIRUNGE	7,500.00
483	Mohamed Abdille Abdi	7,500.00
484	Evelyn Nzwii	7,500.00
485	Patrick K.Mulwa	7,500.00
486	SIMON CHOMBA	7,500.00
487	ABDIRAHIM MOHAMED AHMED	7,500.00
488	Henry M. Jaji	7,500.00
489	Elizabeth Mwamba	7,500.00
490	Fidelma Kanini	7,500.00
491	POLLY SIGANGA	10,000.00
492	SAMUEL KARURU GATHERU	7,500.00
493	EUNICE ODHIAMBO	8,500.00
494	MOHAMMED ABDALAH CHAI	8,500.00
495	HILLARY M. AMBWERE	7,500.00
496	Isaiah O. Nyamweno	7,500.00
497	ANGELINA NDUNGE	7,500.00
498	GRACE OWITI	7,500.00
499	Shaban M. Lugogo	7,500.00
500	Philes Nduki Kamau	7,500.00
501	Francis M. Mashengu	7,500.00
502	REBECCA CHANYA MGHANGA	10,000.00
503	Jaquiline Masita	7,500.00
504	Anna M. Kivuva	7,500.00
505	Richard W. Mwangi	7,500.00
506	Anthony M.Kimende	7,500.00
507	ABDISALAN MOHAMED KEINAN	7,500.00
508	Jedida K. Muswii	7,500.00
509	ISAACK MAALIM DAHIR	7,500.00

510	Lilian W.Kibunywa	7,500.00
511	CAROLINE AKUMU NYADIERO	8,500.00
512	JOSEPHINE KAINDI KITHOME	8,500.00
513	Geoffrey M. Nyakundi	8,500.00
514	John N. Mburu	8,500.00
515	David Gacobe Ndiritu	7,500.00
516	Solomon K.Ndana	7,500.00
517	Grace W. Kinyanjui	7,500.00
518	Moses Thuku Mbugua	7,500.00
519	MARYAN HASSAN MATAN	7,500.00
520	Pamela A. Odera	7,500.00
521	Maurice Otieno	7,500.00
522	Bashir Ahmed Awale	7,500.00
523	Margret S. Kyule	7,500.00
524	David D. Ariaro	7,500.00
525	PETER MURIITHI MUTI	10,000.00
526	John K. Mureithi	7,500.00
527	John K. Wanyoike	8,500.00
528	ASILI HASSAN NOOR	8,500.00
529	Samuel M. Munene	7,500.00
530	Shem Kasau Nyamau	7,500.00
531	JUDY IRENE KADESA ORENGO	7,500.00
532	Felistus Nditi Mukumbu	7,500.00
533	Michael K. Mwangi	7,500.00
534	Agnes Olimba	7,500.00
535	Titus Maingi Kimai	7,500.00
536	Michael N.Kariuki	7,500.00
537	HELLEN MUSYOKA	7,500.00
538	Wellington O Anyango	7,500.00
539	Abdallah Mwangi Kagondu	8,500.00
540	Esther Jeremeah	8,500.00
541	DEMPHINE WANDERA	8,500.00
542	CHRISTINE MUKAMI KAGEREKI	8,500.00
543	LEONARD OBUO AKACH	7,500.00
544	Alex Agola & Jane Awuor	7,500.00
545	Lucy Mbuimwe	7,500.00
546	ABDIRAHIM IBRAHIM HAJI	7,500.00
547	Rose M. Ngandi	7,500.00
548	Jane Njihia	7,500.00
549	Nzai Michael Jali	7,500.00
550	HALIMA DIBA ADAN	7,500.00
551	John Mwaura	7,500.00
552	MERCY NGINAH MANOCHI	7,500.00
553	YUSUF KISIGWA MAJAN	7,500.00
554	JOHN ERICK ALUSHULA	7,500.00
555	ANDERSON MUSYOKA KIIO	7,500.00
556	Kenneth O.Assey	7,500.00

557	MUNYOKI MUTHAMI	7,500.00
558	Sabas Gene	7,500.00
559	LAWRENCE AGIK MWAI	7,500.00
560	DUNCAN WAITHAKA NDEGWA	7,500.00
561	John Kimathi	7,500.00
562	Darius M. Kimonge	7,500.00
563	ISAACK M. GICHARA	10,000.00
564	Hassan Abdi Shabura	7,500.00
565	RENSON KAMBALE	7,500.00
566	ISAAC WABOMBA WANYONYI	10,000.00
567	Shaban Hosea Wangalwa	7,500.00
568	JOSHUA MUMBE MALASRE	10,000.00
569	Denish Onyango Otieno	7,500.00
570	HELLEN KHAKASA WEKESA	10,000.00
571	Helmuth K Kogo	7,500.00
572	Peter Kirui	7,500.00
573	Wilson Muthee Ngujiru	7,500.00
574	SARAH NEKESA WANYONYI	7,500.00
575	MIRIAM AKINYI OMBUL	7,500.00
576	Cromwel Matasa Mwakazi	7,500.00
577	Marshal J. Dolla K	7,500.00
578	Simeon K. Towett	7,500.00
579	PATRICK A MWAKIO	7,500.00
580	ANDERSON A. GWIYA	10,000.00
581	Benson M Kivundu	7,500.00
582	MORRIS T.M'MUGAMBI	7,500.00
583	AMBROSE MAINGI MUTUA	7,500.00
584	MUNGAI GICHUHI	7,500.00
585	EVERLINE A.OWONA	7,500.00
586	Sabas Gene	8,500.00
587	Mary Wanja	2,125.00
588	James Osoo	7,500.00
589	EDITH MUGANDA	12,000.00
590	PENINAH WANGECHI KARIUKI	7,500.00
591	Abdikadir Roba	8,500.00
592	KOTI KITAVI NGAO	7,500.00
593	SARAD SALAT YEROW	7,500.00
594	VICKY OMUDI	7,500.00
595	Maamun Abubakar Ali	7,500.00
596	Gabriel Mwai Mithamo	7,500.00
597	Joseph O Wandolo	7,500.00
598	Micah Ptala Ndiwa	7,500.00
599	PETER MOSOTI MOCHENGO	7,500.00
600	Yerrow Hussein Musse	7,500.00
601	Antony K. Mtemwa	7,500.00
602	GLORIA RIGHA WAKIREMA	10,000.00
603	Boaz O. Oburenji	8,500.00

604	DAVID MWITA CYPRIANO	8,500.00
605	PETER WAGURA MAINGI	7,500.00
606	CHRISTINE KANJIRI MUTHIORA	10,000.00
607	JOSEPHAT WECHULI EKINA	7,500.00
608	Stephen A Michiemo	7,500.00
609	Bernard Kyalo Kimeu	7,500.00
610	DAVID NGIGI KIRANGA	10,000.00
611	Lorraine Munoko	7,500.00
612	CHARLES WACHIRA MAINA	7,500.00
613	NICHOLAS KITHOME KIEMA	7,500.00
614	SAMUEL KABIRO	10,000.00
615	Mohamed Sora	7,500.00
616	Athanase M. Wambari	7,500.00
617	ALEX OTIENO OKUMU	8,500.00
618	AHMED M MUSA	12,000.00
619	NELSON KIPROTICH RAGOR	8,500.00
620	Eunice Wasike	8,500.00
621	Chomba Contractor Company	8,500.00
622	Raphael K Langat	8,500.00
623	Kahow Yarrow Salat	8,500.00
624	Anne Mshai Makoko	8,500.00
625	MUSLIMA ALI HASSAN	8,500.00
626	Jared Ongeru Moset	8,500.00
627	GEORGE PHILIP GICHENGO	7,500.00
628	Mohamed Adona Adan	7,500.00
629	Bakari Joto Salim	7,500.00
630	Kassim Mohamed Hassan	7,500.00
631	JOSHUA ONYAMBU NYANGERI	7,500.00
632	ROSE NYAMBUNE OKERIO	7,500.00
633	Ezra Awimbo Odembo	7,500.00
634	John L Eboso	7,500.00
635	Elijah N. Chepchilat	7,500.00
636	Geoffrey Mwanga	7,500.00
637	Joshua Otieno Owange	7,500.00
638	Stanley K. Mutala	7,500.00
639	Simon Gichengo	7,500.00
640	Isaya O Obage	7,500.00
641	Rosemary Odawa	7,500.00
642	Celina Njeri Maina	7,500.00
643	Barzelius Kiti Muye	7,500.00
644	Simon Mutua	7,500.00
645	Dorine M. Wavua	7,500.00
646	ELIJAH KALOKI MWANGANGI	7,500.00
647	John Walter Andakasia	7,500.00
648	Henry O Oywech	7,500.00
649	John Obondo Mugeni	7,500.00
650	JOHN ODHIAMBO OKELLO	7,500.00

651	MATILDA W.KIUMBA	7,500.00
652	Charles Isaac Otieno	7,500.00
653	JULIANA NDUKU MBUVI	7,500.00
654	ALEX ODHIAMBO OUMA	7,500.00
655	JAPHET MVOYI RIA	7,500.00
656	COLLINS OJAJU MAJARE	7,500.00
657	PHILIP MWASI KASAVO	8,500.00
658	RICHARD I MATOLO	8,500.00
659	George M. Munyiura	7,500.00
660	Caroline Ogola	7,500.00
661	Wilfred L. Odeyo	7,500.00
662	Albert O. Okhebero	7,500.00
663	DARIUS NGUGI	7,500.00
664	SEYNAB MOHAMED HUSSEIN	7,500.00
665	Rose J.N. Mainye	7,500.00
666	ISMAEL OMOLO OCHOLA	7,500.00
667	Christopher K. Mwau	7,500.00
668	Fredrick Aketch Obonyo	7,500.00
669	David Telela Ngala	7,500.00
670	David Okoth Ocholla	7,500.00
671	JUDY MWENI WAMBUA	8,500.00
672	UBAH ABDI OSMAN	8,500.00
673	FRANCIS THUKU WAWERU	8,500.00
674	Stephen Munguti	8,500.00
675	ZAKARY G. NGUGI	10,000.00
676	Dorcast Kathanzu	7,500.00
677	CAROLYNE WANJIRU	7,500.00
678	GIBSON THIONGO	7,500.00
679	JOHN KIRAGU	10,000.00
680	ROBERT AMUKO OLIMBA	7,500.00
681	Anthony Gioko	7,500.00
682	SOPHIA L.A. MUSUMBA	10,000.00
683	PETER DEALTRY OCHIENG	7,500.00
684	WAMALWA W. CHIMBANGA	7,500.00
685	Abdi Kadir Ali	7,500.00
686	Foos Aidid Hassan	7,500.00
687	JOSHUA MAKAU	7,500.00
688	Musili Nzuki	7,500.00
689	Christopher T.K. Komora	8,500.00
690	ANTONY MATHERI KARANJA	12,000.00
691	Shadrack K. Barno	8,500.00
692	Ismail Abdi Mohamed	8,500.00
693	Joseph O.Okach	7,500.00
694	Abdikhani S.Mohamed	7,500.00
695	TABITHA A. NYAMAI	7,500.00
696	Joseph W. Gacheru	7,500.00
697	FADHUMA NURU OMAR	7,500.00

698	Michael K. Maina	7,500.00
699	Gikonyo G.Thwagi	7,500.00
700	JUSTUS B. NYAMBEGERA	7,500.00
701	LAWRENCE MOGIRE MOSE	7,500.00
702	Irene Kioko	7,500.00
703	Caroline N. Nzoki	7,500.00
704	Michael Mutuku	7,500.00
705	Erasmus .J. Wangio	8,500.00
706	Ezekiel Kalo	8,500.00
707	JOYCE WANZIA PHILLIPS	8,500.00
708	Winnifred S.Khalumba	8,500.00
709	TITUS MWEGA	10,000.00
710	Loise Wangui Gatuma	7,500.00
711	K.E.Gichuru	7,500.00
712	ZADOCK K. KILAVUKA	10,000.00
713	Robert Kamau	7,500.00
714	Pauline Wambua	7,500.00
715	Freddrik M. Kingangi	7,500.00
716	HOPE K. MWASYA	7,500.00
717	Paul Mailu	7,500.00
718	SAMUEL GITHINJI MWANGI	7,500.00
719	MOSES MUSAU MUTIE	7,500.00
720	BRUCE ASHIKOYE	7,500.00
721	Benson Mwangi Gioko	7,500.00
722	Paul Mathendu	7,500.00
723	Daniel K. Kositany	7,500.00
724	JAMA HASSAN FARAH	7,500.00
725	Mary N. Gioko	7,500.00
726	OMUNYASIA MAKOKHA	7,500.00
727	Hudson Bonface Njeru	7,500.00
728	Erasmus J. Katama	7,500.00
729	Eunice M. Mwasaha	7,500.00
730	Peter Oduor	7,500.00
731	Edward Muthuri	8,500.00
732	Alexander Mutua Maingi	8,500.00
733	RAPHAEL MULU MALUSI	12,000.00
734	ALAMIN A.DAHMAN	8,500.00
735	MOHAMED WARSAME ABDALLA	8,500.00
736	KENNETH K.KIRUI	8,500.00
737	Mohamed Hassan	8,500.00
738	Samuel Mwai Muriithi	8,500.00
739	Lucie M. Machi	8,500.00
740	E. Kamau M. Gika	8,500.00
741	ELIJAH OMAGWA NYAMWEYA	8,500.00
742	Paul Kiprono Langat	8,500.00
743	Julius M. Katwa	7,500.00
744	STANLEY ANDABWA KHASIALA	7,500.00

745	Stephen S. Olimba	7,500.00
746	Jumaa K. Koi	7,500.00
747	REUBEN KAMAU KANYARI	7,500.00
748	Isaiah O. Adika	7,500.00
749	Teresia Shali Kitongi	7,500.00
750	Jared Oduor Oloo	7,500.00
751	Kefa O Maranga	7,500.00
752	Samwel Njogo Kamau	7,500.00
753	Michael S. Ambeje	7,500.00
754	Andrew Songwa Khaemba	7,500.00
755	CHARLES N. NDOME	10,000.00
756	WILSON G. IRUNGU	7,500.00
757	Fredrick Kahii Ndalo	7,500.00
758	ELMA ERAKA	10,000.00
759	PIUS MUTISO NDUNGA	7,500.00
760	Fausta M. Mghendi	7,500.00
761	STEPHEN N. MALOBA	7,500.00
762	Japheth Patrick Gaya	7,500.00
763	PAUL NDEI NYAMAI	7,500.00
764	Salim Hassan Joha	7,500.00
765	NICHOLAS OCHIENG	10,000.00
766	Cosmas M. David	7,500.00
767	Jackson Mweu Joel	7,500.00
768	ALBAN ALOO	10,000.00
769	Samwel Mageto	7,500.00
770	Joachin Ragumo Mudiwo	7,500.00
771	Wilfred Njue Nyagah	7,500.00
772	Bernard Simiyu	7,500.00
773	Johnstone O Otieno	7,500.00
774	Sophie W. Mwalimo	7,500.00
775	Emanuel K. Mwandoe	7,500.00
776	CHRISTOPHER M TUJA	7,500.00
777	Brockelhust M. Kubo	7,500.00
778	SARAH K. MWANGEKA	10,000.00
779	Osman Mhamed	7,500.00
780	REMINGTON NJIRU	10,000.00
781	Agnetta Ogonda	7,500.00
782	Fleria Otita	7,500.00
783	JOSEPHINE KARAMBU	7,500.00
784	Johnson Mzera	7,500.00
785	NAJMA MOHAMED GABANE	7,500.00
786	RANDY MAZERA	10,000.00
787	EVELYN N. KIOKO	10,000.00
788	JOSEPHINE M NZUVA	7,500.00
789	Andrew Mwendwa Kituku	7,500.00
790	Esther Mwanjala	7,500.00
791	Rosemary Maina	7,500.00

792	DORCAS M. KIOKO	10,000.00
793	Malachi Orondo	7,500.00
794	John M. Mgumu	7,500.00
795	Irene Machi	7,500.00
796	AKIBA BILTON FUNDI	7,500.00
797	ERNEST FUNDI MWALUMA	6,375.00

<b>RENT ARREARS AS AT 15.08.2018</b>		
<b>CHANGAMWE RENTALS - CURRENT TENANTS</b>		
<b>A/c no.</b>	<b>Name</b>	<b>Amount(kshs.)</b>
2026101000102	JOHN BARASA AKUNGWI	8,700.00
2026101000201	JAMES DAIDO	31,512.80
2026101000301	Jacob A. Akuku	19,200.00
2026101000401	JACOB MAZARIMU	0.00
2026101000501	Joseph Khamoyi	17,600.00
2026101000602	SUN MBATIA MAINA	7,000.00
2026101000701	SABAS GENE	26,100.00
2026101000802	ENOCK OLANDO ATSULU IMBOTE	0.00
2026101000901	FRANCIS KIEMA	17,400.00
2026101001202	JANE MBUSYA	12,700.00
2026101001402	AHMED SHEIKH YUSUF	-7,020.00
2026101008901	Joseph M. Nzioki	15,000.00
2026101009001	Winfred Righa	134,500.00
2026101009102	EUNICE ATIENO JEREMIAH	7,000.00
2026101009202	ZACHARIA AMING'A MICHIEMO	7,500.00
2026101009301	Enos K. Angondi	30,000.00
2026101009401	Kipyegon S.Cheruiyot	-2,000.00
2026101009501	Janet A. Gogo	115,500.00
2026101009601	Philip Onyango	129,000.00
2026101009701	Grace S.Mzae	33,000.00
2026101009801	Michael M. Okumu	13,500.00
2026101009901	Samuel Kipchumba Kigen	9,000.00
2026101010002	YUSUF OMAR ADAM	10,000.00
2026101010101	Erastus Wachira	65,500.00
2026101010201	Mahamud Issac Yakub	80,500.00
2026101010301	FAITH NKABU	13,500.00
2026101010402	CHARLES CHEGE NGURE	75,000.00
2026101010501	Abdullahi Hassan	13,000.00
2026101010602	SIMON NJOROGE MUGO	-1,000.00
2026101010701	Christopher M. Gichuhi	8,500.00
2026101010801	Charles Peter Ikutwa	93,000.00
2026101010902	LUKE SHAMALA	-3,750.00
2026101011002	JOSEPH MWADIME NGIMA	26,500.00
2026101011103	EVANS RAJORO OLAL	75,000.00
2026101011202	DOULROSE ADHIAMBO OLOO	23,600.00
2026101011301	Raphael Marende	42,500.00
2026101011401	Irene Wanjugu	212,500.00
2026101011502	HENRY MAMBEA MWANDOO	22,250.00
2026101011601	PATRICK KARANU NJOROGE	250,500.00
2026101011701	Sylvester M. Asembo	69,500.00
2026101011801	Simon M. Kihara	180,000.00
2026101011901	Samuel K. Mtunji	347,000.00

2026101012001	Marcellus Kowa	37,700.00
2026101012101	Joseph K.Mathenge	90,415.00
2026101012201	Dominic O. Miguna	281,500.00
2026101012301	Ayoo C. Ochuodho	94,000.00
2026101012402	FRANCIS WAMBUA KYALO	0.00
2026101012501	Lawrence M. Kisyula	33,500.00
2026101012601	Felistus Moli Wambua	67,000.00
2026101012702	JOEL MJOMBA MWANGEJE	0.00
2026101012801	Stephen K. Kangethe	15,000.00
2026101012901	Arnold Gitonga	41,000.00
2026101013001	SARAH A. MUNA	10,500.00
2026101013102	WILSON MITHAMO	0.00
2026101013202	MARY MUTANU MWENDWA	22,500.00
2026101013301	Maalim Adan Yarrow	41,500.00
2026101013403	LUCAS OYOMBE OWUOR	15,000.00
2026101013501	Monica A. Otieno	12,300.00
2026101013601	George M.Kinara	34,500.00
2026101013701	Catherine Kapukha	252,000.00
2026101013801	Joseph M. Mbiti	-17,000.00
2026101013901	Julius K. Kidake	-32,000.00
2026101014001	Raphael Githaka Muti	26,000.00
2026101014101	Ephrahim Muruiki Thieri	44,500.00
2026101014201	Jacob O. Akuku	-8,500.00
2026101014301	Angela N. Musumba	211,500.00
2026101014401	Gilbert Kiigi Wahinya	249,500.00
2026101014501	Charles M.Oirere	267,900.00
2026101014602	FLORENCE NDULU NGUI	30,000.00
2026101014702	Kinyanjui Dickson Kange	20,500.00
2026101014803	ELKANA M. MAKOKHA SAKWA	17,500.00
2026101014901	Grace Y. Mututo	151,520.00
2026101015001	Geoffrey Sadi	8,000.00
2026101015101	Peter Kisengese Mutia	21,500.00
2026101015202	ROSE MOKEIRA NYANGAU	22,000.00
2026101015302	THOMAS O. KOYO	203,500.00
2026101015402	FOUSTINE VIGODI MDINDI	20,500.00
2026101015501	Michael Unile Mukuni	22,500.00
2026101015601	Isaiah Kiunga Geoffrey	35,100.00
2026101015701	Abdul Yusuf	159,000.00
2026101015801	Francis G. Kihumbi	19,500.00
2026101015902	WILL ANDREW MULI	42,500.00
2026101016001	Stephen Olang'o	1,193,100.00
2026101016101	George C Owino	178,500.00
2026101016201	Awill Osman Abdulahi	15,000.00
2026101016302	VIOLET ANDISI MULINDI	0.00
2026101016401	Peter M Nyangeri	151,500.00
2026101016501	Mwinzi Mwangangi	35,000.00
2026101016603	FRANCIS URADZE AMBUKU	-9,000.00

2026101016702	DAVID MBOGHO	980,000.00
2026101016802	JOSEPH NJOROGI KARANJA	22,000.00
2026101016901	KENETH OLUOCH OTIENO	13,000.00
2026101017001	Patrick Okwiri Ating'a	166,500.00
2026101017101	Bernard N.Wanjala	3,500.00
2026101017201	Boaz Omori Tala	291,000.00
2026101017301	Margaret W. Wahome	24,000.00
2026101017401	Peter Imbaya Abukuse	12,400.00
2026101017501	Boti Kakunzo Hare	257,900.00
2026101017602	SIMON M. MURUNGA	20,000.00
2026101017701	Richard Kwama Ogundo	344,100.00
2026101017801	Susan A Oyugi	151,500.00
2026101017901	Robert Kiptanui Kirui	141,000.00
2026101018001	GEORGE M. MWANYAHI	30,000.00
2026101018101	Kisiangani F. Kisembe	14,500.00
2026101018201	Josiah N. Mbevi	40,500.00
2026101018301	Elizabeth N. Gichuru	171,000.00
2026101018401	Charles B. Boriga	15,000.00
2026101018501	Florence A. Adhiambo	155,500.00
2026101018601	John Chege Ngigi	258,600.00
2026101018701	Samwel Kabee Ondicho	266,600.00
2026101018801	David Mureith Gatimu	153,000.00
2026101018902	JOEL MOMANYI	7,000.00
2026101019001	Jonathan Kanyi	39,000.00
2026101019101	Francis Omondi Oketch	14,000.00
2026101019201	Macdonald Mwanza	39,500.00
2026101019301	MICHAEL NDIVO	18,000.00
2026101019402	LILIAN W. KAVINDU	110,000.00
2026101019502	ANTHONY NJUJI WANJHIA	22,500.00
2026101019601	James Kamau Karanja	17,785.00
2026101019701	Jomo Mugo Njiru	19,500.00
2026101019801	Janet A.Kioko	142,500.00
2026101019902	MARY OTINGA NJIRI	20,750.00
2026101020002	MARTHA MUTHAKYE MBUVI	-2,500.00
2026101020101	John Ongeso Pamba	198,000.00
2026101020202	HAMARA ABDILE IBRAHIM	7,500.00
2026101020301	Daniel N Mburu	134,000.00
2026101020401	Kennedy Hassan Osanya	25,000.00
2026101020501	Donald M.Onzere	1,180,500.00
2026101020601	HUMPHREY G MUGAMBI	-7,500.00
2026101020702	NASHON OPIYO OYUCHO	7,500.00
2026101020801	James Kuria	357,500.00
2026101020901	George Kathurima	22,500.00
2026101021001	Diana Wairimu	5,000.00
2026101021101	Samuel Nganga Mbugua	647,150.00
2026101021201	Tom Maoga	401,100.00
2026101021301	Atanas O. Ongele	1,062,100.00

2026101021401	Benson K. Ng'ang'a	471,000.00
2026101021502	Alice Mbeyu Bosso	0.00
2026101021601	Jane Katambani Mulama	57,000.00
2026101021701	Bernadette Masinde	22,000.00
2026101021801	Aggrey Malala Owour	38,000.00
2026101021903	KURESHA DAHIR ALI	7,500.00
2026101022001	EPAINITO K. KIDAMBI	0.00
2026101022103	FRANK SAMUEL NDUTI	0.00
2026101022201	Martin Ikunyua	516,500.00
2026101022302	RONALD M.MAKOKHA	11,050.00
2026101022401	Rosemary Lovembe	20,000.00
2026101022501	Mahamed Ramadhan	0.00
2026101022601	John B. Akungwi	8,500.00
2026101022701	Joyce Albert	28,000.00
2026101022802	GINORAH ZIGHE MWAMBURI	0.00
2026101022902	MARTIME MWENDA KITHINJI	52,500.00
2026101023001	Mwombe Shitanda	7,500.00
2026101023101	Benson O. Nyarera	40,000.00
2026101023201	Thomas O. Ongolo	50,500.00
2026101023302	DAVID NYONGESA MAKHANU	-2,500.00
2026101023401	Steve Gitau Kaburu	45,000.00
2026101023501	Albert A. Kamaliki	19,500.00
2026101023602	ALINOOR ABDULLAHI ALI	15,000.00
2026101023701	Fatuma Mwamburi	-2,500.00
2026101023802	NANCY WANGOI	87,000.00
2026101023901	Violet T. Olinyo	378,400.00
2026101024004	SAMUEL K. MWANGI	40,000.00
2026101024101	Thomas O. Bunde	7,500.00
2026101024201	Gideon Mutiso Munyao	60,000.00
2026101024302	VICTOR NAMAKA LUMBASI	57,750.00
2026101024401	Everline J. Moriseni	11,300.00
2026101024501	ROSE NANCY SINDIGA	354,400.00
2026101024601	Tecla C. Mwakiwiwi	62,500.00
2026101024701	Charles Mshilla	17,000.00
2026101024802	SIMON MWANGI KIREMA	15,000.00
2026101024901	Dennis O. Osino	326,000.00
2026101025001	Sammy Muli Mutua	7,500.00
2026101025101	Lucas K. Kitsao	0.00
2026101025203	PETER NYANARESI OMANWA	10,000.00
2026101025301	Gidnorah P. Mjomba	355,900.00
2026101025401	Roseline O. Obiero	13,800.00
2026101025502	JOSEPH KILONZO	20,000.00
2026101025601	Everlyne Atieno	213,000.00
2026101025702	PAULINA WANGUI KAGAI	2,500.00
2026101025801	Geoffreya Ngonga	296,700.00
2026101025902	DENNIS OMONDI	63,000.00
2026101026001	Stanslaus M. Kisyoka	13,000.00

2026101026101	Okeyo M. Evans	230,500.00
2026101026201	Justus A. Ochina	120,000.00
2026101026301	Appolonia Atieno Arwa	500.00
2026101026303	JOSEPH WAMURO	60,000.00
2026101026401	Lucy M. Ngumbao	7,500.00
2026101026502	SHABAN MAALIM ISSACK	15,000.00
2026101026503	TERESA TANO	133,250.00
2026101026602	KENNDY MUSOMBA MUKAVI	77,500.00
2026101026701	John K. Waweru	7,500.00
2026101026801	Margret Waithera NJAU	35,500.00
2026101026901	Levy Kisombe Mwashumbe	17,000.00
2026101026903	CHARLES KURIA	183,000.00
2026101027001	Sophie V. Tsuma	0.00
2026101027102	JOHNSTONE MAINA GATONYE	5,115.00
2026101027201	Irene Mukabi .K.	0.00
2026101027301	Patrick M. Gicheru	0.00
2026101027401	Lamech O. Okumu	14,500.00
2026101027503	ONESMUS VILISI ISMAEL	67,500.00
2026101027601	Norman Mghosi	931,400.00
2026101027702	GLADYS KIPROTICH JEPKEMBOI	22,500.00
2026101027802	STANLEY GEORGE KENGARA	0.00
2026101027901	LUCY WAMBUI MAGURU	15,000.00
2026101028001	Nicholas K. Kamande	94,500.00
2026101028101	JOSEPH M. MBONDOH	196,500.00
2026101028201	Ibrahim Ahamed Osman	8,500.00
2026101028301	Rose Nzilani Nzomo	7,500.00
2026101028403	CHARLES MWALIA MATWEE	67,500.00
2026101028503	MAGDALINE ADERA ORONY	-7,500.00
2026101028601	Gabriel Davis Orony	87,000.00
2026101028701	Kiio John Ngula	129,000.00
2026101028801	Clementina Matunda	34,500.00
2026101028901	Bernadette M. Maithya	-0.40
2026101029002	MULWA MWANIKI	15,000.00
2026101029103	.JANE NJERI KAMANDE	47,038.00
2026101029201	Kenedy Mugathia	25,000.00
2026101029301	Alfred T. Machwetta	97,500.00
2026101029401	Justus Kasyoka	13,600.00
2026101029501	Mary N. Siagora	7,500.00
2026101029601	Grace W. Mureithi	109,000.00
2026101029702	IBRAHIM ADAM WARDERE	22,500.00
2026101029703	GIDEON MUYUKA	103,000.00
2026101029801	Sammy Kisilu	2,100.00
2026101029902	CHRISPINUA ONDATTO	120,000.00
2026101030002	FRANCIS OPONDO MUSUNGU	10,000.00
2026101030102	LAWRENCE N. MWALA	115,000.00
2026101030202	ABDULMANAF MOHAMED OMAR	22,000.00
2026101030301	Moses .I.Kidanda	15,500.00

2026101030401	Evanson. N. Gichuru	0.00
2026101030502	JOSIAH ANDITI ADOYO	16,500.00
2026101030601	Stanley .M. Kungu	22,000.00
2026101030702	WASHINGTON MBURU KARANJA	0.00
2026101030703	CATHERINE MUMBUA	37,500.00
2026101030802	MILLICENT AUMA	88,600.00
2026101030902	MARTINAH K MWAKULOMBA	34,500.00
2026101031001	Rose M. Luseno	167,500.00
2026101031101	Mary A. Nyariki	139,500.00
2026101031201	Eliezear Kamau	15,000.00
2026101031301	Emmanuel K. Cherop	118,000.00
2026101031401	Merulius Kiprono Bii	25,500.00
2026101031501	Dickson James Oruko	268,000.00
2026101031602	AHMED HASSAN DAHIYE	68,000.00
2026101031702	DAVID LIYAYI SIMWA	-7,500.00
2026101031801	Lucas Odhiambo Moro	194,500.00
2026101031901	Bernard Njoroge Chege	183,500.00
2026101032003	FARHIYA MOHAMED MOULID	37,500.00
2026101032102	VICTORIA M. MUHIA	0.00
2026101032203	NEMO ABDI NASIR	0.00
2026101032301	Lucas Nyagaka Getanda	153,000.00
2026101032401	Zachary Muriithi Ngumi	7,500.00
2026101032501	Julius N Nyandoro	151,500.00
2026101032601	Petronila Were	75,000.00
2026101032701	Bernard Mwalimu	1,114,300.00
2026101032801	S.K. Kamere	1,063,520.00
2026101032901	Benedict Kadege	151,500.00
2026101033001	Alice Winnie Wanjiku	119,000.00
2026101033101	James Mwaura Gutu	134,000.00
2026101033201	Alfred K. Kiarie	15,000.00
2026101033301	David Chemuku Wekesa	44,500.00
2026101033402	PATRICK M. MSINGI	170,000.00
2026101033501	Wilson Luke Bare Oriewo	165,000.00
2026101033601	Habiba Mohamed	7,500.00
2026101033701	Abdi Asman Mohamud	14,000.00
2026101033801	Peres Nekesa Wandera	47,600.00
2026101033901	Maurice W. Ochieng	218,000.00
2026101034001	Beatrice A. Okonji	385,750.00
2026101034101	Charity Shikwe	76,000.00
2026101034201	Priscilla Ithanzu	785,400.00
2026101034301	Bernard Kinoh Mukundi	115,500.00
2026101034401	Mbutu Thua	783,000.00
2026101034501	Beatrice M Hezekia	16,500.00
2026101034602	VINCENT MWANGE AGALA	54,000.00
2026101034701	Salvation I Mauki	25,000.00
2026101034801	Julius M. Nduru	312,800.00
2026101034902	ANDREW MWONGELA MAWEU	37,500.00

2026101035001	Isaac Makongolo Lipesa	0.00
2026101035101	Charles Ouma Oketho	14,500.00
2026101035103	PATRICK OWUOR	27,500.00
2026101035201	Peter M. Zirroh	481,800.00
2026101035301	Sheban Athman	158,250.00
2026101035401	Otieno Wilfred Ogwe	135,000.00
2026101035501	Joel Ombija Muok	151,500.00
2026101035601	Joseph Amusala Makomere	79,500.00
2026101035701	Christopher Mshimba	500.00
2026101035801	Thomas N.Ongoro	51,000.00
2026101035901	Fredrick M. Mwendwa	0.00
2026101036001	Washington A Emitundo	80,000.00
2026101036101	Margaret Wanjiru Kagwi	142,350.00
2026101036201	Richard M.Mwasuga	9,500.00
2026101036203	THOMAS OWUOR	91,567.00
2026101036302	HUSSEIN MAALIM ISSACK	30,500.00
2026101036401	Ephraim O.Y. Okumu	148,500.00
2026101036501	Judith Ambuka	166,196.00
2026101036601	Francis M. Mutie	157,800.00
2026101036702	WILSON MUSEMBI MUSYOKA	0.00
2026101036801	Cosmas O. Agolla	148,500.00
2026101036901	Joseph Mwithialie M.Thiraki	7,500.00
2026101037001	Mbugua Kariuki	7,500.00
2026101037101	John M. Kuria	148,500.00
2026101037201	Eliud K Mukuongo	77,000.00
2026101037301	Mary Muturi	319,700.00
2026101037401	Julius N. Wambua	7,500.00
2026101037403	THOMAS ETORI	16,500.00
2026101037503	JEDIDAH W. N. GITHERE	25,000.00
2026101037602	PETER KIPTOO YEGO	67,500.00
2026101037701	Zainab Liban	3,000.00
2026101037803	CAROLINE WAMBUI MBUTU	101,000.00
2026101037901	Annie Njeri Njoroge	7,500.00
2026101038001	John Njoroge	9,500.00
2026101038102	WESLEY CHERUIYOT LANGAT	61,500.00
2026101038202	VINCENT ONYANGO ARAKA	13,500.00
2026101038301	Michael K Menjo	330.00
2026101038401	Alex Oduor Ndege	147,000.00
2026101038501	Ronald Nyongesa M	106,500.00
2026101038602	CHARLES WACHIRA KABUGI	66,500.00
2026101038701	Abdikadir Roba	785,800.00
2026101038801	Wilfred K. Arap Rop	223,500.00
2026101038901	Betty Chepkemoi	68,500.00
2026101039001	Catherine Wangui	150,000.00
2026101039101	Joseph Agutu Osura	163,500.00
2026101039202	DOMINIC CHIVONA MUCHINA	24,500.00
2026101039302	ELSIE N.SABURI	15,000.00

2026101039401	Sara O. Okisegere	26,000.00
2026101039501	Abdi Shobon Aliyo	51,500.00
2026101039601	Richard M.Wambua	-100.00
2026101039701	Janeth Cherotich K	147,500.00
2026101039801	Kimonyo Kiliku Muni	148,500.00
2026101039901	Mkunzi N. Kaloki	149,500.00
2026101040001	Wilfred Kipkoech Komen	151,500.00
2026101040101	Jonathan M Mzera	69,500.00
2026101040202	PROJERAH AMINA MUNYAO	22,500.00
2026101040301	David Mugo	784,800.00
2026101040401	Nicholas Maingi Musyoka	55,500.00
2026101040501	Humphrey E.Ekirapa	0.00
2026101040601	Ibrahim Mohammed	5,000.00
2026101040702	CHRISTINE ORENGO	30,000.00
2026101040801	George R. Owuoche	7,500.00
2026101040901	Jane Nzovu	425,400.00
2026101041001	GEORGE MAINA NDUNGU	23,500.00
2026101041101	Paul Mwandoe M.	147,500.00
2026101041202	ISACK MAALIM ABDULAH	24,500.00
2026101041302	ASHA NOOR ABAYLE	7,500.00
2026101041401	Elly Oloo Aloo	7,500.00
2026101041501	Ahmed Mahamed Hussen	45,000.00
2026101041601	Zainab Abdi	262,600.00
2026101041702	PATRICIA A.OCHIENG	29,500.00
2026101041802	JOSEPH MASAI MUTUKU	-500.00
2026101041901	James Nyamweya	91,000.00
2026101042001	Eric Paul Ogai	90,000.00
2026101042102	JOHN KARIUKI KAMUNDI	15,000.00
2026101042202	MILDRED ANYANGO ODHIAMBO	45,000.00
2026101042301	Claude S. Karani	37,500.00
2026101042401	Joseph Ochieng Magonya	36,750.00
2026101042501	Daniel S Mukhovi	157,500.00
2026101042602	GEORGE MWAKAVI	72,500.00
2026101042702	RAWLAND NJIRU GICIGI	112,000.00
2026101042801	Charles Kagwima Karanja	11,000.00
2026101042902	ABDIRIZACK ALI ABRAHAM	45,000.00
2026101043002	GEORGE OWINO	15,000.00
2026101043103	ABDISALAM HUSSEIN MADEY	-14,500.00
2026101043201	Douglas Muriuki	309,800.00
2026101043301	Francis Paul Righa	17,000.00
2026101043401	Hassan Issak Abdi	36,500.00
2026101043502	ZAB JULIUS KANYI	90,000.00
2026101043601	Armstrong Ngumbau M.	148,500.00
2026101043702	ONESMUS JEGO RIA	0.00
2026101043801	Dorothy .M. Kirema	163,300.00
2026101043901	ALFRED M. NDOLA	22,500.00
2026101044001	John Angore Munyaya	148,500.00

2026101044101	Erastus Onyango Osur	202,000.00
2026101044201	Cornelius K.Sagas	167,500.00
2026101044302	ALI ISSACK ABDI	10,500.00
2026101044401	Jane H Onono	44,000.00
2026101044501	Francis Gachoki	8,500.00
2026101044601	Matilda Ouma	0.00
2026101044702	MERCY H. KISUKA	106,000.00
2026101044801	Amina Abdi Sheik	17,000.00
2026101044902	KHADIJA MOHAMED	8,200.00
2026101045001	Joseph Obwoge	233,500.00
2026101045102	LAWRENCE GITHAE MBUITU	25,500.00
2026101045201	Francis Ndichu	306,000.00
2026101045301	Stanley C Maiyo	121,000.00
2026101045401	Ronoh Kyalo Kimilu	8,000.00
2026101045501	Francis O. Odhiambo	907,100.00
2026101045601	Humphrey Wandera Ouma	80,000.00
2026101045701	Stephen O Ayiko	212,000.00
2026101045801	Stanley Salatt	98,500.00
2026101045902	NOOR BASHIR MOHAMED	30,000.00
2026101046001	Michael Amala Ngicho	116,000.00
2026101046101	C.K. Towett	474,300.00
2026101046202	JACKSON RAMADHAN KATANA	18,750.00
2026101046301	Thomas K. Mboi	220,750.00
2026101046402	CONCEPTA NEKESA BURUDI	7,500.00
2026101046501	Dickson O.Ochieng	37,000.00
2026101046602	VIRGINIA NYAWERA MBUGUA	36,500.00
2026101046701	EUNICE MITHEU	17,000.00
2026101046802	MOHAMMED H. ABDULLAH	31,000.00
2026101046901	DOMINIC KASYOKI WETHA	36,500.00
2026101047001	Bernard Kyambi Kinda	74,500.00
2026101047101	Bernard N.Nzungi	3,100.00
2026101047103	MOHAMED NOOR	7,500.00
2026101047201	Innocent M. Nyange	463,500.00
2026101047301	David W. Kabugi	22,500.00
2026101047401	Dormitila Kyalo	20,500.00
2026101047501	Elizabeth Tatu Mutisya	178,700.00
2026101047601	James M. Kilai	162,000.00
2026101047701	Moses Kinyua Njiru	30,000.00
2026101047801	Fatuma A. Sunwa	50,500.00
2026101047901	Emmanuel Kapombe	0.00
2026101048001	Joshua O.Akutu	57,000.00
2026101048101	Bernard M. Waithumbi	47,500.00
2026101048202	JOSEPH NJOROGI KIRUNGE	29,500.00
2026101048301	Mohamed Abdille Abdi	20,000.00
2026101048401	Evelyn Nzwii	245,000.00
2026101048501	Patrick K.Mulwa	0.00
2026101048601	SIMON CHOMBA	15,000.00

2026101048702	ABDIRAHIM MOHAMED AHMED	51,250.00
2026101048801	Henry M. Jaji	12,995.00
2026101048901	Elizabeth Mwamba	52,500.00
2026101049001	Fidelma Kanini	7,500.00
2026101049102	POLLY SIGANGA	43,500.00
2026101049202	SAMUEL KARURU GATHERU	45,000.00
2026101049302	EUNICE ODHIAMBO	59,000.00
2026101049402	MOHAMMED ABDALAH CHAI	17,000.00
2026101049502	HILLARY M. AMBWERE	45,600.00
2026101049601	Isaiah O. Nyamweno	311,000.00
2026101049701	ANGELINA NDUNGE	36,000.00
2026101049802	GRACE OWITI	48,000.00
2026101049901	Shaban M. Lugogo	196,000.00
2026101050001	Philes Nduki Kamau	183,500.00
2026101050101	Francis M. Mashengu	0.00
2026101050202	REBECCA CHANYA MGHANGA	60,000.00
2026101050301	Jaquiline Masita	105,500.00
2026101050401	Anna M. Kivuva	4,500.00
2026101050501	Richard W. Mwangi	10,000.00
2026101050601	Anthony M. Kimende	355,000.00
2026101050702	ABDISALAN MOHAMED KEINAN	15,000.00
2026101050801	Jedida K. Muswii	7,500.00
2026101050902	ISAACK MAALIM DAHIR	15,000.00
2026101051001	Lilian W. Kibunywa	37,500.00
2026101051102	CAROLINE AKUMU NYADIERO	16,500.00
2026101051202	JOSEPHINE KAINDI KITHOME	0.00
2026101051301	Geoffrey M. Nyakundi	25,500.00
2026101051401	John N. Mburu	61,000.00
2026101051501	David Gacobe Ndiritu	33,000.00
2026101051601	Solomon K. Ndana	287,500.00
2026101051701	Grace W. Kinyanjui	251,500.00
2026101051801	Moses Thuku Mbugua	30,000.00
2026101051902	MARYAN HASSAN MATAN	41,000.00
2026101052001	Pamela A. Odera	295,000.00
2026101052101	Maurice Otieno	0.00
2026101052201	Bashir Ahmed Awale	30,000.00
2026101052301	Margret S. Kyule	279,000.00
2026101052401	David D. Ariaro	200,000.00
2026101052503	PETER MURIITHI MUTI	52,500.00
2026101052601	John K. Mureithi	169,500.00
2026101052701	John K. Wanyoike	250,100.00
2026101052802	ASILI HASSAN NOOR	34,000.00
2026101052901	Samuel M. Munene	11,500.00
2026101053001	Shem Kasau Nyamau	15,000.00
2026101053201	Felistus Nditi Mukumbu	12,500.00
2026101053301	Michael K. Mwangi	217,000.00
2026101053401	Agnes Olimba	61,500.00

2026101053501	Titus Maingi Kimai	65,000.00
2026101053601	Michael N.Kariuki	7,500.00
2026101053701	HELLEN MUSYOKA	-7,500.00
2026101053801	Wellington O Anyango	144,000.00
2026101053901	Abdallah Mwangi Kagondu	22,500.00
2026101054001	Esther Jeremeah	71,000.00
2026101054101	DEMPHINE WANDERA	9,000.00
2026101054202	CHRISTINE MUKAMI KAGEREKI	8,500.00
2026101054302	LEONARD OBUO AKACH	7,500.00
2026101054401	Alex Agola & Jane Awuor	89,600.00
2026101054501	Lucy Mbuimwe	0.00
2026101054601	ABDIRAHIM IBRAHIM HAJI	52,500.00
2026101054701	Rose M. Ngandi	0.00
2026101054801	Jane Njihia	412,900.00
2026101054901	Nzai Michael Jali	12,500.00
2026101055002	HALIMA DIBA ADAN	-12,000.00
2026101055101	John Mwaura	490,600.00
2026101055202	MERCY NGINAH MANOCHI	22,500.00
2026101055302	YUSUF KISIGWA MAJAN	15,000.00
2026101055402	JOHN ERICK ALUSHULA	55,500.00
2026101055502	ANDERSON MUSYOKA KIIO	75,000.00
2026101055601	Kenneth O.Assey	238,850.00
2026101055702	MUNYOKI MUTHAMI	45,500.00
2026101055801	Sabas Gene	224,400.00
2026101055905	LAWRENCE AGIK MWAI	30,000.00
2026101056002	DUNCAN WAITHAKA NDEGWA	7,500.00
2026101056101	John Kimathi	231,000.00
2026101056201	Darius M. Kimonge	0.00
2026101056302	ISAACK M. GICHARA	139,500.00
2026101056401	Hassan Abdi Shabura	30,500.00
2026101056502	RENSON KAMBALE	-7,500.00
2026101056602	ISAAC WABOMBA WANYONYI	30,000.00
2026101056701	Shaban Hosea Wangalwa	156,000.00
2026101056802	JOSHUA MUMBE MALASRE	10,000.00
2026101056901	Denish Onyango Otieno	27,500.00
2026101057002	HELLEN KHAKASA WEKESA	117,000.00
2026101057101	Helmuth K Kogo	156,000.00
2026101057201	Peter Kirui	120,500.00
2026101057301	Wilson Muthee Ngujiru	47,000.00
2026101057402	SARAH NEKESA WANYONYI	163,000.00
2026101057503	MIRIAM AKINYI OMBUL	38,500.00
2026101057601	Cromwel Matasa Mwakazi	15,000.00
2026101057701	Marshal J. Dolla K	159,000.00
2026101057801	Simeon K. Towett	77,000.00
2026101057902	PATRICK A MWAKIO	57,000.00
2026101058002	ANDERSON A. GWIYA	1,000.00
2026101058101	Benson M Kivundu	304,500.00

2026101058202	MORRIS T.M'MUGAMBI	7,500.00
2026101058302	AMBROSE MAINGI MUTUA	7,500.00
2026101058303	BEATRICE KATHURE	122,000.00
2026101058402	MUNGAI GICHUHI	591,600.00
2026101058502	EVERLINE A.OWONA	-8,250.00
2026101058601	Sabas Gene	59,500.00
2026101058701	Mary Wanja	67,250.00
2026101058801	James Osoo	266,600.00
2026101058902	EDITH MUGANDA	0.00
2026101059001	PENINAH WANGECHI KARIUKI	27,500.00
2026101059101	Abdikadir Roba	8,500.00
2026101059202	KOTI KITAVI NGAO	22,500.00
2026101059301	Sirad Salat Yero	15,000.00
2026101059401	VICKY OMUDI	7,500.00
2026101059501	Maamun Abubakar Ali	40,500.00
2026101059601	Gabriel Mwai Mithamo	15,500.00
2026101059701	Joseph O Wandolo	151,500.00
2026101059801	Micah Ptala Ndiwa	148,500.00
2026101059901	PETER MOSOTI MOCHENGO	73,000.00
2026101060001	Yerrow Hussein Musse	7,500.00
2026101060101	Antony K. Mtemwa	152,700.00
2026101060203	GLORIA RIGHA WAKIREMA	53,500.00
2026101060301	Boaz O. Oburenji	13,500.00
2026101060402	DAVID MWITA CYPRIANO	8,500.00
2026101060502	PETER WAGURA MAINGI	-15,000.00
2026101060602	CHRISTINE KANJIRI MUTHIORA	12,500.00
2026101060702	JOSEPHAT WECHULI EKINA	69,500.00
2026101060801	Stephen A Michiemo	0.00
2026101060901	Bernard Kyalo Kimeu	-7,500.00
2026101061002	DAVID NGIGI KIRANGA	50,000.00
2026101061101	Lorraine Munoko	151,500.00
2026101061202	CHARLES WACHIRA MAINA	0.00
2026101061303	NICHOLAS KITHOME KIEMA	-7,500.00
2026101061402	SAMUEL KABIRO	155,600.00
2026101061501	Mohamed Sora	7,500.00
2026101061601	Athanase M. Wambari	181,500.00
2026101061701	ALEX OTIENO OKUMU	-8,500.00
2026101061802	AHMED M MUSA	36,000.00
2026101061902	NELSON KIPROTICH RAGOR	8,500.00
2026101062001	Eunice Wasike	95,000.00
2026101062101	Chomba Contractor Company	8,500.00
2026101062201	Raphael K Langat	54,500.00
2026101062301	Kahow Yarrow Salat	72,500.00
2026101062401	Anne Mshai Makoko	17,000.00
2026101062403	JANE MUMO	20,000.00
2026101062502	MUSLIMA ALI HASSAN	17,000.00
2026101062601	Jared Ongeru Moset	104,500.00

2026101062702	GEORGE PHILIP GICHEGO	15,000.00
2026101062801	Mohamed Adona Adan	7,500.00
2026101062901	Bakari Joto Salim	60,500.00
2026101063001	Kassim Mohamed Hassan	144,000.00
2026101063103	JOSHUA ONYAMBU NYANGERI	15,000.00
2026101063202	ROSE NYAMBUNE OKERIO	11,000.00
2026101063301	Ezra Awimbo Odembo	0.00
2026101063401	John L Eboso	225,500.00
2026101063501	Elijah N. Chepchilat	270,000.00
2026101063601	Geoffrey Mwanga	22,500.00
2026101063701	Joshua Otieno Owange	150,000.00
2026101063801	Stanley K. Mutala	7,500.00
2026101063901	Simon Gichengo	61,500.00
2026101064001	Isaya O Obage	105,000.00
2026101064101	Rosemary Odawa	244,600.00
2026101064201	Celina Njeri Maina	0.00
2026101064301	Barzelius Kiti Muye	147,500.00
2026101064401	Simon Mutua	151,500.00
2026101064501	Dorine M. Wavua	7,500.00
2026101064602	ELIJAH KALOKI MWANGANGI	14,500.00
2026101064701	John Walter Andakasia	339,000.00
2026101064801	Henry O Oywech	150,000.00
2026101064901	John Obondo Mugeni	229,500.00
2026101065001	JOHN ODHIAMBO	-15,000.00
2026101065102	MATILDA W.KIUMBA	7,500.00
2026101065201	Charles Isaac Otieno	77,400.00
2026101065302	JULIANA NDUKU MBUVI	15,000.00
2026101065402	ALEX ODHIAMBO OUMA	7,500.00
2026101065502	JAPHET MVOYI RIA	20,000.00
2026101065602	COLLINS OJAJU MAJARE	15,000.00
2026101065701	PHILIP MWASI KASAVO	25,000.00
2026101065801	RICHARD I MATOLO	59,500.00
2026101065901	George M. Munyiura	123,500.00
2026101066001	Caroline Ogola	15,000.00
2026101066101	Wilfred L. Odeyo	28,500.00
2026101066201	Albert O. Okhebero	281,650.00
2026101066302	DARIUS NGUGI	22,500.00
2026101066402	SEYNAB MOHAMED HUSSEIN	17,200.00
2026101066501	Rose J.N. Mainye	-15,000.00
2026101066602	ISMAEL OMOLO OCHOLA	0.00
2026101066701	Christopher K. Mwau	154,500.00
2026101066801	Fredrick Aketch Obonyo	37,500.00
2026101066901	David Telela Ngala	153,500.00
2026101067001	David Okoth Ocholla	15,050.00
2026101067102	JUDY M.WAMBUA	-7,500.00
2026101067202	UBAH ABDI OSMAN	-16,500.00
2026101067303	FRANCIS THUKU WAWERU	0.00

2026101067401	Stephen Munguti	6,500.00
2026101067502	ZAKARY G. NGUGI	109,900.00
2026101067601	Dorcast Kathanzu	0.00
2026101067702	CAROLYNE WANJIRU	7,500.00
2026101067801	GIBSON THIONGO	16,000.00
2026101067902	JOHN KIRAGU	190,000.00
2026101068001	ROBERT AMUKO OLIMBA	27,500.00
2026101068101	Anthony Gioko	-7,500.00
2026101068202	SOPHIA L.A. MUSUMBA	160,000.00
2026101068302	PETER DEALTRY OCHIENG	7,500.00
2026101068402	WAMALWA W. CHIMBANGA	15,000.00
2026101068501	Abdi Kadir Ali	36,500.00
2026101068601	Foos Aidid Hassan	22,000.00
2026101068702	JOSHUA MAKAU	0.00
2026101068801	Musili Nzuki	22,550.00
2026101068901	Christopher T.K. Komora	8,000.00
2026101069002	ANTONY MATHERI KARANJA	129,000.00
2026101069101	Shadrack K. Barno	8,500.00
2026101069201	Ismail Abdi Mohamed	17,000.00
2026101069301	Joseph O.Okach	8,000.00
2026101069401	Abdikhani S.Mohamed	12,500.00
2026101069502	TABITHA A. NYAMAI	30,000.00
2026101069601	Joseph W. Gacheru	152,000.00
2026101069702	FADHUMA NURU OMAR	17,500.00
2026101069801	Michael K. Maina	119,500.00
2026101069901	Gikonyo G.Thwagi	105,000.00
2026101070002	JUSTUS B. NYAMBEGERA	31,000.00
2026101070101	LAWRENCE MOGIRE MOSE	89,500.00
2026101070201	Irene Kioko	27,000.00
2026101070301	Caroline N. Nzoki	22,500.00
2026101070401	Michael Mutuku	40,500.00
2026101070501	Erasmus .J. Wangio	68,000.00
2026101070601	Ezekiel Kalo	-17,000.00
2026101070702	JOYCE WANZIA PHILLIPS	93,500.00
2026101070801	Winnifred S.Khalumba	40,700.00
2026101070902	TITUS MWEGA	60,000.00
2026101071001	Loise Wangui Gatuma	0.00
2026101071101	K.E.Gichuru	338,000.00
2026101071202	ZADOCK K. KILAVUKA	73,000.00
2026101071301	Robert Kamau	7,500.00
2026101071401	Pauline Wambua	29,700.00
2026101071501	Freddrik M. Kingangi	81,500.00
2026101071601	HOPE K. MWASYA	14,500.00
2026101071701	Paul Mailu	19,500.00
2026101071802	SAMUEL GITHINJI MWANGI	22,500.00
2026101071902	MOSES MUSAU MUTIE	118,400.00
2026101071903	ALFRED SHIHACHI	73,000.00

2026101072001	BRUCE ASHIKOYE	181,000.00
2026101072101	Benson Mwangi Gioko	48,500.00
2026101072201	Paul Mathendu	174,000.00
2026101072301	Daniel K. Kositany	148,000.00
2026101072403	JAMA HASSAN FARAH	22,500.00
2026101072501	Mary N. Gioko	74,200.00
2026101072602	OMUNYASIA MAKOKHA	0.00
2026101072701	Hudson Bonface Njeru	7,500.00
2026101072801	Erasmus J. Katama	139,500.00
2026101072901	Eunice M. Mwasaha	359,000.00
2026101073001	Peter Oduor	319,500.00
2026101073101	Edward Muthuri	8,500.00
2026101073201	Alexander Mutua Maingi	15,000.00
2026101073302	RAPHAEL MULU MALUSI	44,000.00
2026101073401	ALAMID A.DAHMAN	25,500.00
2026101073502	MOHAMED WARSAME ABDALLA	8,500.00
2026101073602	KENNETH K.KIRUI	16,500.00
2026101073701	Mohamed Hassan	0.00
2026101073801	Samuel Mwai Muriithi	85,800.00
2026101073901	Lucie M. Machi	58,700.00
2026101074001	E. Kamau M. Gika	146,500.00
2026101074102	ELIJAH OMAGWA NYAMWEYA	10,000.00
2026101074201	Paul Kiprono Langat	0.00
2026101074203	SAMUEL WANJOHI	48,000.00
2026101074301	Julius M. Katwa	173,000.00
2026101074402	STANLEY ANDABWA KHASIALA	93,500.00
2026101074501	Stephen S. Olimba	237,000.00
2026101074601	Jumaa K. Koi	237,000.00
2026101074702	REUBEN KAMAU KANYARI	32,000.00
2026101074801	Isaiah O. Adika	-500.00
2026101074901	Teresia Shali Kitongi	63,500.00
2026101075001	Jared Oduor Oloo	7,500.00
2026101075101	Kefa O Maranga	78,000.00
2026101075201	Samwel Njogo Kamau	-7,500.00
2026101075301	Michael S. Ambeje	254,900.00
2026101075401	Andrew Songwa Khaemba	60,500.00
2026101075502	CHARLES N. NDOME	95,000.00
2026101075602	WILSON G.IRUNGU	38,500.00
2026101075701	Fredrick Kahii Ndalo	7,500.00
2026101075703	ALEX MWANGAKA	51,000.00
2026101075802	ELMA ERAKA	122,500.00
2026101075902	PIUS MUTISO NDUNGA	0.00
2026101076001	Fausta M. Mghendi	68,000.00
2026101076102	STEPHEN N. MALOBA	0.00
2026101076201	Japheth Patrick Gaya	243,000.00
2026101076302	PAUL NDEI NYAMAI	7,500.00
2026101076401	Salim Hassan Joha	500,700.00

2026101076502	NICHOLAS OCHIENG	122,500.00
2026101076601	Cosmas M. David	157,400.00
2026101076701	Jackson Mweu Joel	0.00
2026101076803	ALBAN ALOO	113,050.00
2026101076901	Samwel Mageto	257,500.00
2026101077001	Joachin Ragumo Mudiwo	235,000.00
2026101077101	Wilfred Njue Nyagah	185,000.00
2026101077201	Bernard Simiyu	145,700.00
2026101077301	Johnstone O Otieno	151,500.00
2026101077401	Sophie W. Mwalimo	271,500.00
2026101077501	Emanuel K. Mwandoe	13,000.00
2026101077602	CHRISTOPHER M TUJA	22,500.00
2026101077701	Brockelhust M. Kubo	507,300.00
2026101077802	SARAH K. MWANGEKA	30,000.00
2026101077901	Osman Mhamed	15,000.00
2026101078005	REMINGTON NJIRU	185,000.00
2026101078101	Agnetta Ogonda	1,236,100.00
2026101078201	Fleria Otita	374,700.00
2026101078302	JOSEPHINE KARAMBU	67,500.00
2026101078401	Johnson Mzera	7,500.00
2026101078503	NAJMA MOHAMED GABANE	0.00
2026101078602	RANDY MAZERA	177,500.00
2026101078702	EVELYN N. KIOKO	133,000.00
2026101078804	JOSEPHINE M NZUVA	28,500.00
2026101078901	Andrew Mwendwa Kituku	7,500.00
2026101079001	Esther Mwanjala	130,600.00
2026101079101	Rosemary Maina	13,100.00
2026101079202	DORCAS M. KIOKO	20,500.00
2026101079301	Malachi Orondo	308,000.00
2026101079401	John M. Mgumu	428,600.00
2026101079501	Irene Machi	139,500.00
2026101079602	AKIBA BILTON FUNDI	22,500.00
2026101079701	ERNEST FUNDI MWALUMA	287,325.00
	<b>TOTALS</b>	<b>69,994,948.40</b>

<b>ARREARS REPORT AS AT 15.08.2018</b>		
<b>CHANGAMWE RENTALS - PAST TENANTS</b>		
<b>A/c no.</b>	<b>NAME</b>	<b>Amount (Kshs.)</b>
2026101000200	Abdikadir Roba	166,400.00
2026101000201	JAMES DAIDO	31,512.80
2026101000300	Patrick Muganda	156,400.00
2026101000301	Jacob A. Akuku	19,200.00
2026101000400	MARY W. JOHN	157,100.00
2026101000501	Joseph Khamoyi	17,600.00
2026101000600	JUDA MWALUMA	6,310.00
2026101000601	John Galgalo	313,100.00
2026101000701	SABAS GENE	26,100.00
2026101000800	CHARLES WARINGA	204,000.00
2026101000801	HENRY KISAKA	60.00
2026101001401	Joyce Khamoyi	13,940.00
2026101009201	Andrew O. Onguka	7,500.00
2026101009700	MSANIFU RASHID	42,500.00
2026101009800	JAMES MEROSHI	12,000.00
2026101010001	Johnstone G. Achieng	129,800.00
2026101010401	Benson Kang'ethe	178,000.00
2026101010500	WINNIE SABABU	47,000.00
2026101010601	Herman K. Cheptoo	104,100.00
2026101010901	John E. Agoro	130,300.00
2026101011100	KOMBO ASHIBENDE	36,000.00
2026101011101	Rose Mwangura	15,000.00
2026101011200	BENJAMIN KADZENGA	3,500.00
2026101012100	SAMUEL KILEMI	30,000.00
2026101012400	VICTORIA BUYA	8,500.00
2026101012500	WILLIAM KIDEMBE	95,500.00
2026101012600	RODGERS ODARI	174,000.00
2026101012701	Vincent Marengé	129,000.00
2026101012800	CHARLES MUTUNGI	35,000.00
2026101013000	ONESMUS FONDO	42,000.00
2026101013101	Charles O. Onyari	81,000.00
2026101013201	Pius M. Njeru	139,500.00
2026101013300	JOHN KILONZO	75,500.00
2026101013400	DOREEN DOUGLAS	25,500.00
2026101014000	EVANS WANYONYI	33,500.00
2026101014100	JOSEPH MURIUKI	6,000.00
2026101014500	JOSEPH NZILU	54,000.00
2026101014601	Dedan Gitau Njau	132,000.00
2026101014701	MAJIMBO S.MGUNYA	77,750.00
2026101014702	Kinyanjui Dickson Kange	20,500.00
2026101014801	Charity W. Maina	7,500.00
2026101014802	JOHN MSAGHA MAGHANGA	10,000.00

2026101015000	ISIDORE OKETCH	129,800.00
2026101015201	Peter Ouko Opiyo	147,000.00
2026101015301	Sebastian Otieno Agan	32,000.00
2026101015400	KITUKU NDUNDA	6,000.00
2026101015401	Joseph Otieno Ombok	1,000.00
2026101015600	ISAAC KIGODE	16,500.00
2026101015900	CHARLES MBANDA	102,000.00
2026101015901	Jackson M. Muli	238,800.00
2026101016200	JOHN KILION	62,000.00
2026101016300	BARNABAS ODIEMBO	6,000.00
2026101016701	Simon Kiarie	127,100.00
2026101016802	JOSEPH NJOROGI KARANJA	22,000.00
2026101016900	CONNIE WANEKEYA	73,500.00
2026101017100	JOSIA MBEVI	27,750.00
2026101017400	MARKO ABUKUSE	25,000.00
2026101017601	Johannes C. Salasya	132,000.00
2026101018200	MOSES KISIANGANI	27,750.00
2026101018600	STANLEY NYONGESA	67,400.00
2026101018901	Richard Moturi Onyari	169,500.00
2026101019000	PETER NJAU	73,000.00
2026101019200	BONIFACE MWANGANGI	37,200.00
2026101019500	RAPHAEL MASESI	98,250.00
2026101019600	GEORGE NDUNGU	55,800.00
2026101019901	Zablon Onyango Namayi	148,250.00
2026101020000	CAPTAIN KIMATHI	123,600.00
2026101020001	John K. Musuvaa	139,500.00
2026101020100	JONAS OLWARO	183,600.00
2026101020201	Johana A. Dongo	129,000.00
2026101020400	MARONGE MARONGE	6,000.00
2026101020403	LAWRENCE MAKIMBULA	73,000.00
2026101020600	ELISTONE MBELA	579,000.00
2026101020701	Henry Owidhi Jananga	750,900.00
2026101020800	JULIUS THURE	241,600.00
2026101021000	JOHN MACHAKUSI	13,500.00
2026101021100	SAMUEL NGANGA	576,000.00
2026101021500	SORA TURA	55,100.00
2026101021600	LIVINGSTONE SIDIKA	76,000.00
2026101021800	JULIAS MWABU	76,450.00
2026101021901	Roger Simwa	684,500.00
2026101022000	JOHN KALO	588,000.00
2026101022100	STANUS RAJORO	60,700.00
2026101022101	Ephrastus Oracho	117,000.00
2026101022301	Irene N. Yaa	6,700.00
2026101022400	FLORENCE MWACHIA	111,800.00
2026101022403	MOSES MWACHIA	54,000.00
2026101022500	SAMUEL OLUMOS	189,000.00
2026101022600	ALEX OIMBA	88,300.00

2026101022603	FARIDA SAID	109,000.00
2026101022700	ESTHER KIMORI	139,200.00
2026101022800	JOSEPH OGODO	117,600.00
2026101022901	Rose A. Ooko	7,100.00
2026101023000	TOBIAS MATIEKA	162,800.00
2026101023003	CYPRYAN OBIERO	28,000.00
2026101023301	Joshua A. Kawawa	109,500.00
2026101023500	SAMUEL LANGAT	149,800.00
2026101023600	DAVID KIMANI	111,700.00
2026101023601	Christian Omondi Yala	500.00
2026101023700	ERICK ONDITI	108,200.00
2026101023800	ESTHER OGODO	179,400.00
2026101023801	George C. Kihara	119,500.00
2026101023900	STELLA AMAKABANE	93,200.00
2026101024000	CHACHOLE MOLU	213,500.00
2026101024001	David M. Imathiu	22,500.00
2026101024003	JULIA KANJE	91,500.00
2026101024200	ANNE NYOKABI	4,800.00
2026101024300	JANET OTIENO	103,700.00
2026101024301	Jane N. Kimani	139,500.00
2026101024400	BONIFACE IBIIRI	64,000.00
2026101024801	Lucy Mwashigadi	250,700.00
2026101025000	FATUMA MASHED	9,600.00
2026101025003	JOHNSTONE MULI	18,000.00
2026101025100	DEVOTER OKWACH	139,100.00
2026101025200	MARIAM BAKARI	153,200.00
2026101025201	Cosmas Mumo Karangi	130,000.00
2026101025202	NICHOLAS ETYANG	10,000.00
2026101025501	Reuben K Korir	173,000.00
2026101025600	JOSEPH OTIENDE	104,600.00
2026101025701	Joseph M. Kiura	246,300.00
2026101025800	JANE KIMANI	180,100.00
2026101025901	Derrick O. Nyabwa	145,750.00
2026101026300	ROSELINE EKIRAPA	39,000.00
2026101026500	NELSON AWUOR	54,000.00
2026101026601	Rose Mbatha	107,800.00
2026101026900	PAMELA ARIKA	7,500.00
2026101027101	Nicholas M. Muthembwa	112,000.00
2026101027200	ANDREW OGALO	52,500.00
2026101027501	Okang Michael Otieno	100,500.00
2026101027701	Eliud K. Mukuongo	133,500.00
2026101027800	ROSE MURAGURI	6,000.00
2026101027900	NAZERIA SEBASTIAN	188,000.00
2026101028100	PATRICK NZIVO	150,500.00
2026101028200	MERCELINE MWANYUMBA	15,000.00
2026101028300	EDWARD JUMA	115,500.00
2026101028401	Mwai Vitalis Nyadiero	121,500.00

2026101028402	ANJELINE ARIYO MWAI	10,500.00
2026101028500	SAIDI NECHESA	24,000.00
2026101028501	Bedan Kahugia Kingori	24,500.00
2026101029000	RODA KITONGA	12,000.00
2026101029001	John Nduli Ndole	54,000.00
2026101029100	MICHAEL MULANDI	80,500.00
2026101029101	JOYCE CHESARO	289,883.00
2026101029102	JOEL TITUS MUSYA	61,481.00
2026101029700	TOM ANYIM	6,000.00
2026101029701	Tobias Ogola Owiti	7,500.00
2026101029900	ROSE WACHIRA	12,000.00
2026101029901	Kibisu L. Elears	188,000.00
2026101030001	Esther S. Were	165,000.00
2026101030101	Francis M.Mwikya	147,000.00
2026101030200	LUCY MUGO	12,000.00
2026101030201	ABDULMANAF MOHAMED OMAR	7,500.00
2026101030300	MISHI SALIM	13,000.00
2026101030400	TABITHA ADING	60,500.00
2026101030501	James Njoroge	150,000.00
2026101030600	HUDSON MAKUTO	12,000.00
2026101030700	HENRY NGOTHO	104,500.00
2026101030801	Peter M. Ndune	66,000.00
2026101030900	PANCRAS NGATI	6,000.00
2026101030901	Anderson K. Kaburu	100,500.00
2026101031300	EDMOND MWAKIO	39,000.00
2026101031400	MORRICE OWUOR	12,000.00
2026101031600	BENEDICT AKELLO	2,400.00
2026101031601	Everngeline .S. Mabishi	53,000.00
2026101031701	Francis M. Kihara	658,400.00
2026101032001	Beatrice Kathure	129,500.00
2026101032200	FAITH OUNZA	577,900.00
2026101032400	CARADO IRERI	42,000.00
2026101032600	JOSEPH ONYANGO	143,930.00
2026101033100	ALPHAS MALACHI	5,500.00
2026101033200	JACKSON MURONO	78,500.00
2026101033401	Charles Ngumbi Kioko	227,000.00
2026101033600	RONALD KIPROP	86,500.00
2026101033800	H. P. YALA	312,000.00
2026101034100	SHADRACK MUSE	179,000.00
2026101034300	PHILIP OGORE	6,000.00
2026101034601	Dominic Opondo Musungu	147,000.00
2026101034901	Francis Solomon Mutia	140,700.00
2026101035000	MERCELL OYUGI	152,700.00
2026101035100	HANNAH MWAKITAWA	24,000.00
2026101035700	RICHARD KISANG	60,700.00
2026101035900	FRED MBELA	152,100.00
2026101036200	PETER OMUOM	60,000.00

2026101036700	TOM RARE	6,000.00
2026101036701	Ismael Abdulahi Shabura	7,500.00
2026101036900	LEONARD WANYONYI	82,500.00
2026101037400	PRISCILLA LINTARI	34,000.00
2026101037501	Stanley M Githogondo	78,000.00
2026101037502	HARRIET AKELLO	18,350.00
2026101037600	JOYCE RINZA	75,900.00
2026101037800	GEORGE KAGGWA	2,400.00
2026101037801	Shadrack Mutua	108,000.00
2026101037802	OSMAN ALI GUHAD	51,000.00
2026101037900	LUCAS NUNDU	15,000.00
2026101038101	Christian Owino Ger	120,000.00
2026101038201	Samwel Onyambu	130,500.00
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2026101040400	MARY MUNALA	48,000.00
2026101040500	ZAKAYO MWAURA	34,750.00
2026101040600	AMOS ONINYO	62,500.00
2026101040701	Julius Olela Omollo	154,500.00
2026101041200	EVA NDURYA	36,950.00
2026101041500	NOAH CHOGE	13,500.00
2026101041700	ALEX WACHIRA	98,250.00
2026101041701	Peter K.Yego	7,000.00
2026101041801	Habon Abdi Billow	139,500.00
2026101042101	Godfrey M. Kariuki	2,000.00
2026101042201	CHARLES WANJALA	119,500.00
2026101042202	MILDRED ANYANGO ODHIAMBO	45,000.00
2026101042300	MATHEW KARUGA	6,000.00
2026101042601	Timothy L.Kirema	12,000.00
2026101042901	Lucy Wanjala Mwaegwa	123,500.00
2026101043000	SAMSON TSUMA	205,400.00
2026101043102	LUKE SHAMALA	30,500.00
2026101043200	STEPHEN WARUI	53,700.00
2026101043300	VITALIS ODHIAMBO	119,000.00
2026101043501	Ruth Essendi	693,000.00
2026101043502	ZAB JULIUS KANYI	90,000.00
2026101043701	Susan M.Wanjira	1,000.00
2026101044301	Yusuf I. Abdi	881,700.00
2026101044500	NEREA OSOO	122,800.00
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2026101044800	MARGARET MWAZESA	156,300.00
2026101044901	Barack Juma	261,000.00
2026101045100	BENAYA ATEKA	30,000.00
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2026101045200	JAMAL OMAR	41,200.00
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2026101046401	Irene Mandare	139,500.00
2026101046600	JOHN MULWA	61,000.00
2026101046700	DAVID MANGI	92,000.00
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2026101046900	ALICE THUNGURI	38,500.00
2026101047000	JACKSON NDUNGO	19,500.00
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2026101048300	ROSEBELLA ALUOCH	84,000.00
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2026101048700	LYDIA NGONDI	139,000.00
2026101048701	Idris Maslah Salah	16,250.00
2026101049101	Grace M. Mutinda	133,550.00
2026101049301	Cylvan M. C'wanya	79,500.00
2026101049401	John M. Galgalo	110,500.00
2026101049501	Sarah R. Benard	140,000.00
2026101049700	CLARIE NYONGESA	68,500.00
2026101049801	Florence W. Mwaluda	199,800.00
2026101050700	BERNADETTE KAVILA	75,300.00
2026101050901	Loice Luseno	139,500.00
2026101051000	BENTA DACHE	42,000.00
2026101051003	MARK ONGONGE	6,000.00
2026101051004	KEVIN OMONDI	111,000.00
2026101051101	Patricia N. Mulima	100,000.00
2026101051200	ANASTASIA MALWALA	71,500.00
2026101051300	JODEL MWADIME	19,000.00
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2026101051800	ABDUL FATAH	29,000.00
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2026101052200	LEONARD NDERI	12,000.00
2026101052500	SILAS NGUNDO	8,000.00
2026101053000	GEOFREY MUSINDA	6,000.00
2026101053100	FRED RUKUNGA	54,000.00
2026101053101	Geoffrey R.M. Wanga	137,500.00
2026101053200	ANTONY WANYAGA	111,700.00
2026101053700	GEORGE OGUTTA	53,500.00
2026101053900	JULIUS MWITHA	129,200.00

2026101054200	WELFARE ONYANGO	62,000.00
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2026101054900	EPHRAIM WAIRANGO	21,000.00
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2026101055701	Joseph A. Sichenga	112,500.00
2026101055902	MR.GERALD MWASI MWANDIGHA	4,000.00
2026101055903	DONALD ANDATI WAMALIKA	28,500.00
2026101055904	DICK NEWTON MWANGI	33,000.00
2026101056001	Peter Wekesa Kasembeli	42,600.00
2026101056300	RYNUS KINJA	230,800.00
2026101056301	John Kailema	166,000.00
2026101056400	JARED MAIKUMA	98,400.00
2026101056900	KAHINDI MUJOGA	57,000.00
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2026101057500	RAPHAEL MWATIBO	19,500.00
2026101057600	BAKARI MWASHAMBI	31,150.00
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2026101058301	Dan Mayamba	486,000.00
2026101058401	ERNEST FUNDI MWALUMA	352,973.20
2026101058501	Paul Mwaniki	394,800.00
2026101058901	Patrick Muganda	1,378,900.00
2026101059000	FATUMA MUSA	2,200.00
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2026101059500	DISHON MUTISYA	25,500.00
2026101059600	GABRIEL MITHAMO	10,500.00
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2026101060500	PASCAL OBENZO	55,400.00
2026101060501	Issac K. Muhia	277,700.00
2026101060601	Alex Muthiora	664,900.00
2026101060700	LEONARD MNENE	68,700.00
2026101060701	Beatrice Njeri Mburu	500.00
2026101060900	ALFONZO MAKWAPO	49,500.00

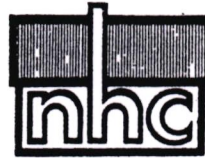
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2026101061401	Patrick Wamae	701,400.00
2026101061700	JAMES KISAKU	99,000.00
2026101061801	CHARLES AKWANALO	25,500.00
2026101061901	Wesley Kibet Kikwai	94,000.00
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2026101062500	PATRICK NDUE	7,000.00
2026101063100	STANLUS BAYA	9,000.00
2026101063101	Patrick N. Wachira	82,500.00
2026101063201	John Okelo Owira	139,500.00
2026101063600	FRANCISCA MATOLO	110,000.00
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2026101063803	GEORGE OKANGA	197,000.00
2026101064200	NELLIE MUMIRA	58,500.00
2026101064203	DANSON OSAMBWA	34,000.00
2026101064601	Ambrose Mwangangi W	127,000.00
2026101065000	ZAPHARIA MWASERA	97,250.00
2026101065100	PAUL NJENGA	92,700.00
2026101065300	MARGARET OSANGO	132,500.00
2026101065301	Daniel Runya Malingi	7,500.00
2026101065401	Francis H. Oundo	79,500.00
2026101065500	JENIFER AJIAMBO	6,000.00
2026101065503	JANE MBUTHIA	68,000.00
2026101065601	Samuel W. Nguna	144,000.00
2026101065800	WINNIFRED OWITI	174,847.00
2026101066301	Washington Cherowe	99,000.00
2026101066401	Dalmas Ocholla Ondiek	94,500.00
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2026101066800	MIRIAM MUHOLO	12,000.00
2026101067100	BERNARD LIGAYE	67,500.00
2026101067400	FRANCIS MBINDYO	17,250.00
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2026101068201	Patrick Musumba	118,000.00
2026101068301	Jane N. Kariuki	120,000.00
2026101068500	PETER AGALO	21,500.00
2026101068600	NJIRU MBUTHIA	97,000.00
2026101068700	JOSEPH ODERA	42,500.00
2026101069001	Ali M. Mwalui	125,000.00

2026101069200	CLEMENT OGALO	181,850.00
2026101069300	KENEDY OMBOGO	30,000.00
2026101069304	PHILIP ONYANGO	89,750.00
2026101069400	PETER NGUGI	77,800.00
2026101069700	CHARLES NDARO	32,000.00
2026101069701	Omar Abdala Alugongo	7,500.00
2026101070300	JOHN KITHURI	26,000.00
2026101070901	Jackson M. Mwenga	127,000.00
2026101071000	JANE KIBUGI	38,000.00
2026101071201	Zablon Onyango Oyugi	3,000.00
2026101071600	LYDIA MBOTELA	66,000.00
2026101071900	MATHEW MUKITA	67,000.00
2026101071904	SILAS SHINAKA	22,500.00
2026101072601	OMUNYASIA MAKOKHA	259,000.00
2026101073100	LUKE NJERU	44,000.00
2026101073200	KENNEDY FONDO	99,900.00
2026101073300	STANLEY INDANY	7,500.00
2026101073301	Thomas Nakaki	76,000.00
2026101073400	CHARLES MWAKILENGE	92,500.00
2026101073700	JAMES ONIALA	45,000.00
2026101073703	GILBERT MOGUSHU	54,500.00
2026101073800	STEPHEN MAKORI	8,500.00
2026101074101	Joseph A. Otieno	84,000.00
2026101074200	JAMES MWAMUYE	42,500.00
2026101074401	Phanice F.A.Aketch	19,500.00
2026101074700	MOSES CHAMA	15,000.00
2026101075000	DAVID GISORE	56,000.00
2026101075400	RAYMOND NZIOKA	16,000.00
2026101075501	Jackline Jaoko	15,000.00
2026101075600	GILBERT OMINGO	67,500.00
2026101075601	Gilbert G. Oniango	60,000.00
2026101075700	DAWSON MGHANGA	56,800.00
2026101075800	BEATRICE KABUTHIA	213,200.00
2026101075803	DANIEL KALUME	156,500.00
2026101076000	JOSEPH MATHENGE	4,800.00
2026101076100	AGREY ONYANGO	71,500.00
2026101076301	Nelson Otieno Athembo	60,000.00
2026101076400	EDMUND HARE	81,200.00
2026101076501	Joseph Owiti Nyawara	9,300.00
2026101076600	CHARLES MARETE	1,400.00
2026101076801	Ali Oscar Twanga	247,500.00
2026101076802	NAHID H. AYUB	11,950.00
2026101077200	PETER NDUKU	7,500.00
2026101077400	DAVID KITHINJI	202,800.00
2026101077500	SAMSON OLAL	6,000.00
2026101077601	Simon K. Munyaka	863,700.00
2026101077800	MATHEW MWATHE	6,000.00

2026101077801	SARAH K. MWANGEKA	93,000.00
2026101077900	PRISCILLAH MUTTA	172,040.00
2026101077903	IRENE JERONO	30,000.00
2026101078000	TIMOTHY MWADIME	117,200.00
2026101078003	IRENE WANGARI	7,500.00
2026101078004	AHMED NOOR	7,500.00
2026101078301	J.O. Ogola	677,750.00
2026101078400	HESBON JAMII	235,000.00
2026101078601	Rachel Mazera	263,600.00
2026101078800	VERONICA MUTUA	44,400.00
2026101078801	Virginia Wambeti Nyagah	15,000.00
2026101078802	ELIZABETH MUENI MUVEA	90,000.00
2026101078803	SAMUEL IRUNGU	52,500.00
2026101078900	PAUL PADUA	359,000.00
2026101079600	SAMSON ONYANGO	177,000.00
2026101079601	KABUGO J. GUANTAI	98,500.00
2026101079602	AKIBA BILTON FUNDI	22,500.00
2026101079603	BONIFACE KAVULANYA	51,000.00
	<b>TOTALS</b>	<b>46,585,394.00</b>

# National Housing Corporation

From the office of the  
Managing Director



NHC House  
Aga Khan Walk  
P.O. Box 30257, Nairobi  
Tel. 331205  
Telegrams 'HOUSING'

Your Ref:

NHC.2.4.2.1.4.1.IV/(58) DMR

Date

May 14, 2002

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M/s. Nyali Construction & Electrical Services  
P.O. Box 97265  
MOMBASA.

**Dear Sirs**

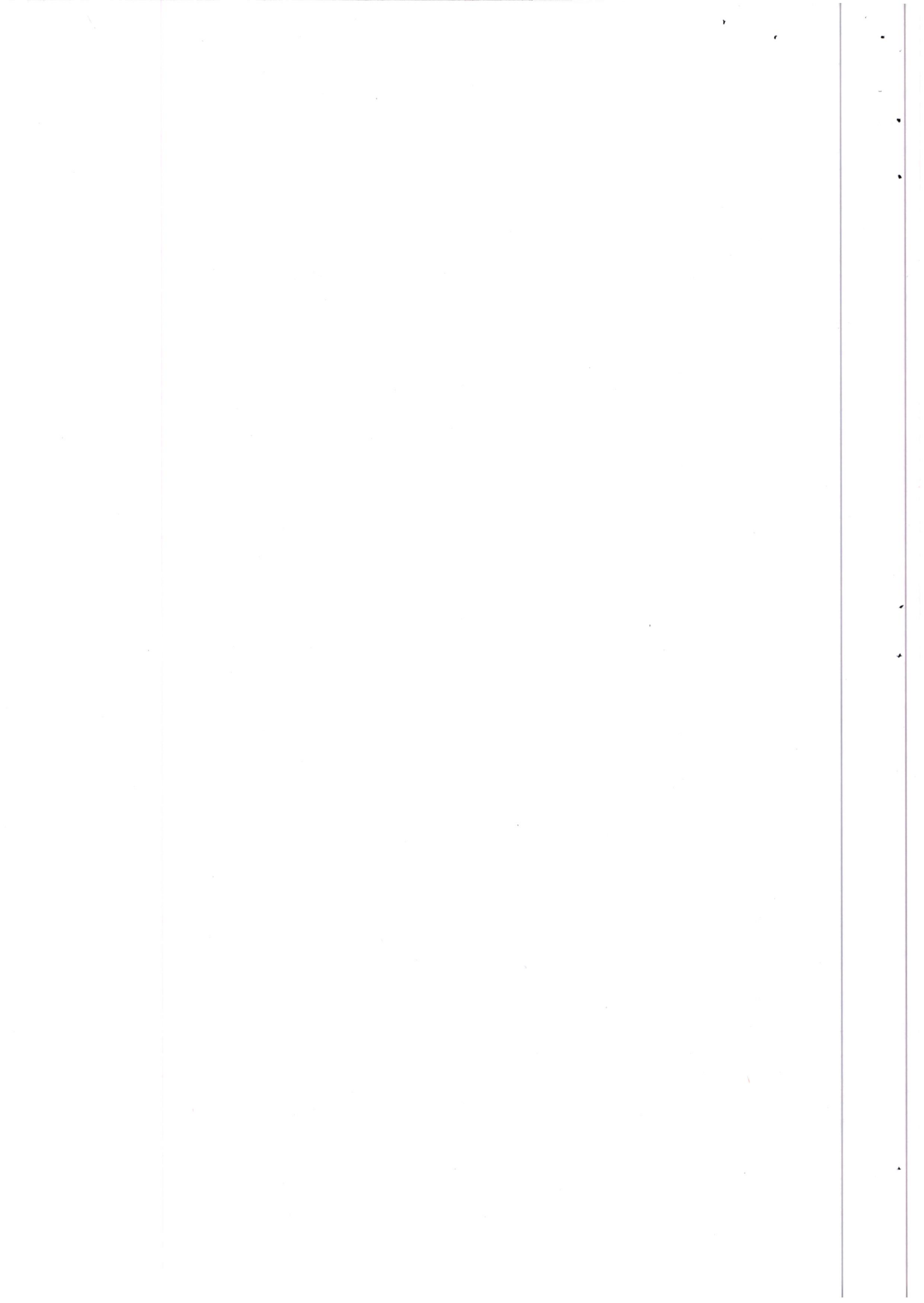
**RE: PROPOSED REPAIRS AND PAINTING TO 56NO. HOUSES AT  
CHANGAMWE RENTAL HOUSING SCHEME – MOMBASA**

Your tender dated 14<sup>th</sup> February 2002 for the above works is hereby accepted in the sum of Kenya Shillings Four Millions, Two Hundred Ninety Seven Thousands, Nine Hundred Fifty Nine (Kshs.4,297,959.00).

You are hereby authorised to commence the works and the date for possession of site will be taken as 10<sup>th</sup> June 2002. You are required to make satisfactory arrangements with Mr. E.S. Milikau who is hereby named as the Project Architect in connection with this contract. Please communicate with him immediately and thereafter on all matters relating to this contract. The duration of this contract as you inserted in your tender will be ten (10) weeks and the date for completion will be 19<sup>th</sup> August 2002.

Please note that no works will be permitted to start on site before a Performance Bond duly signed in the sum of Kenya Shillings Four Hundred Twenty Nine Thousands, Seven Hundred Ninety Six (Kshs.429,796.00) being 10% of the Contract Sum has been received or cash deposit for this amount is paid to the employer in lieu of bond as per clause No.16.1 of the Agreement and Conditions of Contract for Building Works (April 1999 Edition). The employer will not provide a Payment Bond for the contract and therefore clause No.16.2 of the Agreement and Conditions of Contract for Building Works is deleted.

You are also required to produce Contractor's All Risks Insurance Policy for the full Contract Sum, Public Liability Policy for a minimum cover of Kenya Shillings One Million (Kshs.1,000,000.00) and Workmen's Compensation policy for all persons you intend to engage all in accordance with the stated




Policy for all persons you intend to engage all in accordance with the stated Agreement and Conditions of Contract for Buildings Works before the date of possession of site.

Enclosed herewith find two sets of the Form of Bond to be returned duly signed and witnessed as appropriate. Also find one blank and one priced copy of the Bills of Quantities, two sets of drawings as listed in the attached appendix for your retention and use. Attached also find the amendments to the Agreement and Conditions of Contract for Building Works, which form part of this Contract. Any other documents you may require will be obtained from the Project Architect.

This letter is sent to you in duplicate. Please return the original duly signed and witnessed where indicated and retain the duplicate.

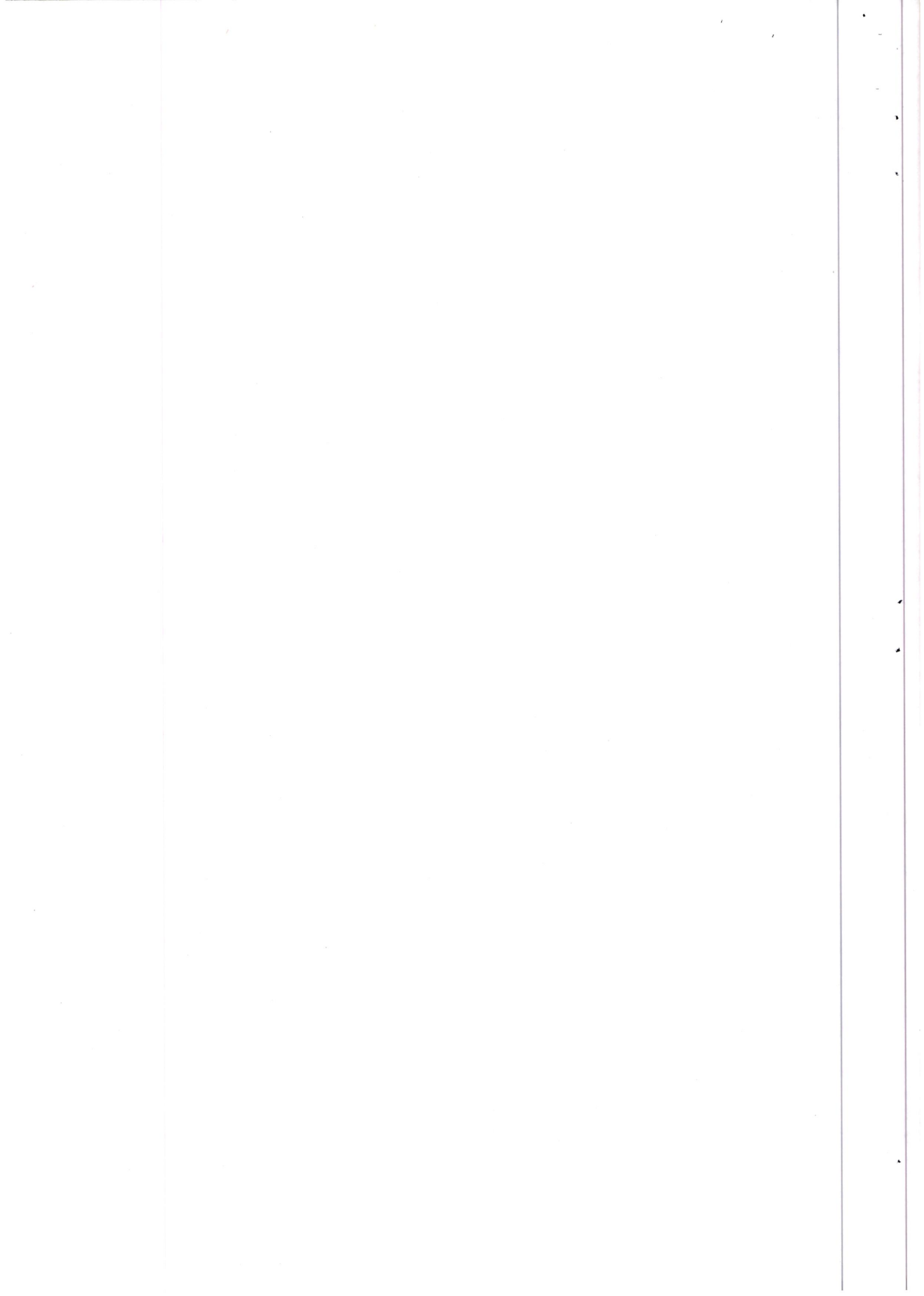
Yours faithfully

A handwritten signature in black ink, appearing to be 'Arch.D. Matano Rimber', enclosed within a large, irregular oval scribble.

**ARCH.D. MATANO RIMBER**  
**MANAGING DIRECTOR**

Attachments

**ORIGINAL CONTRACT DOCUMENT**



DECLARATION

I/We, the undersigned, hereby acknowledge receipt of the above Letter of Acceptance for the proposed REPAIRS AND PAINTING TO 56NO. HOUSES AT CHANGAMWE RENTAL HOUSING SCHEME – MOMBASA and accept that this letter together with my/our tender and the attached amendments to the Agreement and Conditions of Contract for Building Works (April 1999 Edition) shall constitute a Binding Contract between myself/ourselves and the Corporation until the formal Contract Documents are signed. I/We will carry out all the works and execute this contract in the sum of Kshs.4,297,959.00 within ten (10) weeks all in accordance with the Contract Documents and to the directions and reasonable satisfaction of the Project Architect.


Signed (Contractor):  .....

Address: P.O Box 97265 MOMBASA. ....

Date: 4-6-2002. ....

In the presence of:-

Witness (Name & Signature): JACOB NGESO ODDONGO .....

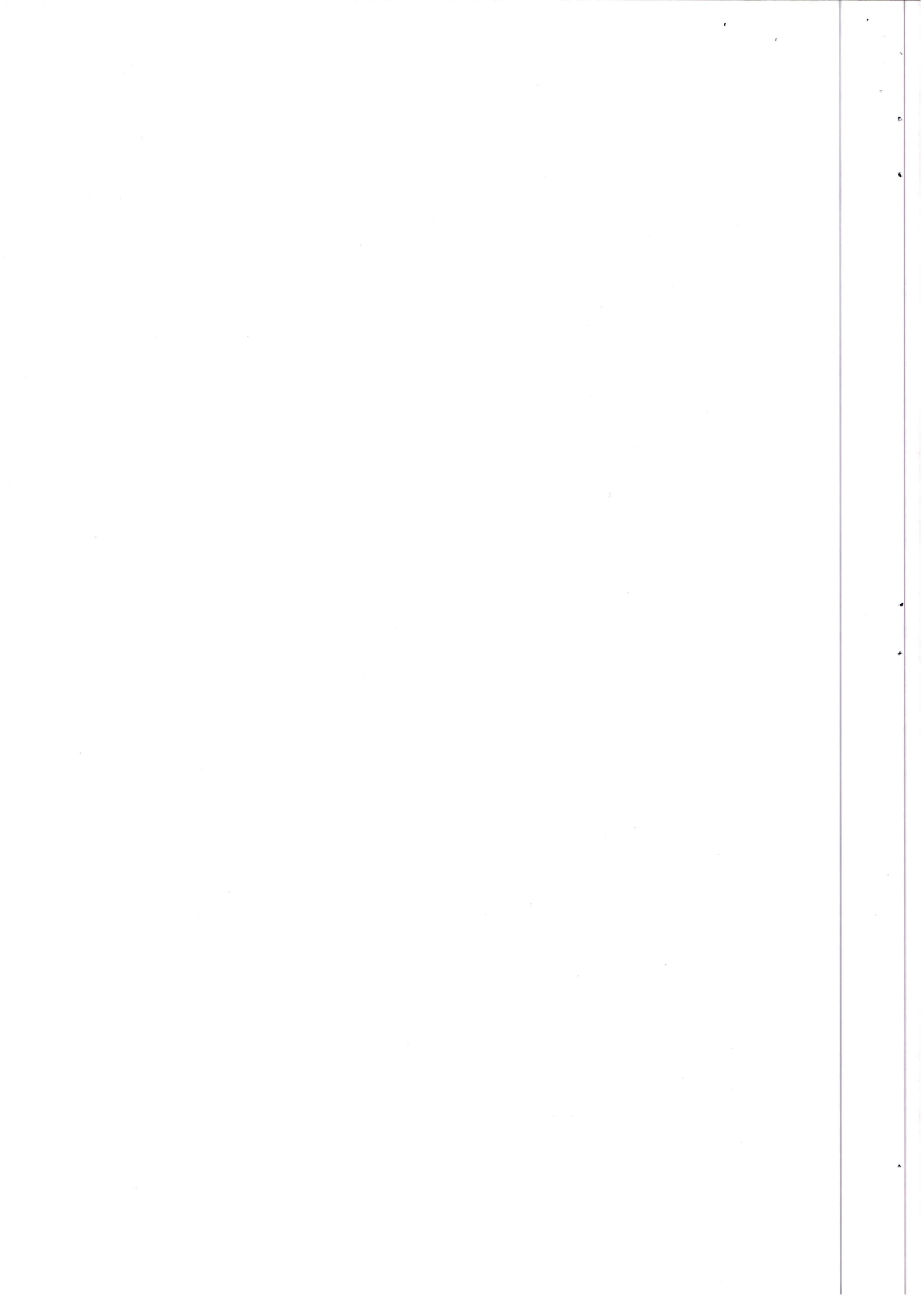
 .....

Address: P.O BOX 97265 MOMBASA. ....

Date: 4 - 6 - 2002. ....

c.c. The Permanent Secretary  
Ministry of Roads & Public Works  
P.O. Box 30260  
NAIROBI.

**ORIGINAL CONTRACT DOCUMENT**



**AMENDMENTS TO THE AGREEMENT AND CONDITIONS OF CONTRACT FOR BUILDING WORKS WHERE FLUCTUATION CLAUSE DOES NOT FORM PART OF THE CONTRACT**

It is hereby mutually agreed by both parties that the following amendments have been incorporated into the conditions of Building Contract:-

1. On pages 13, 14 and 15, delete in whole clauses Nos.13 and 14 on Insurance. (Contractor's Liability and Employer's Liability respectively).
2. On page 16, the whole of sub-clause No.16.2 on Payment Bond by the Employer has been deleted.
3. On page 30, sub-clause No. 34.5 on payments, delete the words "The Contractor shall on presenting any interim payment certificate to the Employer, be entitled to payment thereof within fourteen days from presentation." And insert "The Contractor shall on presenting any interim payment certificate to the Employer be entitled to payment thereof within thirty (30) days from presentation."
4. On page 31, Sub-Clause No.34.15 has been deleted.
5. On page 33, Sub-Clause No. 34.21.3 delete the words "... the said balance as from the fourteenth day after ..." and insert "... the said balance as from the thirtieth day after ..."
6. On page 34 the whole of the Clause No.35.0 (Fluctuations) is deleted.

Signed by the said :-

**NYALI CONSTRUCTION &**

ELECTRICAL SERVICES LTD.

DAREOGALAM ROAD

CONTRACTOR: .....

BOX 97265, MOMBASA, KENYA

TEL: 220600 & 222655

FAX: 314525

DATE: .....

4 - 6 - 2002

EMPLOYER: .....

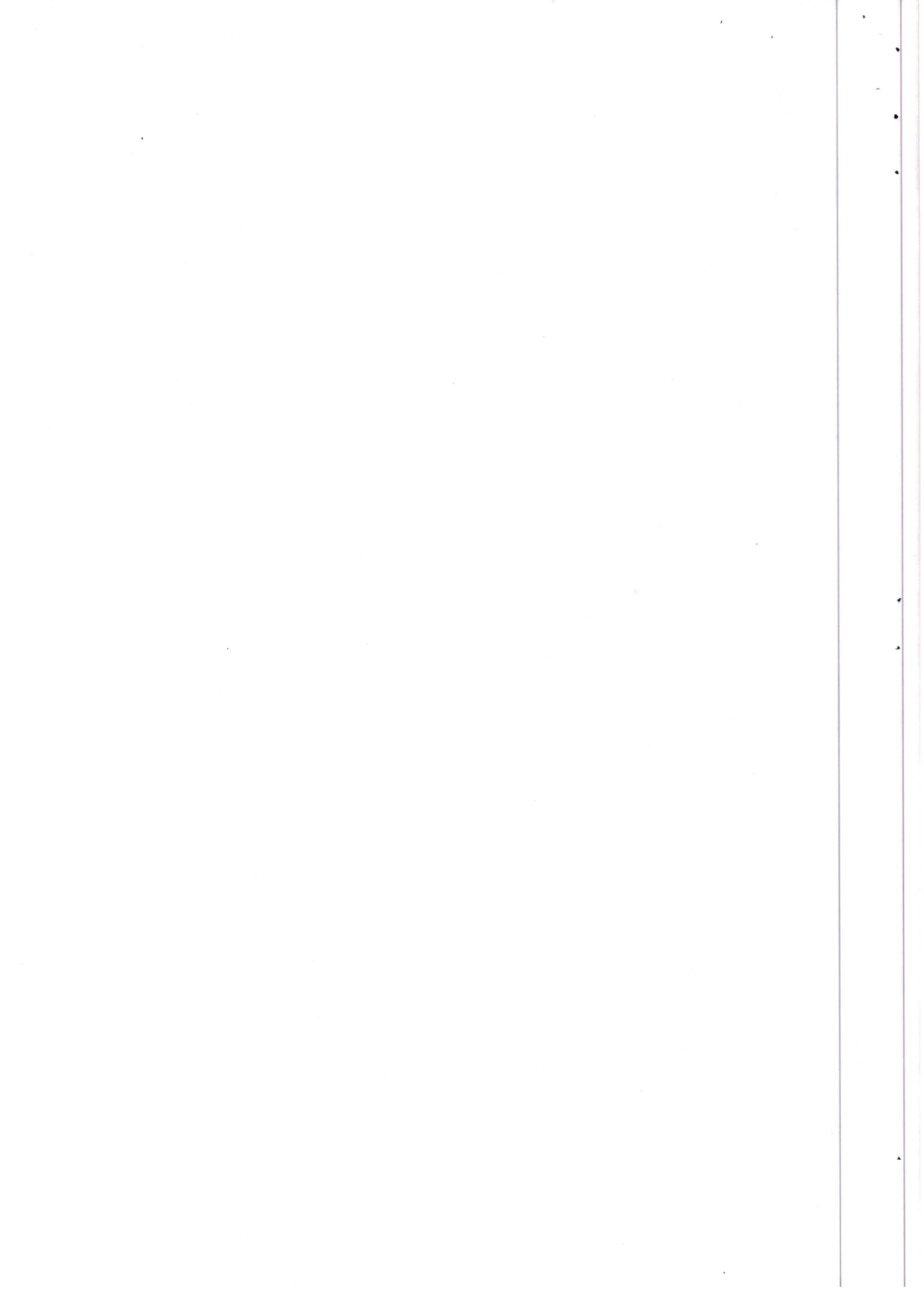
**NATIONAL HOUSING CORPORATION**

P. O. Box 30257,

**NAIROBI.**

DATE: .....

16/1/03



# National Housing Corporation



NHC House  
Aga Khan Walk  
P.O. Box 30257, Nairobi  
Tel: 331205/227062 - 5  
Telegrams 'Housing'  
E-mail: info@nhkenya.com  
Fax: 225498

Your Ref:

Our Ref: NHC.2.4.2.1.4.1.XIV. (28) AJO

Date 11/11/03

**M/S. Dickways Construction Company,  
P.O. Box 61494,  
NAIROBI.**

Dear Sirs,

**RE: PROPOSED REPAIRS AND PAINTING TO 200NO. HOUSES AT  
CHANGAMWE RENTAL HOUSING SCHEME – MOMBASA.**

## **LETTER OF ACCEPTANCE**

Your tender dated **23<sup>rd</sup> June 2003** for the above works is hereby accepted in the sum of **Kenya Shilling Fourteen Million (Kshs.14, 000,000.00)**

You are hereby authorised to take possession of site and the date for commencement of the works will be **24<sup>th</sup> November 2003**. A joint inspection of the works will be carried out prior to the commencement date to ascertain the extent and actual works to be executed.

You are required to make satisfactory arrangements with **Mr. C. M. Nyongesa** who is hereby named as the Project Architect in connection with this contract. Please communicate with him immediately and thereafter on all matters relating to this contract. The duration of this contract is **twenty (20) weeks** and the date for completion will be **12<sup>th</sup> April 2004**.

Please note that no works will be permitted to start on site until a **Performance Bond** in the sum of **Kenya Shillings One Million and Four Hundred Thousand (Kshs.1, 400,000.00)** being 10% of the Contract Sum has been received or a cash deposit of this amount is paid to the Corporation in lieu of the bond.

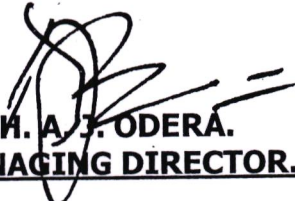


You are also required to submit the requisite insurance policy covers as stated in the Instructions to tenderers and Conditions of Contract document.

Enclosed herewith are two sets of Forms of Bond to be returned duly signed and witnessed as appropriate. Also find one blank and one priced copy of the Bills of Quantities. Any other documents you may require will be obtained from the Project Architect.

This letter is sent to you in duplicate. Please return the original duly signed and witnessed where indicated and retain the duplicate.

Yours faithfully

  
**ARCH. A. J. ODERA.**  
**MANAGING DIRECTOR.**

Attachments.



**DECLARATION**

I/We, the undersigned, hereby acknowledge receipt of the above Letter of Acceptance for the proposed **REPAIRS AND PAINTING TO 200NO. HOUSES AT CHANGAMWE RENTAL HOUSING SCHEME – MOMBASA** and accept that this letter together with my/our tender shall constitute a **BINDING CONTRACT** between myself/ourselves and the Corporation until the formal Contract Documents are signed. I/We hereby declare that I/We will carry out all the works and execute this contract in the sum of **Kshs.14, 000,000.00** within **twenty (20) weeks** all in accordance with the Contract Documents and to the directions and reasonable satisfaction of the Project Architect.

Signed

(Contractor):.....

Address:..... P.O. Box 61494 **DICKWAYS CONSTRUCTION CO**  
**P: O: Box 61494 Tel: 222429**  
**NAIROBI**

Date:..... 14. 11. 03

In the presence of:-

Witness (Name & Signature):

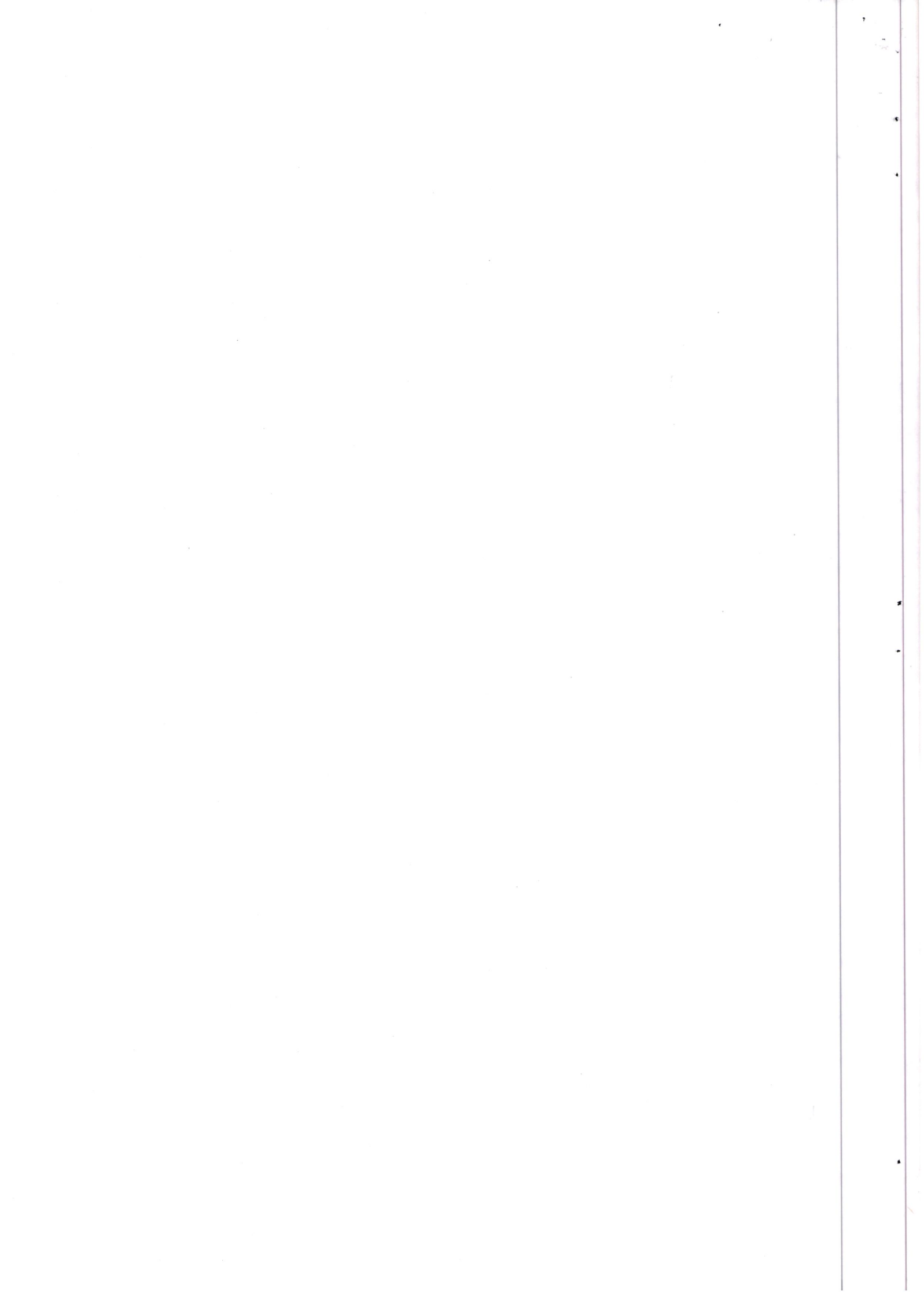
..... ROSEMARY KIMANI

.....

Address:..... 6711 NAIROBI

Date:..... 14. 11. 2003

C.C. The Permanent Secretary,  
Ministry of Roads, Public Works & Housing,  
P.O. BOX 30260,  
NAIROBI.



# National Housing Corporation

*From the Office of the  
Managing Director*



NHC House  
Aga Khan Walk  
P.O. Box 30257, Nairobi  
Tel: 331205/227062 - 5  
Telegrams 'HOUSING'  
E-mail: info@nhkenya.com  
Fax: 221639

Your Ref:

Our Ref: NHC.2.4.2.1.4.1.Vol.XIV.(49)AJ0

Date 03/01/05

**M/S Dickways Construction Company,  
P.O. Box 61494,  
NAIROBI.**

Dear Sirs,

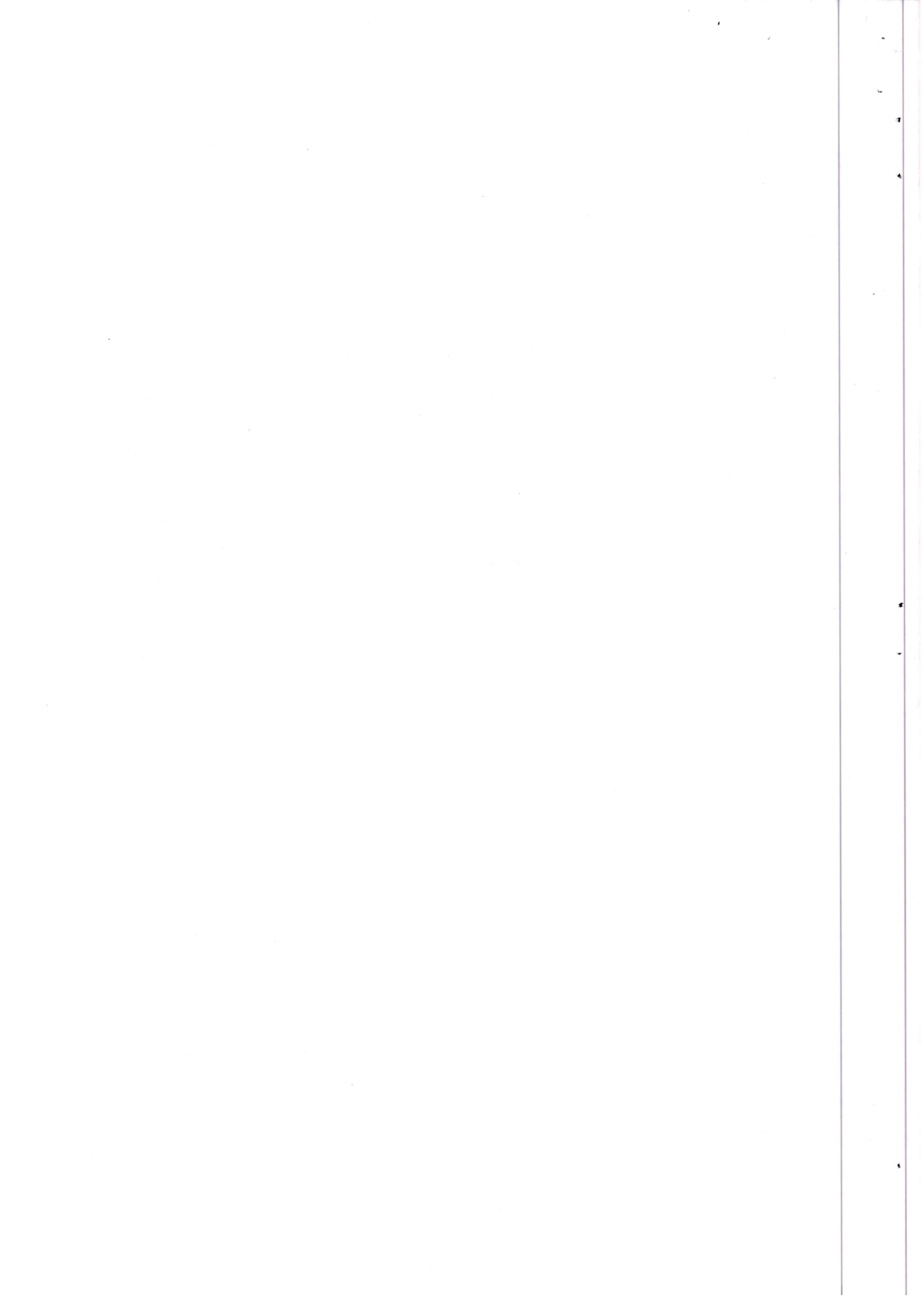
**RE: PROPOSED REPAIRS AND PAINTING TO 25NO. HOUSES AT  
CHANGAMWE RENTAL HOUSING SCHEME – MOMBASA.**

**LETTER OF ACCEPTANCE**

Your Tender dated **21<sup>st</sup> October 2004** for the above works is hereby accepted in the sum of **Kenya Shillings Two Million Three Hundred and Ninety Four Thousand, One Hundred and Fifty Five (Kshs.2,394,155.00).**

You are hereby authorised to take possession of site and the date for commencement of the works will be **28<sup>th</sup> January 2005.** A joint inspection of the works will be carried out prior to the commencement date to ascertain the extent and actual works to be executed.

You are required to make satisfactory arrangements with **Arch. C. M. Nyongesa** who is hereby named as the Project Architect in connection with this contract. Please communicate with him immediately and thereafter-on all matters relating to this contract. The duration of this contract is **Ten (10) weeks** and the date for completion will be **8<sup>th</sup> April 2005.**



Please note that no works will be permitted to start on site until a Performance Bond from a local reputable bank in the sum of **Kenya Shillings Two Hundred and Thirty Nine Thousand Four Hundred and Sixteen (Kshs.239,416.00)** being 10% of the Contract Sum has been received or a cash deposit paid to the National Housing Corporation in lieu of the Bond.

You are also required to submit to the Project Architect the requisite insurance policies as stated in the Instructions to Tenderers and Conditions of Contract Document volume 'A' prior to commencement of the works.

Enclosed herewith are two sets of Forms of Bond to be returned duly signed and witnessed as appropriate. Also find one blank and one priced copy of the Bills of Quantities. Any other documents you may require will be obtained from the Project Architect.

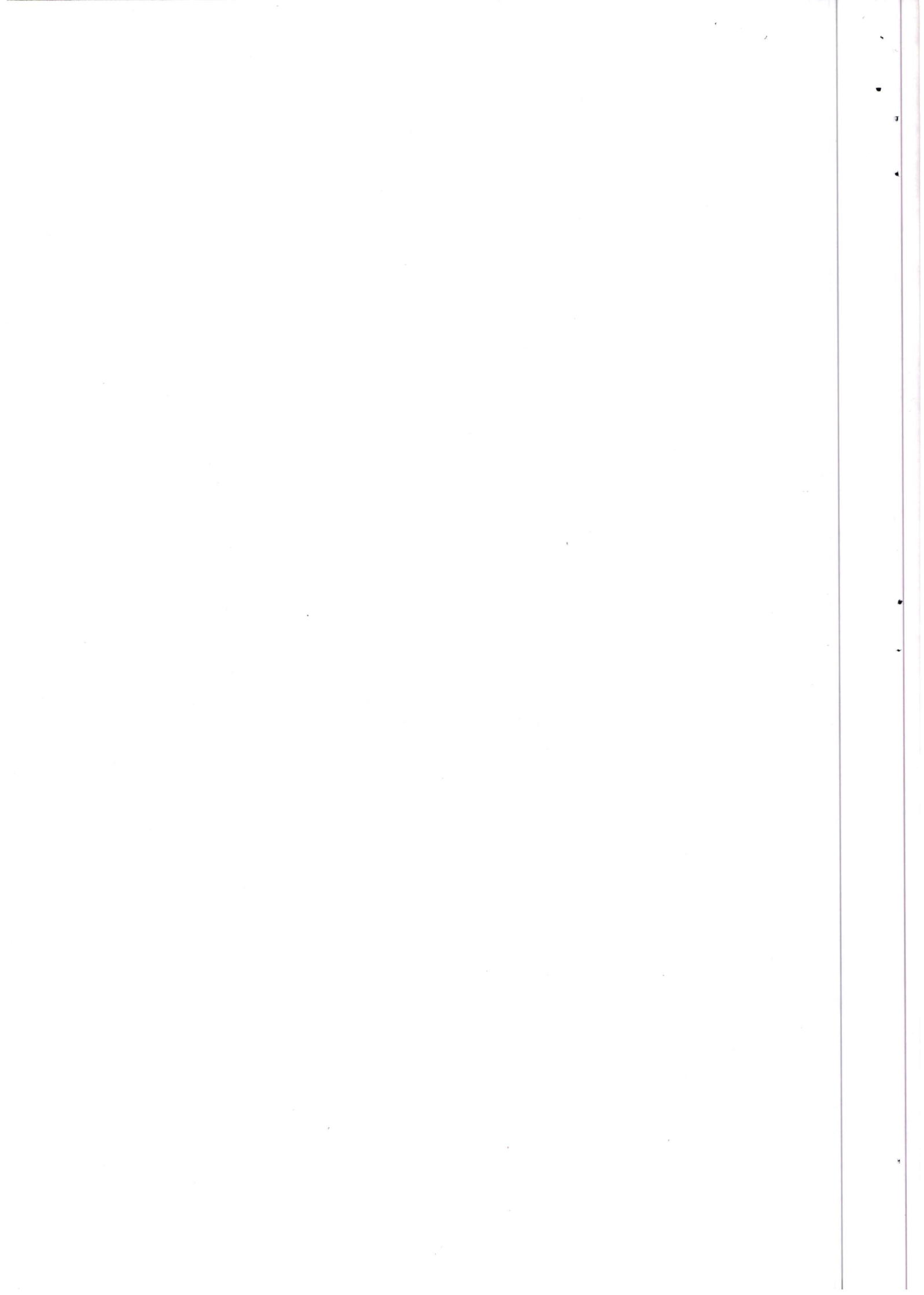
This letter is sent to you in duplicate. Please return the original duly signed and witnessed where indicated and retain the duplicate.

Yours faithfully



**ARCH. A. J. ODERA.**  
**MANAGING DIRECTOR.**


Encls.



**DECLARATION**

I/We, the undersigned hereby acknowledge receipt of the above Letter of Award for the **REPAIRS AND PAINTING TO 25NO. HOUSES AT CHANGAMWE RENTAL HOUSING SCHEME - MOMBASA** and accept that this letter together with my/our Tender shall constitute a **BINDING CONTRACT** between myself/ourselves and the Corporation. I/We hereby declare that I/We will carry out all the works and execute this Contract in the sum of **Kshs.2,394,155.00** within **Ten (10) weeks** all in accordance with the Contract Documents and to the directions and reasonable satisfaction of the Project Architect.

Signed:

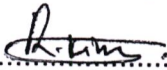
(Contractor):.....

Address:..... **DICKWAYS CONSTRUCTION CO.**  
**P. O. Box 61494 Tel: 222429**  
**NAIROBI**

Date:..... **7.1.2005**

In the presence of:-

Witness (Name & Signature): **Rosemary Kimani**



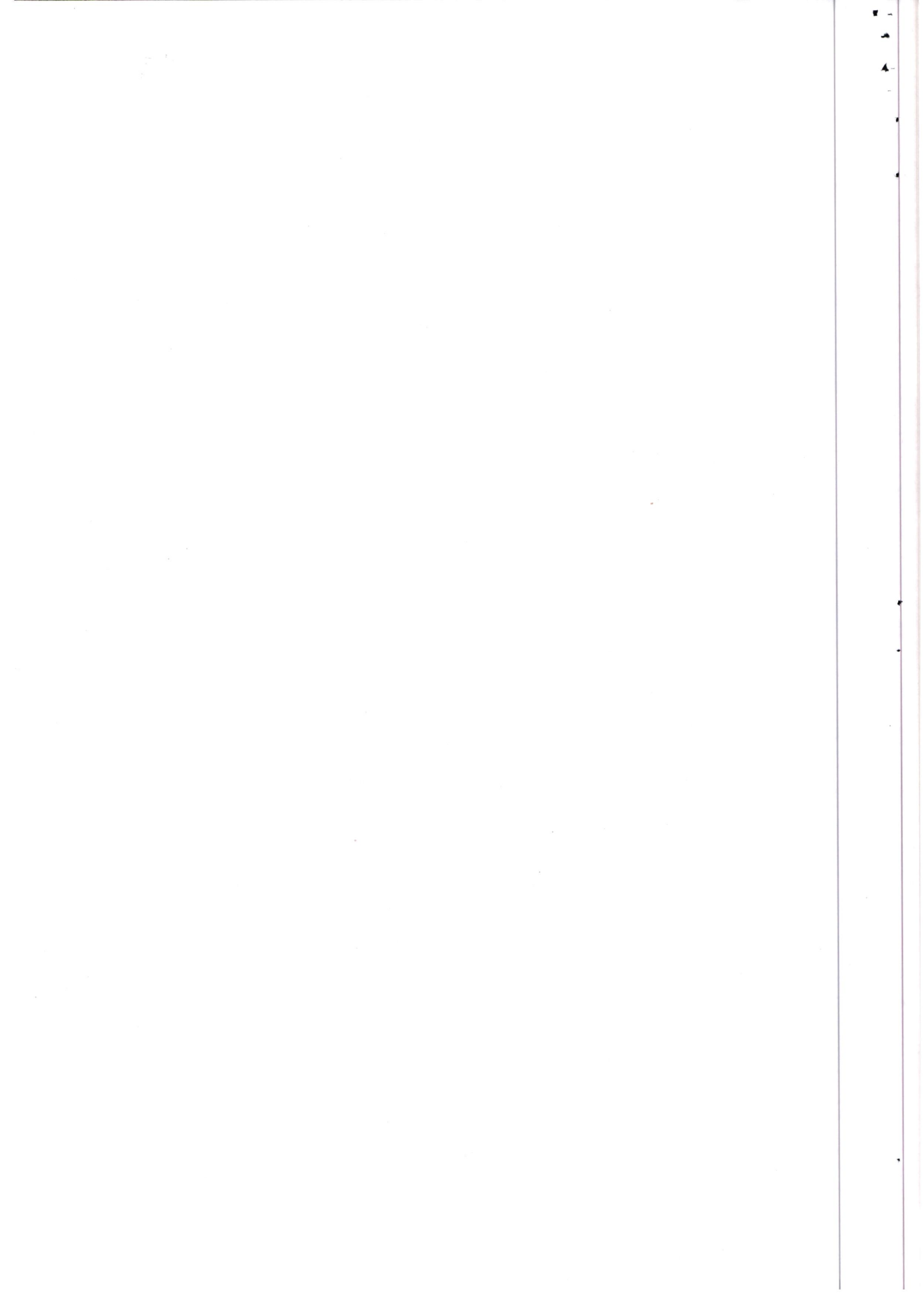
Address:..... **61494 - 00200**

Date:..... **7.1.2005**

C.C. The Permanent Secretary,  
Ministry of Lands and Housing,  
P.O. BOX 30450,  
NAIROBI.



Appendix VII



14.20.3



nema

Kenya

122 → Ag. GMT - Proceed with urgency and ensure compliance Liaise with GM-BO/E Date 11-2-16

NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY

Telcom Wireless: 020-2183718, 020-2101370, 020-2103696  
Mobile Line: 0724 253 398, 0723 363 010, 0735 013 046  
Incident Line: 0786 101 100

P. O. Box 67839 - 00200  
Papo Road, Nairobi, Kenya  
Email: dgnema@nema.go.ke  
Website: www.nema.go.ke

NEMA/21/11/Vol. II

122 PLD(Env)  
Please review this and prepare a workplan.

15th November, 2016

The Director General  
Energy Regulation  
Commission  
Integrity Centre, 1<sup>st</sup>  
Floor  
P.O. Box 42681  
NAIROBI

Papo Road, South C  
P.O. box 8087-00506  
NAIROBI

MOMBASA  
GM-BO/E

The Director  
World Vision  
Karen Road, Off Ngong  
Road  
P.O. Box 50816-00200  
NAIROBI

The Managing Director  
National Housing  
Cooperation  
NHC House, Aga Khan  
Walk  
P.O. Box 30257-00100  
NAIROBI

The Chief Executive  
Officer  
Law Society of Kenya  
Lavington, Opposite  
Valley Arcade, Gitanga  
Rd  
P.O. Box 72219-00200  
NAIROBI

The Director  
World Wide Fund  
5<sup>th</sup> Floor of ACS Plaza  
Lenana Road No. 1/1203  
P.O. Box 62440-00200  
NAIROBI

The Director  
Kenyatta National  
Hospital  
Hospital Road, Upper  
P.O. Box 20723-00203  
NAIROBI

The Managing Director  
Architectural Association  
of Kenya  
P.O. Box 44258-00100  
NAIROBI

The Chief Executive  
Officer  
Green Belt Movement  
International Adams  
Arcade, Kilimani Lane  
Off Elgeyo Marakwet Rd  
P.O. Box 67545-00200  
NAIROBI

The Director  
Moi Teaching and  
Referral Hospital  
P.O. Box 3-30100  
ELDORET

The Director  
East African Wildlife  
Society  
EAWS House, Riara Road,  
Off Ngong Road,  
Kilimani  
P.O. Box 20110-00200  
NAIROBI

The Director  
Amboseli Eco-System  
Trust  
P.O. Box 346-00209,  
LOITOKTOK

The Director  
Nature Kenya  
P.O. Box 44486-00100  
GPO  
NAIROBI

The Director  
Plan International  
Dennis Pritt Road,  
Opposite Silver Oak  
Kindergarten, Lavington  
P.O. Box 25196-00603  
NAIROBI

The Chief Executive  
Officer  
Kenya Association  
Manufacturers  
15 Mwanzi Road opp  
West Gate Mall  
P.O. Box 30225-00100  
NAIROBI

The Chief Executive  
Officer  
Environmental Institute  
of Kenya

The Director  
ECO Ethics  
P.O. Box 1462-80100

Our Environment, Our Life, Our Responsibility



The Chief Executive  
Officer  
Petroleum Institute of  
East Africa  
4<sup>th</sup> Floor, South Wing,  
Bruce House, Standard  
Street  
P.O. Box 8936-00200  
**NAIROBI**

The Chief Executive  
Officer  
Kenya Private Sector  
Alliance  
5<sup>th</sup> Floor, Shelter Afrique  
Building, Mamlaka Road  
P.O. Box 3556-00100  
**NAIROBI**

The Chief Executive  
Officer  
Kenya Chambers of  
Miners  
Office No. 19B, Crawford  
Business Park,  
State House Rd, opposite  
State House Girls  
P.O. Box 3174-00200  
**NAIROBI**

The Director  
Kenya Oil and Gas  
Association  
P.O. Box 40680-00100  
**NAIROBI**

The Director  
Consumer Federation of  
Kenya  
Meky Place, Block F  
Suite 45 Ngong Rd  
Ring Rd Kilimani  
Junction  
P.O. Box 28053-00200  
**NAIROBI**

The Chief Executive  
Officer  
Kenya Alliance of  
Residents Association  
Jamhuri Crescent, Off  
Ngong Rd  
P.O. Box 1411-00100  
**NAIROBI**

The Director  
COFEK

Meky Place, Block F  
Suite 45 Ngong Rd  
Ring Rd Kilimani  
Junction  
P.O. Box 28053-00200  
**NAIROBI**

The Managing Director  
TARDA  
7<sup>th</sup> Floor of Queensway  
House, Kaunda Street,  
P.O. Box 47309-00100  
**NAIROBI**

The Managing Director  
Coast Development  
Authority  
Mama Ngina Drive  
P.O. Box 1322-80100  
**MOMBASA**

The Managing Director  
Kerio Valley  
Development Authority  
KVDA Plaza, Oloo St.  
P.O. Box 2660-30100  
**ELDORET**

The Director  
Kenya Industrial  
Research and  
Development Institute  
(KIRDI)  
P.O. Box 30650-00100  
**NAIROBI**

The Managing Director  
Ewaso Nyiro South  
Development Authority  
P.O. Box 213-20500  
**NAROK**

The Managing Director  
Lake Basin Development  
Authority  
P.O. Box 1516-40100  
**KISUMU**

The Director  
Media Council of Kenya  
Britam Centre, Ground  
Floor, Mara/Ragatti Junc.  
P.O. Box 43132-00100  
**NAIROBI**

The Director  
Kenya Wildlife Services  
P.O. Box 40241-00100  
**NAIROBI**

The Director  
Kenya Forest Services  
Karura, Off Kiambu Road  
P.O. Box 30513-00100  
**NAIROBI**

The Chief Executive  
Officer  
Water Services  
Regulatory Board  
P.O. Box 41621-00100  
**NAIROBI**

The Chief Executive  
Officer  
Insurance Regulatory  
Authority (IRA)  
P.O. Box 43505-00100  
**NAIROBI**

The Chief Executive  
Officer  
LAPSSET Corridor  
Development Authority  
Koinange Street  
P.O. Box 45008-00100  
**NAIROBI**

The Managing Director  
Kenya Power & Lighting  
Company  
P.O. Box 30099-00100  
**NAIROBI**

The Managing Director  
Geothermal  
Development Authority  
Red Cross Road  
P.O. Box 100746-00101  
or 66833-00800  
**NAIROBI**

The Managing Director  
National Oil Corporation  
AON Minet House, 7<sup>th</sup> Flr  
off Nyerere Road  
P.O. Box 58567-00200  
**NAIROBI**

The Director General  
Kenya National Highway  
Authority  
Blue shield Towers,  
Hospital Rd, Upper Hill  
P.O. Box 49712-00100  
**NAIROBI**

The Director General  
Kenya Urban Roads  
Authority  
Workshops Road, Off  
Haille Selassie Ave.  
Off Technical University  
of Kenya  
P.O. Box 30121-00100  
**NAIROBI**

The Director General  
Kenya Rural Roads  
Authority  
3<sup>rd</sup> Floor IKM Place, 5<sup>th</sup>  
Ngong Ave.  
P.O. Box 41727-00100  
**NAIROBI**

The Managing Director  
Kenya Airport Authority  
Off Airport North Road  
P.O. Box 19001-00501  
**NAIROBI**

The Managing Director  
Kenya Ports Authority  
P.O. Box 95009-80104  
**MOMBASA**

The Director General  
National Construction  
Authority  
9<sup>th</sup> Floor, KCB Plaza,  
Upper Hill  
P.O. Box 21046-00100  
**NAIROBI**

The Chief Executive  
Officer  
Kenya Investment  
Authority  
Social Security House  
Block 'A', 17<sup>th</sup> 23e floor  
P.O. Box 30418-00100  
**NAIROBI**

The Director General  
Vision 2030 Secretariat  
KUSSCO Centre  
2<sup>nd</sup> Floor, Upper Hill  
P.O. Box 52301-00200  
**NAIROBI**

The Chairman  
National Environment  
Tribunal (NET)  
DRSRS, Popo Rd  
P.O. Box 74772-00200  
**NAIROBI**

The Attorney General  
Office of the Attorney  
General  
Government Buildings  
P.O. Box 40112-00100  
**NAIROBI**

The Director  
Spinal Injury Hospital  
Lenana Road, New  
Kilimani Police Station  
P.O. Box 20906-00200  
**NAIROBI**

The Director  
Mathare Mental Hospital  
Thika Road, Opp  
Muthaiga Police Station  
P.O. Box 40663-00100  
**NAIROBI**

The Director  
Thika Level 5 Hospital  
Thika West  
P.O. box 227-01000  
**THIKA**

The Director  
Nyeri Level 5 Hospital  
Nyeri Central  
P.O. Box 27-10100  
**NYERI**

The Director  
Nakuru Level 5 Hospital  
P.O. Box 71-20100  
**NAKURU**

The Director  
Mombasa Level 5  
Hospital, Bondeni,  
Kisauni Rd  
P.O. Box 90231-80100  
**MOMBASA**

The Director  
Meru Level 5 Hospital  
Imenti North

P.O. Box 8-60200  
**MERU**

The Director  
Mama Lucy Hospital  
Kangundo Road,  
Embakasi  
P.O. Box 34349-00100  
**NAIROBI**

The Director  
Machakos Level 5  
Hospital  
P.O. Box 19-90100  
**MACHAKOS**

The Director  
Kisumu Level 5 Hospital  
Kisumu East  
P.O. Box 1818-40100  
**KISUMU**

The Director  
Kisii Level 5 Hospital  
Kisii Central Business  
District Hospital Road  
P.O. Box 92-40200  
**KISII**

The Director  
Kakamega Level 5  
Hospital  
Kakamega Central  
P.O. Box 15-50100  
**KAKAMEGA**

The Director  
Garissa Level 5 Hospital  
P.O. Box 29-70100  
**GARISSA**

The Director  
Embu Level 5 Hospital  
P.O. Box 33-60100  
**EMBU**

**RE: ASBESTOS MANAGEMENT**

The National Environment Management Authority (NEMA) has developed National Guidelines on the Safe Management and Disposal of Asbestos and thus brings to your attention the requirements on asbestos removal, handling and disposal. It is worth noting, that if asbestos waste is handled without caution it may cause serious chronic health problems such as cancer, asbestosis and mesothelioma, thus posing serious risk to the public.

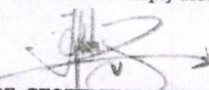
Pursuant to the Environmental Management and Coordination (Waste Management) Regulations of 2006, wastes containing asbestos in the form of dust or fibres are classified as hazardous wastes. The Regulation clearly stipulates that all hazardous waste should be managed and disposed of in a manner approved by the Authority.

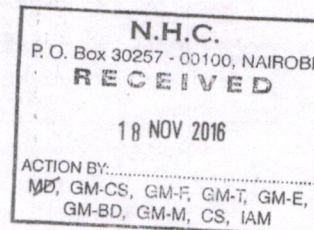
In light of the above, the Authority directs that all Ministries, Departments and Agencies:-

- a) Keep an inventory of all asbestos containing materials within your institutions and forward same to NEMA.
- b) Any buildings within your institutions with asbestos roofing sheets that are still in good condition should be encapsulated by either coating or painting the asbestos sheets to prevent the release of asbestos dust and fibres into the environment;
- c) You are also further advised that asbestos roofs should NOT be used for rain water harvesting because of the risk of contamination/pollution of the water for other uses.
- d) All asbestos roofing sheets within your institution offices which are worn out/broken/dilapidated should be removed immediately to prevent any further exposure of this hazardous material to the environment and the general public. Prior to removal, an Environmental Impact Assessment (EIA) should be undertaken in accordance with the provisions of the Environmental (Impact Assessment and Audit) Regulations of 2003. The EIA should specify safe conditions for removal, handling transportation and disposal of asbestos in line with the asbestos guidelines with the inclusion of a detailed risk assessment report on the status of the asbestos proposed for disposal.
- e) The final disposal of the asbestos should either be at a designated site within the jurisdiction of your County Government, a licenced private disposal site or at a designated site within your facility. This final disposal site must be clearly stated in the EIA report. Transportation of the asbestos waste outside your premises should be handled by NEMA licenced asbestos waste transporters.

For further guidance, please visit our website [www.nema.go.ke](http://www.nema.go.ke) and obtain a copy of the asbestos guidelines and contact us in case of any clarification on the same.

You are advised to comply accordingly.

  
**PROF. GEOFFREY WAHUNGU**  
**DIRECTOR GENERAL**



**APPENDIX 2: ACKNOWLEDGEMENT LETTER FROM NEMA OF RECEIPT  
FOR SUBMISSION OF EIA PROJECT REPORT FOR NHC CHANGAMWE  
RENTAL HOUSING ESTATE, ASBESTOS REMOVAL, TRANSPORTATION  
AND SAFE DISPOSAL.**

NEMA/PR/5/2/19349

PSR 10713



National Housing Corporation

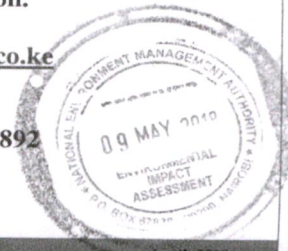
**ENVIRONMENTAL IMPACT ASSESSMENT PROJECT  
REPORT FOR THE PROPOSED  
ASBESTOS REMOVAL, TRANSPORTATION AND SAFE  
DISPOSAL FOR NHC CHANGAMWE RENTAL HOUSING  
ESTATE ON PLT LR. NO. MN/VI/4110, IN CHANGAMWE,  
MOMBASA COUNTY.**

*For*  
**NATIONAL HOUSING CORPORATION,  
P.O. BOX 30257 00100,  
NAIROBI.  
Tel: +254 33312147/9,  
Mobile No: 0724256403 / 0735993030,  
Fax: +254 (020) 311318.  
[Info@nhckenya.co.ke](mailto:Info@nhckenya.co.ke)**

**GPS COORDINATES:** Lat: - 4.021547°, Long: 39.624756°, Elev: 54M.

*By*  
**SEA / EIA / EA Lead Expert.  
Mwongera Murungi.  
National Housing Corporation.  
TEL: +254 33312147 / 9  
Email: [mmurungi@nhckenya.co.ke](mailto:mmurungi@nhckenya.co.ke)**

**NEMA EXPERT LICENSE 0892**





**nema**  
mazingira yetu | ubali wetu | wajibu wetu

**ACKNOWLEDGEMENT OF ENVIRONMENTAL IMPACT  
ASSESSMENT  
PROJECT REPORT**

Tel: +254 20 6005522/3/7, 6001945  
Wireless: +254 20 210370  
Mobile: 0724 253 398, 0733 600 035  
E-mail: dgnema@nema.go.ke

Popo Road, Off Mombasa Road  
P.O. Box 67839-00200  
Nairobi, Kenya  
Website: www.nema.go.ke

Application ID : **NEMA/EIA/PSR/10713**

Reference No : **NEMA/5/2/PR/19349**

Date : **09-May-18**

Name of Proponent : **NATIONAL HOUSING CORPORATION**

Proponent Address : **P.O BOX 30257- 00100, NAIROBI**

**RE : ACKNOWLEDGEMENT OF ENVIRONMENTAL IMPACT ASSESSMENT PROJECT REPORT**

The National Environment Management Authority (NEMA) acknowledges receipt of five (5) copies of

Environmental Impact Assessment Project Report prepared by  
**Mwongera Murungi**

(EIA/Audit Lead Experts/Firm of Experts).

The reference number for the EIA project report is **NEMA/5/2/PR/19349**  
for any future correspondence.

The report will be reviewed in accordance with the Environmental Impact Assessment and Audit  
Regulations 2003, and NEMA will communicate its assessment / findings within 28 to 45 working days.

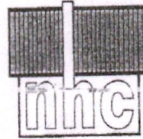
On the interim, please do not commence or proceed with any development of the proposed project until  
you receive communication from NEMA on the same.

**BONFACE MAMBOLEO**  
HEAD OF EIA SECTION

**APPENDIX 3: LETTER OF AWARD TO A NEMA LICENSED HANDLER FOR  
ASBESTOS REMOVAL, TRANSPORTATION AND SAFE DISPOSAL FOR NHC  
CHANGAMWE RENTAL HOUSING ESTATE.**

# National Housing Corporation

From the Office of the  
Managing Director



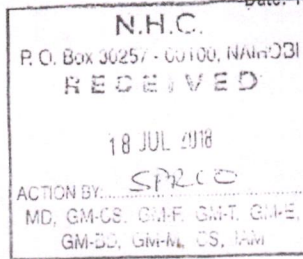
NHC House  
Aga Khan Walk  
P. O. Box 30257-00100, Nairobi  
Telephone: +254 331214719  
Telegrams 'HOUSING'  
Fax: +254 (020) 3311318  
E-mail: info@nhckkenya.co.ke  
Website: www.nhckkenya.co.ke

Your Ref:

Our Ref: NHC/CONF/GEN/378.X(26)AS

Date: 16.07.2018

The Managing Director,  
M/s. Saimbot Ship's Contractors Ltd,  
P O Box 40461 - 80100,  
MOMBASA.



Dear Sir/Madam,

RE: LETTER OF AWARD

SUBJECT: REMOVING, TRANSPORTATION AND DISPOSAL OF ASBESTOS FROM  
NHC CHANGAMWE HOUSING ESTATE - TENDER NO.NHC/RT/022/17 - 18

Reference is made to the above tender in which you participated as a bidder.

Further to our notification letter Ref. NHC/CONF/GEN/1/375.VOL.XIII(174)AS dated 12<sup>th</sup> July 2018 you are hereby awarded the above contract at a sum of ' ' with a completion period of 30 days upon site handover.

You are required to contact our Planning Officer - Environment who is hereby named as the contact person in relation to this award. Please communicate with him on all matters relating to this award.

Meanwhile you are required to forward your acceptance letter of this offer on or before 20<sup>th</sup> July 2018.

Yours faithfully,

  
ANDREW SAISI  
MANAGING DIRECTOR

AS/si



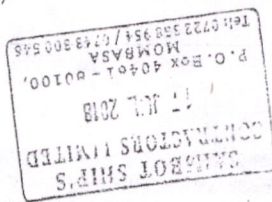
HOUSING THE NATION

I/We accept your letter of award dated 16<sup>th</sup> July 2018 without any reservations.

Name of Service Provider Sambot Ship's Careerline Ltd

Name/Signature of Authorized Official Geoffrey Nguni

In the capacity of Fr. Director



**APPENDIX 4: EIA LICENSE FOR ONGOING NHC CHANGAMWE INFILL  
HOUSING PROJECT.**



**nema**  
nazingira yetu | ubai wetu | wajibu wetu

**NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY (NEMA)**

Application Reference No. EIA 1901  
Registration No. 0021217

For official use.

**THE ENVIRONMENTAL MANAGEMENT AND CO-ORDINATION ACT  
ENVIRONMENT IMPACT ASSESSMENT LICENSE**

This is to certify that the Project Report/Environmental Impact Assessment Study Report received from  
**National Housing Corporation**.....(Name of)

of individual/firm) of **P. O. Box 30257-00100, Nairobi**.....(Address)

submitted to the National Management Environment Authority (NEMA) in accordance with the Environment  
Impact Assessment and Audit Regulations regarding **Proposed Residential Flats**

.....(title of project) whose objective is to carry on  
**Construction of six blocks, each of three storeys, comprising of 48 apartments units**

..... (briefly describe purpose) located at  
**Plot L.R No. MN/VI/2584, Changamwe, Mombasa County**

.....(locality and district) has been  
reviewed and a licence is hereby issued for implementation of the project, subject to attached conditions.

Dated this **28<sup>th</sup>** Day of **Jan** 2014

Signature.....  
  
SEAL

*Director General  
The National Environment Management Authority*

**CONDITIONS OF LICENSE**

1. This license is valid for a period of .....(time within which the project should commence) from the date hereof.
2. The Director-General shall be notified of any transfer/variation/surrender of this license.



**1.0 General Conditions**

- 1.1 The development is for the construction of six 3 storey blocks comprising of thirty, two bed roomed houses and eighteen, three bed roomed house totalling to 48 units on Plot No MN/VI/2584, NHC Changamwe Estate, Mombasa County at an estimated cost of KShs. 192,724,588 million.
- 1.2 The license shall be valid for 24 months from the date of issue.
- 1.3 Without prejudice to the other conditions of this license, the proponent shall implement and maintain an environmental management system, organizational structure and allocate resources that are sufficient to achieve compliance with the requirements and conditions of this license.
- 1.4 The Authority shall take appropriate action against the proponent in the event of breach of any of the conditions stated herein or any contravention to the Environmental Management and Coordination Act, 1999 and regulations therein.
- 1.5 This license shall not be taken as statutory defence against charges of environmental degradation or pollution in respect of any manner of degradation/pollution not specified herein.
- 1.6 The proponent shall ensure that records on conditions of licenses/approval and project monitoring and evaluation shall be kept on the project site for inspection by NEMA's Environmental Inspectors.
- 1.7 The proponent shall submit an Environmental Audit report in the first year of occupation/operations/commissioning to confirm the efficacy and adequacy of the Environmental Management Plan.
- 1.8 The proponent shall comply with NEMA's improvement orders throughout the project cycle.
- 1.9 The proponent shall provide the final project accounts (final project costs) on completion of construction phase. This should be done prior to project commissioning/operation/occupation.

**2.0 Construction Conditions**

- 2.1 The proponent shall put up a project signboard as per the Ministry of Transport and Infrastructure standards indicating the NEMA EIA license number among other information.
- 2.2 The proponent shall ensure that adequate and appropriate sanitary facilities are provided for the workers during construction phase and that proper decommissioning of the facilities is carried out once construction is complete.
- 2.4 The proponent shall ensure that none of the proscribed activities as per the Water Resource Management Rules (Sixth Schedule) are undertaken within the riparian reserve.

- 2.5 The proponent shall ensure that the cooling systems fitted are suitable alternatives with zero ozone depleting potential as per the Environmental Management and Coordination (Controlled Substances) Regulations of 2007.
- 2.6 The proponent shall strictly adhere to the provisions of the National Construction Act of 2011.
- 2.7 The proponent shall ensure that construction is done as per the approved drawings in adherence to the Building Code of Kenya of 1968.
- 2.8 The proponent shall submit design drawings for water and sewer reticulations to the Mombasa Water and Sewerage Company for approval before installation.
- 2.9 The proponent shall design and implement a concise traffic management plan approved by the County Engineer and the Kenya Urban Roads Authority.
- 2.10 The proponent shall obtain approvals from the County Government of Mombasa and all the relevant agencies prior to commencement of construction works.
- 2.11 The proponent shall ensure that all excavated material and debris is collected, re-used and where need be, disposed off as per the Environmental Management and Coordination (Waste Management) Regulations of 2006.
- 2.12 The proponent shall ensure strict adherence to the provisions of Environmental Management and Coordination (Noise and Excessive Vibrations Pollution Control) Regulations of 2009.
- 2.13 The proponent shall ensure strict adherence to the Occupational Safety and Health Act (OSHA), 2007.
- 2.14 The proponent shall ensure that construction workers are provided with adequate personal protection equipment (PPE) as well as adequate training.
- 2.15 The proponent shall ensure that construction activities are undertaken during the day (and not at night) between 0800 hours and 1700 hours and that transportation of construction material to site are undertaken during weekdays off peak hours.
- 2.16 The proponent shall ensure strict adherence to the Environmental Management Plan developed throughout the project cycle.
- 2.17 The proponent shall ensure that the development adheres to zoning specifications issued for development of such a project within the jurisdiction of the County Government of Mombasa, with emphasis on approved land use for the area.
- 2.18 The proponent shall ensure that a six (6) meters riparian reserve as demarcated by the Water Resources Management Authority
- 3.0 **Operational Conditions**
- 3.1 The proponent shall ensure that all waste water is disposed as per the standards set out in the Environmental Management and Coordination (Water Quality) Regulations of 2006.

- 3.2 The proponent shall ensure that rain water harvesting facilities are provided to supplement surface water.
  - 3.3 The proponent shall ensure that all drainage facilities are fitted with adequate functional grease/oil water separators and silt traps.
  - 3.4 The proponent shall ensure that appropriate and functional efficient air pollution control mechanisms are installed to control all air emissions.
  - 3.5 The proponent shall ensure that all equipment used are well maintained in accordance with the Environmental Management and Coordination (Noise and Excessive Vibration Pollution Control) Regulations of 2009.
  - 3.6 The proponent shall ensure that all solid waste is handled in accordance with the Environmental Management and Coordination (Waste Management) Regulations of 2006.
  - 3.7 The proponent shall comply with the relevant principal laws, by-laws and guidelines issued for development of such a project within the jurisdiction of the County Government of Mombasa, Ministry of Land, Housing and Urban Development, National Construction Authority, Ministry of Health, Directorate of Occupational Health and Safety Services, Mombasa Water and Sewerage Company, Kenya Urban Roads Authority, Architectural Association of Kenya, Water Resources Management Authority and other relevant Authorities.
  - 3.8 The proponent shall ensure that environmental protection facilities or measures to prevent pollution and ecological deterioration such as traffic management plan, soil erosion control mechanism, solid waste management plan, landscaping and tree planting, emergency response plan/fixtures, energy and water saving fixtures, occupational safety and health of workers, functional drainage system, noise abatement measures, dust control measures are designed, constructed and employed simultaneously with the proposed project.
- 4.0 Notification Conditions**
- 4.1 The proponent shall seek written approval from the Authority for any operational changes under this license.
  - 4.2 The proponent shall ensure that the Authority is notified of any malfunction of any system within 12 hours on the NEMA hotline No. 020 6006041/0786101100 and mitigation measures put in place.
  - 4.3 The proponent shall keep records of all pollution incidences and notify the Authority within 24 hours.
  - 4.4 The proponent shall notify the Authority in writing of its intent to decommission the facility **three (3) months** in advance.
- 5.0 Decommissioning Conditions**
- 5.1 The proponent shall ensure that a decommissioning plan is submitted to the Authority for approval at least three (3) months prior to decommissioning.
  - 5.2 The proponent shall ensure that all pollutants and polluted material is contained and adequate mitigation measures provided during the phase.

**APPENDIX 5: CERTIFICATE OF VARIATION OF EIA LICENSE BY NEMA  
FOR THE ONGOING NHC CHANGAMWE INFILL HOUSING PROJECT FOR  
EXTENSION OF EIA LICENSE VALIDITY PERIOD.**



**NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY(NEMA)  
THE ENVIRONMENTAL MANAGEMENT AND CO-ORDINATION ACT  
CERTIFICATE OF VARIATION OF ENVIRONMENTAL IMPACT ASSESSMENT LICENSE**

Certificate No: **NEMA/EIA/VC/373**

Application Reference No: **NEMA/EIA/VEIA/558**

This is to certify that the Environmental Impact Assessment License No  
**0021217** issued on **1/24/2014**

to **National Housing Corporation.**

of

**P.O. Box 30257 - 00100, Nairobi.**

regarding

**Proposed Residential Flats.**

whose objective is

**Construction of six blocks each of three storeys, comprising of 48 apartment units.**

located at

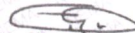
**Plot L.R. No. MN/VI/2584, Changamwe, Mombasa County.**

has been varied to

**Extension of E.I.A License validity period by an additional twenty four (24) months.**

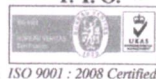
with effect from **07 June, 2016** in accordance with the provisions of the Act.

Date: **07 June, 2016**

  
Signature

(Seal)  
Director-General  
The National Environment Management  
Authority.

P. T. O.



**APPENDIX 6: CERTIFICATE OF VARIATION OF EIA LICENSE BY NEMA  
FOR THE ONGOING NHC CHANGAMWE INFILL HOUSING PROJECT FOR  
ADDITIONAL CONSTRUCTION OF TWO STOREYS AND INCREASED NO  
OF APPARMENT UNITS.**



**NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY(NEMA)  
THE ENVIRONMENTAL MANAGEMENT AND CO-ORDINATION ACT  
CERTIFICATE OF VARIATION OF ENVIRONMENTAL IMPACT ASSESSMENT LICENSE**

Certificate No: **NEMA/EIA/VC/625**

Application Reference No: **NEMA/EIA/VEIA/998**

This is to certify that the Environmental Impact Assessment License No  
**0021217** issued on **1/28/2014**

to **National Housing Corporation.**

of

**P.O Box 30257 - 00100, Nairobi.**

regarding

**Proposed Residential Flats.**

whose objective is

**Construction of six blocks each of three storeys comprising 48No. apartment units.**

located at

**Plot L.R No. MN/VI/2584, Changamwe in Mombasa County.**

has been varied to

**Additional construction of two storeys per block, making an increase from 48No. to 84No. apartment units.**

with effect from **24 July, 2017**

in accordance with the provisions of the Act.

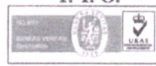
Date: **24 July, 2017**

Signature

(Seal)

Director-General  
The National Environment Management  
Authority.

P. T. O.



ISO 9001 : 2008 Certified

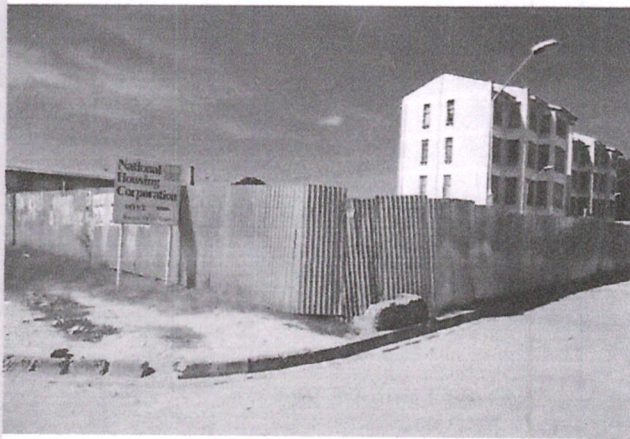
**APPENDIX 7: EVIDENCE OF CONSULTATION AND PUBLIC  
PARTICIPATION PROCESS DONE DURING EIA FOR THE ONGOING NHC  
CHANGAMWE INFILL HOUSING PROJECT.**

NEMA/EIA/S/2/1001

©MECL 2013

**ENVIRONMENTAL IMPACT ASSESSMENT  
STUDY REPORT**

**RE. NO. NEMA/PRMSA/S/2/1791**



Report prepared and submitted by:

**MAZINGIRA & ENGINEERING  
CONSULTANTS LTD.**

*(Environmental & Engineering Consultants)*

NEMA REG. NO 1734

Head office

4th Floor,  
Alisa Plaza  
P.O Box 6867 – 01000,  
THIKA

Tel: 0722577377

Email: [mazeci@yahoo.com](mailto:mazeci@yahoo.com),  
[kociag@yahoo.com](mailto:kociag@yahoo.com)

**PROPOSED RESIDENTIAL FLATS AT NHC  
CHANGAMWE ESTATE ON PLOT NO. MN/  
VI/2584, CHANGAMWE, MOMBASA COUNTY.**

**PROJECT PROPONENT**

NATIONAL HOUSING CORPORATION  
P.O BOX 30257,  
NAIROBI  
TEL: 312149/312147, FAX: 311318  
EMAIL: [info@nhckenya.co.ke](mailto:info@nhckenya.co.ke)





NEMA/PR/5/21.....  
or  
NEMA/EIA/5/21.1001....

Date 02/07/2013.....

National Housing Corporation,  
P.O. box 30257-00100,  
Nairobi, Kenya.....

NEMA/EIA/JR/14C

**RE: ACKNOWLEDGEMENT OF ENVIRONMENTAL IMPACT ASSESSMENT  
PROJECT REPORT OR STUDY REPORT**

The National Environment Management Authority (NEMA) acknowledges receipt of 10 copies of Environmental Impact Assessment project report or study report prepared by Mazangira Engineering Consultants Ltd. (EIA/Audit lead experts/firm of experts). We have also received 100% or 50% of the 0.05% EIA licensing fee.

The reference number for the EIA project report or study report is NEMA/EIA/5/21/1001..... for any future correspondence.

The report will be reviewed in accordance with Environmental Impact Assessment and Audit Regulations 2003, and NEMA will communicate its assessment/ findings within 28 to 45 working days for the project report and 51 days to 3 months for the study report.

In the interim, please do not commence or proceed with any development of the proposed project until you receive communication from NEMA on the same.

  
OCEANIC SAKWA  
FOR: DIRECTOR GENERAL

NATIONAL  
HOUSING  
CORPORATION



National Housing Corporation  
P. O. Box 93279-80102 MOMBASA  
Tel: +254 -41-3434311  
Fax: +254 -41-3434793  
E-mail: [info.mombasa@nhckenyaco.ke](mailto:info.mombasa@nhckenyaco.ke)  
Website: [www.nhckenyaco.ke](http://www.nhckenyaco.ke)

Your Ref:

Date: April 12, 2013

Our Ref.NHC.2.2.2.4.VOL II (91) JBO

**TO ALL RESIDENTS  
NHC CHANGAMWE ESTATE**

Dear Sir/MADAM,

**RE: INVITATION TO A ATTEND AN EIA PUBLIC  
CONSULTATION MEETING (BARAZA) TO SUBMIT  
COMMENTS**

As you are aware, NHC is developing housing units in Changamwe estate in line with the mandate provided by the Housing Act, Cap 117.

The Corporation is required by the EMCA (1999), to undertake Environmental Impact Assessment on development projects such as this. In this connection you are all hereby invited to the above event to submit oral or written comments on the environmental impact of the project. The meeting will be hosted by the National Environment Management Authority (NEMA) at our Changamwe Estate offices on Thursday **18<sup>th</sup> April 2013** starting at **10.00 am**.

Yours faithfully,

**JOASH B.ONGUKO**  
**OIC COAST REGION**

HOUSING FOR THE NATION

PUBLIC BALAZA ON ENVIRONMENTAL IMPACT ASSESSMENT PROJECT REPORT FOR THE PROPOSED RESIDENTIAL FLATS AT NHC CHANGAMWE ESTATE ON PLOT NO. MN/VI/2584, CHANGAMWE, MOMBASA COUNTY

No	NAME	TELEPHONE		SIGNATURE
		LOCALITY	ID. NO.	
1	WACHIDA BORE	0722548437 MOMBASA	7635375	
2	WILLIAM KAGIA GAKWA	0722977377 LEGU	20693329	
3	MSWABAH RASHID	0723535357 MCA	8469142	
4	JIMMY ODARI	0722584744	536582	
5	IBRAHIM KONDO	MICA 0722578540	11648524	
6	ISAAC MAKHU	CHIEF CITIZEN/CHANGAMWE	8682124	
7	JURITA ONGICO	0721983644	20337491	
8	SAMUEL K. KIAI	0722868891	13563965	
9	PETER OBUOZ	0735245061		
10	JUSTUS KANYOU DAVID	0723487383	7520078	
11	VIOLET NYAMBAGA	0721519148	6280727	
12	MUNICHAH CHIGI	0724244604	13673140	
13	KHADIJAH MUKOYO	0710825590	209910222	
14	YUSUF OSMAN	0723913251		
15	WISDAPPREY NYAKUMDI	072178821	21450369	
16	GILBERT NYONAESA	0722851014	5080221	
17	MRS. KIPONDA	0715794864	28947285	
18	DOROTHY TIBALUKA	0724991098	28266163	
19	HABIBA ALI	0733875994	8373407	
20	Saadia adan	0719131513	24915312	Saadia
21	NIXON KIKUKUMI	0727301020	18968915	
22	JOHN WALTER ANAKASIA	0720856957	2244006	

PUBLIC BALAZA ON ENVIRONMENTAL IMPACT ASSESSMENT PROJECT REPORT FOR THE PROPOSED RESIDENTIAL FLATS AT NHC CHANGAMWE ESTATE ON PLOT NO. MN/VI/2584, CHANGAMWE, MOMBASA COUNTY

No	NAME	TELEPHONE		SIGNATURE
		LOCALITY	ID. NO.	
	John O. Ocullo		072281424 0509903	
	Aleoc MUYALE	072337817	0849194	
	ANDERSON K110	0725223385	11189534	
	C.M. KIROLO	072365122		
	GRACE NLUIGAI	0723784706	22364884	
	E. KAMAU MURAMBA CUKA	072415683		
	ANNE MUMBI NJUGU	0722852389	14492149	
	NICKSON LETA	070024576	0673829	
	PETER MUSAJI	0714504876	11357593	
	DANIEL MUSAJI	077771955		
	JANE KAMAU	072-612524		
	TERRILL WAMUNGU	0713-990515		
	Cherry Karamji	0722-729759	0826264	
	JANE ODIOR	0127912219		
	ERIC G RAMUNDI			ERIC
	SHULEIMAN ALI			Hi
	KAINDI JOSEPHINE	073571648	10359222	
	JAMES N. M. Thumaga			
	DADUS NYUGU	072574911		
	CHARLES IKUTWA	0737910031		

PUBLIC BALAZA ON ENVIRONMENTAL IMPACT ASSESSMENT PROJECT REPORT FOR THE PROPOSED RESIDENTIAL FLATS AT NHC CHANGAMWE ESTATE ON PLOT NO. MN/VI/2584, CHANGAMWE, MOMBASA COUNTY

No	NAME	TELEPHONE		SIGNATURE
		LOCALITY	ID. NO.	
1	BERNARD CHEGE	0722369239	088928	
2	Ukari	0702337161	1002838	
3	Fotuma	0719770684		
4	JOHN CHEGE NGIGI	0712131960	13613920	
5	David M	0717602091	22912894	
6	MONICK Mjogo	0722399021	22912894	
7	DAVID James ENDS	0720415528		IABRA
8	Salome K.(M) Kamunde			
9	NOOR AHMED	0722730505		
10	ABDILLAH BARE	0722677399		
11	ABDILLAH MATAW	0722899381		
12	Zakari Ouyango	0725158375		
13	ANES OLIMBA	0722961833		
14	Amunyasia Makokha	0712727932		
15	Peninah Karuki	0725936147	14714009	
16	MARY NOUTA	0724681148	11226068	
17	Helen K. Chebulobi	0720138061	12735000	
18	Reuben K. Kenyan	0720176576	10898236	
19	GLAOTS A. KEMA	0721526934		
20	NGATI DANSON	0723528025		
21	PHILIP W. WAMAU	0723946528		
22	DEDAN GITAV	0726262216		
23	SALIDA ADAN	0712354627		SAL

**PUBLIC BALAZA ON ENVIRONMENTAL IMPACT ASSESSMENT PROJECT REPORT FOR THE PROPOSED RESIDENTIAL FLATS AT NHC CHANGAMWE ESTATE ON PLOT NO. MN/VI/2584, CHANGAMWE, MOMBASA COUNTY**

No	NAME	TELEPHONE		SIGNATURE
		LOCALITY	ID. NO.	
	NANCI KARIMI	0722-251580	25199506	<i>Nanci</i>
	PAULHE THANDI	0712-392672	231181961	<i>Paulhe</i>
	KIBIBI RAMADHANI	0721333270	8472884	<i>Kibibi</i>
	BEATRICE AMONDI	0721871987	14666285	
	MUSLIMA MANUR	968118 0720-		<i>Muslima</i>
	PERWA WAMBU	0721412118	23617665	<i>Perwa</i>
	BEATRICE MBOU	0722561238	22073806	<i>Bea</i>
	KEFA MBOGUSA	0726439276	2589885	<i>Kefa</i>
	JOSEPH KITHIMJI	0722620604	7011417	<i>Joseph</i>
	SERAH ISUWIRIO	0715-73119	23269119	<i>Serah</i>
	LAURA NGINA	0722002033	20173724	<i>Laura</i>
	Zainab Dina	0122-362116	6587357	<i>Zainab</i>
	Winy A Oniko	0726-251463	23879227	<i>Winy</i>
	DAVID K. WACHIRA	0725533660	20520315	<i>David</i>
	DAVID M MBOGUSA	0710187579	0118568	<i>David</i>
	VICTOR TSUMA	0722562346	2242894	<i>Victor</i>
	DAVID ONZIRE	0722725955	2250170	<i>David</i>

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**PROCEEDINGS OF THE PUBLIC MEETING ON THE  
ENVIRONMENTAL IMPACT ASSESSMENT PROJECT  
REPORT FOR THE PROPOSED RESIDENTIAL FLATS ON  
PLOT NO MN/VI/2584 HELD AT NATIONAL HOUSING  
CORPORATION OFFICES IN CHANGAMWE ON 18<sup>TH</sup> APRIL  
2013.**

**APRIL 2013**

Mon, 6 May 2013 12:11:36

MINUTES	ITEM	ACTION BY
Min 1/April 2013	<p><b>Introduction</b></p> <p>The meeting was called to order by Mr. Joash Onguko the officer in charge National Housing at 10.30 am followed by prayers from a volunteer, after which he welcomed all members present and apologized for the late start of the meeting. He later led members present through a brief project description saying that the project was done according to NEMA requirements, the proposed building will comprise of 30 two bed roomed houses and eighteen three bed roomed houses all totaling to forty eight(48) units. He also confirmed that this project only targeted six sites. The same descriptions were confirmed by Mr. Samuel Kiai the project Architect. He then requested members to bring in their comments regarding to how this project would affect them environmentally and that they should distinguish between rent and environment.</p>	
Min2/ April 2013	<p><b>Welcoming remarks by Wachira Bore, CDE-NEMA</b></p> <p>He started by apologizing for coming late due to some other official commitments and assured them this was not a NEMA organized meeting rather he attended as an invitee. He acknowledged the commitment of members in attending the meeting and told them that by them attending the meeting is a surety of how they would solve the issue. He also said this was their right as it is provided for in the Kenya Constitution. He also said that whatever steps taken by National Housing Corporation is provided by the law citing Environmental Management and Coordination Act (EMCA of 1999) that; any project that is thought to be having significant Impacts to the environment must undergo and Environmental Impact Assessment. He went further and said that the act provides for public consultation on projects affecting them. Members were informed that NEMA has several registered environmental experts all over the country who undertake the environmental reports on behalf of NEMA. Members were informed that consultations could take different forms; public meeting, questionnaires among others. He requested members to first understand the project and the processes for them to raise genuine concerns after which the concerns will be taken to higher levels of consultations.</p>	
Min3/ April 2013	<p><b>Remarks by Area Chief: Mr. Isaac Makau</b></p> <p>He welcomed all members present and thanked them for their patience. He confirmed that he was representing the area District Officer who was attending to some other official issues. He assured that the residents are very interactive based on previous meetings he had involved them, only this time they felt they were sidelined by not being consulted on the constructions in the estate. He said that he was aware of the issues that led to the residents being furious, these were; the fact that they were not consulted, several environmental problems like dust,</p>	

Mon,6 May 2013 12:11:36

	<p>sewage breakages. He supported the meeting/baraza saying that consultations should take bottom –up approach so that residents could also own the project. He condemned the previous questionnaire saying that it did not cover majority in the estate. He then requested members to give in their comments and later welcomed all the county representatives present to give their views.</p>	
<p><b>Min 4/March 2013</b></p>	<p><b>Remarks by Jimmy Odari</b></p> <p>He congratulated the expert for organizing the meeting saying that at least residents are going to have an opportunity to give in their comments and be considered. He talked of the rumors he has been hearing regarding the demolition for the existing houses in order to construct new storey buildings hence evacuating the residents who would not be able to cope with proposed new rent fees. He condemned the plans saying the residents most of whom have stayed for long are going to suffer.</p> <p>He asked the National Housing Corporation to assure the residents that suppose the case is ruled in favor of them and that they attain a NEMA license that the neighbours are going to be charged the same rent fees. He requested National Housing Corporations to assure the residents that they will not be victimized based on the comments they make.</p> <p><b>Comments by Mr. Malachi Orondo</b></p> <p>Confirming that the National Housing Residents Welfare Association supports the development, he said proper and sober procedures have to be followed.</p> <p>He gave Key Issues that need to be considered.</p> <ul style="list-style-type: none"> <li>• Open spaces- playing grounds, fire assembly points,</li> <li>• Service facilities- sewerage and drainage, water supply</li> <li>• Project Intensions- He said the intensions of the project is to demolish all existing houses and put up new ones, evacuate all current tenants and house new ones.</li> </ul> <p><b>Comments by Dominic Miguna</b></p> <p>He was very grateful for the opportunity to present their grievances. He said he has been living at the National Housing corporation houses at Changamwe for twelve years.</p> <p>He gave the following reasons as basis of their complain.</p>	

Mon,6 May 2013 12:11:36

	<ol style="list-style-type: none"> <li>1. Construction was illegal- this was mainly because it did not have approved building plans, that the presented location plans were forged and doctored hence fake and that this matter has a court case at the Municipal Council of Mombasa</li> <li>2. That the current spaces that were left during construction of the current houses were left intentionally with specific reasons; the newly proposed buildings would eat-up to these spaces.</li> <li>3. The current houses have big windows, specific doors and spaces for emergency reasons something that the proposed building would not provide.</li> <li>4. That the contractors were not professional.</li> </ol> <p>He further suggested that the meeting should not proceed since the matter is contested in court.</p> <p><b>Comments by Nickson Kilukumi - Environment department- Mombasa Municipal Council.</b></p> <p>He insisted on the need to distinguish between the court case and the public meeting, and that the bill of rights as enshrined in the constitution provides for right to consultation.</p> <p>He requested members to give in their comments since their comments would not lead to approval of the project.</p> <p>He reacted to the allegations by Mr. Dominic Miguna that the plans were fake, he confirmed to members present that the document were genuine issued by the Mombasa Municipal Council.</p>	
<p><b>Min5/ April 13</b></p>	<p><u>Issues by residents.</u></p> <ol style="list-style-type: none"> <li>1. Assurance that their houses will be demolished or Not.</li> <li>2. How will the issue of health be catered for during construction.</li> <li>3. What was NEMA's position on this complain after the meeting</li> <li>4. That the place was congested how will this be settled</li> <li>5. That the fees was not uniform to all houses</li> <li>6. That asbestos pose a health risk to them- this was experienced in 2003 where the Public Health had ordered National Housing to remove all asbestos roofing.</li> <li>7. Mr. Chege who is the Chairman of a separate welfare association said that the allegations that residents were not consulted was not true, he recalled that they organized the meeting and all these issues of drainage were raised. He recalled that Mr. Domnic Miguna and Kutwa were actually selected to inspect the drainage and that it was</li> </ol>	

Mon,6 May 2013 12:11:36

ridiculous for them to claim they were not aware of this project. He confirmed that during the meeting, the main issue that arose was rent and not the environment as they claimed later.

8. The County director of Environment Mr. Wachira Bore, assured members that everybody has right to move to court when they discover a certain project lacks Environmental Impact Assessment License. He further asked them to say things they could account for and give evidence (*referring to the allegations of forged building plans*) He also said after the EIA Study Report is submitted, the same will be published in the Kenya gazette and Daily Newspaper for members of the public to give in their comments these comments will assist NEMA to give an informed decision.

**Environmental Issues of concern raised**

1. Noise and dust emissions
2. Solid waste management
3. Sanitary facilities
4. Cutting of trees
5. Insecurity- due to construction materials

**A.OB**

The Area chief asked residents to cooperate with village elders to enhance security of the area targeting Ex- Service men.

Mr. Muswabah the county representative Airport ward and deputy speaker to the County Assembly assured members that they will forward this matter to the county assembly.

The meeting was adjourned at 2:00pm.

Proposed by: Isaac MARIAN Signed: [Signature]

Seconded by: EVANS RABORO Signed: [Signature]

Seconded by: BERNARD CHEE Signed: [Signature]

Mon,6 May 2013 12:11:3

## 5.0 PUBLIC CONSULTATION

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### 5.1 Public Participation Process

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Public consultation is an integral part of the EIA process as it ensures that views (on the proposed development) of the local community, affected/interested parties and stakeholders are taken into account. The public consultation for this project was done through a public and stakeholders meeting/baraza on 18<sup>th</sup> April 2013 outside the NHC offices at Changamwe. Most of residents present mainly came from within the NHC Changamwe Estate (project site). Other presents included, County Assembly Representatives in Mombasa County, Chief Changamwe, Representative of Municipal Council of Mombasa, CDE – NEMA (Mombasa) among others.

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### 5.2 Objectives of Public Consultation

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The objectives of public consultations for an EIA exercise are to ensure that:

- All stakeholders and interested parties, are fully informed of the proposed project and have the opportunity to raise their concerns;
  - Any genuine issues resulting from this process are addressed in the EIA and incorporated into the implementation of the project.
  - Consultation is done on sensitive issues and mitigation measures are established for management of any impacts that may arise during construction and operation phases of the project.
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### 5.3 Legal Requirements

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#### 5.3.1 EIA and Audit Regulations

Section 17 of the Environmental (Impact Assessment and Audit) Regulations 2003 states that an EIA should "seek the views of persons who may be affected by the project."

Wider public consultation will be done through advertisements in the print media as required by NEMA.

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### 5.4 Analysis of the public consultation

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#### 5.4.1 Issues and concerns raised

Issues and concerns raised at the public and stakeholder baraza mainly touched on environmental and social aspects.

The issues raised included the following:

- There will be lack of open spaces for play grounds, fire assembly points,
- The existing facilities and utilities such as sewer line, drainage and water supply may not accommodate the new development.
- The residents within the estate feared that intentions of the proponent is to demolish all existing old houses and put up new ones, thereby evacuating all the current tenants and replacing them with new

- tenants once the new houses are complete. The residents needed an assurance that their houses would not be demolished.
- Some residents claimed that the construction was illegal mainly because it did not have approved building plans, and that the ones obtained were forged.
  - That the current spaces that were left during construction of the current houses were left intentionally with specific reasons; the newly proposed buildings would eat-up to these spaces.
  - The current houses have big windows, specific doors and spaces for emergency reasons something that the proposed building would not provide.
  - Some residents claimed that the contractors were not professional.
  - Some residents claimed that the rent fees were not uniform to all houses
  - That the existing buildings has asbestos roof which pose a health risk to the residents (this was experienced in 2003 where the Public Health had ordered National Housing to remove all asbestos roofing).
  - The contractor had deposited excavated soils near the residents houses and this posed health hazards from the dust.
  - The contractor had done major excavations which could act as bleeding ground for mosquitoes
  - There is increased noise pollution and de-vegetation

#### 5.4.2 Conclusion of public consultation

The overall conclusion from the interviews and analysis of the public and stake holder consultation led to determination of the following:

- The proposed project is likely to generate some environmental impacts which include dust generation, construction waste, noise and blockage of drains among other environmental issues raised by the residents. However all these impacts are synonymous with most if not all housing development hence the most important aspect is mitigation measures on these impacts.
- Despite the residents raising genuine environmental issues it was noted that the underlying issue was not mainly the environmental concerns but issue to do with rent at the estate. This was made evident from numerous court cases most of which dates back to 1990s resulting in numerous court injunctions. This was also made evident due to two main groups differing during the public baraza where one Mr. Chege who is the Chairman of a separate welfare association said that the allegations that residents were not consulted before construction started was not true, he recalled that they organized the meeting and all these issues of drainage were raised. He recalled that one Mr. Dominic Miguna and Kutwa were actually selected to inspect the drainage and that it was ridiculous for them to claim they were not aware of the project. He confirmed that during the meeting, the main issue that arose was rent and not the environment issues as they claimed later.
- Assessment of the site indicated that the project site had a lot of open spaces and adequate parking areas especially outside the tenants' houses and that the proposed development would not affect this.
- No existing buildings have been earmarked for demolition to pave way for this proposed project as feared by some of the residents. The proponent intends to use areas left for future development.
- Asbestos poses a health risk and the proponent will have to budget for replacement of the asbestos roof. This however will have to be done through proper procedures as the tenants will have to move out of houses to pave way for asbestos stripping. Asbestos materials are considered carcinogenic hence the proponent will have to conduct an EIA and have a license to commencing with replacement of the roof.
- Contrary to accusation by some residents that the buildings plans were not approved and ones produced were forged, it was established that the buildings plans were genuine. This was clarified by Nixon Kilokumi of Environment Department at Mombasa Municipal Council who was present at the meeting. He indicted that the plans were properly approved and it was misleading for some residents to indicate otherwise.
- Inspection of public amenities such as sewer system, water supply, electricity, roads and drainage indicated that they have capacities to support the proposed development.
- Consultation with the proponent indicated that the tenants main concern is the desire to be offered the chance to purchase the existing houses and the fear that the new houses will be let at higher rate
- Local residents should be given priority for jobs created during construction and operation of the project

**APPENDIX 8: EVIDENCE OF CONSULTATION AND PUBLIC PARTICIPATION PROCESS DONE DURING INITIAL ENVIRONMENTAL AUDIT FOR THE ENTIRE CHANGAMWE RENTAL HOUSING ESTATE.**

NEMA/EIA/MSA/5/2/1068

INITIAL ENVIRONMENTAL AUDIT REPORT FOR NHC  
CHANGAMWE HOUSING SCHEME ON L.R. NO: MV/VI/2585/2584/1,  
CHANGAMWE, IN MOMBASA COUNTY.

FOR  
NATIONAL HOUSING CORPORATION

P.O. BOX 30257 – 00100 GPO,  
NAIROBI.

Tel: +254 33312147/9,  
Mobile No: 0724256403 / 0735993030,  
Fax: +254 (020) 311318.  
[info@nhckenya.co.ke](mailto:info@nhckenya.co.ke)

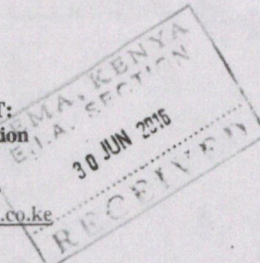
NATIONAL HOUSING CORPORATION  
P. U. Box 30257  
NAIROBI

GPS Coordinates are Lat: - 4.021547 °° Long. 39.624756 °° Elev: 54 M

By  
EIA / EA LEAD EXPERT:  
National Housing Corporation  
Mwongera Murungi  
TEL: +254 33312147 / 9.

Email: [mmurungi@nhckenya.co.ke](mailto:mmurungi@nhckenya.co.ke)

NEMA EXPERT LICENSE 0892.





NATIONAL ENVIRONMENT MANAGEMENT AUTHORITY  
OFFICE OF THE COUNTY DIRECTOR OF ENVIRONMENT  
MVITA House- P.O Box 84700-80100  
Mombasa

Ref: NEMA/EA/MSA/5/2/1068

30/06/2016

CHANGAMWE HOUSING SCHEME  
% NATIONAL HOUSING CORPORATION  
P.O. BOX 30257-00100, NAIROBI

RE: ACKNOWLEDGEMENT OF INITIAL ENVIRONMENTAL AUDIT REPORT

The National Environment Management Authority (NEMA) acknowledges receipt of 1 copy of Environmental Audit and a soft copy (CD) prepared by Mwengera Mwangi (D&R) EIA/Audit lead experts/firm of experts).

The reference number for the Audit report is NEMA/EA/MSA/5/2/1068 for any future Correspondence.



AGNES WAMBUA  
FOR COUNTY DIRECTOR OF ENVIRONMENT  
MOMBASA

NATIONAL HOUSING CORPORATION



National Housing Corporation  
 P. O. Box 30257-00100 NAIROBI  
 Tel: +254 20 3312147 / 9  
 Fax : +254 20 311318  
 E-mail: info@nhckenyaco.ke  
 Website: www.nhckenyaco.ke

NEIGHBOUR - Changamwe NHC Rental Housing Scheme.

Dear Sir/Madam,

RE: Stakeholders Comments Environmental Audit Interview Sheets.

National Housing Corporation (NHC) is carrying out Environmental Audit for its' Changamwe rental flats housing scheme Mombasa. This is in accordance with Section 58(2) of NEMAs' Environmental (Impact Assessment and Audit) regulations, 2003 under the Environmental Management and Coordination Act (EMCA - 1999) which requires that an Environmental Audit be conducted on such projects. In respect to this you have been positively identified as a Stakeholder - a neighbor to the estate and you are kindly requested to respond to the questions below as objectively as possible. Your views shall be used for professional judgment of the project impacts on the environment.

- How long have you been to this area? Kindly describe your relation with the estate (Changamwe NHC rental flats housing scheme). THE SCHOOL HAS BEEN IN EXISTANCE SINCE 1968. THE RELATIONSHIP HAS BEEN GOOD.
- List any negative impacts that you know / think the existence of the estate may have on the environment and particularly to your premises.
  - DISPOSAL OF WASTE PAPER/WATERBALL NEAR THE SCHOOL FENCE BY NEIGHBOURS
  - IN LIMITED CASES NOISE WHEN NEIGHBOURS PLAY FOOT BALLING
  - CUTTING DOWN TREES TO SAFEGUARD NEARBY HOUSES
- How do think / suggest that the above mentioned negative impacts should / can be addressed?
  - PROVISION OF WASTE DISPOSAL DUSTBINS TO TENANTS
  - CREATES GOOD RELATIONSHIP WITH NEIGHBOURHOOD
  - TENANTS THROUGH BARAZAS
- List any positive impacts that you know/think the existence and operations of the estate may have on the environment and particularly to your premises/business.
  - RESTRICTED ENTRY INTO THE ESTATE CREATES A MORE SECURE ENVIRONMENT FOR THE SCHOOL.
  - UPGRADING OF SEWER LINE HAS REDUCED DISCHARGE OF SEWAGE INTO
- Do you have any objection to the existence of the project?  
 Yes  No   
 If yes, give reasons.
- Any other comments.
  - THE SCHOOL APPRECIATES THE NHC AND WISHES FOR CONTINUED GOODWILL.
  - REQUEST FOR NHC TO SUPPORT SCHOOL EFFORTS TO IMPROVE SECURITY IE CONSTRUCT PERIMETER WALL.

Name: SILVER WALTER ID No: 1084484

Phone No: 0721 222734 Signature: [Signature]

Thank you for your participation

PRINCIPAL  
 ST. CHARLES LWAMBA SEC. SCHOOL  
 P. O. Box 93654, MOMBASA  
 Date: 9/2/16

For Any Clarification Kindly Contact Environmental Planner at NHC, Phone No. +254 20 3312147 / 9



Tenants / Resident / NHC employee – Changamwe NHC Rental Housing Scheme.

Dear Sir/ Madam,

2

**RE: Stakeholders Comments Environmental Audit Interview Sheets.**

National Housing Corporation (NHC) is carrying out its' annual Environmental Audit for its' Changamwe rental housing scheme Mombasa. This is in accordance with NEMAs' Environmental (Impact Assessment and Audit) regulations, 2003 under the Environmental Management and Coordination Act (EMCA - 1999).

You have been positively identified as a stakeholder – Tenants / Resident / NHC employee in your section / division / department and you are kindly requested to respond to the questions below as objectively as possible. Your views shall be used for professional judgment of the project impacts on the environment.

1. How long have you Lived / worked in the Estate? ..... 22 YEARS
2. What are the positive impacts associated with the project?
  - a) THERE ARE A LOT OF POSITIVE IMPACTS ASSOCIATED WITH THIS PROJECT. LAWYERS, P.A.O.M AND HEALTH TD.
  - b) TENANTS AND THEIR FAMILIES AND NEIGHBOURS NEARBY
  - c) NG. SCHOOLS, INDUSTRIES AND SO ON.
  - d) .....
  - e) .....
2. What do you think are the negative impacts associated with the project?
  - a) .....
  - b) THERE ARE NO NEGATIVE IMPACTS I ENVISAGE WITH THIS PROJECT.
  - c) .....
  - d) .....
  - e) .....
3. What measures do you propose to mitigate the above mentioned negative impacts?
  - a) .....
  - b) N/A
  - c) .....
  - d) .....
  - e) .....
4. Any other comments.
  1. THE ESTATE MANAGEMENT SHOULD PLAN TO REPLACE SOME HOUSES AND ROOFS WITH IRON SHEETS INSTEAD OF ASBESTOS.
  2. COMPLETE THE ESTATE'S PERIMETER WALL.
  3. DRAINAGE AND GARAGE DISPOSAL SHOULD IMPROVED.

Residence / Division: CHANGAMWE Designation: VILLAGE ELDER  
 Name: ALYS IUMA ID No: 3880721  
 Phone No: 0774402325 Signature:

Thank you for your participation.

NATIONAL  
HOUSING  
CORPORATION



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P. O. Box 30257-00100 NAIROBI  
Tel: +254 20 3312147 / 9  
Fax : +254 20 311318  
E-mail: info@nhckenyaco.ke  
Website: www.nhckenyaco.ke

NEIGHBOUR – JOMO KENYATTA NHC RENTAL FLATS HOUSING SCHEME.

Dear Sir/Madam,

2

**RE: Stakeholders Comments Environmental Audit Interview Sheets.**

National Housing Corporation (NHC) is carrying out Environmental Audit for its' Jomo Kenyatta rental flats housing scheme Mombasa. This is in accordance with Section 58(2) of NEMAs' Environmental (Impact Assessment and Audit) regulations, 2003 under the Environmental Management and Coordination Act (EMCA – 1999) which requires that an Environmental Audit be conducted on such projects.

In respect to this you have been positively identified as a Stakeholder - a neighbor to the estate and you are kindly requested to respond to the questions below as objectively as possible. Your views shall be used for professional judgment of the project impacts on the environment.

- How long have you been to this area? Kindly describe your relation with the estate (Jomo Kenyatta NHC rental flats housing scheme)..... 3 yrs. usual
- List any negative impacts that you know / think the existence of the estate may have on the environment and particularly to your premises.

The sewage overflows if becomes unbearable for people passing

- How do think / suggest that the above mentioned negative impacts should / can be addressed?

The local government to take charge

- List any positive impacts that you know/think the existence and operations of the estate may have on the environment and particularly to your premises/business.

- It have teachers  
- They are good neighbors

- Do you have any objection to the existence of the project?

Yes  No

If yes, give reasons.

- Any other comments.

Please renovate the houses

Name: Alice Ndungu ID No: 8106404  
HEADTEACHER MAKINDA PRIMARY SCHOOL

Phone No: 0721343021 Signature: [Signature]

Thank you for your participation



NEIGHBOUR – JOMO KENYATTA NHC RENTAL FLATS HOUSING SCHEME.

Dear Sir/Madam,

4

**RE: Stakeholders Comments Environmental Audit Interview Sheets.**

National Housing Corporation (NHC) is carrying out Environmental Audit for its' Jomo Kenyatta rental flats housing scheme Mombasa. This is in accordance with Section 5B(2) of NEMAs' Environmental (Impact Assessment and Audit) regulations, 2003 under the Environmental Management and Coordination Act (EMCA – 1999) which requires that an Environmental Audit be conducted on such projects.

In respect to this you have been positively identified as a Stakeholder - a neighbor to the estate and you are kindly requested to respond to the questions below as objectively as possible. Your views shall be used for professional judgment of the project impacts on the environment.

1. How long have you been to this area? Kindly describe your relation with the estate (Jomo Kenyatta NHC rental flats housing scheme) 5yrs - Principal Makamba girls secondary school
2. List any negative impacts that you know / think the existence of the estate may have on the environment and particularly to your premises. poor drainage & dirty/sewage - has affected the soil - emits a foul smell causes discomfort student learning. Have proper paths to be used - encroachment of kiosks - may pose risk of security to sch.
3. How do think / suggest that the above mentioned negative impacts should / can be addressed? improve on the drainage - delineate paths to be used. proper organization of kiosks if they have to be on the school.
4. List any positive impacts that you know/think the existence and operations of the estate may have on the environment and particularly to your premises/business. to some extent provides sense of security. able to purchase goods from shops close the school.
5. Do you have any objection to the existence of the project?  
 Yes  No   
 If yes, give reasons.
6. Any other comments. The community has been using the sch compound as route for waste to dispose to neighbouring places. they have been dumping wastes inside sch. compd.

Name: Munira M Aswad ID No: 9625086  
PRINCIPAL MAKAMBA GIRLS SECONDARY SCHOOL  
 Phone No: 0707169492 Signature: [Signature]  
 Thank you for your participation

NATIONAL HOUSING CORPORATION



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 Website: www.nhckeny.co.ke

Tenants / Resident / NHC employee – Changamwe NHC Rental Housing Scheme.

Dear Sir/ Madam,

5

RE: Stakeholders Comments Environmental Audit Interview Sheets.

National Housing Corporation (NHC) is carrying out its' annual Environmental Audit for its' Changamwe rental housing scheme Mombasa. This is in accordance with NEMAs' Environmental (Impact Assessment and Audit) regulations, 2003 under the Environmental Management and Coordination Act (EMCA – 1999).

You have been positively identified as a stakeholder – Tenants / Resident / NHC employee in your section / division / department and you are kindly requested to respond to the questions below as objectively as possible. Your views shall be used for professional judgment of the project impacts on the environment.

1. How long have you Lived / worked in the Estate? 20 YRS.
2. What are the positive impacts associated with the project?
  - a) UNITS ARE LOCATED IN A VERY STRATEGIC AREA
  - b) SECURITY IS GOOD
  - c) COMMUNICATION BETWEEN STAFF AND TENANTS IS GOOD
  - d) HOUSES ARE VERY SPACIOUS
  - e) CLEANING SERVICES WELL DONE
2. What do you think are the negative impacts associated with the project?
  - a) ROOFING MATERIALS ARE CONDEMNED ASBESTOS
  - b) ROADS POORLY MAINTAINED
  - c) DRAINAGE SYSTEMS AWAY! BLOCKING
  - d) NO ENOUGH WATER IN THE ESTATE
  - e) \_\_\_\_\_
3. What measures do you propose to mitigate the above mentioned negative impacts?
  - a) IMPROVE ON THE NEGATIVE ABOVE
  - b) \_\_\_\_\_
  - c) \_\_\_\_\_
  - d) \_\_\_\_\_
  - e) \_\_\_\_\_
4. Any other comments.
 

OLD UNITS ROOFED WITH ASBESTOS TO BE REPLACED WITH NEW ENVIRONMENTAL FRIENDLY ROOFING MATERIALS.

Residence / Division: \_\_\_\_\_ Designation: \_\_\_\_\_  
 Name: FRANCIS M. KIEMA ID No: 16100779  
 Phone No: 0722365061 Signature: [Signature]



Thank you for your participation.



Tenants / Resident / NHC employee – Changamwe NHC Rental Housing Scheme.

Dear Sir/ Madam,

6

RE: Stakeholders Comments Environmental Audit Interview Sheets

National Housing Corporation (NHC) is carrying out its' annual Environmental Audit for its' Changamwe rental housing scheme Mombasa. This is in accordance with NEMAs' Environmental (Impact Assessment and Audit) regulations, 2003 under the Environmental Management and Coordination Act (EMCA – 1999).

You have been positively identified as a stakeholder – Tenants / Resident / NHC employee in your section / division / department and you are kindly requested to respond to the questions below as objectively as possible. Your views shall be used for professional judgment of the project impacts on the environment.

1. How long have you Lived / worked in the Estate? 12 YEARS
2. What are the positive impacts associated with the project?
  - a) PROVIDING HOUSE UNITS FOR MORE FAMILIES
  - b) \_\_\_\_\_
  - c) \_\_\_\_\_
  - d) \_\_\_\_\_
  - e) \_\_\_\_\_
2. What do you think are the negative impacts associated with the project?
  - a) OVER STRETCHED SEWAGE SYSTEM / SLOW WATER DRAINAGE
  - b) OVER STRETCHED FRESH WATER SUPPLY
  - c) DILAPIDATED ROAD NETWORK WITH THE ESTATE
  - d) LACK OF PROPERLY PLANNED SECURITY
  - e) \_\_\_\_\_
3. What measures do you propose to mitigate the above mentioned negative impacts?
  - a) BY UPGRADING SEWAGE SYSTEM
  - b) BY UPGRADING WATER SUPPLIES BY SINKING DEEP HOLES/DRAINAGE
  - c) IMPROVE OF ESTATE ROAD NETWORK
  - d) COMPLETION OF PERIMETER WALL AND IMPROVE SECURITY PLAN
  - e) PLANTING OF MORE TREES
4. Any other comments  
- DO STOP FLOODING OF THE ESTATE BY REPAIRING THE  
SEWAGE WATER DRAINAGE SYSTEM  
- CONTROL CUTTING OF TREE WITHOUT REPLACEMENTS BY  
PLANTING MORE TREES

Residence / Division: \_\_\_\_\_ Designation: \_\_\_\_\_  
Name: B.M. WATTHUMBI ID No: 846909  
Phone No: 0722865601 Signature:

Thank you for your participation.

1

For Any Clarification Kindly Contact Environmental Planner at NHC, Phone No. +254 20 3312147 / 9

NATIONAL HOUSING CORPORATION



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Fax : +254 (020) 311318  
E-mail: info@nhckenya.co.ke  
Website: www.nhckenya.co.ke

Tenants / Resident / NHC employee – Changamwe NHC Rental Housing Scheme.

Dear Sir/ Madam,

7

**RE: Stakeholders Comments Environmental Audit Interview Sheets.**

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You have been positively identified as a stakeholder – Tenants / Resident / NHC employee in your section / division / department and you are kindly requested to respond to the questions below as objectively as possible. Your views shall be used for professional judgment of the project impacts on the environment

1. How long have you Lived / worked in the Estate? I was borne here and Married here with 3 children.

2. What are the positive impacts associated with the project?  
a) Providing shelter to the people  
b) .....  
c) .....  
d) .....  
e) .....

2. What do you think are the negative impacts associated with the project?  
a) .....  
b) None.  
c) .....  
d) .....  
e) .....

3. What measures do you propose to mitigate the above mentioned negative impacts?  
a) .....  
b) .....  
c) .....  
d) .....  
e) .....

4. Any other comments.  
Drainage Security (Perimeter wall) round the estate and in the estate

Residence / Division: H-H-C MAGENTA Designation: \_\_\_\_\_  
Name: LAURA NGINA ID No: 20173224  
Phone No: 0720677070 Signature: [Signature]

Thank you for your participation.

NATIONAL  
HOUSING  
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Website: www.nhckenyaa.co.ke

Tenants / Resident / NHC employee – Changamwe NHC Rental Housing Scheme.

Dear Sir/ Madam,

8

**RE: Stakeholders Comments Environmental Audit Interview Sheets.**

National Housing Corporation (NHC) is carrying out its' annual Environmental Audit for its' Changamwe rental housing scheme Mombasa. This is in accordance with NEMAs' Environmental (Impact Assessment and Audit) regulations, 2003 under the Environmental Management and Coordination Act (EMCA – 1999).

You have been positively identified as a stakeholder – Tenants / Resident / NHC employee in your section / division / department and you are kindly requested to respond to the questions below as objectively as possible. Your views shall be used for professional judgment of the project impacts on the environment.

1. How long have you Lived / worked in the Estate? 4 years
2. What are the positive impacts associated with the project?
  - a) We need more units and accommodation more people.
  - b) \_\_\_\_\_
  - c) \_\_\_\_\_
  - d) \_\_\_\_\_
  - e) \_\_\_\_\_
2. What do you think are the negative impacts associated with the project?
  - a) \_\_\_\_\_
  - b) \_\_\_\_\_
  - c) \_\_\_\_\_
  - d) \_\_\_\_\_
  - e) \_\_\_\_\_
3. What measures do you propose to mitigate the above mentioned negative impacts?
  - a) We require good sewerage system.
  - b) Security
  - c) Tarmacked roads in the Estate.
  - d) \_\_\_\_\_
  - e) \_\_\_\_\_
4. Any other comments.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Residence / Division: NHC Designation: RESIDENT  
Name: Hillery Mutumbi Ambwere ID No: 9721811  
Phone No: 0722152291 Signature: [Signature]

Thank you for your participation.

1

For Any Clarification Kindly Contact Environmental Planner at NHC, Phone No. +254 20 3312147 / 9

NATIONAL HOUSING CORPORATION



National Housing Corporation  
P. O. Box 30257 - 00100 NAIROBI  
Tel: +254 20 3312147 / 9  
Fax : +254 (020) 311318  
E-mail: info@nhkenya.co.ke  
Website: www.nhkenya.co.ke

Tenants / Resident / NHC employee – Changamwe NHC Rental Housing Scheme.

Dear Sir/ Madam,

9

**RE: Stakeholders Comments Environmental Audit Interview Sheets.**

National Housing Corporation (NHC) is carrying out its' annual Environmental Audit for its' Changamwe rental housing scheme Mombasa. This is in accordance with NEMAs' Environmental (Impact Assessment and Audit) regulations, 2003 under the Environmental Management and Coordination Act (EMCA – 1999).

You have been positively identified as a stakeholder – Tenants / Resident / NHC employee in your section / division / department and you are kindly requested to respond to the questions below as objectively as possible. Your views shall be used for professional judgment of the project impacts on the environment.

1. How long have you Lived / worked in the Estate? 40 (FORTY) YEARS

2. What are the positive impacts associated with the project?

- a) Housing the Nation
- b) \_\_\_\_\_
- c) \_\_\_\_\_
- d) \_\_\_\_\_
- e) \_\_\_\_\_

2. What do you think are the negative impacts associated with the project?

- a) \_\_\_\_\_
- b) None
- c) \_\_\_\_\_
- d) \_\_\_\_\_
- e) \_\_\_\_\_

3. What measures do you propose to mitigate the above mentioned negative impacts?

- a) \_\_\_\_\_
- b) \_\_\_\_\_
- c) \_\_\_\_\_
- d) \_\_\_\_\_
- e) \_\_\_\_\_

4. Any other comments.

Estate Cleaners has deteriorated tremendously. Digging across roads without repairs has been witnessed together with the conditions of roads. Roads are not well maintained and existed new turned estate can forest. Construction of structures has continued. Security has gone down.

Residence / Division: CHANGAMWE Designation: \_\_\_\_\_

Name: VICTOR A. TSUMA ID No: 2242894

Phone No: 0722562346 Signature: [Signature]

Thank you for your participation.



Tenants / Resident / NHC employee – Changamwe NHC Rental Housing Scheme.

Dear Sir/ Madam,

10

RE: Stakeholders Comments Environmental Audit Interview Sheets.

National Housing Corporation (NHC) is carrying out its' annual Environmental Audit for its' Changamwe rental housing scheme Mombasa. This is in accordance with NEMAs' Environmental (Impact Assessment and Audit) regulations, 2003 under the Environmental Management and Coordination Act (EMCA – 1999).

You have been positively identified as a stakeholder – Tenants / Resident / NHC employee in your section / division / department and you are kindly requested to respond to the questions below as objectively as possible. Your views shall be used for professional judgment of the project impacts on the environment

1. How long have you Lived / worked in the Estate? ..... 12 years

2. What are the positive impacts associated with the project?  
a) It will provide more households to people.  
b) .....  
c) .....  
d) .....  
e) .....

2. What do you think are the negative impacts associated with the project?  
a) Shortage of water.  
b) Sewerage blockage.  
c) Insecurity.  
d) .....  
e) .....

3. What measures do you propose to mitigate the above mentioned negative impacts?  
a) Increase of water pressure due to more residents  
b) make the sewerage line to increase its usage capacity  
c) Increase Security personnel and perimeter wall.  
d) .....  
e) .....

4. Any other comments.  
NA  
.....  
.....  
.....

Residence / Division: Tenant Designation: CHAIRMAN - ACT OF LIFE YOUTH GROUP

Name: ZADOCK NAMATI ID No: 25100941

Phone No: 0724280564 Signature: [Signature]

Thank you for your participation.

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Website: www.nhckenyaco.ke

Tenants / Resident / NHC employee – Changamwe NHC Rental Housing Scheme.

Dear Sir/ Madam,

11

RE: Stakeholders Comments Environmental Audit Interview Sheets.

National Housing Corporation (NHC) is carrying out its' annual Environmental Audit for its' Changamwe rental housing scheme Mombasa. This is in accordance with NEMAs' Environmental (Impact Assessment and Audit) regulations, 2003 under the Environmental Management and Coordination Act (EMCA – 1999).

You have been positively identified as a stakeholder – Tenants / Resident / NHC employee in your section / division / department and you are kindly requested to respond to the questions below as objectively as possible. Your views shall be used for professional judgment of the project impacts on the environment.

1. How long have you Lived / worked in the Estate? OVER 30 YEARS.

2. What are the positive impacts associated with the project?

- a) we will have more people
- b) we will have better sewerage system than the current one.
- c) Security will be improved
- d) Roads will be tarred
- e) New High rises.

2. What do you think are the negative impacts associated with the project?

- a) with the above in place, and envisage any negative impacts.
- b) \_\_\_\_\_
- c) \_\_\_\_\_
- d) \_\_\_\_\_
- e) \_\_\_\_\_

3. What measures do you propose to mitigate the above mentioned negative impacts?

- a) \_\_\_\_\_
- b) \_\_\_\_\_
- c) \_\_\_\_\_
- d) \_\_\_\_\_
- e) \_\_\_\_\_

4. Any other comments.

Proper drainage system, Security recreational centers and shops for shopping with emergency bore holes about 4 bore holes and perimeter wall.

Residence / Division: National Housing Designation: Village Elder.

Name: John W. Audakasi ID No: 2244006

Phone No: 0720856957 Signature: [Signature]

Thank you for your participation.

1

For Any Clarification Kindly Contact Environmental Planner at NHC, Phone No. +254 20 3312147 / 9



Tenants / Resident / NHC employee – Changamwe NHC Rental Housing Scheme.

Dear Sir/ Madam,

12

**RE: Stakeholders Comments Environmental Audit Interview Sheets.**

National Housing Corporation (NHC) is carrying out its' annual Environmental Audit for its' Changamwe rental housing scheme Mombasa. This is in accordance with NEMAs' Environmental (Impact Assessment and Audit) regulations, 2003 under the Environmental Management and Coordination Act (EMCA – 1999).

You have been positively identified as a stakeholder – Tenants / Resident / NHC employee in your section / division / department and you are kindly requested to respond to the questions below as objectively as possible. Your views shall be used for professional judgment of the project impacts on the environment.

1. How long have you Lived / worked in the Estate? ten years

2. What are the positive impacts associated with the project?  
 a) Perimeter wall  
 b) Gates in place  
 c) Security fences at the gates  
 d) \_\_\_\_\_  
 e) \_\_\_\_\_

2. What do you think are the negative impacts associated with the project?  
 a) \_\_\_\_\_  
 b) Waste disposal is wanting  
 c) Gaps left by the perimeter wall structure incomplete  
 d) Unburied gates  
 e) Asbestos pipes

3. What measures do you propose to mitigate the above mentioned negative impacts?  
 a) Waste disposal pits should be dug  
 b) Waste that burnt or recycled  
 c) Perimeter wall should be constructed all round the estate  
 d) \_\_\_\_\_  
 e) Asbestos pipes to be replaced with guishet

4. Any other comments. The estate needs to be well lit for security purposes. Asbestos pipes a health hazard should be done away with completely. When done the we request the NHC to consider our report also as a school. (Asbestos pipes)

Residence / Division: \_\_\_\_\_ Designation: Headteacher

Name: JANE ACHENG OMWARE ID No: 11457175

Phone No: 0721778028 Signature: [Signature]

HEADTEACHER  
 GOME PRIMARY SCE  
 P O Box 92233-80100, MOMBA  
 Date: 9/1/16 Signature: [Signature]

Thank you for your participation.



NEIGHBOUR – Changamwe NHC Rental Housing Scheme.

Dear Sir/Madam,

13

RE: Stakeholders Comments Environmental Audit Interview Sheets.

National Housing Corporation (NHC) is carrying out Environmental Audit for its' Changamwe rental flats housing scheme Mombasa. This is in accordance with Section 58(2) of NEMAs' Environmental (Impact Assessment and Audit) regulations, 2003 under the Environmental Management and Coordination Act (EMCA – 1999) which requires that an Environmental Audit be conducted on such projects. In respect to this you have been positively identified as a Stakeholder - a neighbor to the estate and you are kindly requested to respond to the questions below as objectively as possible. Your views shall be used for professional judgment of the project impacts on the environment.

- How long have you been to this area? Kindly describe your relation with the estate (Changamwe NHC rental flats housing scheme). *This is my thirteenth year as the head teacher of the school and as a neighbour. We have lived well.*
- List any negative impacts that you know / think the existence of the estate may have on the environment and particularly to your premises. *The only problem or health hazard that was encountered was when there was a problem with the sewerage system of NHC. It was really bad but we thank God this was addressed and there is no problem at all. The play ground harbours people as well as youth who abuse and traffick drugs.*
- How do think / suggest that the above mentioned negative impacts should / can be addressed? *About drug trafficking and abuse I suggest NHC, the school and other stakeholders in the neighbourhood can come together and see how best this can be solved. The ground is not safe for NHC tenants as well as school children from neighbouring schools. On 5th our class 7 girl was attacked by a boy from the neighbouring school. She was taken to the police.*
- List any positive impacts that you know/think the existence and operations of the estate may have on the environment and particularly to your premises/business. *Security - We can stay in school late hours because we feel secured. The tenants are positive attitude and do behave in a manner that does not cause disturbance making the school a conducive learning environment.*
- Do you have any objection to the existence of the project?  
 Yes  No   
 If yes, give reasons. *The estate is also a source of negative reports eg. the blocked sewerage system. The fact that they bring their children to our school.*
- Any other comments. *As a school we are in good books with the estate, some of our pupils are from the estate and therefore we are one. One thing we were launching the school's CHILD-RIGHTS club and the NHC workers did assist financially. It was good. A big THANK YOU.*

Name: *ANICE NYAIRO JOWI* ID No: *0277610*

Phone No: *0722442234*

Signature: *[Signature]*

Thank you for your participation



## AOB

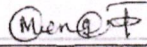
Mr Abais → Perimeter Wall issue  
Mr Odior we should have a ~~at~~ good relationship  
whereby we can report quietly on disputes  
issues. Also repairs of the house should  
be considered.

## Note of Thanks

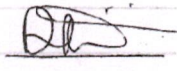
Mr Mwangi thanked the members for  
their attendance and their contribution  
He will prepare a report and send us a  
copy and another to the

Alex + others

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P.O. Box 30257  
NAIROBI

CHAIRPERSON : MWANGERA MUTUNGI SIGNATURE 

DESIGNATION : ENVIRONMENTAL PLANNER - NHC

SECRETARY : M/S DOREEN WAVUA SIGNATURE 

DESIGNATION : OFFICER IN CHARGE NHC MOMBASA

Mr Tsuma:

~~Roads~~ Proposed that garbage should be put  
in a central place and Municipal to collect.

- We can jointly plant trees ceremonially together  
with the environmental officer.

- We can get trees seedlings from the forestry  
dept.

Access roads are damaged and needs repair

Mr wanted to renovate the access roads within  
NHC i.e feeder roads.

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NAIROBI

## Meeting with NHC Wefaa Chagamu

### Members present

Mr Mwangi  
Mr Anderson  
Mr Tsungu  
Mr Odwar  
Mr Alex  
Mr Jared Moshat  
Mr Aloke

Meeting was opened with a word of prayer by Mr Tsungu.  
Members introduced themselves.

Mr Mwangi explained to the members that he is here to carry out an environmental audit which has never been done by NHC.

He stated that the meeting is open and we should pinpoint the issues pressing in regard with the environment.

Mr Odwar:

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P.O. Box 30257  
NAIROBI

- In regard with (sanitation) NHC has tried  
In " with Sewerage also NHC has done alot  
- He said that water is a major problem in the estate and request NHC to organise for a bore hole or give the authority to dig a borehole to serve the estate.

Manhole covers are all stolen and request that cemented slabs should be used.

- Mr Mwangi explained that he has gone round the estate and has found out that people have put animals in estate which is against the rules.

- Mr Odwar stated that the burning of rubbish  
- Service providers should be put to take care the whole estate.

Chungamwe

**ATTENDANCE LIST.**

Meeting: INITIAL ENVIRONMENTAL ASSESSMENT AUDIT MEETING  
MINUTES FOR NHC CHUNGAMWE RENTAL WITH  
THE TENANT WELFARE COMMITTEE ON 11/2/2016

Venue: NHC MOMBASA REGION OFFICE

Date: 11/2/2016

	NAME	I.D. NO.	Signature
1.	Mwengeri MURONGI	20023063	
2.	JOHN W. ANDAKASIA	2244006	
3.	VICTOR TSUMA	2242994	
4.	ALEX O. OKUMU	0286213	
5.	JAMES MOSIETI	6982101	
6.	ALOIS TSUMA	3880721	
7.	PETER OJUDA	7839861	 0735 2454

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NAIROBI

## **5.7. Public Participation.**

### **5.7.1. General Overview.**

This section describes the process of the public consultation and public participation followed to identify the key issues (environment and socio economic factors) in the Chagamwe housing Scheme Project. The purpose of the public consultation was to inform the relevant stakeholders about the EA study that was being carried out to seek their views on any potential positive and/or negative environmental and socio economic impacts associated with the implementation of the project.

### **5.7.2. Methodology Used In Public Consultation.**

The process in carrying out the entire process involved:

- 1.Key informant interviews
- 2.Meeting and discussions with the tenant's welfare association. See the annex 2
- 3.Estate inspection, photography and observations
- 4.The use of questionnaires
- 5.The questionnaires were designed to allow various stakeholders to the site to provide their views concerning the Housing scheme. These questionnaires were distributed the staffs (NHC employees), residential and neighbours surrounding the project.

### **5.7.3. Results Of Public Consultation.**

The results obtained from the exercise through administration of questionnaires are presented below.

#### **5.7.3.1. Positive Impacts Associated With The Project.**

1. The restricted entry into the estate creates more secure environment for the nearby schools.
- 2.Upgrading of the sewer line has reduced the sewerage blockage
- 3.Cleaning services within the estate is recommendable.
- 4.Good communication between the staff and the tenants is good
- 5.Spacious houses
- 6.Provision of shelters/housing facilities

#### **5.7.3.2. Negative Impacts Associated With The Project.**

1. Improper disposal of the solid waste
- 2.Noise pollution experienced when neighbours are playing in the nearby playing ground and high volume of music.
- 3.Cutting down of trees to safeguard houses
- 4.Encroachment of kiosks hence threatening security
- 5.Poor drainage channel system
- 6.Poor roads / have potholes
- 7.Inadequate water
- 8.Construction of illegal extended structures.
- 9.poor security due to incomplete perimeter wall and less security personnel
- 10.Drug abuse,/trafficking/ rape is an issue among the youth

**5.7.3.3. Proposed Mitigation Measures For The Above Negative Impacts.**

1. Provision of waste disposal bins to the tenants.
2. Creation of cordial relationship with neighbours and tenants through baraza/meetings.
3. Improve security through construction of the perimeter wall around the estate.
4. Renovate the asbestos roofs/ replace them with iron sheets which are environmentally friendly.
5. Storm water drainage channels should be improved.
6. Renovate houses.
7. Improper the roads networks which are damaged should be constructed.
8. Planting more trees.
9. Solving the water challenge by digging a borehole.
10. Increase security personnel
11. Recreation of shopping centres
12. Waste disposal pits should be implemented.
13. Waste which can be used or recycled to be done that to avoid garbage pollution.

**APPENDIX 9: EVIDENCE OF CONSULTATION AND PUBLIC PARTICIPATION PROCESS DONE DURING THE EIA FOR THE PROPOSED ASBESTOS REMOVAL, TRANSPORTATION AND SAFE DISPOSAL FOR NHC CHANGAMWE RENTAL HOUSING ESTATE IN CHANGAMWE, MOMBASA COUNTY.**

NATIONAL HOUSING CORPORATION



National Housing Corporation  
 P. O. Box 30257-00100 NAIROBI  
 Tel: +254 312147/312149  
 Fax : +254 (020) 311318  
 E-mail: info@nhckenya.co.ke

Dear Sir/ Madam,

**RE: Stakeholders Environmental Impact Assessment (EIA) Interview Questionnaire.**

National Housing Corporation NHC is carrying out an Environmental Impacts Assessment for Proposed Project, Asbestos roofings Removal, Transportation and Safe Disposal from NHC Changamwe Housing Scheme Project on LR Nos MN/V/ 2585/2584/1, Mombasa County. This is in accordance with NEMAs' Environmental (Impact Assessment and Audit) regulations 2003, Environmental Management and Coordination (Waste Management) Regulations 2006, National Guidelines on Safe Management and Disposal of Asbestos 2009 under the Environmental Management and Coordination Act (EMCA - 1999) You have been positively identified as a neighbor / Stakeholder to the proposed project and you are kindly requested to respond to the questions below as objectively as possible. Your views shall be used for professional judgment of the project impacts on the environment.

1. How long have you been working / living here? 14yrs How long has your facility been operating here? .....
2. How far from the proposed project site do you live? 2.0 Miles
3. What do you think / feel are the positive impacts associated with the proposed project?
  - a) It will create employment
  - b) It will contribute to the local economy
  - c) To create more jobs for the community
  - d) .....
  - e) .....
4. What do you think / feel are the negative impacts associated with the proposed project?
  - a) noise during the construction phase
  - b) air pollution from dust
  - c) disruption of the environment
  - d) .....
5. What measures do you propose to mitigate the above mentioned negative impacts?
  - a) Use of earthen walls near the site
  - b) Use of earthen walls to manage the noise
  - c) Use of earthen walls to manage the dust
  - d) .....
  - e) .....
6. Do you have any objections to the proposed project? Yes  No
7. If yes in question 6 above kindly give your reasons.....
8. What is your occupation? civil servant
9. Any other comments. None

Name: Peter N. Omondi ID No: 3496011  
 Phone No: 0722 342237 Signature: [Signature]  
 Thank you for your participation

For Any Clarification Kindly Contact Planning Officer Environment At NHC, Phone No. +254 0724256403

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CORPORATION



National Housing Corporation  
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E-mail: info@nhckenyaco.ke

St Lucy's Secondary

Dear Sir/ Madam,

2

**RE: Stakeholders Environmental Impact Assessment (EIA) Interview Questionnaire.**

National Housing Corporation NHC is carrying out an Environmental Impacts Assessment for Proposed Project, Asbestos roofings Removal, Transportation and Safe Disposal from NHC Changamwe Housing Scheme Project on LR Nos MN/VI 2585/2584/1, Mombasa County. This is in accordance with NEMAs' Environmental (Impact Assessment and Audit) regulations 2003, Environmental Management and Coordination (Waste Management) Regulations 2006, National Guidelines on Safe Management and Disposal of Asbestos 2009 under the Environmental Management and Coordination Act (EMCA - 1999) You have been positively identified as a neighbor / Stakeholder to the proposed project and you are kindly requested to respond to the questions below as objectively as possible. Your views shall be used for professional judgment of the project impacts on the environment.

1. How long have you been working / living here? 4yrs... How long has your facility been operating here? 1978.....
2. How far from the proposed project site do you live? 1/2 km
3. What do you think / feel are the positive impacts associated with the proposed project?
  - a) .....
  - b) .....
  - c) People will live in a safe environment
  - d) The project has created job opportunity for youths
  - e) Modern houses will improve the living standards
4. What do you think / feel are the negative impacts associated with the proposed project?
  - a) .....
  - b) It will render so many people homeless
  - c) During the construction process
  - d) .....
5. What measures do you propose to mitigate the above mentioned negative impacts?
  - a) The occupants should be compensated
  - b) The new houses being constructed should be given priority to the current occupants in the estate
  - c) .....
  - d) .....
  - e) .....
6. Do you have any objections to the proposed project? Yes  No
7. If yes in question 6 above kindly give your reasons N/A
8. What is your occupation? TEACHING
9. Any other comments. Just a question: What will happen to the occupants of the houses when the roofings of their houses will be removed?

Name: Generah Mwambui ID No: 21267571  
Phone No: 0714893740 Signature: [Signature]  
Thank you for your participation

For Any Clarification Kindly Contact Planning Officer Environment At NHC, Phone No. +254 0724256403

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CORPORATION



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Dear Sir/ Madam,

3

**RE: Stakeholders Environmental Impact Assessment (EIA) Interview Questionnaire.**

National Housing Corporation NHC is carrying out an Environmental Impacts Assessment for Proposed Project, Asbestos roofings Removal, Transportation and Safe Disposal from NHC Changamwe Housing Scheme Project on LR Nos MN/VI/ 2585/2584/1, Mombasa County. This is in accordance with NEMAs' Environmental (Impact Assessment and Audit) regulations 2003, Environmental Management and Coordination (Waste Management) Regulations 2006, National Guidelines on Safe Management and Disposal of Asbestos 2009 under the Environmental Management and Coordination Act (EMCA - 1999) You have been positively identified as a neighbor / Stakeholder to the proposed project and you are kindly requested to respond to the questions below as objectively as possible. Your views shall be used for professional judgment of the project impacts on the environment.

1. How long have you been working / living here? 22 How long has your facility been operating here? .....

2. How far from the proposed project site do you live? within the Project area

3. What do you think / feel are the positive impacts associated with the proposed project?

- a) It will ease the housing problem and also more houses for the people of Changamwe. support the the project.
- b) .....
- c) .....
- d) .....
- e) .....

4. What do you think / feel are the negative impacts associated with the proposed project?

- a) The attitude of some people - seems very much against why the project is going on - Lets us have a proper way of shifting the residents from one flat to the other.
- b) .....
- c) .....
- d) .....
- e) .....

5. What measures do you propose to mitigate the above mentioned negative impacts?

- a) We will strive to make it peaceful without pressure for groups.
- b) .....
- c) .....
- d) .....
- e) .....

6. Do you have any objections to the proposed project? Yes  No

7. If yes in question 6 above kindly give your reasons.....

8. What is your occupation? Pensioner.

9. Any other comments. We need upgraded sewage and a good working relationship with the management. Land lease, No harassment etc. Dialo we will remain on monthly or quarterly basis.

Name: John W. Audakasi ID No: 2244006  
Phone No: 0720886959 Signature: [Signature] 19/04/2008  
Thank you for your participation

For Any Clarification Kindly Contact Planning Officer Environment At NHC, Phone No. +254 0724256403

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CORPORATION



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E-mail: info@nhckkenya.co.ke

Dear Sir/ Madam,

4

**RE: Stakeholders Environmental Impact Assessment (EIA) Interview Questionnaire.**

National Housing Corporation NHC is carrying out an Environmental Impacts Assessment for Proposed Project, Asbestos roofings Removal, Transportation and Safe Disposal from NHC Changamwe Housing Scheme Project on LR Nos MN/VU 2585/2584/1, Mombasa County. This is in accordance with NEMAs' Environmental (Impact Assessment and Audit) regulations 2003, Environmental Management and Coordination (Waste Management) Regulations 2006, National Guidelines on Safe Management and Disposal of Asbestos 2009 under the Environmental Management and Coordination Act (EMCA - 1999) You have been positively identified as a neighbor / Stakeholder to the proposed project and you are kindly requested to respond to the questions below as objectively as possible. Your views shall be used for professional judgment of the project impacts on the environment.

1. How long have you been working / living here? 27yrs How long has your facility been operating here? .....
2. How far from the proposed project site do you live? 10 Meters
3. What do you think / feel are the positive impacts associated with the proposed project?
  - a) no air pollution
  - b) space utilization
  - c) .....
  - d) .....
  - e) .....
4. What do you think / feel are the negative impacts associated with the proposed project?
  - a) .....
  - b) NO
  - c) .....
  - d) .....
5. What measures do you propose to mitigate the above mentioned negative impacts?
  - a) .....
  - b) .....
  - c) .....
  - d) .....
  - e) .....
6. Do you have any objections to the proposed project? Yes  No
7. If yes in question 6 above kindly give your reasons.....
8. What is your occupation? .....
9. Any other comments.....

Name: \_\_\_\_\_ ID No: \_\_\_\_\_

Phone No: \_\_\_\_\_ Signature: \_\_\_\_\_

Thank you for your participation

1

For Any Clarification Kindly Contact Planning Officer Environment At NHC, Phone No. +254 0724256403

NATIONAL HOUSING CORPORATION



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Dear Sir/ Madam,

**RE: Stakeholders Environmental Impact Assessment (EIA) Interview Questionnaire.**

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1. How long have you been working / living here? 23yrs How long has your facility been operating here? .....

2. How far from the proposed project site do you live? 50 meters

3. What do you think / feel are the positive impacts associated with the proposed project?

- a) Environmental friendly
- b) cheap housing
- c) .....
- d) .....
- e) .....

4. What do you think / feel are the negative impacts associated with the proposed project?

- a) .....
- b) N/A
- c) .....
- d) .....

5. What measures do you propose to mitigate the above mentioned negative impacts?

- a) .....
- b) N/A
- c) .....
- d) .....
- e) .....

6. Do you have any objections to the proposed project? Yes  No

7. If yes in question 6 above kindly give your reasons. N/A

8. What is your occupation? employed

9. Any other comments. Good project as we aim at our president's top four agenda

Name: Gibson R. ID No: 229900

Phone No: 0733590444 Signature: [Signature]

Thank you for your participation

For Any Clarification Kindly Contact Planning Officer Environment At NHC, Phone No. +254 0724256403

NATIONAL HOUSING CORPORATION



National Housing Corporation  
 P. O. Box 30257-00100 NAIROBI  
 Tel: +254 312147/312149  
 Fax : +254 (020) 311318  
 E-mail: info@nhckenyaco.ke

Dear Sir/ Madam,

6

**RE: Stakeholders Environmental Impact Assessment (EIA) Interview Questionnaire.**

National Housing Corporation NHC is carrying out an Environmental Impacts Assessment for Proposed Project, Asbestos roofings Removal, Transportation and Safe Disposal from NHC Changamwe Housing Scheme Project on LR Nos MN/VU/ 2585/2584/1, Mombasa County. This is in accordance with NEMAs' Environmental (Impact Assessment and Audit) regulations 2003, Environmental Management and Coordination (Waste Management) Regulations 2006, National Guidelines on Safe Management and Disposal of Asbestos 2009 under the Environmental Management and Coordination Act (EMCA - 1999) You have been positively identified as a neighbor / Stakeholder to the proposed project and you are kindly requested to respond to the questions below as objectively as possible. Your views shall be used for professional judgment of the project impacts on the environment.

1. How long have you been working / living here? 13 How long has your facility been operating here? .....
2. How far from the proposed project site do you live? about 100 metres
3. What do you think / feel are the positive impacts associated with the proposed project?
  - a) No positive impact
  - b) .....
  - c) .....
  - d) .....
  - e) .....
4. What do you think / feel are the negative impacts associated with the proposed project?
  - a) A lot of environmental project
  - b) Bad toilet and sewage operations.
  - c) .....
  - d) .....
  - e) .....
5. What measures do you propose to mitigate the above mentioned negative impacts?
  - a) Repair the seages
  - b) Have a "go green" environment
  - c) .....
  - d) .....
  - e) .....
6. Do you have any objections to the proposed project? Yes  No
7. If yes in question 6 above kindly give your reasons. They are against our wall building the border.
8. What is your occupation? Tenant
9. Any other comments. NHC HAC POOP SERVICES  
ABD SHEWAN 8492672

Name: FADHILA STADI ID No: 11229322  
 Phone No: 0721983060 Signature: ABD  
 Thank you for your participation

For Any Clarification Kindly Contact Planning Officer Environment At NHC, Phone No. +254 0724256403

**NATIONAL HOUSING CORPORATION**



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 E-mail: info@nhkenya.co.ke

Dear Sir/ Madam,

7

**RE: Stakeholders Environmental Impact Assessment (EIA) Interview Questionnaire.**

National Housing Corporation NHC is carrying out an Environmental Impacts Assessment for Proposed Project, Asbestos roofings Removal, Transportation and Safe Disposal from NHC Changamwe Housing Scheme Project on LR Nos MN/V/ 2585/2584/1, Mombasa County. This is in accordance with NEMAs' Environmental (Impact Assessment and Audit) regulations 2003, Environmental Management and Coordination (Waste Management) Regulations 2006, National Guidelines on Safe Management and Disposal of Asbestos 2009 under the Environmental Management and Coordination Act (EMCA - 1999) You have been positively identified as a neighbor / Stakeholder to the proposed project and you are kindly requested to respond to the questions below as objectively as possible. Your views shall be used for professional judgment of the project impacts on the environment.

1. How long have you been working / living here? <sup>14 yrs</sup> 14 How long has your facility been operating here? Within the Project Area.

2. How far from the proposed project site do you live? Within the Project Area.

3. What do you think / feel are the positive impacts associated with the proposed project?

- a) This will save current and future lives
- b) As this is a cancer causing hazard that
- c) can be removed
- d) that will create a hazard free environment
- e) that is conducive for habitation

4. What do you think / feel are the negative impacts associated with the proposed project?

- a) This will disrupt the residents as others
- b) will have to move their personal effects
- c) to facilitate the exercise.
- d)

5. What measures do you propose to mitigate the above mentioned negative impacts?

- a) Alternative (temporal relocation) to avoid
- b) more effects of the particles that may cause
- c) illness to lives
- d) Adequate preparation (time) from both tenants and NHC
- e)

6. Do you have any objections to the proposed project? Yes  No

7. If yes in question 6 above kindly give your reasons.....

8. What is your occupation? Employed.

9. Any other comments. This is a good initiative that is long overdue and we support it to the maximum.

Name: Nawdon Wango ID No: 23550488  
 Phone No: 0726 226 855 Signature: [Signature]

Thank you for your participation

For Any Clarification Kindly Contact Planning Officer Environment At NHC, Phone No. +254 0724256403

NATIONAL HOUSING CORPORATION



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 E-mail: info@nhkenya.co.ke

Dear Sir/ Madam,

**RE: Stakeholders Environmental Impact Assessment (EIA) Interview Questionnaire.**

National Housing Corporation NHC is carrying out and Environmental Impacts Assessment for Proposed Project, Asbestos roofings Removal, Transportation and Safe Disposal from NHC Changamwe Housing Scheme Project on LR Nos MN/VV 2585/2584/1, Mombasa County. This is in accordance with NEMAs' Environmental (Impact Assessment and Audit) regulations 2003, Environmental Management and Coordination (Waste Management) Regulations 2006, National Guidelines on Safe Management and Disposal of Asbestos 2009 under the Environmental Management and Coordination Act (EMCA – 1999) You have been positively identified as a neighbor / Stakeholder to the proposed project and you are kindly requested to respond to the questions below as objectively as possible. Your views shall be used for professional judgment of the project impacts on the environment.

1. How long have you been working / living here? 4 yrs How long has your facility been operating here? .....

2. How far from the proposed project site do you live? less than 100 meters

3. What do you think / feel are the positive impacts associated with the proposed project?  
 a) will be more working units  
 b) the current asbestos is not safe  
 c) the project provides spacious room area  
 d) .....

4. What do you think / feel are the negative impacts associated with the proposed project?  
 a) It is not properly checked it can stain to  
 b) paint system  
 c) It can also stain on water system  
 d) Security threat if no adequate security measures are put in place.

5. What measures do you propose to mitigate the above mentioned negative impacts?  
 a) Ensure the water system is in  
 b) place.  
 c) No measures to address the challenge  
 d) of water.  
 e) Ensure adequate security.

6. Do you have any objections to the proposed project?  Yes  No

7. If yes in question 6 above kindly give your reasons. ....

8. What is your occupation? Clerk

9. Any other comments. ....

Name: Ronald Mwaoko ID No: 11563744  
 Phone No: 0721488328 Signature: [Signature]

Thank you for your participation

For Any Clarification Kindly Contact Planning Officer Environment At NHC, Phone No. +254 0724256403

**NATIONAL HOUSING CORPORATION**



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Dear Sir/ Madam,

9

**RE: Stakeholders Environmental Impact Assessment (EIA) Interview Questionnaire.**

National Housing Corporation NHC is carrying out an Environmental Impacts Assessment for Proposed Project, Asbestos roofings Removal, Transportation and Safe Disposal from NHC Changamwe Housing Scheme Project on LR Nos MN/VI/ 2585/2584/1, Mombasa County. This is in accordance with NEMAs' Environmental (Impact Assessment and Audit) regulations 2003, Environmental Management and Coordination (Waste Management) Regulations 2006, National Guidelines on Safe Management and Disposal of Asbestos 2009 under the Environmental Management and Coordination Act (EMCA - 1999) You have been positively identified as a neighbor / Stakeholder to the proposed project and you are kindly requested to respond to the questions below as objectively as possible. Your views shall be used for professional judgment of the project impacts on the environment.

1. How long have you been working / living here? 4.4y How long has your facility been operating here? .....

2. How far from the proposed project site do you live? 50 METERS

3. What do you think / feel are the positive impacts associated with the proposed project?

- a) NO IDEA OF THE PROJECT
- b) NO INFORMATION GIVEN BEFORE
- c) HAD
- d) NO
- e) NO

4. What do you think / feel are the negative impacts associated with the proposed project?

- a) NO IDEA OF THE PROJECT
- b) NO
- c) NO
- d) NO
- e) NO

5. What measures do you propose to mitigate the above mentioned negative impacts?

- a) NO
- b) NO
- c) NO
- d) NO
- e) NO

6. Do you have any objections to the proposed project? Yes  No

7. If yes in question 6 above kindly give your reasons.....

AS 3 ABOVE

8. What is your occupation? SELF EMPLOYER

9. Any other comments.....

YOU SHOULD HAVE GIVEN GUIDELINES FIRST BEFORE STARTING PROJECT

Name: CHARLES MSHILLA ID No: 2346248

Phone No: 0706261930 Signature: [Signature]

Thank you for your participation

For Any Clarification Kindly Contact Planning Officer Environment At NHC, Phone No. +254 0724256403

Done

NATIONAL  
HOUSING  
CORPORATION



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Dear Sir/ Madam,

10

**RE: Stakeholders Environmental Impact Assessment (EIA) Interview Questionnaire.**

National Housing Corporation NHC is carrying out an Environmental Impacts Assessment for Proposed Project, Asbestos roofings Removal, Transportation and Safe Disposal from NHC Changamwe Housing Scheme Project on LR Nos MN/VI 2585/2584/1, Mombasa County. This is in accordance with NEMAs' Environmental (Impact Assessment and Audit) regulations 2003, Environmental Management and Coordination (Waste Management) Regulations 2006, National Guidelines on Safe Management and Disposal of Asbestos 2009 under the Environmental Management and Coordination Act (EMCA - 1999) You have been positively identified as a neighbor / Stakeholder to the proposed project and you are kindly requested to respond to the questions below as objectively as possible. Your views shall be used for professional judgment of the project impacts on the environment.

1. How long have you been working / living here? 10yrs How long has your facility been operating here? OK

2. How far from the proposed project site do you live? 20 metres

3. What do you think / feel are the positive impacts associated with the proposed project?

- a) All affordable, more tenants
- b) affordable rents
- c) comfortable rooms
- d) food security
- e) \_\_\_\_\_

4. What do you think / feel are the negative impacts associated with the proposed project?

- a) Minimal space for growing vegetables
- b) Not sure materials used to build it can
- c) sustain the weight and durability
- d) \_\_\_\_\_

5. What measures do you propose to mitigate the above mentioned negative impacts?

- a) To locate space from one building to the other
- b) sanitize tenants on durability of materials
- c) \_\_\_\_\_
- d) \_\_\_\_\_
- e) \_\_\_\_\_

6. Do you have any objections to the proposed project? Yes  No

7. If yes in question 6 above kindly give your reasons. \_\_\_\_\_

8. What is your occupation? Business lady

9. Any other comments. To develop more houses to cover the whole area within NHC.

Name: ROSELINE ID No: 22938412  
Phone No: 0728596851 Signature: [Signature]

Thank you for your participation

For Any Clarification Kindly Contact Planning Officer Environment At NHC, Phone No. +254 0724256403

NATIONAL  
HOUSING  
CORPORATION



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E-mail: info@nhckenya.co.ke

Dear Sir/ Madam,

**RE: Stakeholders Environmental Impact Assessment (EIA) Interview Questionnaire.**

National Housing Corporation NHC is carrying out an Environmental Impacts Assessment for Proposed Project, Asbestos roofings Removal, Transportation and Safe Disposal from NHC Changamwe Housing Scheme Project on LR Nos MN/V/ 2585/2584/1, Mombasa County. This is in accordance with NEMAs' Environmental (Impact Assessment and Audit) regulations 2003, Environmental Management and Coordination (Waste Management) Regulations 2006, National Guidelines on Safe Management and Disposal of Asbestos 2009 under the Environmental Management and Coordination Act (EMCA – 1999) You have been positively identified as a neighbor / Stakeholder to the proposed project and you are kindly requested to respond to the questions below as objectively as possible. Your views shall be used for professional judgment of the project impacts on the environment.

1. How long have you been working / living here?...3 yrs How long has your facility been operating here? .....
2. How far from the proposed project site do you live? ... Next to the gate.
3. What do you think / feel are the positive impacts associated with the proposed project?
  - a) Beautification
  - b) improve security
  - c) Reduce dust
  - d) .....
  - e) .....
4. What do you think / feel are the negative impacts associated with the proposed project?
  - a) None
  - b) .....
  - c) .....
  - d) .....
5. What measures do you propose to mitigate the above mentioned negative impacts?
  - a) .....
  - b) .....
  - c) .....
  - d) .....
  - e) .....
6. Do you have any objections to the proposed project? Yes  No
7. If yes in question 6 above kindly give your reasons.....
8. What is your occupation? Domestic Worker
9. Any other comments. None

Name: CHARLES WACHIRA ID No: 13897355  
 Phone No: 0727340004 Signature: [Signature]  
 Thank you for your participation

1  
 For Any Clarification Kindly Contact Planning Officer Environment At NHC, Phone No. +254 0724256403

NATIONAL HOUSING CORPORATION



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 P. O. Box 30257-00100 NAIROBI  
 Tel: +254 312147312149  
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 E-mail: info@nhckenya.co.ke

Dear Sir/ Madam,

House no 459

**RE: Stakeholders Environmental Impact Assessment (EIA) Interview Questionnaire.**

National Housing Corporation NHC is carrying out and Environmental Impacts Assessment for Proposed Project, Asbestos roofings Removal, Transportation and Safe Disposal from NHC Changamwe Housing Scheme Project on LR Nos MN/VV/ 2585/2584/1, Mombasa County. This is in accordance with NEMAs' Environmental (Impact Assessment and Audit) regulations 2003, Environmental Management and Coordination (Waste Management) Regulations 2006, National Guidelines on Safe Management and Disposal of Asbestos 2009 under the Environmental Management and Coordination Act (EMCA - 1999) You have been positively identified as a neighbor / Stakeholder to the proposed project and you are kindly requested to respond to the questions below as objectively as possible. Your views shall be used for professional judgment of the project impacts on the environment.

1. How long have you been working / living here? 20 yrs How long has your facility been operating here? over 20 years

2. How far from the proposed project site do you live? 65 mts

3. What do you think / feel are the positive impacts associated with the proposed project?

- a) It will create more jobs for the community
- b) It will accommodate affordable houses for tenants
- c) It will provide job training to the community
- d) Security is well catered
- e) Health environment

4. What do you think / feel are the negative impacts associated with the proposed project?

- a) Asbestos will give an extra no control
- b) pollution to environment
- c) Health hazards
- d) water shortage

5. What measures do you propose to mitigate the above mentioned negative impacts?

- a) To avoid good dumping mechanism
- b) To provide good drainage system and dump site
- c) To plant more trees

6. Do you have any objections to the proposed project? Yes  No

7. If yes in question 6 above kindly give your reasons N/A

8. What is your occupation? ADMINISTRATOR

9. Any other comments Provide More Security and Affordable houses which common a middle class can afford. Availability of good piped water

Name: Pius M. NDUHGA ID No: 10860503  
 Phone No: 0722650301 Signature: [Signature]

Thank you for your participation

For Any Clarification Kindly Contact Planning Officer Environment At NHC, Phone No. +254 0724256403

# NATIONAL HOUSING CORPORATION



National Housing Corporation  
P. O. Box 30257-00100 NAIROBI  
Tel: +254 312147/312149  
Fax : +254 (020) 311318  
E-mail: info@nhckenya.co.ke

Dear Sir/ Madam,

**RE: Stakeholders Environmental Impact Assessment (EIA) Interview Questionnaire.**

National Housing Corporation NHC is carrying out an Environmental Impacts Assessment for Proposed Project, Asbestos roofings Removal, Transportation and Safe Disposal from NHC Changamwe Housing Scheme Project on LR Nos MN/VI/ 2585/2584/1, Mombasa County. This is in accordance with NEMAs' Environmental (Impact Assessment and Audit) regulations 2003, Environmental Management and Coordination (Waste Management) Regulations 2006, National Guidelines on Safe Management and Disposal of Asbestos 2009 under the Environmental Management and Coordination Act (EMCA - 1999) You have been positively identified as a neighbor / Stakeholder to the proposed project and you are kindly requested to respond to the questions below as objectively as possible. Your views shall be used for professional judgment of the project impacts on the environment.

1. How long have you been working / living here? 21yrs How long has your facility been operating here? .....

2. How far from the proposed project site do you live? 200 METERS

3. What do you think / feel are the <sup>NEGATIVE</sup> impacts associated with the proposed project?
- a) IT'S NOT SAFE FOR CONSTRUCTION WORK IS BETWEEN THE HOUSES WHERE NEW BLDG STARTING WITH SOIL
  - b) PROBLEMS TO OUR CHILDREN WHILE GOING TO SCHOOL
  - c) LOT OF DUST AND NOISE
  - d) LOT OF DUST AND NOISE
  - e) LOT OF DUST AND NOISE

4. What do you think / feel are the <sup>POSITIVE</sup> impacts associated with the proposed project?
- a) NONE
  - b) NONE
  - c) NONE
  - d) NONE

5. What measures do you propose to mitigate the above mentioned negative impacts?
- a) NHC SHOULD FIRST ASSESS THE IMPACTS WITH NEIGHBORS AND ADDRESS THE POLICY TO THE NATION.
  - b) SECURITY TO TENANT WHO WORKS
  - c) CONTRACTOR OF BLDG & COUNTY LEADER
  - d) CONTRACTOR OF BLDG & COUNTY LEADER
  - e) CONTRACTOR OF BLDG & COUNTY LEADER

6. Do you have any objections to the proposed project? Yes  No

7. If yes in question 6 above kindly give your reasons
- a) SEWERAGE SYSTEM (CURRENT)
  - b) NHC PLANNING FIELD IS LONG DISTANCE
  - c) GROUND WATER SELLING AND SIMILAR
  - d) ACCESS ROAD HAS NEVER BEEN MAINTAINED SINCE 1979.

8. What is your occupation? EMPLOYED ON PERMANENT

9. Any other comments. NB OFFICE MD LCA SHOULD SIT DOWN WITH THE RESIDENTS AND COME UP WITH THE SOLUTION. WE DON'T HAVE A PROBLEM WITH THE NHC HAS CHANGAMWE

Name: Stacy Salant ID No: 11422378  
Phone No: 0733-482025 Signature: [Signature]

Thank you for your participation  
1  
For Any Clarification Kindly Contact Planning Officer Environment At NHCC, Phone No. +254 0724256403

NATIONAL HOUSING CORPORATION



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Dear Sir/ Madam,

**RE: Stakeholders Environmental Impact Assessment (EIA) Interview Questionnaire.**

National Housing Corporation NHC is carrying out and Environmental Impacts Assessment for Proposed Project, **Asbestos roofings Removal, Transportation and Safe Disposal from NHC Changamwe Housing Scheme Project on LR Nos MN/V/ 2585/2584/1, Mombasa County.** This is in accordance with NEMAs' Environmental (Impact Assessment and Audit) regulations 2003, Environmental Management and Coordination (Waste Management) Regulations 2006, National Guidelines on Safe Management and Disposal of Asbestos 2009 under the Environmental Management and Coordination Act (EMCA - 1999) You have been positively identified as a neighbor / Stakeholder to the proposed project and you are kindly requested to respond to the questions below as objectively as possible. Your views shall be used for professional judgment of the project impacts on the environment.

1. How long have you been working / living here? 14 yrs How long has your facility been operating here? 20 yrs
2. How far from the proposed project site do you live? 200 meters
3. What do you think / feel are the positive impacts associated with the proposed project?
  - a) Reduction of Health risks associated with asbestos roofing.
  - b) Improved security management.
  - c) \_\_\_\_\_
  - d) \_\_\_\_\_
  - e) \_\_\_\_\_
4. What do you think / feel are the negative impacts associated with the proposed project?
  - a) Swollen displacement of people.
  - b) likelihood of rent increment.
  - c) \_\_\_\_\_
  - d) \_\_\_\_\_
5. What measures do you propose to mitigate the above mentioned negative impacts?
  - a) Having an agreement with the residents before starting the proposed project.
  - b) obtaining a clear plan of structure etc.
  - c) \_\_\_\_\_
  - d) \_\_\_\_\_
  - e) how the project will be carried out.
6. Do you have any objections to the proposed project? Yes  No
7. If yes in question 6 above kindly give your reasons. NIL
8. What is your occupation? Student
9. Any other comments. NIL

Name: Kiprotich Kamado ID No: 33047140  
 Phone No: 0916193484 Signature: [Signature]  
 Thank you for your participation

For Any Clarification Kindly Contact Planning Officer Environment At NHC, Phone No. +254 0724256403

NATIONAL  
HOUSING  
CORPORATION



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Dear Sir/ Madam,

**RE: Stakeholders Environmental Impact Assessment (EIA) Interview Questionnaire.**

National Housing Corporation NHC is carrying out an Environmental Impacts Assessment for Proposed Project, Asbestos roofings Removal, Transportation and Safe Disposal from NHC Changamwe Housing Scheme Project on LR Nos MN/W/ 2585/2584/1, Mombasa County. This is in accordance with NEMAs' Environmental (Impact Assessment and Audit) regulations 2003, Environmental Management and Coordination (Waste Management) Regulations 2006, National Guidelines on Safe Management and Disposal of Asbestos 2009 under the Environmental Management and Coordination Act (EMCA - 1999) You have been positively identified as a neighbor / Stakeholder to the proposed project and you are kindly requested to respond to the questions below as objectively as possible. Your views shall be used for professional judgment of the project impacts on the environment.

1. How long have you been working / living here? 2 yrs How long has your facility been operating here? 1

2. How far from the proposed project site do you live? 300 M.

3. What do you think / feel are the positive impacts associated with the proposed project?

- a) More and better houses for more people
- b) \_\_\_\_\_
- c) \_\_\_\_\_
- d) \_\_\_\_\_
- e) \_\_\_\_\_

4. What do you think / feel are the negative impacts associated with the proposed project?

- a) Drainage system / sewage might not handle more units as the current one sometimes experience some problems
- b) \_\_\_\_\_
- c) \_\_\_\_\_
- d) \_\_\_\_\_

5. What measures do you propose to mitigate the above mentioned negative impacts?

- a) Consider expansion of sewage system.
- b) \_\_\_\_\_
- c) \_\_\_\_\_
- d) \_\_\_\_\_
- e) \_\_\_\_\_

6. Do you have any objections to the proposed project? Yes  No

7. If yes in question 6 above kindly give your reasons N/A

8. What is your occupation? BUSINESS

9. Any other comments N/A

Name: Rowland Atiru ID No: 22003314

Phone No: 0721-836369 Signature: [Signature]

Thank you for your participation

For Any Clarification Kindly Contact Planning Officer Environment At NHC, Phone No. +254 0724256403

NATIONAL HOUSING CORPORATION



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Dear Sir/ Madam,

**RE: Stakeholders Environmental Impact Assessment (EIA) Interview Questionnaire.**

National Housing Corporation NHC is carrying out an Environmental Impacts Assessment for Proposed Project, Asbestos roofings Removal, Transportation and Safe Disposal from NHC Changamwe Housing Scheme Project on LR Nos MN/V/ 2585/2584/1, Mombasa County. This is in accordance with NEMAs' Environmental (Impact Assessment and Audit) regulations 2003, Environmental Management and Coordination (Waste Management) Regulations 2006, National Guidelines on Safe Management and Disposal of Asbestos 2009 under the Environmental Management and Coordination Act (EMCA - 1999) You have been positively identified as a neighbor / Stakeholder to the proposed project and you are kindly requested to respond to the questions below as objectively as possible. Your views shall be used for professional judgment of the project impacts on the environment.

1. How long have you been working / living here? 7 yrs How long has your facility been operating here? 55 years

2. How far from the proposed project site do you live? 500m

3. What do you think / feel are the positive impacts associated with the proposed project?

- a) 1. No more exposure to asbestos to the residents and neighbors which cause serious chronic health problems especially when it has deteriorated over time.
- b) 2. Leads to use of alternative environmental friendly roofing and save human lives

4. What do you think / feel are the negative impacts associated with the proposed project?

- a) 1. That removal is not safe then it can impact negatively to the health and nearby residents and neighbors hence need to strictly follow the NEMA guidelines.

5. What measures do you propose to mitigate the above mentioned negative impacts?

- a) follow the NEMA guidelines on the project to the latter.

6. Do you have any objections to the proposed project? Yes  No

7. If yes in question 6 above kindly give your reasons. N/A

8. What is your occupation? HEALTH, SAFETY AND ENVIRONMENT TECHNOLOGIST

9. Any other comments.

Looking forward to a positive feedback of safe removal handling and packaging as well as transportation of the asbestos and replace with a better environmental friendly option.

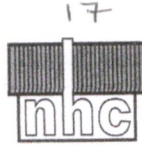
Name: DIANA NJITHA ID No: 24599923

Phone No: 0724831943 Signature: [Signature]

Thank you for your participation

For Any Clarification Kindly Contact Planning Officer Environment At NHC, Phone No. +254 0724256403

NATIONAL HOUSING CORPORATION



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1. How long have you been working / living here? 23 yrs How long has your facility been operating here? .....
2. How far from the proposed project site do you live? NEOS .....
3. What do you think / feel are the positive impacts associated with the proposed project?
  - a) HEALTH WISE IS BETTER
  - b) .....
  - c) .....
  - d) .....
  - e) .....
4. What do you think / feel are the negative impacts associated with the proposed project?
  - a) PLACE OF STAY WHEN THE PROJECT
  - b) COMMENTS
  - c) .....
  - d) .....
5. What measures do you propose to mitigate the above mentioned negative impacts?
  - a) TO CHANGE THEM WHEN STILL IN SITE
  - b) .....
  - c) .....
  - d) .....
  - e) .....
6. Do you have any objections to the proposed project? Yes  No
7. If yes in question 6 above kindly give your reasons... N/A .....
8. What is your occupation? HOUSE WIFE .....
9. Any other comments. — .....

Name: VERONICA MWANGI ID No: 1130 7080  
 Phone No: 0722811128 Signature: [Signature]  
 Thank you for your participation

NATIONAL HOUSING CORPORATION



National Housing Corporation  
 P. O. Box 30257-00100 NAIROBI  
 Tel: +254 312147/312149  
 Fax : +254 (020) 311318  
 E-mail: info@nhckenya.co.ke

Dear Sir/ Madam,

**RE: Stakeholders Environmental Impact Assessment (EIA) Interview Questionnaire.**

National Housing Corporation NHC is carrying out and Environmental Impacts Assessment for Proposed Project, **Asbestos roofings Removal, Transportation and Safe Disposal from NHC Changamwe Housing Scheme Project** on LR Nos MN/VI/ 2585/2584/1, Mombasa County. This is in accordance with NEMAs' Environmental (Impact Assessment and Audit) regulations 2003, Environmental Management and Coordination (Waste Management) Regulations 2006, National Guidelines on Safe Management and Disposal of Asbestos 2009 under the Environmental Management and Coordination Act (EMCA - 1999) You have been positively identified as a neighbor / Stakeholder to the proposed project and you are kindly requested to respond to the questions below as objectively as possible. Your views shall be used for professional judgment of the project impacts on the environment.

1. How long have you been working / living here? 14 yrs How long has your facility been operating here? 48 yrs

2. How far from the proposed project site do you live? 1 km

3. What do you think / feel are the positive impacts associated with the proposed project?  
 a) We shall be free from the negative impact from asbestos  
 b) making  
 c) \_\_\_\_\_  
 d) \_\_\_\_\_  
 e) \_\_\_\_\_

4. What do you think / feel are the negative impacts associated with the proposed project?  
 a) Infection from the broken pieces of asbestos  
 b) poisonous water from the roofs  
 c) \_\_\_\_\_  
 d) \_\_\_\_\_

5. What measures do you propose to mitigate the above mentioned negative impacts?  
 a) \_\_\_\_\_  
 b) Removal and good disposal of the asbestos  
 c) \_\_\_\_\_  
 d) \_\_\_\_\_  
 e) \_\_\_\_\_

6. Do you have any objections to the proposed project? Yes  No

7. If yes in question 6 above kindly give your reasons N/A

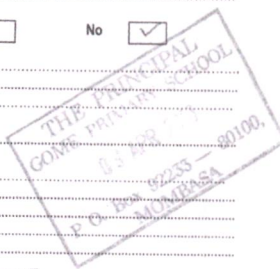
8. What is your occupation? Teaching

9. Any other comments \_\_\_\_\_

Name: JANE A. OMWARE ID No: 11457175

Phone No: 0721778028 Signature: [Signature]

Thank you for your participation



For Any Clarification Kindly Contact Planning Officer Environment At NHC, Phone No. +254 0724256403

**NATIONAL  
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CORPORATION**



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1. How long have you been working / living here? 8y How long has your facility been operating here? .....
2. How far from the proposed project site do you live? The 301 main land side
3. What do you think / feel are the positive impacts associated with the proposed project?
  - a) The proposed idea is not bad
  - b) .....
  - c) .....
  - d) .....
  - e) .....
4. What do you think / feel are the negative impacts associated with the proposed project?
  - a) The problem is that alot are
  - b) aguing of the poor material for
  - c) building.
  - d) .....
  - e) .....
5. What measures do you propose to mitigate the above mentioned negative impacts?
  - a) I'm there to work for my
  - b) family and not slowing the
  - c) construction is
  - d) .....
  - e) .....
6. Do you have any objections to the proposed project? Yes  No
7. If yes in question 6 above kindly give your reasons .....
8. What is your occupation? Business man
9. Any other comments. ....

Name: Lawrence Mwaga ID No: 7813502  
 Phone No: 0721409061 Signature: LMW  
 Thank you for your participation

For Any Clarification Kindly Contact Planning Officer Environment At NHC, Phone No. +254 0724256403

NATIONAL HOUSING CORPORATION



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1. How long have you been working / living here? 13yrs How long has your facility been operating here? .....

2. How far from the proposed project site do you live? 10 meters .....

3. What do you think / feel are the positive impacts associated with the proposed project?

- a) .....
b) .....
c) .....
d) .....
e) .....

4. What do you think / feel are the negative impacts associated with the proposed project? you should make additional Sewerage

- a) .....
b) .....
c) .....
d) .....

5. What measures do you propose to mitigate the above mentioned negative impacts?

- a) .....
b) .....
c) .....
d) .....
e) .....

6. Do you have any objections to the proposed project? Yes [ ] No [ ]

7. If yes in question 6 above kindly give your reasons .....

8. What is your occupation? .....

9. Any other comments .....

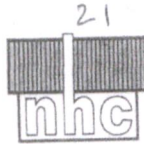
Name: \_\_\_\_\_ ID No: \_\_\_\_\_

Phone No: \_\_\_\_\_ Signature: \_\_\_\_\_

Thank you for your participation

1
For Any Clarification Kindly Contact Planning Officer Environment At NHC, Phone No. +254 0724256403

NATIONAL  
HOUSING  
CORPORATION



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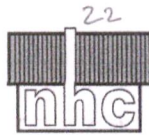
1. How long have you been working / living here?..... How long has your facility been operating here? over 20 yrs.
2. How far from the proposed project site do you live? 50 M
3. What do you think / feel are the positive impacts associated with the proposed project?
  - a) Project is environmentally friendly
  - b) \_\_\_\_\_
  - c) \_\_\_\_\_
  - d) \_\_\_\_\_
  - e) \_\_\_\_\_
4. What do you think / feel are the negative impacts associated with the proposed project?
  - a) \_\_\_\_\_
  - b) causing displacement of residents.
  - c) \_\_\_\_\_
  - d) \_\_\_\_\_
5. What measures do you propose to mitigate the above mentioned negative impacts?
  - a) consider conducting alternative houses/units to relocate.
  - b) \_\_\_\_\_
  - c) \_\_\_\_\_
  - d) \_\_\_\_\_
  - e) \_\_\_\_\_
6. Do you have any objections to the proposed project? Yes  No
7. If yes in question 6 above kindly give your reasons. N/A
8. What is your occupation? Accountant
9. Any other comments. Hasten these projects to reduce/minimize on exposure to the public residents/neighbors.

Name: Benson Mwalolo ID No: 22575158  
Phone No: 0721 401980 Signature: [Signature]  
Thank you for your participation

For Any Clarification Kindly Contact Planning Officer Environment At NHC, Phone No. +254 0724256403

TOTAL KENTA - CHANGAMWE DEPOT.

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CORPORATION



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1. How long have you been working / living here? 2005 How long has your facility been operating here? SINCE THEN

2. How far from the proposed project site do you live? 20MTS

3. What do you think / feel are the positive impacts associated with the proposed project?

- a) PROVIDE FOR BETTER HOUSING
- b) .....
- c) .....
- d) .....
- e) .....

4. What do you think / feel are the negative impacts associated with the proposed project?

- a) DISPLACEMENT WHICH IS UNPLANNED
- b) .....
- c) .....
- d) .....

5. What measures do you propose to mitigate the above mentioned negative impacts?

- a) PLAN FOR GRADUAL PHASE DISPLACEMENT
- b) WITH PROVISION FOR ALTERNATIVE HOUSING
- c) .....
- d) .....
- e) .....

6. Do you have any objections to the proposed project? Yes  No

7. If yes in question 6 above kindly give your reasons.....

8. What is your occupation? BUSINESSMAN.

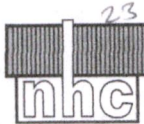
9. Any other comments. INVOLVE TENANTS IN ANY POSITIVE DEVELOPMENT AND ENGAUR THEM ON ALL PROJECTS. UPGRADE INFRASTRUCTURE TO MATCH DEV.

Name: JAMES MAUNDU ID No: 10861174

Phone No: 0720-264178 Signature: [Signature]

Thank you for your participation

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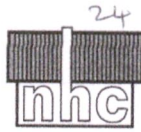
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1. How long have you been working / living here? *12.7.11* How long has your facility been operating here? *12.7.11*
  2. How far from the proposed project site do you live? *Very near*
  3. What do you think / feel are the positive impacts associated with the proposed project?
    - a) *The suspected cancer causing asbestos roofing will be removed.*
    - b) *The water from roof can be harvested for domestic use.*
    - c) *None.*
    - d) *NHC will be a safe place to stay for us and*
    - e) *our families.*
  4. What do you think / feel are the negative impacts associated with the proposed project?
    - a) *families (elementary) disruption and temporary*
    - b) *improper waste (asbestos) disposal*
    - c) *None*
    - d) *None*
  5. What measures do you propose to mitigate the above mentioned negative impacts?
    - a) *proper planning with the tenants to relocate to allow*
    - b) *safe removal of asbestos and then back*
    - c) *proper removal by transporting trucks not to be*
    - d) *placed on the ground first to avoid soil/ground contamination*
    - e) *None*
  6. Do you have any objections to the proposed project? Yes  No
  7. If yes in question 6 above kindly give your reasons. *N/A*
  8. What is your occupation? *Radiographer (medical)*
  9. Any other comments. *The earlier the better to avoid losing life to cancer suspected to be caused by these asbestos.*
- Name: Fredrick Mugie ID No: 12982216  
 Phone No: 0722265891 Signature: [Signature]  
 Thank you for your participation

1  
For Any Clarification Kindly Contact Planning Officer Environment At NHC, Phone No. +254 0724256403

NATIONAL HOUSING CORPORATION



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1. How long have you been working / living here? 8 YRS How long has your facility been operating here? .....

2. How far from the proposed project site do you live? 50 METERS

3. What do you think / feel are the positive impacts associated with the proposed project?

- a) IMPROVED AND BETTER HOUSING
- b) INCREASE OF BUSINESS OPPORTUNITIES AND POPULATION GROWTH
- c) .....
- d) .....
- e) .....

4. What do you think / feel are the negative impacts associated with the proposed project?

- a) CONGESTION DUE TO THE INCREASED POPULATION.
- b) NOISE DURING THE CONSTRUCTION PROCESS.
- c) DUST EMISSIONS DURING CONSTRUCTION.
- d) .....

5. What measures do you propose to mitigate the above mentioned negative impacts?

- a) MINIMIZE THE DUST BY USING THE SAFETY STEPS.
- b) CONTROL OF THE USE OF POPULATION.
- c) MINIMIZE THE NOISE AT THE SITES.
- d) .....
- e) .....

6. Do you have any objections to the proposed project? Yes  No

7. If yes in question 6 above kindly give your reasons. N/A

8. What is your occupation? BUSINESS

9. Any other comments. ....

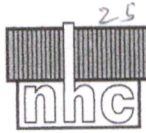
Name: JASHEI MUYI RIA ID No: 02239408

Phone No: 0727 923 740 Signature: [Signature]

Thank you for your participation

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1. How long have you been working / living here? *How long has your facility been operating here?* .....
  2. How far from the proposed project site do you live? *Very close neighbour hood.* .....
  3. What do you think / feel are the positive impacts associated with the proposed project?
    - a) *it good health wise as Asbestos causes cancer*
    - b) *& people*
    - c) .....
    - d) *its also a way of decoungating the Estate, a good land*
    - e) *utilization*
  4. What do you think / feel are the negative impacts associated with the proposed project?
    - a) .....
    - b) *It may cause friction to tenants and many were*
    - c) *used to big farming land*
    - d) .....
  5. What measures do you propose to mitigate the above mentioned negative impacts?
    - a) *Co-ordinator should and do civil Education*
    - b) *to tenants regarding the same for smooth transition*
    - c) .....
    - d) .....
    - e) .....
  6. Do you have any objections to the proposed project? Yes  No
  7. If yes in question 6 above kindly give your reasons .....
  8. What is your occupation? *Co operate Sales Manager*
  9. Any other comments.
 

*We welcome the change but should be managed well as people has different opinion and need to be*
- Name: *David Muthira* ID No: *1149238* *accommodated all.*  
 Phone No: *070035061* Signature: *[Signature]*  
 Thank you for your participation

For Any Clarification Kindly Contact Planning Officer Environment At NHC, Phone No. +254 0724256403

NATIONAL HOUSING CORPORATION



26

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1. How long have you been working / living here? 12yrs How long has your facility been operating here? .....
2. How far from the proposed project site do you live? 100 meters
3. What do you think / feel are the positive impacts associated with the proposed project?
  - a) will remove potential asbestos risks from the environment
  - b) .....
  - c) .....
  - d) .....
  - e) .....
4. What do you think / feel are the negative impacts associated with the proposed project?
  - a) There is a risk of exposure of asbestos particles in the air
  - b) There is risk of worker inhaling asbestos particles
  - c) There is a potential of water contamination
  - d) .....
5. What measures do you propose to mitigate the above mentioned negative impacts?
  - a) Should be removed by experts
  - b) Removal, transportation and disposal should be done as per NEMA Guidelines
  - c) Basic Assessment for the project should be shared to the neighbours
  - d) .....
  - e) .....
6. Do you have any objections to the proposed project? Yes  No
7. If yes in question 6 above kindly give your reasons. ....
8. What is your occupation? Home Working Officer HEALTH OFFICER
9. Any other comments. the project should be implemented by qualified workers workers should be adequately protected and all guidelines followed

Name: ISAAC M. JIWA ID No: 10691915  
Phone No: 0722307123 Signature: [Signature]

Thank you for your participation

1

For Any Clarification Kindly Contact Planning Officer Environment At NHC, Phone No. +254 0724256403

NATIONAL HOUSING CORPORATION



27 National Housing Corporation  
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1. How long have you been working / living here? 3 yrs... How long has your facility been operating here? .....
2. How far from the proposed project site do you live? .....
3. What do you think / feel are the positive impacts associated with the proposed project? THE PROJECT IS OK.
  - a) .....
  - b) IS OK.
  - c) .....
  - d) .....
  - e) .....
4. What do you think / feel are the negative impacts associated with the proposed project? NIL
  - a) .....
  - b) .....
  - c) .....
  - d) .....
5. What measures do you propose to mitigate the above mentioned negative impacts? NIL
  - a) .....
  - b) .....
  - c) .....
  - d) .....
  - e) .....
6. Do you have any objections to the proposed project? Yes  No
7. If yes in question 6 above kindly give your reasons. IT'S A GOOD PROJECT FOR ALL RESIDENTS
8. What is your occupation? B/MAN
9. Any other comments. /

Name: MARK KIBANI ID No: 5904447  
 Phone No: 074410642 Signature: [Signature]  
 Thank you for your participation

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1. How long have you been working / living here? 3yrs. How long has your facility been operating here? 3yrs.
2. How far from the proposed project site do you live? 500ft
3. What do you think / feel are the positive impacts associated with the proposed project?
  - a) Security
  - b) water
  - c) electricity
  - d) Cleaness
  - e) E.T.C
4. What do you think / feel are the negative impacts associated with the proposed project?
  - a) \_\_\_\_\_
  - b) \_\_\_\_\_
  - c) \_\_\_\_\_
  - d) \_\_\_\_\_
5. What measures do you propose to mitigate the above mentioned negative impacts?
  - a) \_\_\_\_\_
  - b) \_\_\_\_\_
  - c) \_\_\_\_\_
  - d) \_\_\_\_\_
  - e) \_\_\_\_\_
6. Do you have any objections to the proposed project? Yes  No
7. If yes in question 6 above kindly give your reasons \_\_\_\_\_
8. What is your occupation? \_\_\_\_\_
9. Any other comments. The Problem is water and Cleanes

Name: \_\_\_\_\_ ID No: \_\_\_\_\_

Phone No: \_\_\_\_\_ Signature: \_\_\_\_\_

Thank you for your participation

For Any Clarification Kindly Contact Planning Officer Environment At NHC, Phone No. +254 0724256403

NATIONAL HOUSING CORPORATION



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1. How long have you been working / living here? 3 yrs How long has your facility been operating here? 20

2. How far from the proposed project site do you live? Just a few steps away

3. What do you think / feel are the positive impacts associated with the proposed project?  
 a) \_\_\_\_\_  
 b) \_\_\_\_\_  
 c) \_\_\_\_\_  
 d) \_\_\_\_\_  
 e) \_\_\_\_\_

4. What do you think / feel are the negative impacts associated with the proposed project?  
 a) I don't think the project has any negative impacts.  
 b) \_\_\_\_\_  
 c) \_\_\_\_\_  
 d) \_\_\_\_\_

5. What measures do you propose to mitigate the above mentioned negative impacts?  
 a) \_\_\_\_\_  
 b) \_\_\_\_\_  
 c) HA  
 d) \_\_\_\_\_  
 e) \_\_\_\_\_

6. Do you have any objections to the proposed project? Yes  No

7. If yes in question 6 above kindly give your reasons N/A

8. What is your occupation? \_\_\_\_\_

9. Any other comments.  
 ① We request to have some implemente on garbage collection to avoid polluting on the environment.  
 ② Implement of water supply should also be looked at.

Name: Maggy Nyange ID No: 26047550  
 Phone No: 0725 125630 Signature: Nyange

Thank you for your participation  
 For Any Clarification Kindly Contact Planning Officer Environment At NHC, Phone No. +254 0724256403

NATIONAL  
HOUSING  
CORPORATION



National Housing Corporation  
P. O. Box 30257-00100 NAIROBI  
Tel: +254 312147/312149  
Fax : +254 (020) 311318  
E-mail: info@nhkenya.co.ke

30

Dear Sir/ Madam,

**RE: Stakeholders Environmental Impact Assessment (EIA) Interview Questionnaire.**

National Housing Corporation NHC is carrying out an Environmental Impacts Assessment for Proposed Project, Asbestos roofings Removal, Transportation and Safe Disposal from NHC Changamwe Housing Scheme Project on LR No MN/VII/ 4110, Mombasa County. This is in accordance with NEMAs' Environmental (Impact Assessment and Audit) regulations 2003, Environmental Management and Coordination (Waste Management) Regulations 2006, National Guidelines on Safe Management and Disposal of Asbestos 2009 under the Environmental Management and Coordination Act (EMCA - 1999) You have been positively identified as a neighbor / Stakeholder to the proposed project and you are kindly requested to respond to the questions below as objectively as possible. Your views shall be used for professional judgment of the project impacts on the environment.

1. How long have you been working / living here? 8 Yrs How long has your facility been operating here? 10 Yrs
2. How far from the proposed project site do you live? 200 meters
3. What do you think / feel are the positive impacts associated with the proposed project?
  - a) Removal of asbestos in a safe manner
  - b) \_\_\_\_\_
  - c) \_\_\_\_\_
  - d) \_\_\_\_\_
  - e) \_\_\_\_\_
4. What do you think / feel are the negative impacts associated with the proposed project?
  - a) Mishandling of asbestos during removal and disposal.
  - b) \_\_\_\_\_
  - c) \_\_\_\_\_
  - d) \_\_\_\_\_
5. What measures do you propose to mitigate the above mentioned negative impacts?
  - a) Follow the approved procedure
  - b) \_\_\_\_\_
  - c) \_\_\_\_\_
  - d) \_\_\_\_\_
  - e) \_\_\_\_\_
6. Do you have any objections to the proposed project? Yes  No
7. If yes in question 6 above kindly give your reasons \_\_\_\_\_
8. What is your occupation? Terminal Manager in the oil sector.
9. Any other comments \_\_\_\_\_

Name: MARGARET J. NIYATI ID No: 2247044  
 Phone No: +254 737 148 204 Signature: MJNiyati  
 Thank you for your participation

For Any Clarification Kindly Contact Planning Officer Environment At NHC, Phone No. +254 0724256403

27 APR 2018

NATIONAL  
HOUSING  
CORPORATION



National Housing Corporation  
P. O. Box 30257-00100 NAIROBI  
Tel: +254 312147/312149  
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31

Dear Sir/ Madam,

**RE: Stakeholders Environmental Impact Assessment (EIA) Interview Questionnaire.**

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1. How long have you been working / living here? 2yrs How long has your facility been operating here? 15 years
2. How far from the proposed project site do you live? 800 meters
3. What do you think / feel are the positive impacts associated with the proposed project?
  - a) Health benefits - Help curb ailments
  - b) Job creation
  - c) Enable collection of safe water for drinking
  - d) Better environment for the young generation
  - e) \_\_\_\_\_
4. What do you think / feel are the negative impacts associated with the proposed project?
  - a) \_\_\_\_\_
  - b) NONE
  - c) \_\_\_\_\_
  - d) \_\_\_\_\_
5. What measures do you propose to mitigate the above mentioned negative impacts?
  - a) \_\_\_\_\_
  - b) \_\_\_\_\_
  - c) \_\_\_\_\_
  - d) \_\_\_\_\_
  - e) \_\_\_\_\_
6. Do you have any objections to the proposed project? Yes  No
7. If yes in question 6 above kindly give your reasons \_\_\_\_\_
8. What is your occupation? Accountant
9. Any other comments. \_\_\_\_\_

Name: Mastor Mwangi ID No: 29664997  
Phone No: 0727857670 Signature: Mwangi  
Thank you for your participation

For Any Clarification Kindly Contact Planning Officer Environment At NHC, Phone No. +254 0724256403

KENDROBIL LTD.

NATIONAL HOUSING CORPORATION



32

National Housing Corporation  
P. O. Box 30257-00100 NAIROBI  
Tel: +254 312147/312149  
Fax : +254 (020) 311318  
E-mail: info@nhkenya.co.ke

Dear Sir/ Madam,

**RE: Stakeholders Environmental Impact Assessment (EIA) Interview Questionnaire.**

National Housing Corporation NHC is carrying out an Environmental Impacts Assessment for Proposed Project, Asbestos roofings Removal, Transportation and Safe Disposal from NHC Changamwe Housing Scheme Project on LR Nos MN/VII 2585/2584/1, Mombasa County. This is in accordance with NEMAs' Environmental (Impact Assessment and Audit) regulations 2003, Environmental Management and Coordination (Waste Management) Regulations 2006, National Guidelines on Safe Management and Disposal of Asbestos 2009 under the Environmental Management and Coordination Act (EMCA - 1999) You have been positively identified as a neighbor / Stakeholder to the proposed project and you are kindly requested to respond to the questions below as objectively as possible. Your views shall be used for professional judgment of the project impacts on the environment.

1. How long have you been working / living here? 7 yrs. How long has your facility been operating here? .....

2. How far from the proposed project site do you live? 20m.

3. What do you think / feel are the positive impacts associated with the proposed project?

- a) .....
- b) .....
- c) .....
- d) .....
- e) .....

4. What do you think / feel are the negative impacts associated with the proposed project?

- a) .....
- b) .....
- c) .....
- d) .....

5. What measures do you propose to mitigate the above mentioned negative impacts?

- a) .....
- b) .....
- c) .....
- d) .....
- e) .....

6. Do you have any objections to the proposed project? Yes  No

7. If yes in question 6 above kindly give your reasons. ....

8. What is your occupation? Business woman

9. Any other comments. ....

Name: Margaret Oathina ID No: 24241915


Phone No: 0724508275 Signature: [Signature]

Thank you for your participation

For Any Clarification Kindly Contact Planning Officer Environment At NHC, Phone No. +254 0724256403



LEAD AGENCIES CONSULTATION FOR THE PROPOSED ASBESTOS REMOVAL, TRANSPORTATION AND SAFE DISPOSAL FOR NHC, CHANGAMWE HOUSING SCHEME ON L.R. NO. MM/W/4310, CHANGAMWE, IN MOMBASA COUNTY.

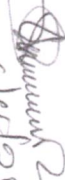
ORGANIZATION.	NAME OF THE OFFICER.	COMMENTS.	SIGNATURE/STAMP/DATE.
Directorate of Occupation & Health Safety - Health Services, Mombasa	Samuel Kimani	Please ensure that the handling of asbestos are adequately protected to avoid exposure to asbestos fibres. The personal protective equipment should be provided at site and should be used when handling for purpose of cleaning in asbestos. Please ensure good hygiene should be maintained of the asbestos sheet. There should be location of the area to protect workers of public collecting the asbestos sheet.	 24/09/12 COUNTY OCCUPATIONAL SAFETY & HEALTH OFFICER MOMBASA

For Any Clarification Kindly Contact Planning Officer Environment At NHC, Phone No. +254 0724256403.



LEAD AGENCIES CONSULTATION FOR THE PROPOSED ASBESTOS REMOVAL, TRANSPORTATION AND SAFE DISPOSAL FOR NHC CHANGAMWE


HOUSING SCHEME ON L.R. NO: MN/VI/4130, CHANGAMWE, IN MOMBASA COUNTY.

ORGANIZATION.	NAME OF THE OFFICER.	COMMENTS.	SIGNATURE/STAMP/DATE.
CHANGAMWE CITY'S OFFICE	LORAC S. NAKHO	Removal of Asbestos is very much welcomed move. However the Fenat's should be encouraged to support this noble idea.	 26/4/2018 SNR CHIEF CHANGAMWE LOCATION

For Any Clarification Kindly Contact Planning Officer Environment At NHC, Phone No. +254 0724256403.




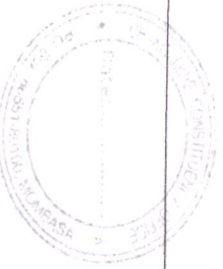
**LEAD AGENCIES CONSULTATION FOR THE PROPOSED ASBESTOS REMOVAL, TRANSPORTATION AND SAFE DISPOSAL FOR NHC CHANGAMWE HOUSING SCHEME ON L.R. NO. MN/V/4110, CHANGAMWE, IN MOMBASA COUNTY.**

ORGANIZATION.	NAME OF THE OFFICER.	COMMENTS.	SIGNATURE/STAMP/DATE:
MIN. OF INTERIOR & COORDINATION OF NATIONAL GOVERNMENT - NGAHO	DESPEREA MAHINI	This a good project and very beneficial to the overall health of the community. To ensure full support of the community, ensure continued consultation and updates with the tenants/comm. Also keep the lead agencies updated.	 <p>ASSISTANT COUNTY COMMISSIONER CHANGAMWE P. O. Box 4144 CHANGAMWE</p>

For Any Clarification Kindly Contact Planning Officer Environment At NHC, Phone No. +254 0724256403.



LEAD AGENCIES CONSULTATION FOR THE PROPOSED ASBESTOS REMOVAL, TRANSPORTATION AND SAFE DISPOSAL FOR NHC CHANGAMWE HOUSING SCHEME ON L.R. NO: MN/V/4110, CHANGAMWE, IN MOMBASA COUNTY.

ORGANIZATION.	NAME OF THE OFFICER.	COMMENTS.	SIGNATURE/STAMP/DATE.
CHANGAMWE CONSTITUENCY OFFICE	SARANA KIMBO MATAKA.	We welcome the initiative but ensure tenants are all on board of the new developments. Proper disposal of the asbestos should also be done to avoid any casualties	 26/11/2018 

**MINUTES OF THE STAKEHOLDERS MEETING FOR THE NHC PROPOSED ASBESTOS ROOFING MATERIALS REMOVAL, TRANSPORTATION AND SAFE DISPOSAL FOR NHC CHANGAMWE ESTATE ON PLOT L.R. NO. MN/VI/4110, IN CHANGAMWE, MOMBASA COUNTY ON 25<sup>TH</sup> APRIL 2018 HELD AT NHC OFFICE IN CHANGAMWE MOMBASA COUNTY.**

**MEMBERS PRESENT.**

Attendance list as attached.

**NB.** The attendants were drawn from the NHC Changamwe Tenants Welfare Association representatives, NHC staff and Wazee wa Nyumba Kumi

**AGENDA.**

1. Introduction,
2. NHC - Tenants relationship
3. Presentation of the NHC proposed project.
4. Ongoing infill housing projects documents
5. Sewage system management at NHC Changamwe
6. AOB

**MIN 1/25/4/2018: Introduction.**

The meeting was started at 3:15 PM by a word of prayers made by NHC clerk of work Mr. Danson Mbela, This was followed by self-introduction by the attendants. The NHC Planning officer – Environment Mr. Mwongera Murungi thanked the participants for attending. He informed the attendants that the key agenda of the meeting was to inform them about the EIA process for the proposed asbestos roofing materials removal, transportation and safe disposal. The attendants raised the need to have a broad-based agenda for the meeting hence introduction of the agenda as agreed and listed above. The PLO-Environment informed the attendants that some of the agenda items proposed for discussion was beyond his responsibility scope since he is only in charge of Environmental matters at the NHC.

**MIN 2/25/4/2018: NHC - Tenants Relationship.**

Mr. Dominic Miguna said that NHC does not consult the tenants during the planning and execution of its project and general Changamwe estate management decisions despite the fact that the tenants are relevant stakeholders. He said that this is the reason that they have resulted to court actions. He said this has created bad blood between the landlord (NHC) and the tenants.

Mr. David Mbogho a tenant claimed that there are tenants who are perceived by NHC as bad tenants.

The NHC officer MS Fausta Mghendi said that NHC office was open to the tenants to officially voice their concerns and seek clarification for any matter relating to their tenancy and NHC projects. She informed the tenant that the perception that NHC has label some tenants as bad tenant was erroneous and probably the problem was lack of communication or miscommunication between NHC and tenants. She said that the tenant welfare association representatives never visit the NHC office to clarify their issues of concern.












Mr. Malachi Opule Orondo talked of miscommunication which he said is causing rift. He claimed that the NHC six (6) month notice to vacate the housing units to some tenant was inadequate and was not very clear.

The PLO – Environment informed the tenants that they should take initiate to seek information and clarification from the relevant NHC offices instead of relying on rumors and hearsay in regard to matters of concern as NHC tenants. He specifically told them if they had issues with the contents in the vacate notice they should seek official clarification from NHC.

Mrs. Ubah Abdi Osman a Nyuma Kumi representative said that it is important for enhanced communication between NHC and its tenants to ensure harmony within the NHC Changamwe community and resolve concerns amicably.

**MIN 3/25/4/2018: Presentation of the NHC Proposed Project.**

The tenants raised concern that they were privy to information that NHC was planning mega projects at the Changamwe housing estate yet they have not been notified and this has created fear, anxiety and worry to the tenant of displacement. They further raised concern about the questionnaire on Environmental Impact Assessment asbestos roofing material removal the being circulated to the tenants.

ITEM	NAME	REPRESENTATION	ID NO.	SIGNATURE
1.	MWONGERA MUBUNGI	Planning Office - Environment	20023063	
2.	SHANSON MBELE	Chief of works	3730666	
3.	Malachi Opule Orendo	Tenant	4591258	
4.	David Mbugho	Tenant	0118568	
5	Uba Abdi Osman	Tenant	11458221	
6	Jothan OKELLO	Tenant	0702517441	
7.	Ruben Ogundo	Tenant	28341795	
8	Foos HASSAN	Mzee nyumba Kumi	25057452	
9.	Fausta Mghendi	Ntc staff	11370631	
10	Kalstra Wambua	Tenant	20906244	
11	Dominic MUAUNA	Tenant	13466165	

## **CHAPTER FIVE: CONSULTATION AND PUBLIC PARTICIPATION, (CPP).**

### **5.1. General Overview.**

Consultation and public participation process is a policy requirement by the Government of Kenya and a mandatory procedure as stipulated by EMCA 1999 section 58, on Environmental Impact Assessment for the purpose of achieving the fundamental principles of sustainable development. Therefore, this section describes the process of the public consultation and public participation followed to identify the key issues and impacts of the proposed project.

### **5.2. Purpose of the CPP Process.**

The purpose of the consultation and public participation was to:

1. Disseminate and inform the stakeholders about the project.
2. Gather comments, suggestions and environmental concerns of the interested and affected parties about the proposed project.
3. Incorporate the information collected in the EIA project report.

### **5.3. Methodology Used In CPP Process.**

The process in carrying out the entire process involved:

1. Key informant interviews and discussions
2. Field surveys, photography and observations
3. The use of questionnaires which captured all the phases of the proposed development.

The purpose for such interviews was to identify the positive and negative impacts and subsequently propose the mitigation measures of the negative impacts respectively. It also helped in identifying any other miscellaneous issues, which may bring conflicts in case project implementation proceeds as planned. The information gathered enabled the identification of the specific issues from the stakeholders' response, which provided the basis upon which the aspects of the Environmental Impact Assessment was undertaken.

### **5.4. Results of CPP Process.**

The results obtained from the exercise through administration of questionnaires are presented below.

#### ***5.4.1. Potential Positive Impacts Raised by the Stakeholders.***

- Creation of employment.
- Safe environment.
- Improved living standards.
- Safer Environment.
- Reduced health risks associated with asbestos roofing.
- Healthier environment.
- Improved security.
- Modernization/ better of houses.
- Will lead to alternative environmentally friendly roofing and save human life.

#### *5.4.2. Potential Negative Impacts Raised by the Stakeholders.*

- Noise pollution.
- Dust pollution.
- Displacement of people.
- Disruption of the residents' life.
- No information given about the project.
- Health hazards.
- Pollution to the environment.
- Likelihood of increase rent.
- Hazard to the asbestos handlers and neighboring residents.
- Potential for water contamination.
- New roofings will allow for safe roof water harvesting.
- Mishandling of asbestos during removal and disposal.

#### *5.4.3. Stakeholders Proposed Mitigation Measures.*

- Spray / sprinkle water to reduce the dust.
- Compensation for the occupants.
- Priority to the current tenant in the upcoming housing construction.
- Create a good working relationship between the landlord (NHC) and the tenant through regular dialogues.
- Offer temporary / alternative relocation housing.
- Adequate preparation / notices for tenants.
- Ensure adequate security.
- Follow NEMA's guidelines.
- Avail good dumping mechanism.
- Plant more trees.
- Have an agreement with the residents before starting the proposed project.
- Have a clear planned structure of how the project will be carried out.
- Hasten the project to reduce / minimize on the exposure to the public/residents/neighbors.
- Plan for gradual phase displacement with provision for alternative housing.
- Proper removal to transporting trucks not to be placed on the ground first to avoid soil/ ground contamination.
- Should be removed by experts.
- Risk assessment for the project should be shared to the neighbors.
- Workers should be adequately protected.
- Follow the approved procedure

See copies of the questionnaires with the responses from the CPP exercise in appendices III.

### 5.5. Comments and View from Lead Agencies.

A summary of response from some of the lead agencies consulted is given in table 7 below.

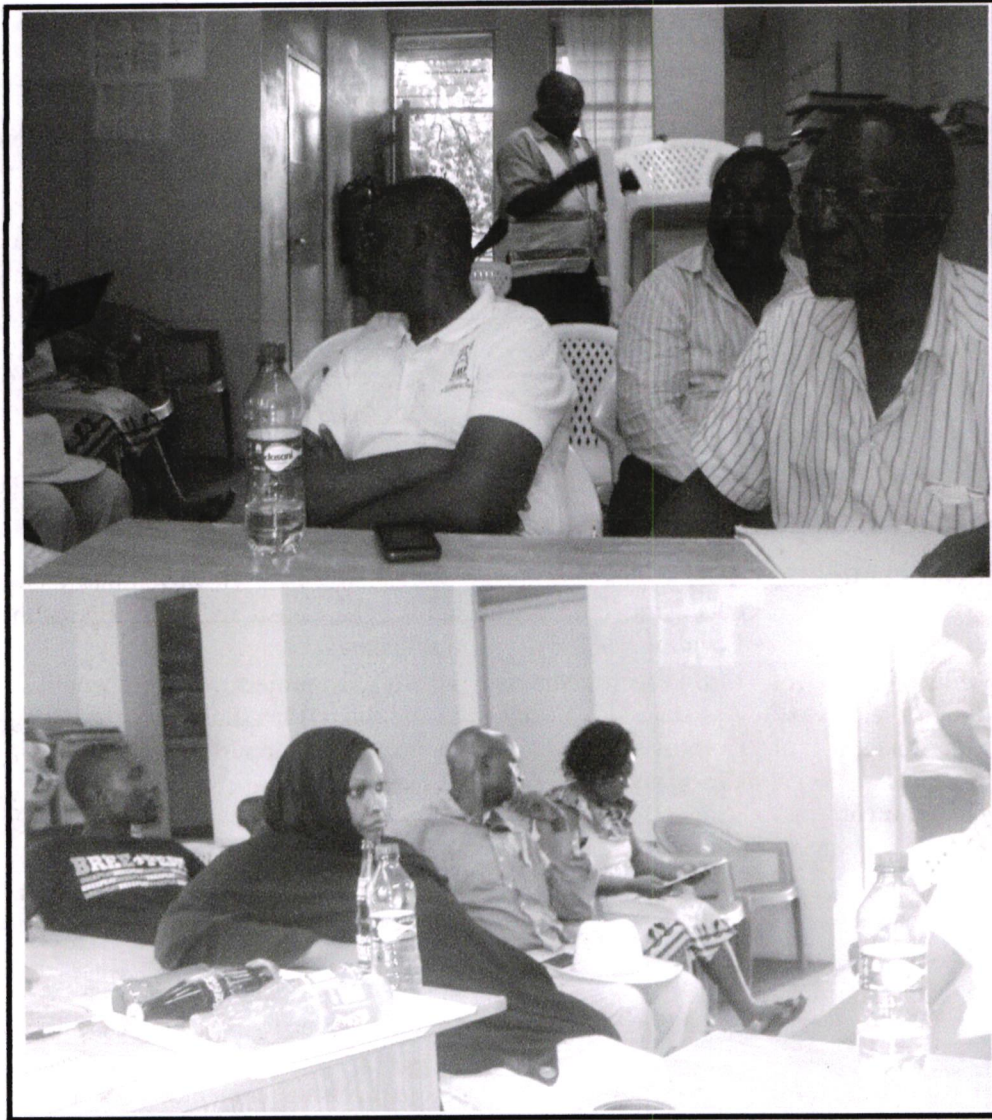
**Table 1: Summary of response from lead agencies consulted.**

	<b>Lead Agency.</b>	<b>Person Consulted / Designation.</b>	<b>Comments.</b>
1.	Directorate of Occupational Safety and Health Services (DOSHS).	MR. Samuel Kimani County Director.	<ul style="list-style-type: none"> <li>•Ensure those handling the asbestos are adequately protected to avoid exposure to asbestos fibre.</li> <li>•The Personal Protective Equipment should be maintained at site and should not be taken home for cleaning purposes.</li> <li>•Those engaged in removal should ensure there is minimum breakage of the asbestos sheets.</li> <li>•There should be hoarding of the area to prevent members of public collecting the asbestos sheets.</li> </ul>
2.	Changamwe Chief's Office.	Mr. Isaac S. Makau. SNR. Chief Changamwe Location.	<ul style="list-style-type: none"> <li>•Removal of asbestos is very much welcomed move. However the tenants should be sensitized to support this noble idea.</li> </ul>
3.	Ministry of Interior and Coordination of National Government. (NGAO)	M/S Perpetua Matini Assistant County Commisioner – Changamwe.	<ul style="list-style-type: none"> <li>•It's a good project and very beneficial to the overall health of the community to ensure full support of the community</li> <li>•Ensure continued consultation and updates with tenants / community</li> <li>•Keep the lead agencies updated.</li> </ul>
4.	Changamwe Constituency Office.	M/S Salama Kombo Mataka Assistant Constituency Office Manager.	<ul style="list-style-type: none"> <li>•We welcome the initiative but ensure tenants are all on board of the new development.</li> <li>•Proper disposal of the asbestos should be done to avoid any casualties.</li> </ul>

Copies of comments forms with responses from the lead agencies consulted are attached in appendices III.

### 5.6. Public Consultation Meeting with Affected and Interested Parties (AIPs) at NHC Office in Changamwe (Project Site).

A stakeholders meeting was held on 25<sup>th</sup> April 2018 at NHC Offices in Changamwe the project site. The attendants were drawn from the NHC Changamwe Tenants Welfare Association representatives, NHC staff and Wazee wa Nyuma Kumi. The purpose of the meeting was to; present the proposed project to the tenants / residents, and to get feedback from them on the proposed project undertaking. See figure 4 below.



**Figure 1: Consultation meeting for the proposed asbestos removal project.**  
A copy of meeting minutes for the public consultation is attached in appendix III.

Appendix VIII  
N/A C-4  
This is exhibit marked  
referred to in the captioned affidavit/Declaration  
Of Dona Maria Wavua  
Sworn/declared before me this 12th  
Day of March 2008

**REPUBLIC OF KENYA**  
**IN THE RESIDENT MAGISTRATE'S COURT**  
**AT MOMBASA**  
**CIVIL CASE NO. 2665 OF 2008**

Advocate of Commission for Oaths  
This is exhibit marked  
referred to in the captioned affidavit/Declaration  
Of  
Sworn/declared before me this  
Day of  
Advocate of Commission for Oaths  
**PLAINTIFF**  
**DEFENDANT**

**ELISTONE MBELA & 20 OTHERS**  
**=VERSUS=**  
**NATIONAL HOUSING CORPORATION**

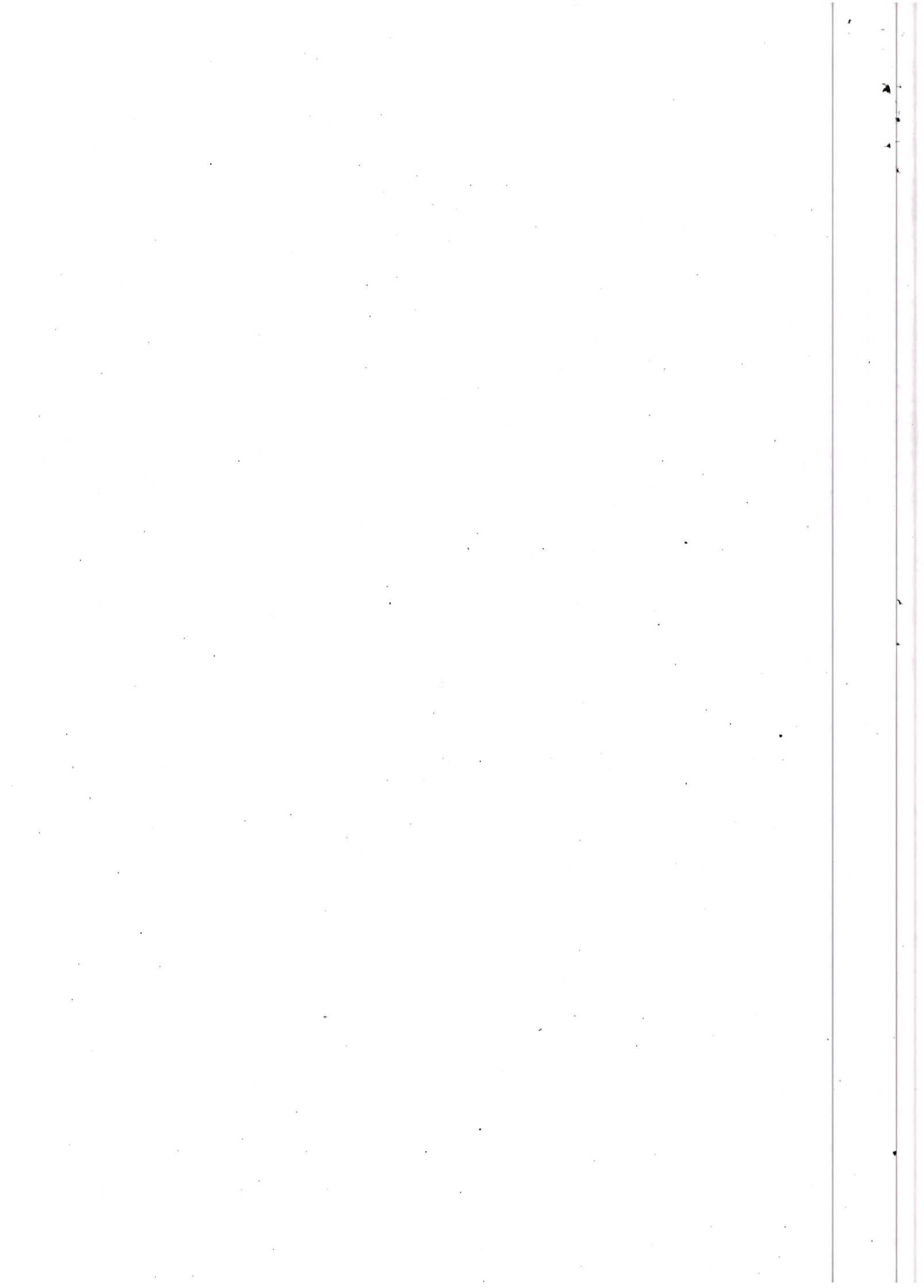
**JUDGMENT**

The plaintiffs in this suit by plaint dated 7<sup>th</sup> day of March 2008 sued the defendants herein seeking;

- a. An injunction restraining the defendant by itself, its servants or agents or otherwise howsoever from increasing the said agreed rent or altering in any manner the terms of the existing tenancy in respect of residential house let to the plaintiff by the defendant or locking the demised premises or levying distress in respect of the disputed increment.
- b. Cost of and incidental to this suit.
- c. Interest on b and c above.
- d. Any further or other relief.

The plaintiff claim is that the defendant has purported to increase to recover monthly rentals at an authorized increment and is now wrongfully and illegally levying distress and that the purported rent increment is unlawful and wrongful and its against the public policy for which the defendant was established and or formed, to wit, for provision of modest housing schemes for low income earners.

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The defendant upon being served filed the defence dated 9<sup>th</sup> October 2009. The defendant in its defence averred that the plaintiff are in rent arrears and that distress should proceed as the plaintiff have been aware of the disputed rent but they have refused to pay and that the lease agreement signed by each plaintiff indicate that the rent is subject to review to reflect the current prevailing market as the suit premises are not controlled by the Rent Restriction Act.

The plaintiff representative witness, PW 1 David Mwangiji Mbogo . His testimony is that he entered into a lease agreement with the defendant herein where it was agreed that he pays rent of ksh.800/= only and that there was no proviso for increment. He testified that he occupied the house in 1982. a lease agreement was produced as exhibit 1. His testimony was also that the defendant was claiming different amounts. When he was cross examined, he stated that clause 22 of the lease agreement provided that the cooperation had the right to review rent as it deems appropriate .he also stated that he was agreeable to the increment but what he disputed was the amount to be increased.

The defence witness Joash Onguko, the officer in charge of the defendant in the coast region testified and stated that the all plaintiff's herein entered in a lease agreement with the defendant and that the lease agreement stipulated that the rent could be reviewed as per clause 22(a). It was his testimony that the current rent for the houses is ksh.7, 500/= per month and that the premises comprise of 2 bedrooms, sitting room, kitchen, toilet, bathroom and a corridor. It was his testimony that the tenants were served with notices and the rent of ksh.7,500/= was to be reviewed in 2005. it was also his testimony that the plaintiffs are enjoying a court order which allows them to pay rent of ksh.1,200/= . he further stated that the increment was necessitated by economic situation which has seen cost of construction go up and that if the increment is not allowed they will not be able to embark on other projects.

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I have carefully read the pleadings and documents filed in this suit. I have also analyzed the evidenced adduced by the parties herein. The National Housing Corporation is a statutory body established by Chapter 117, National Housing Act. The National Housing Corporation is a special landlord in my opinion since it is established under an Act of Parliament.

Section 30 of CAP 117 states that;

***"the provisions of this Act SHALL be deemed to be in addition to and not in substitution for provisions of any other law which are not in conflict or inconsistent with this Act; and if the provisions of any law are in conflict with or inconsistent with this Act the provisions of this Act SHALL prevail" emphasis mine.***

The Rent Restriction Act Cap 296 though an act of parliament cannot in my opinion be subordinate to the Housing Act and since the National Housing Corporation is established by an Act of parliament, it follows therefore that its function and powers and or mandate is derived from the said Act. This court therefore can only apply the provisions of Cap 296 in addition to Cap 117.

Further The Gazette Notice supplement No. 65 dated 25<sup>th</sup> November 1983 Notice Number 259, the then dwelling Houses that comprised or which were identified as Government properties were excepted from the provisions of The Rent Restriction Act Cap 296. The notice reads;

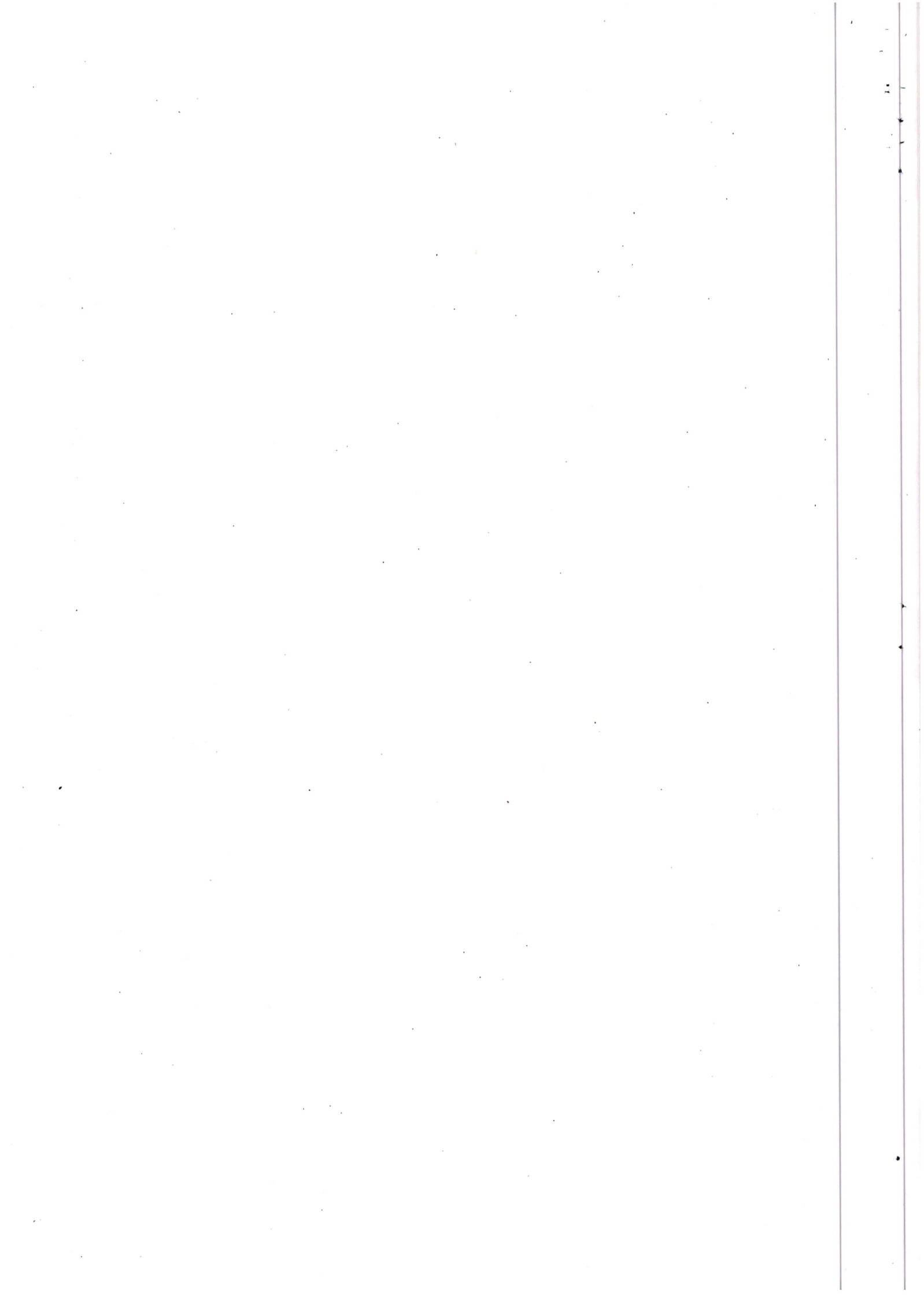
***"THE RENT RESTRICTION ACT***

***(CAP 296)***

***EXCEPTED DWELING HOUSES***

***IN EXERCISE of the powers conferred by section 3 of the Rent Restriction Act ,the Minister for Works ,Housing and Physical Planning excepts from the provisions of the Act dwelling –houses which are the property of, and let to the tenant by, the***

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*Government of Kenya Railways Corporation ,The Kenya Ports Authority ,the Kenya Ports and Communication Corporation ,the National Housing Corporation or a local authority.*

*Gazette notices No 4662 of 1966 and 1987 of 1969 are revoked*

*Dated the 17<sup>th</sup> November, 1983*

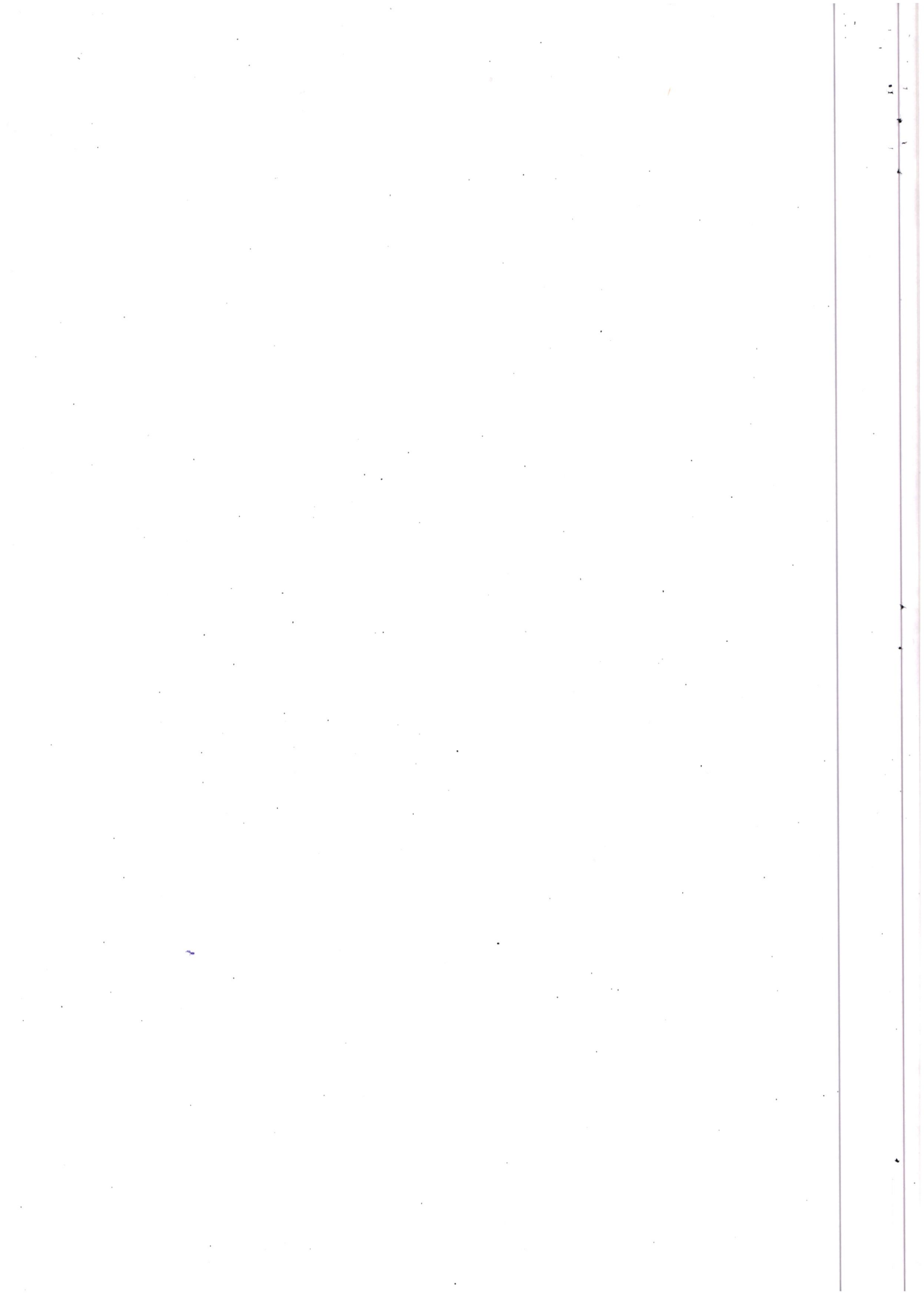
**A.K.MAGUGU**  
**Minister for Works, Housing**  
**and Physical planning.**

If follows therefore that the provisions of CAP 296 is not applicable to this suit. The primary mandate of NHC is to play the principal role in the implementation of the Government Housing Policies and Programmes. The NHC under the Cap 117 is mandated with powers to promote low cost houses, stimulate the building industry and encourage and assist housing research. Based on the objective of NHC I accept the plaintiffs argument that the corporation is established to provide low cost houses, but I also accept the defendants testimony that as much as they have to provide low cost houses, they do so based on the prevailing economic situations at a given time and therefore they are empowered to review rents periodically to enable them invest in more housing projects to cope with rising demand based on population growth.

The defendant testified that the suit premises herein comprise of two bedroomed houses self contained with a kitchen and a corridor. This testimony is uncontroverted and thus I admit the same. The initial rent was ksh.800/= and currently the plaintiffs are paying ksh. 1,200/= after the court ordered that the plaintiffs pay the amount of ksh.1, 200/= until this suit is determined.

It is now a period of over 20 years since 1989 when the lease was signed. The plaintiffs signed their respective leased without any duress or coercion. The





plaintiffs bound themselves by the provisions of the lease. The lease agreement is a contract between the plaintiff and the defendant and I do find that the same is binding. Clause 22 of the lease agreement specifically empowers the landlord (NHC) to review the rents periodically and that is exactly what the Landlord did. It is my finding that the NHC have powers to review rent from time to time. I have also looked at the lease agreement carefully; I cannot see any provision in the agreement that empowers the tenant to raise a challenge to the review. To stop the NHC from reviewing rent will in my opinion amount to curtailing its primary function of providing affordable but decent housing to the people of Kenya.

The plaintiffs have disputed the increment stating that the amounts increase is too high. The defendant's witness testified and stated that the amount of ksh.7,500/= is reasonable and this was reached at after comparing the current market rate prevailing for similar houses in the area. The defence witness stated that there are other tenants paying the rent of ksh. 7,500/=. This bit of evidence was also not challenged. I find the amount of ksh.7, 500/= to be reasonable. The defendant in my opinion had every right to distress for rent after serving notice for reviewing rent.

It is my finding therefore that the plaintiffs have failed to prove their case on a balance of probability. In the circumstance the plaintiff suit fails and it is thus dismissed with cost.

**JUDGMENT READ AND DELIVERED IN CHAMBERS ON THIS 27<sup>TH</sup> DAY OF MARCH 2014 IN THE PRESENCE OF;**

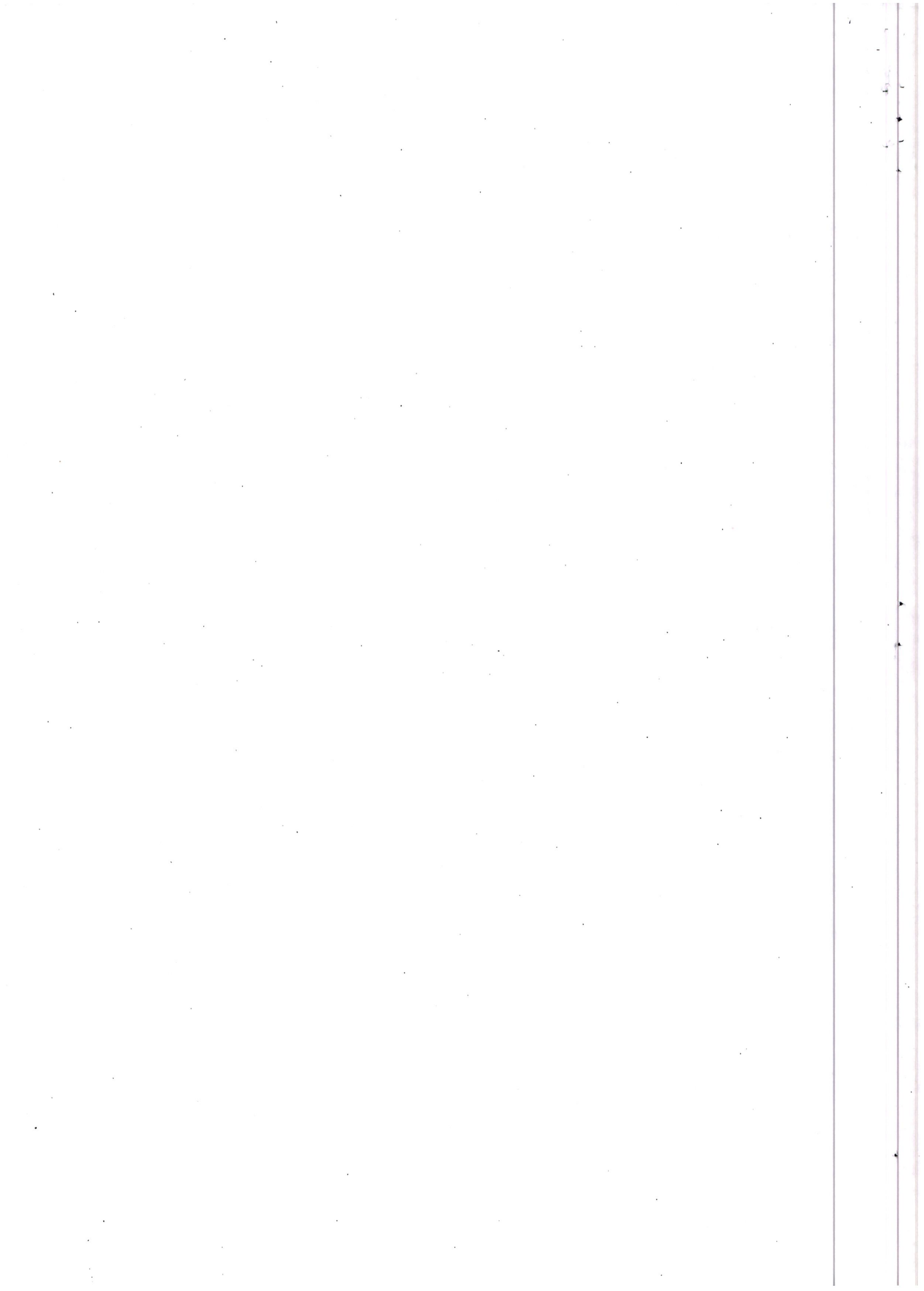
FOR : PLAINTIFF..... ~~Prayer for J.M.A.~~

: DEFENDANT *Prayer for J.S.*

COURT CLERK *U.K.*

*J.S.*  
**HON.R.M.KITAGWA**  
**RESIDENT MAGISTRATE**

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NHC-5

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT MOMBASA

CIVIL APPEAL NO. 61 OF 2014

STONE MBELA & 20 OTHERS ..... APPELLANTS

VERSUS

NATIONAL HOUSING CORPORATION ..... RESPONDENT

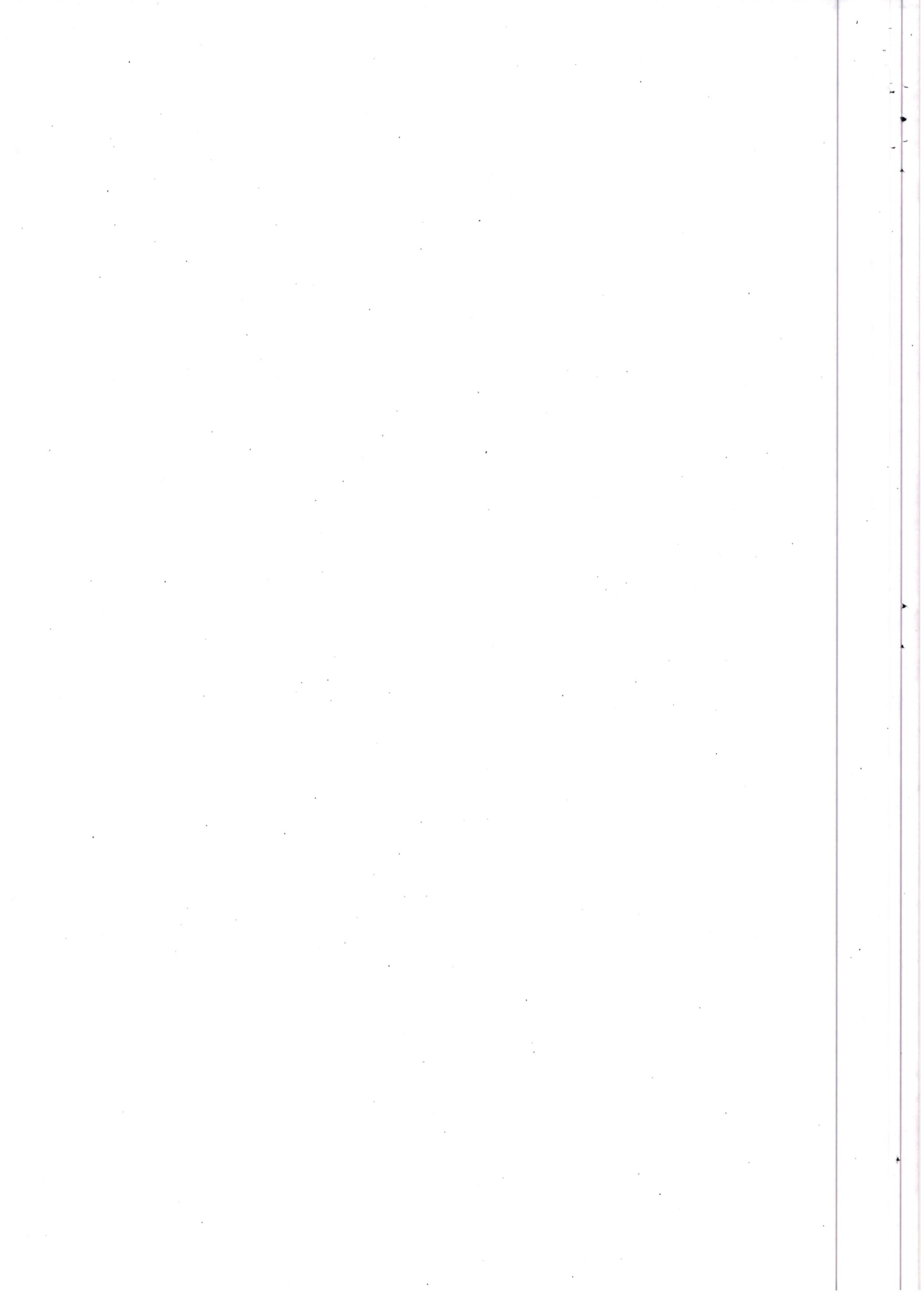
*Being an appeal from Judgment delivered by Hon. R. M. Kitagwa, RM dated 27<sup>th</sup> March 2014 delivered on 10<sup>th</sup> April 2014 in RMCC No. 2665 of 2008)*

RULING

1. Appellants filed a suit in the lower Court being Mombasa RMCC No. 2665 of 2008. The prayer sought in that action was for an injunction to issue to restrain Respondents from increasing rent or altering the terms of the existing tenancy terms of Appellant. By judgment delivered in that case on 27<sup>th</sup> March 2014 the suit was dismissed. Appellants being dissatisfied with that judgment filed the present appeal.

2. Appellants filed a Notice of Motion dated 7<sup>th</sup> May 2014. They seek a stay of execution of the decree in RMCCC No. 2665 of 2008 pending appeal which I believe in error they state was delivered on 10<sup>th</sup> April, 2014 and not 27<sup>th</sup> March, 2014

CC



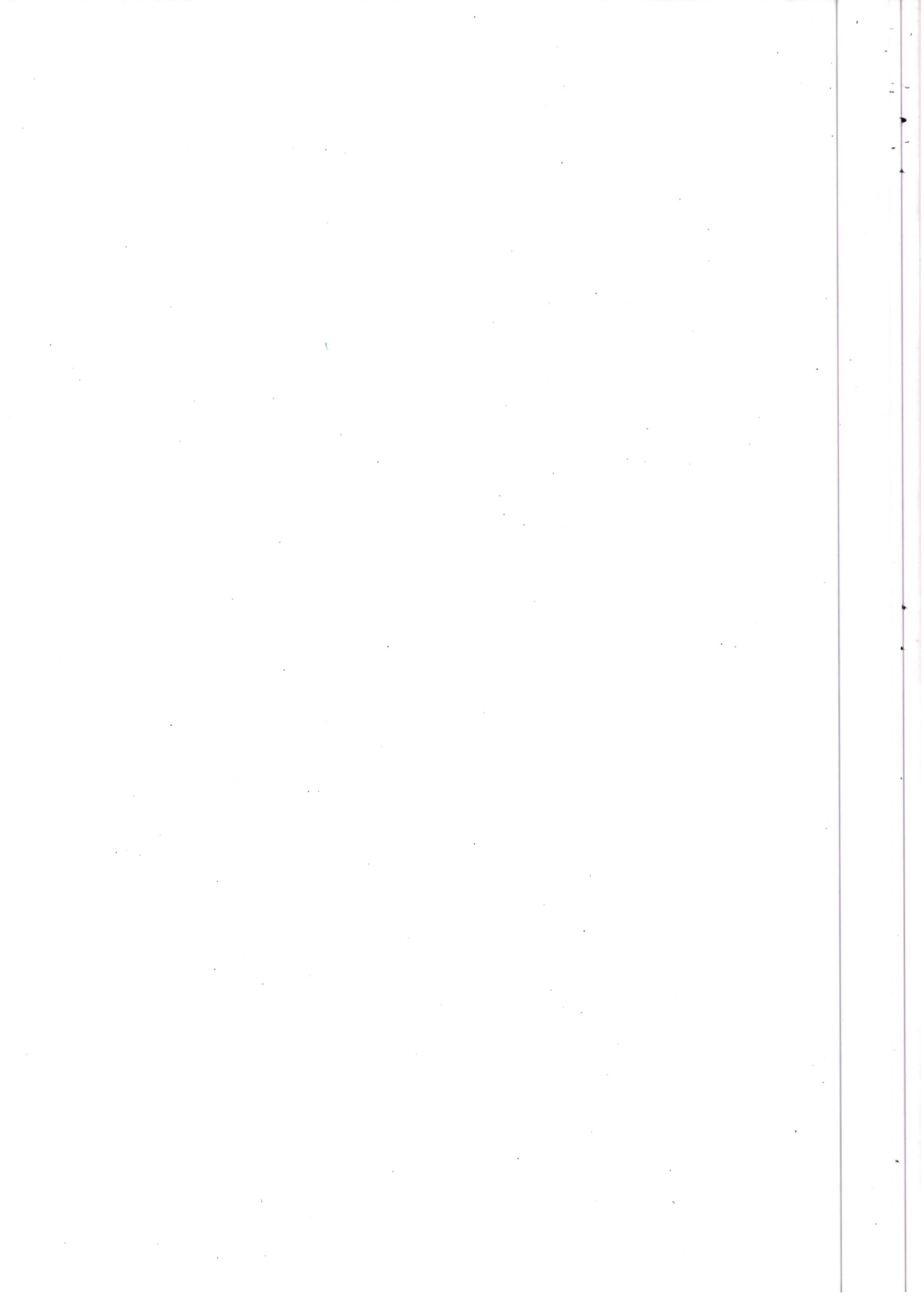
2014

3. As stated before the judgment of the lower Court dismissed Appellant's suit was delivered on 27<sup>th</sup> March 2014. The end result of that dismissal was that no positive order was made capable of being stayed as sought. Indeed the end result of that judgment was a negative order. A negative order is incapable of being stayed. It is so stated by the Court of Appeal in the case KANWAL SARJIT SINGH DHIMAN – Vs- KESHAVJI JIVRAJ SHAH (2008)eKLR as follows-

“The 2<sup>nd</sup> prayer in the application is for stay (of execution) of the order of the superior court made on 18<sup>th</sup> December 2006. The order of 18<sup>th</sup> December, 2006 merely dismissed the application for setting aside the judgment with costs. By the order, the superior court did not order any of the parties to do anything or refrain from doing anything or to pay any sum. It was thus, a negative order which is incapable of execution save in respect of costs (see Western College of Arts & Applied Sciences vs. Oranga & Others [1976]KLR 63 at page 66 paragraph C).

4. It follows that the prayer for stay of execution fails because the order issued by the lower Court judgment was negative and incapable of being executed.

5. But perhaps of more importance is that the Notice of Motion will fail because the appeal before Court is incompetent, for having been filed out of the 30 days period provided in Section 79G of the Civil Procedure Act. There is no prayer to admit the appeal out of time.



Section 79G provides-

"Every appeal from a Subordinate Court to the High Court shall be filed within a period of thirty days from the date of the decree or order appealed against, excluding from such period any time which the lower court may certify as having been requisite for the preparation and delivery to the appellant a copy of the decree or order:

Provided that an appeal may be admitted out of time if the appellant satisfies the court that he had good and sufficient cause for not filing the appeal in time."

6. Appellants appeal was filed on 7<sup>th</sup> May 2014 and the lower Court judgment was delivered on 27<sup>th</sup> March 2014. The 30 days within which the appeal should have been filed fell on 27<sup>th</sup> April 2014.
7. There being no competent appeal upon which orders of stay can be granted the Notice of Motion dated 7<sup>th</sup> May 2014 is dismissed with costs to the Respondent.

ED and DELIVERED at MOMBASA this 17<sup>TH</sup> day of JULY, 2014.

MARY KASANGO  
JUDGE

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REPUBLIC OF KENYA  
IN THE HIGH COURT OF KENYA  
AT MOMBASA

CIVIL APPEAL NO. 112 OF 2014

ELISTONE MBELA & 20 OTHERS ..... APPELLANTS

**-VERSUS-**

NATIONAL HOUSING CORPORATION ..... RESPONDENT

*(Appeal from the judgment of the Resident Magistrate at Mombasa (Hon. R. M. Kitagwa) dated 27<sup>th</sup> March 2014 delivered on 10<sup>th</sup> April 2014 in Resident Magistrate's Court Civil Case No. 2665 of 2008)*

**RULING**

1. Appellants previously, on 7<sup>th</sup> May 2014, filed another Appeal being Mombasa HCCA No. 61 of 2014. The Memorandum filed in this present appeal is a replica of the one filed in HCCA No. 61 of 2014.
2. In HCCA No. 61 of 2014 Appellants filed a Notice of Motion dated 7<sup>th</sup> May 2014. They sought by that application stay of the decree in Mombasa RMCC No. 2665 of 2008. The exact wording of that

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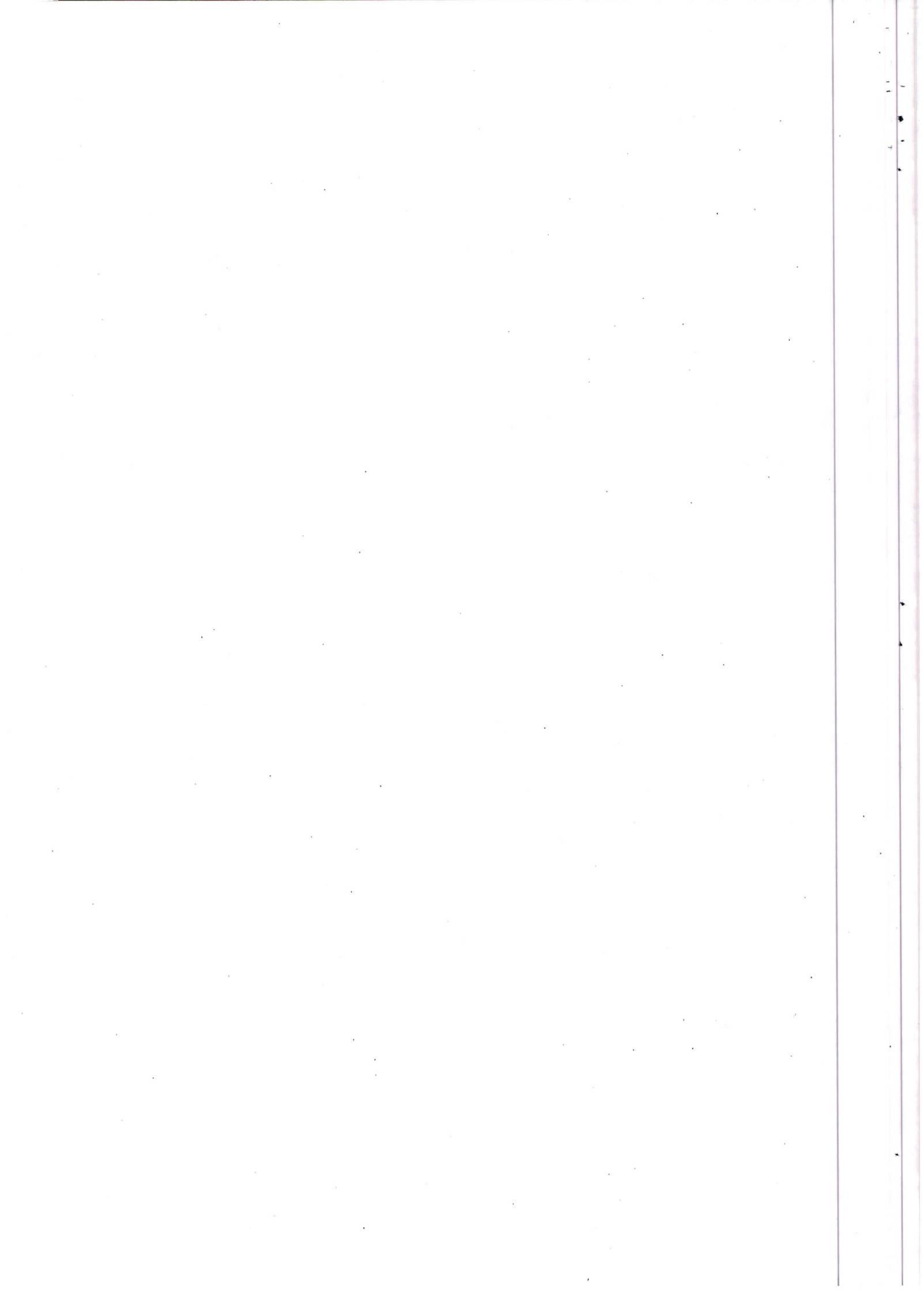


Notice of Motion was-

"THAT there be a stay of execution of the decree/decision in Civil Case Number 2665 of 2008; Elistone Mbela & 20 Others V National Housing Corporation granted on 10<sup>th</sup> April 2014 by Hon. Kitagwa R. M. and all other consequential orders pending the hearing and determination of Civil Appeal Number 61 of 2014, Elistone Mbela & 20 Others V National Housing Corporation."

3. The Court in HCCA No. 61 of 2014 delivered a Ruling on 17<sup>th</sup> July 2014 where the Court ruled that the lower Court order, being a negative order no order of stay could be granted. The Court also by that Ruling held that the Appellants had filed their Memorandum out of the 30 days provided for under Section 79G of the Civil Procedure Act.
4. Appellants rather than filing an appeal against the above finding filed this present appeal whose grounds of appeal, as stated above, are a replica of those in HCCA No. 61 of 2014. Appellants also filed an application by Notice of Motion dated 15<sup>th</sup> September 2014 seeking the following prayers-

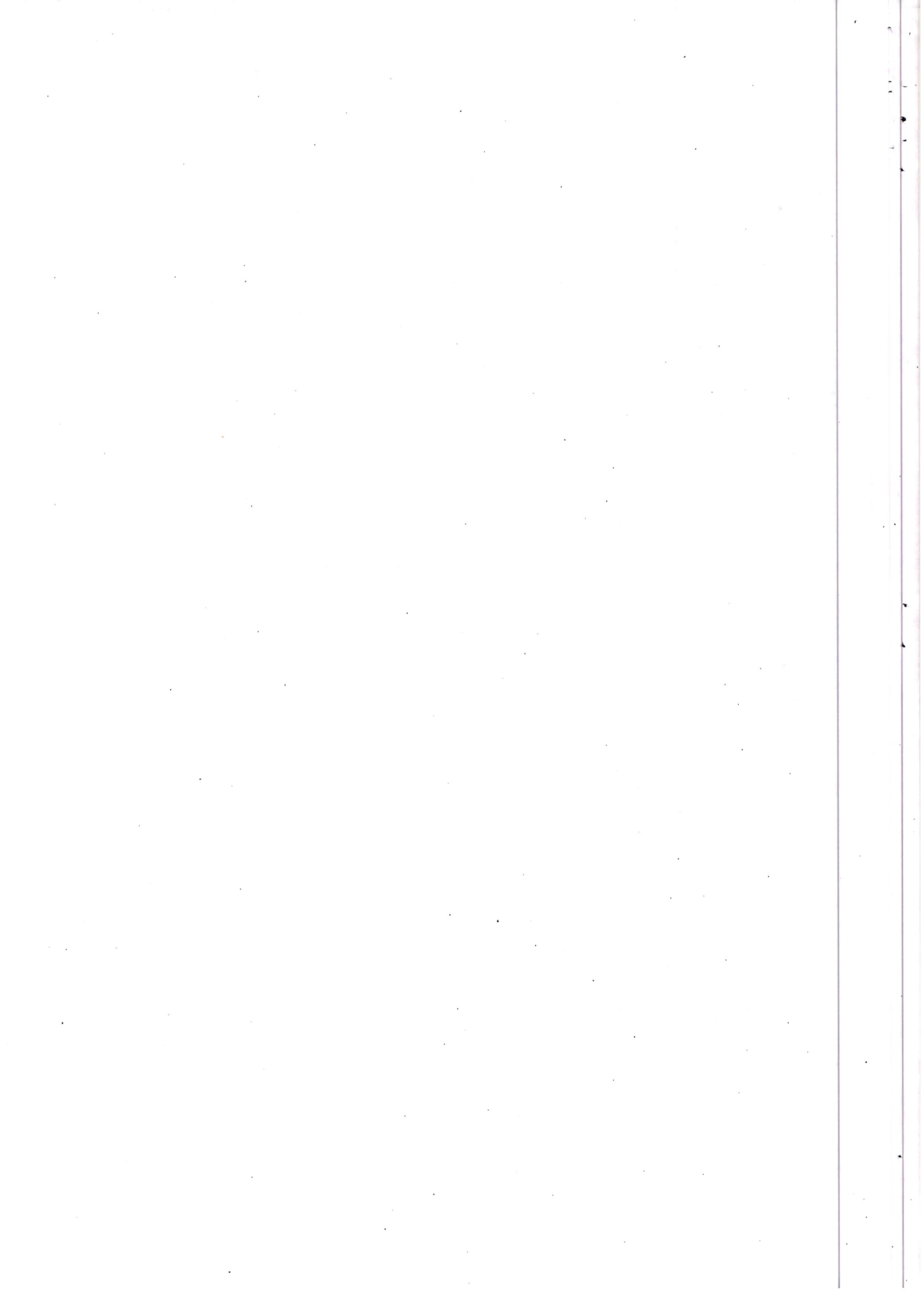
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- THAT there be stay of the lower Court Judgment and any consequential decree as delivered by Honourable R. M. Kitagwa on 27<sup>th</sup> March 2014 in Civil Case Number 2665 of 2008: Elistone Mbela & 20 Others Vs. National Housing Corporation.
  
- THAT pending the interpartes hearing and determination of the Application there be a stay of proclamation of the Applicants movable properties by the Auctioneers as instructed by the Respondent and also that the Respondent does stop distress for rent against the Applicants until the hearing of the Application inter partes.
  
- THAT the Applicants be granted extension of time to file an Appeal against the judgment of Hon. R. M. Kitagwa delivered on the 27<sup>th</sup> March 2014 in Mombasa RMCC NO. 2665 of 2008: Elistone Mbela & 20 Others Vs. National Housing Corporation.

Those are the prayers that this Ruling is directed to.

5. It became clear that Appellants have abused the Court process by filing two similar appeals. The two appeals which challenge the same order of the lower Court are both subsisting. The filing of this present appeal when the other HCCA NO. 61 OF 2014 is still



subsisting is certainly an abuse of the Court process. The Court under its inherent jurisdiction can stop such an abuse. Further the Court by invoking the overriding principle of Section 1A and 1B of the Civil Procedure Act Cap 21 can stop a party from abusing the Court process.

6. The filing of this second appeal challenging the same order and relying on replica of the grounds of appeal is an abuse of the process which calls upon this Court to strike out this appeal. The Appeal cannot even be sustained under Section 6 of Cap 21. Under that Section the Court is empowered to stay a suit that directly or substantially in issue in a previous suit. In this case the filing of this appeal is a duplication of the previous appeal and this appeal therefore is beyond the scenario provided for in Section 6 of Cap 21.

7. Further I find that the Notice of Motion dated 15<sup>th</sup> September 2014 in this appeal is *res judicata* to the one in HCCA NO. 61 OF 2014. The Notice of Motion dated 15<sup>th</sup> September 2014 contravenes the provisions of Section 7 of Cap 21, which Section provides-

"7. No Court shall try any suit or issue in which the matter directly and substantially in issue has been directly and substantially in issue in a former suit between the same parties, or between parties under whom they or any of them claim, litigating under the same title, in a



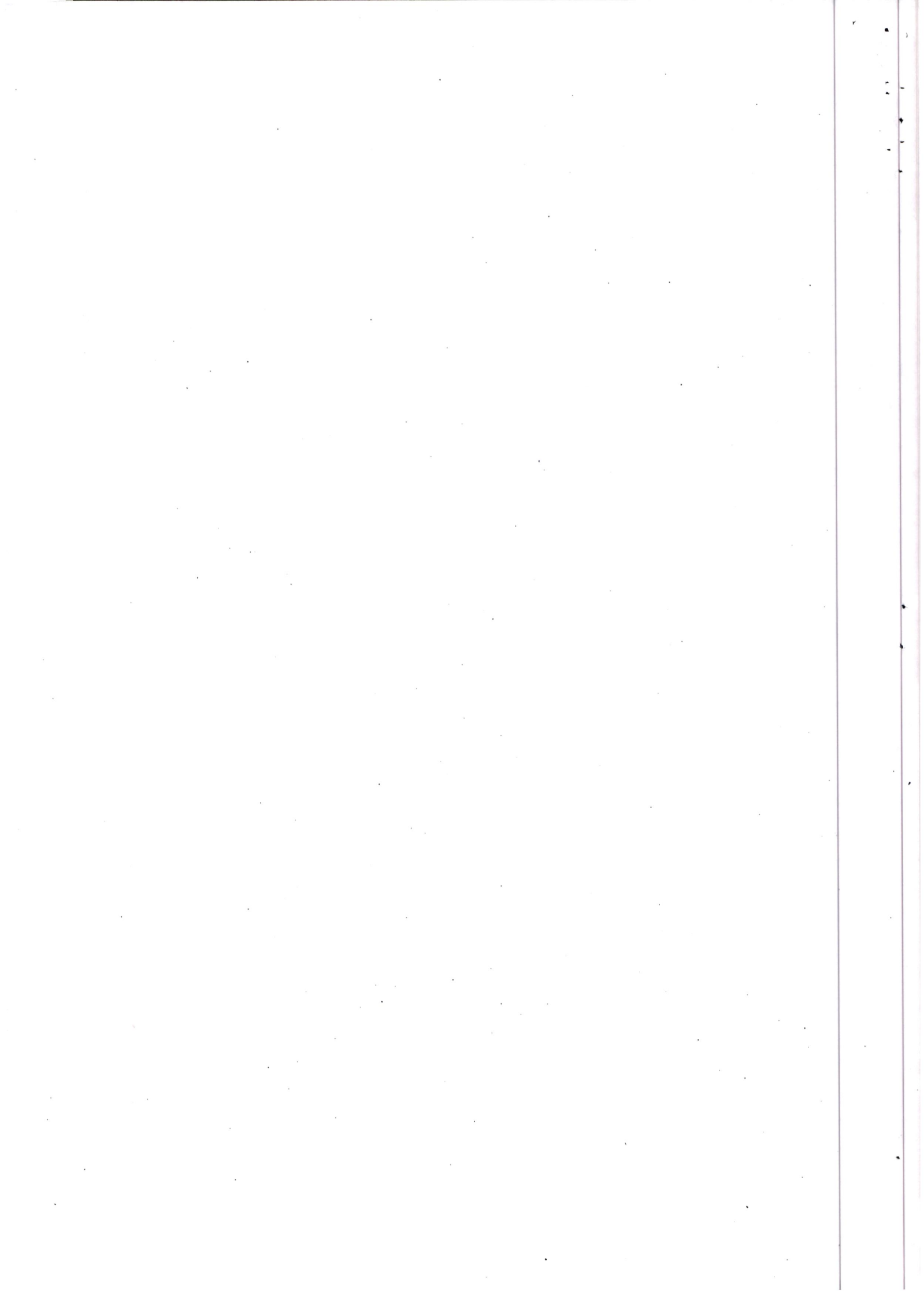
court competent to try such subsequent suit or the suit in which such issue has been subsequently raised, and has been heard and finally decided by such Court."

8. Those provisions of Section 7 refer to orders that may have been included in the Notice of Motion dated 15<sup>th</sup> September 2014 and which ought to have been made a ground of defence. The question on whether the doctrine of *res judicata* applies equally to an application was considered by the Court of Appeal in the case UHURU HIGHWAY DEVELOPMENT LTD -Vs- CENTRAL BANK OF KENYA & 2 OTHERS CIVIL APPEAL NO. 36 OF 1996. The Court of Appeal in this case stated-

"What is before us is: can a matter of interlocutory nature decided in one suit be subject of another similar application in the same suit? Does the principle of *res judicata* apply to an application heard and determined in the same suit?

There is no doubt at all that provisions of Section 7 of our Civil Procedure Act relating to *res judicata* in regard to suits do apply to applications for execution of decrees but there is no doubt, also, that these provisions are governed by principles analogous to those of *res judicata*.

... There is not one case cited to show that an application in a suit once decided by Courts of competent jurisdictions can be filed once again for a rehearing. This shows only one intention on the part of the legislature in India and our Civil Procedure Act. That is to say, there must be an end to applications of similar nature; that is to say further, wider principles of *res*



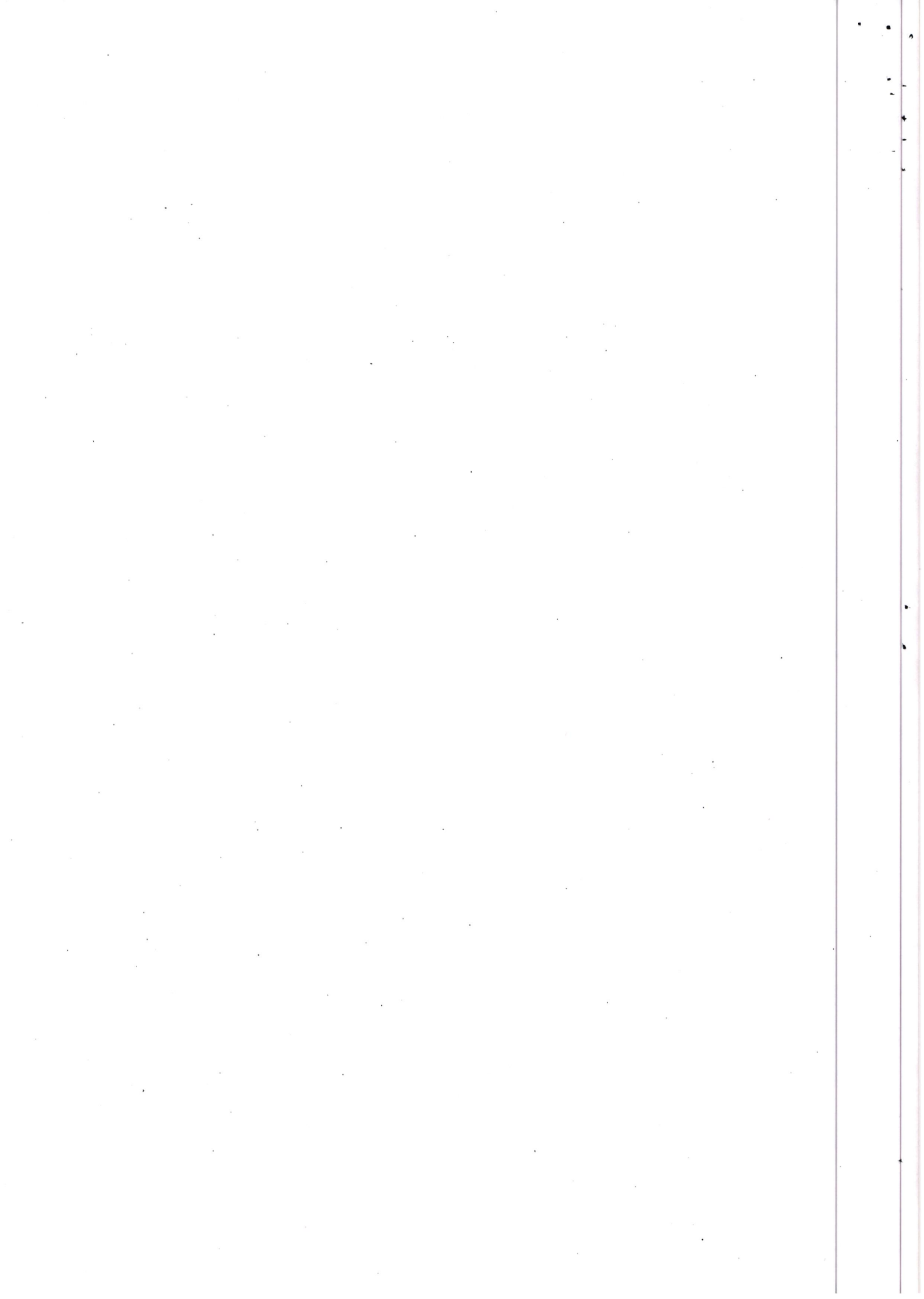
judicata apply to applications with the suit. If that was not the intention, we can imagine that the Courts could and would be inundated by new applications filed after the original one was dismissed. There must be an end to interlocutory applications as much as there ought to be an end to litigation."

In the case HENDERSON -Vs- HENDERSON (1843-60) ALL E.R. 378 the Court on discussing that doctrine stated-

"... Where a given matter becomes the subject of litigation in, and of adjudication by a court of competent jurisdiction, the court requires the parties to that litigation to bring forward their whole case, and will not (except under special circumstances) permit the same parties to open the same subject of litigation in respect of a matter which might have been brought forward as part of the subject in contest, but which was not brought forward only because they have, from negligence, inadvertence, or even accident, omitted part of their case. The plea of res judicata applied, except in special case, not only to points upon which the court was actually required by the parties to form an opinion and pronounce a judgment, but to every point which property belonged to the subject of litigation and which the parties, exercising reasonable diligence, might have brought forward at the time."

9. That being said I do find that Appellants' Notice of Motion dated 15<sup>th</sup> September 2014 offends the doctrine of *res judicata* and on that ground it must fail.

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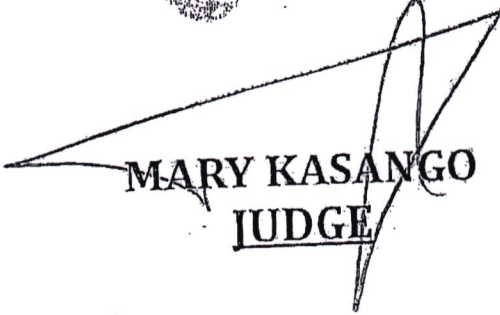


In the end the Court makes the following orders-

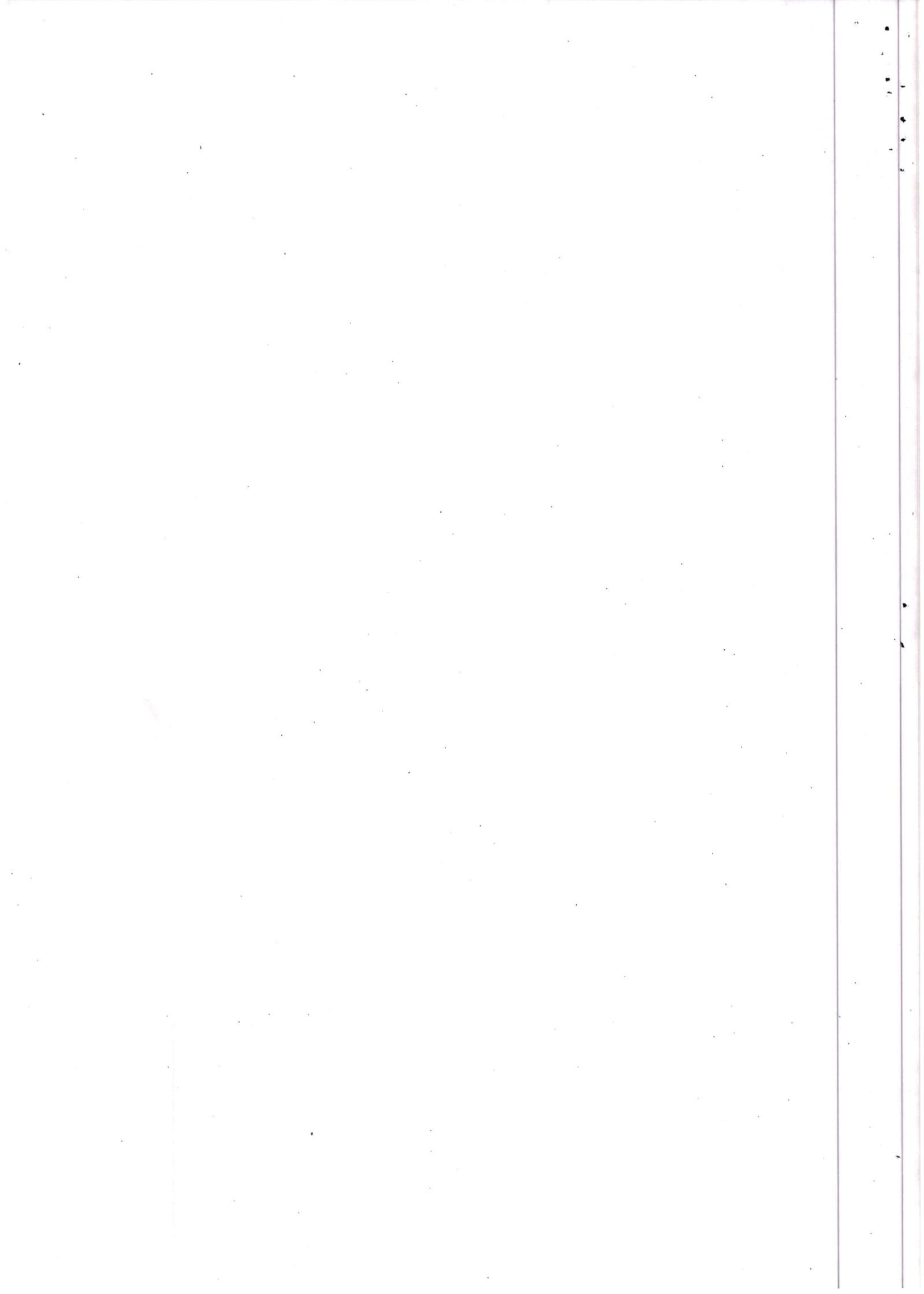
(a) This appeal is hereby struck out with cost for being an abuse of the Court process.

(b) The Notice of Motion dated 15<sup>th</sup> September 2014 is dismissed with costs for being *res judicata*.

DATED and DELIVERED at MOMBASA this 4<sup>TH</sup> day of DECEMBER, 2014.

  
MARY KASANGO  
JUDGE

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REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT MOMBASA

CONSTITUTIONAL PETITION NO. 7 OF 2015

IN THE MATTER OF: ARTICLES 2(6), 19, 20, 21, 22(2), 3(d), 23(1), (3) & 25, 28, 40,  
165(3)(a),(b),(d),(i),(ii) OF THE CONSTITUTION OF KENYA

IN THE MATTER OF: CONTRAVENTION OF FUNDAMENTAL RIGHTS AND FREEDOMS UNDER  
ARTICLES 26(1)(3), 27(1),(2),28, 29(c),(D) OF THE CONSTITUTION AND RULE 11(c) & 12  
PROTECTION OF FUNDAMENTAL RIGHTS AND PROCEDURE RULE AND ALL OTHER  
RELEVANT ENABLING POWER AND PROVISIONS OF THE LAWS OF KENYA

AND

IN THE MATTER OF: ARTICLE 25 OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS

BETWEEN

1. STANLEY KAMERE

2. FRANCIS OLOO

3. DAVID MBOGHO & 24 OTHERS .....PETITIONERS

VERSUS

1. NATIONAL HOUSING CORPORATION

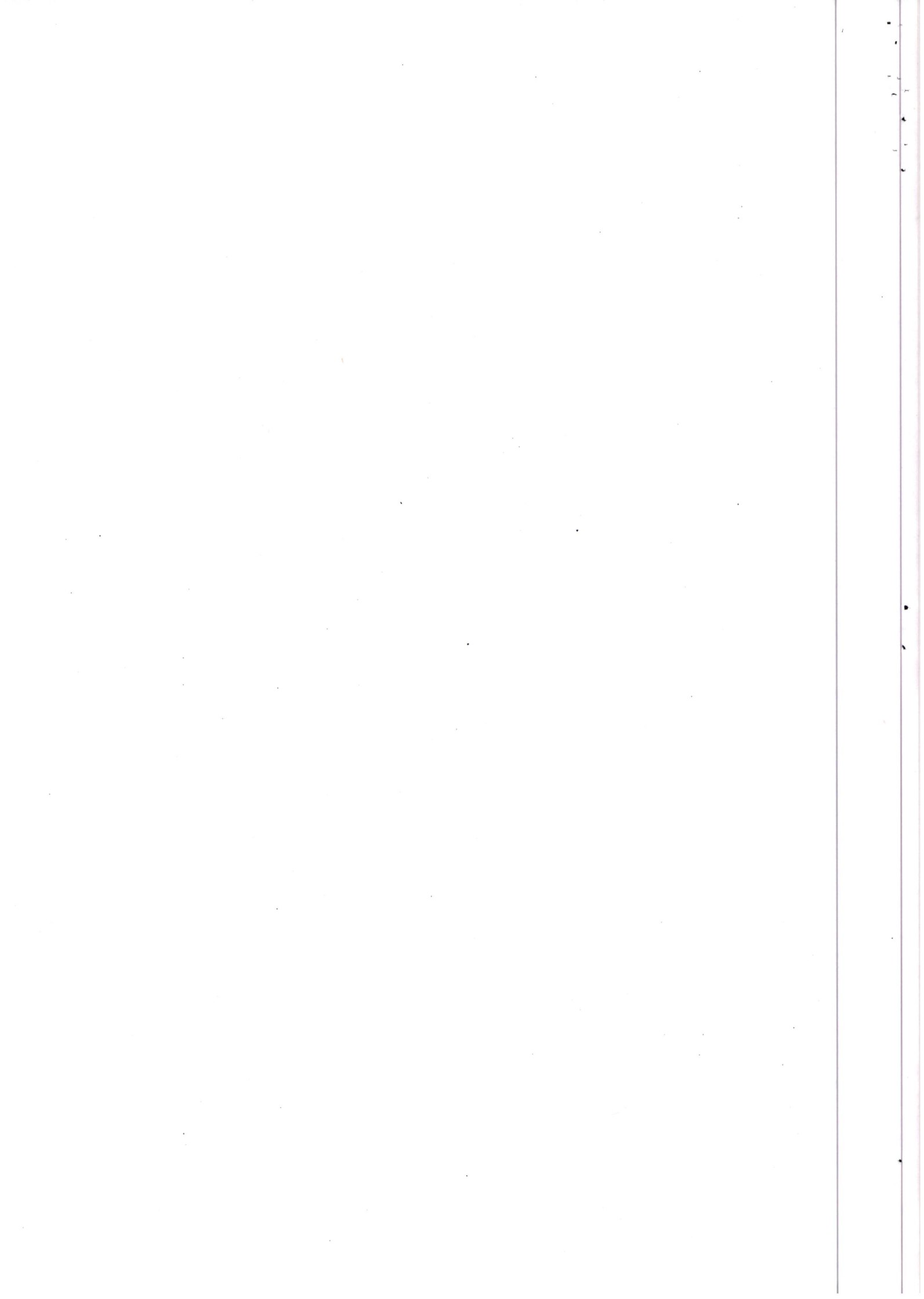
2. MINISTRY OF LANDS, HOUSING AND SETTLEMENT

3. THE HON. ATTORNEY GENERAL .....RESPONDENTS

JUDGMENT

INTRODUCTION

1. The 1<sup>st</sup> Respondent is a statutory body established by the National Housing Corporation Act, Chapter 117 of the Laws of Kenya. Its principal mandate is to implement the Government's housing policies and



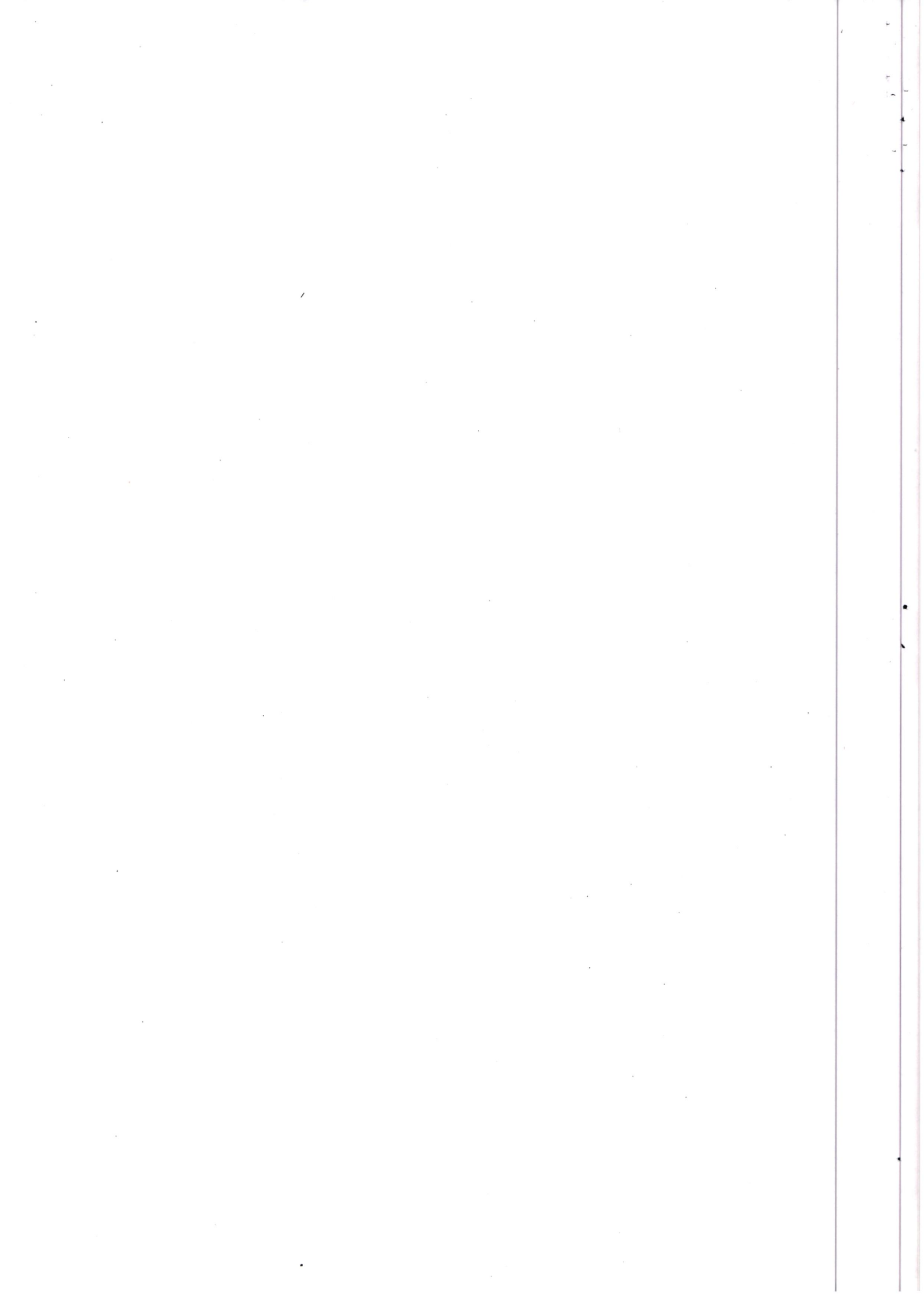
programs with a view to housing the nation. It owns a number of houses, some of which are situate at the Changamwe Residential Estate where the Petitioners reside. The petitioners are long time tenants of various houses in the said Estate each paying rent of Kshs. 1,200/-, having each entered into standard lease agreements with the First Respondent for occupation of their respective premises. The lease agreement provides at clause 22(a) thereof that the First Respondent reserves the right to review the rent payable every year or after such intervals as it shall deem appropriate.

2. From the year 1988 the First Respondent has been increasing the rent gradually and as at 12<sup>th</sup> September, 2005 the rent was increased by notice from Kshs. 1,200/- to Kshs. 7,500/-. The Petitioners refused to pay the new rent and filed a suit to challenge the increment and distress for rent levied by the First Respondent at the time (vide **Mombasa CMCC No. 2665 of 2008: Elitstone Mbela & 20 others vs. National Housing Corporation**). Among the reasons cited by the plaintiffs in that suit was that the distress for rent was unauthorized since no notice of intention to increase rent had been issued to them. They also complained that the increment was unlawful and against public policy. The suit was heard and determined before the Resident Magistrate's Court (Hon. R. Kitagwa) in favour of the defendants. In its decision, the court noted that while the National Housing Corporation was established to provide low cost housing, it is subject to the prevailing economic situation at a given time and therefore it is empowered to review rents periodically to enable them to invest in more housing projects to cope with the rising demand based on population growth. The suit was dismissed on 27<sup>th</sup> March, 2014.

3. On 23<sup>rd</sup> April, 2014 the National Housing Corporation issued Rent Demand Notices to the tenants with arrears back-dated which had been earlier restrained by the court. Distress proclamation followed shortly with M/s Hamza Jeneby Auctioneers acting for the National Housing Corporation. Dissatisfied with the outcome, the plaintiffs appealed in **Mombasa High Court Civil Appeal No. 61 of 2014** which was found to be time barred, and **Mombasa High Court Civil Appeal No. 112 of 2014** which sought an additional prayer for extension of time to file an appeal, but failed by reason of **res judicata** leading to the filing of this petition.

4. On 28<sup>th</sup> August, 2014, the First Respondent through its employees, accompanied by their agent known as Jeneby auctioneers without prior notice visited some of the petitioners' homes and evicted them from their houses, rendering them homeless and destitute. The petitioners filed this petition seeking to restrain the respondents from evicting them or interfering with their occupation of the premises. The petitioners claim that they have been paying rent and continue to pay rent despite the First Respondent increasing the rent on several occasions using unknown procedures. They accused the First Respondent of commencing evictions in favour of "stand-by" tenants to whom the houses have been allocated unlawfully. The petitioners aver that since their household items were carried away, there has been no notice of sale of the property by the auctioneer, neither has the First Respondent made any communication in that regard. They accuse the auctioneer of having illegally broken into some of the petitioners' houses damaging property and assaulting family members resulting in criminal cases.

5. The Petitioners claimed that for a period of over 10 years the houses have never been repaired at all and thus any demands of rent increment is in total breach of the Petitioners' right as consumers. The Petitioners felt that it is only fair and just that they continue to pay the previous rent of Kshs. 1,200/-. The First Respondent's demand for the payment of disputed rent arrears was said to be unreasonable considering the very poor condition of the houses and the environment. The First Respondent being a State Corporation, it was also claimed, it ought to have involved the petitioners in the decision making before the rent is increased and after repairs/renovations are done. They faulted the proposed rent of Kshs. 7,500/= for being unreasonable in the circumstances, as it should be lower to accommodate low income earners. The First Respondent was also accused of discrimination in the eviction because in other areas like Makande Estate, Buxton and Tudor Estate the same houses are rented at a price of



Kshs.2,500/= despite their proximity to the Central Business District.

### **THE PETITIONER'S PRAYER**

6. The petitioners were apprehensive that their houses would be broken into (as some had) and their collective prayers are for:

*(a) A declaration that the action by the respondents jointly and severally of evicting and/or threatening to evict the petitioners who are in physical occupation of the suit houses and paying rent thereby rendering the petitioners and their families homeless contravenes the provisions of article 2(5), 28, 43(1)(b), 47(1) of the Constitution of Kenya which guarantees adequate housing, dignity, respect, protection and the right to fair administrative action.*

*(b) That this honorable court do make such orders and/or issue such writs and give such directions as it deems appropriate to prohibit the respondents from interfering with the peaceful stay of the residents of the said houses until such time as the Ministry of Lands and Housing shall have addressed itself to the validity and correct rent to be paid and how the petitioners can settle arrears if any.*

*(c) A declaration that the forcible, violent and brutal eviction of the petitioners and their families without according them alternative shelter and/or accommodation leaving them to live in the open exposed to the elements and vagaries of nature is a violation of their fundamental right to life guaranteed by article 26(1) and (3) of the Constitution of Kenya, and article 11 of the ICESCR and the physical and moral health of the family under articles 16 and 18 of the ACHPR as read with article 2(6) of the Constitution of Kenya.*

*(d) A declaration that the forcible, violent and brutal eviction of the petitioners and their families from their houses without according their children alternative shelter and/or accommodation and leaving the children to live in the open exposed to the elements and vagaries of nature is a violation of the fundamental rights of children to basic nutrition, shelter and health care and protection from abuse, neglect, and all forms of violence and inhuman treatment and to basic education guaranteed by article 53(1)(b), (c), (f) and (2) as read together with article 21(3) of the Constitution of Kenya, and Article 28 of the CRC as read with article 2(6) of the Constitution of Kenya.*

*(e) A declaration that the forcible, violent and brutal eviction of the petitioners disabled and other elderly persons from their homes without according them alternative shelter and/or accommodation rendering them to live in the open exposed to the elements and vagaries of nature is a violation of the fundamental rights of the elderly persons to the pursuit of personal development, to live in dignity, respect and freedom from abuse and to receive reasonable care and assistance from the State guaranteed by article 57(b), (c) and (d) as read with article 21(3) of the Constitution of Kenya.*

*(f) A declaration that the petitioners and their families are entitled to general, aggravated, exemplary and punitive damages against the respondents jointly and/or severally.*

*(g) Such general aggravated, exemplary and punitive damages as may be assessed by the court.*

*(h) Costs of the petition.*

### **RESPONSE TO PETITION**

7. The First Respondent opposed the Petition by a Replying Affidavit sworn by Dorine Martha Wavua sworn on 17<sup>th</sup> March 2015. She is the officer in charge of Coast Region of the First Respondent. She



stated that the petitioners voluntarily executed the standard tenancy agreements which form the basis of binding contracts between the petitioners and the First Respondent. The petitioners were accused of using the courts to frustrate the First Respondent from implementing its core objective of housing the nation and in failing to pay rent, the First Respondent cannot get resources to construct more houses for other people. She added that the issues raised in the petition are contractual and there are no constitutional issues raised therein.

8. The Attorney-General entered appearance through Richard Ngari, Litigation Counsel for the Second and Third Respondents and filed a Statement of Grounds of Opposition. The grounds raised included that the court lacks jurisdiction by virtue of the prayers sought and the Environment and Land Court Act. It was alleged that the Petition is an abuse of the court process as the relationship between the petitioners and the First Respondent is one of landlord and tenant. There was a civil suit involving some of the parties and the petitioners have withheld information regarding the civil suit, and do not merit the benefit of the court's discretion. Counsel faulted prayer 4, being presumptive, speculative and superfluous as the Ethics and Anti-Corruption Commission is capable of conducting its investigations without prompting by a court order. Finally, it was alleged that lawful eviction cannot amount to a violation of the rights of an individual.

9. Seven of the twenty seven petitioners listed have written to the First Respondent stating that they did not wish to be party to the suit, accusing the First Petitioner of having included their names without their authority. These petitioners are Mary Otinga Njiri, Margaret W. Wahome, Michael M. Ndivo, McDonald Mwanza, John Chege Ngigi, Boaz Omori Tala and Janet A. Koko. Their letters to that effect were annexed to the affidavit of Dorine Martha Wavua sworn on 17<sup>th</sup> March 2015 as "NHC – 7". These petitioners are listed in the authority to act as Nos. 17, 24, 22, 21, 9, 25 and 20 respectively. The seven were not party to the previous proceedings before the Resident Magistrate's Court in CMCC No. 2665 of 2006. The Petitioners have stated that their signatures were obtained legally and voluntarily, denying any fraud or misrepresentation on their part.

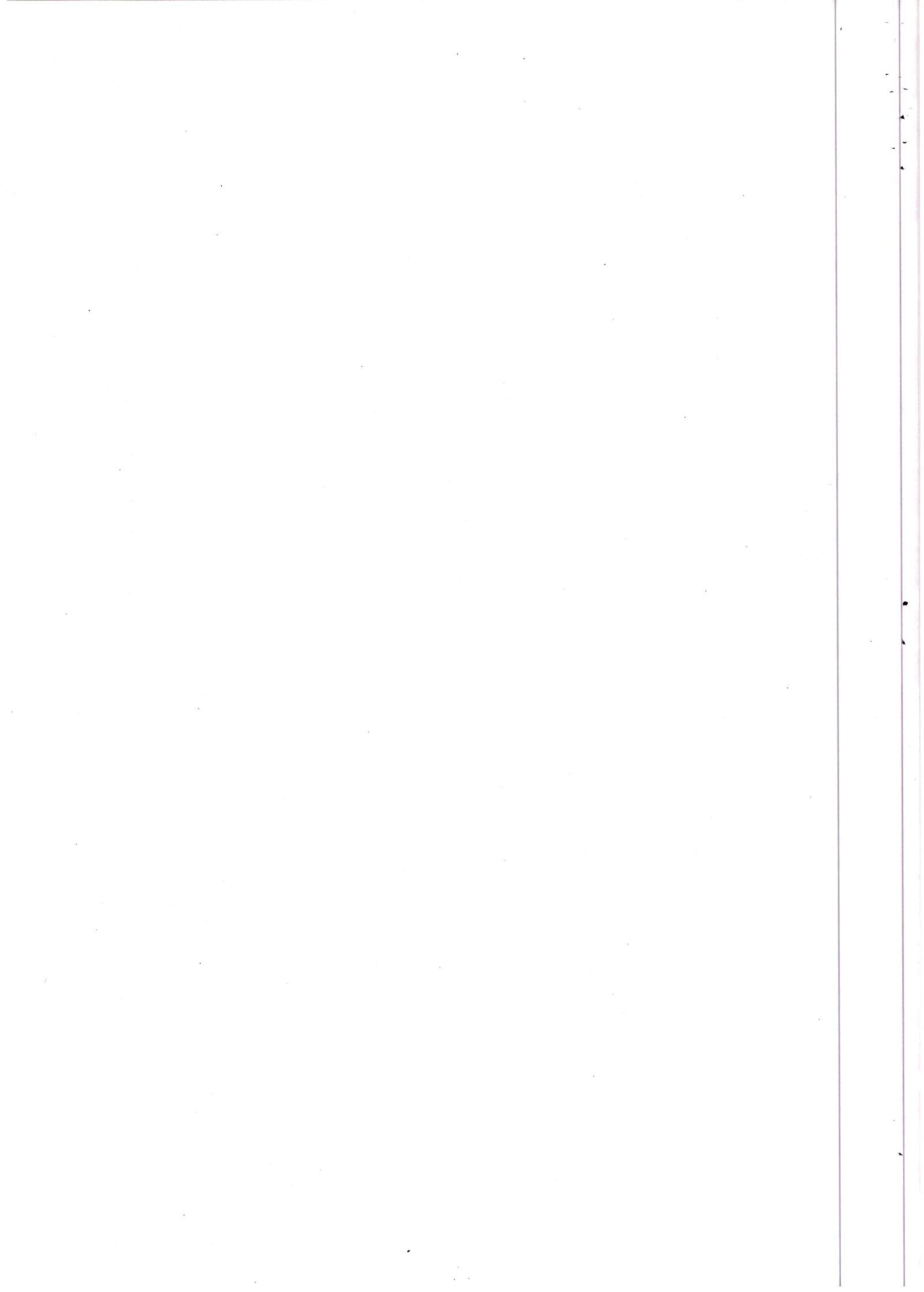
## SUBMISSIONS

### (a) By the Petitioners

10. The matter came for hearing on 4<sup>th</sup> June, 2015 and parties agreed to proceed by way of written submissions. Counsel for the Second and Third Respondents sought to rely on the Grounds of Opposition of 13<sup>th</sup> March, 2015 in lieu of submissions. Ruling was set for 17<sup>th</sup> July, 2015,

11. The Petitioners in their written submission dated 2<sup>nd</sup> June, 2015 urged that although there exists a tenancy agreement between them and the First Respondent, the First Respondent is in breach of their Constitutional Rights thereby making this a constitutional matter and not a contractual matter. The Petitioners urged that the First Respondent constructed the suit houses to attract affordable rent. They cannot now turn back against the very people it was mandated to protect and who have been living in the said suit houses since the 1980's. The increase of rent was arbitrary and without consideration of the Petitioners or the First Respondent's objective. The First Respondent was said to have already given oral tenancy agreements to "stand-by" tenants without any consideration to the Petitioners who have lived in the houses over the years and have known the houses to be their homes.

12. They have urged the court to consider that the breaches of their constitutional rights began on 28<sup>th</sup> August, 2014 and continued until such time as the court gave an order to maintain the status quo. They rely on the various provisions of the Constitution of Kenya particularized in the petition, alongside provisions of the International Covenant on Economic Social and Cultural Rights (ICESCR) and the



African Charter on Human and People's Rights (ACHPR), all of which provide for the right to housing and protection from forced eviction. They claim that their right to human dignity has been violated by the First Respondent's action of forcefully evicting the Petitioners from their houses, rendering them homeless.

13. The First Respondent has also gone ahead to get alternative tenants forgetting that the petitioners have been in the houses since the 1990s, breaching their right to legal security of tenure and affordability. They faulted the increased rent of Kshs.7,500/= as compared with the market rate of Kshs.8,500/= considering that the First Respondent's objective is to provide cheaper housing for low income earners and not necessarily to compete with market value. They further cited the case of **Social Economic Rights Centre & Centre For Economic and Social Rights vs. Nigeria, Comm. No. 155/96 (2001)** where it was emphasized that forced evictions and demolitions of people's homes should always be measures of last resort with all other reasonable alternatives being explored, including mediation between the affected community, the land owners and the relevant housing authorities.

#### **THE FIRST RESPONDENT'S SUBMISSION**

14. The First Respondent in response urged that the petition is **res judicata**. Specifically, the issue of tenancy between the petitioners and the First Respondent was said to have been finally determined in CMCC No.2665 of 2008 culminating in the two appeals therefrom, HCCC No.112 of 2014 and HCCC No.61 of 2014. The case of **Retired Major Shadrack Mutia Muia vs Prof. Kivutha Kibwana & Others, Nairobi Petition No.281 of 2006** was cited on the power of the court to halt an abuse of its process in appropriate circumstances. The First Respondent urged that the petition had failed to raise any constitutional issue. Referring to the case of **Harrikissoon vs Attorney General of Trinidad and TOBAGO [1980] AC 265** and **Alphonse Mwangemi Munga vs. African Safari Club [2008] eKLR** this Petition was said to be an abuse of court process, as the petitioners herein only approached this court after being unsuccessful in other previous proceedings filed in court.

15. On the merits of the case, the First Respondent citing **L'Estrange vs F. Graucob Ltd. (1934) 2 K. B. 394** as quoted in **Securicor Couriers (K) Ltd vs. Benson David Onyango & Another (2008) eKLR**, stated that the Petitioners were bound by the tenancy leases signed with the First Respondent. Under the lease, the First Respondent is at liberty to review the rent payable. On 15<sup>th</sup> September, 2005, the First Respondent issued notices to the Petitioners herein increasing rent payable for the two bedroomed houses occupied by the Petitioners from Kshs.7,500/= to Kshs.8,500/=. This they urged is the fairest rate in the market.

16. They accused the petitioners of refusing to pay the rent and instead filing numerous court cases objecting to the rent payment which cases have been determined in favor of the First Respondent. Owing to the Petitioners' non-payment of the rent, the petitioners were in breach of the lease agreement and the First Respondent had a right to terminate the tenancy under clause 22(b). The court was asked to take into account that the notices increasing the rent were issued in 2005, ten years ago, and no new notices have been issued since then. The cases of **National Bank of Kenya Ltd. Vs Pipeplastic Samkolit (K) Ltd. & Another [2001] eKLR** and **Samuel Kamau Macharia vs Daima Bank Ltd. [2008] eKLR** were cited on the Court of Appeal's holding that the court ought not re-write the contract for parties unless coercion, fraud or undue influence are pleaded and proved.

#### **DETERMINATION**

17. Section 3(1) of the Housing Act Cap 117 of the Laws of Kenya establishes the National Housing Corporation as body corporate. Section 3(4) of the Act gives the Corporation power to enter into



contracts, to hold and dispose of property both movable and immovable, and may sue and be sued in its corporate name. A general reading of the Act gives the clear impression that the Corporation though State owned, is expected to run its affairs on the principles of modern business, to make investments and generate returns. From the uncontroverted pleadings of the First Respondent, it is clear that that the First Respondent's rental houses are designed to generate revenue for the construction of more houses. There is nothing in the Act that requires them to provide social/ charitable public facilities. To have them step out into the role of providing free housing would be without basis and ultra vires their statutory mandate. They have adopted a policy of providing affordable housing and in light of that policy, the rent charged for their houses is lower than the market rate. That being said, the relationship between the parties is purely contractual. The Petitioners have not pleaded or proved that there was any fraud, coercion or undue influence in the course of the contract.

18. The First Respondent although a State Corporation, is not under obligation to consult with its tenants before reviewing its rent. This is not what is envisaged by Article 10 of the Constitution as the review of rent does not fit in the description of functions under Article 10. The Petitioners' failure to pay rent translates in reduced revenue available for the First Respondent to construct more houses for the benefit of the greater public who are in need of affordable housing.

19. This case may be distinguished from the case of **Satrose Ayuma & 11 others v Registered Trustees of the Kenya Railways Staff Retirement Benefits Scheme & 3 others**. This is a case of a landlord distressing for rent, whereas in the Satrose Ayuma case, the landlord was forcefully evicting its tenants without notice and was withholding essential social amenities such as water and sanitation as a means of forcing compliance, in violation of the tenants' human rights. In this case, the landlord has effected a rent increase, notified the tenants and given notice of demand before engaging the auctioneer to distress for rent. The Petitioners have had opportunity to get the process of rent increment and distress for rent examined by the court in previous civil proceedings. The eviction carried out by the First Respondent in the circumstances does not fall into the category of the cases referred to such the Satrose Ayuma case.

20. The upshot is that the Petitioners have failed to demonstrate that there exists a constitutional issue over and above the contractual issue herein. In the premises, this Petition is dismissed with costs to the First Respondent only.

Dated, signed and Delivered in Mombasa this 17<sup>th</sup> day of July, 2015.

**M. J. ANYARA EMUKULE**

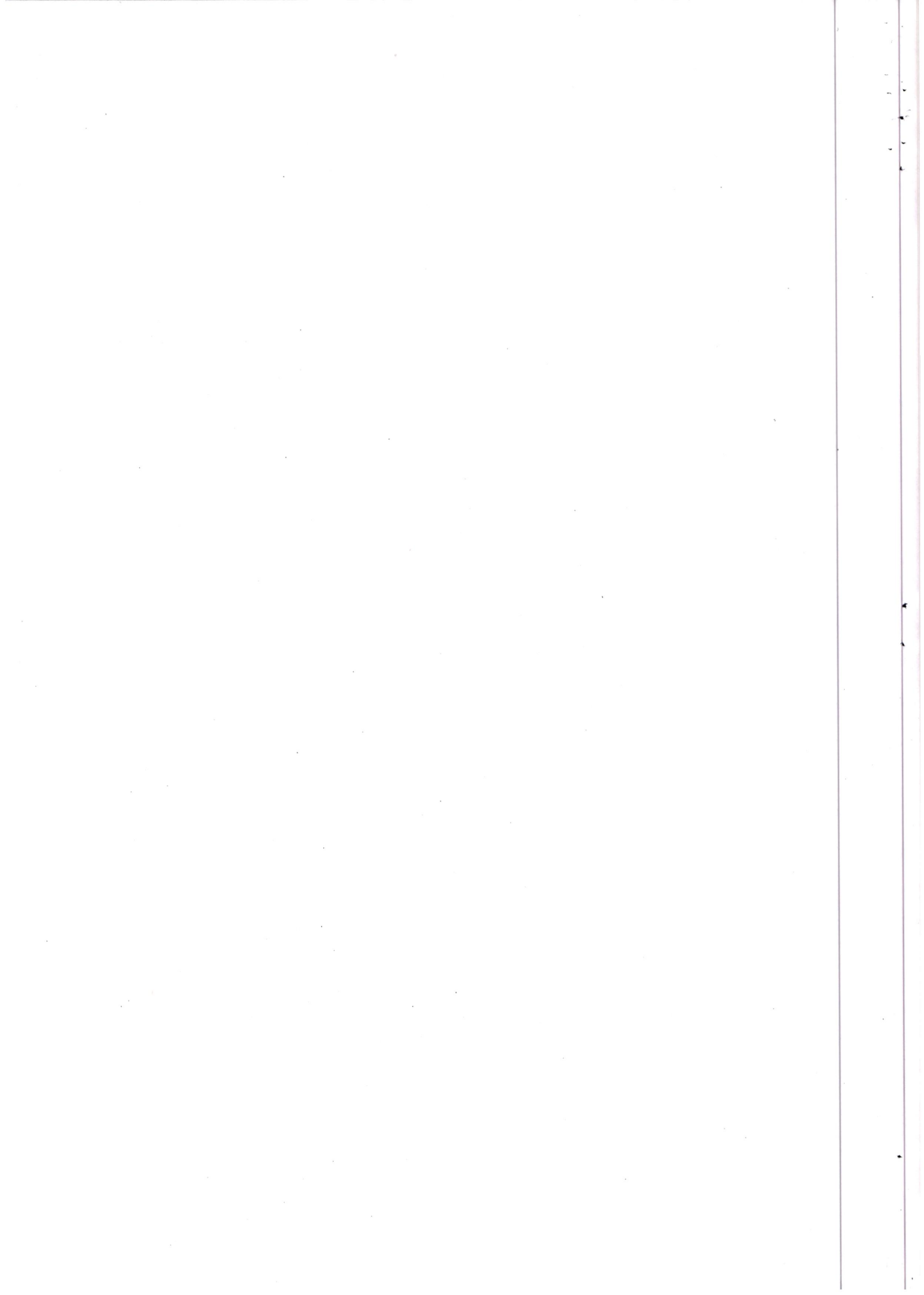
**JUDGE**

In the presence of:

Miss Maina holding brief Shimaka for Petitioners

Miss Obat for First Respondent

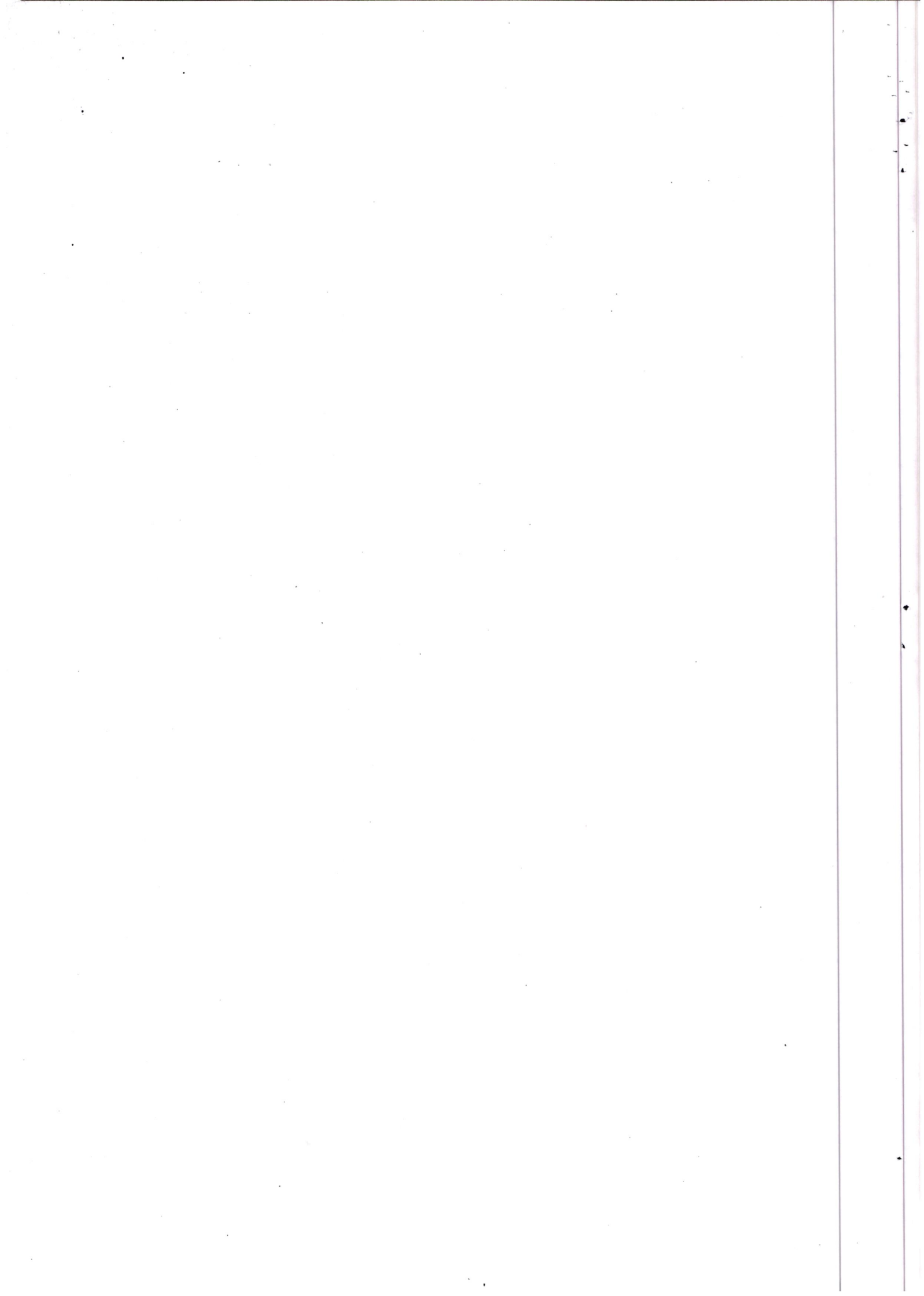
No appearance for Second and Third Respondents



Mr. Kaunda Court Assistant



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CONSTITUTIONAL PETITION NO. 21 OF 2017

IN THE MATTER OF: VIOLATION OF THE PETITIONERS' RIGHTS AND  
FUNDAMENTAL FREEDOMS  
AND  
IN THE MATTER OF: ARTICLES 19, 20, 21, 22(1) (2) 7 (3), 23(1) & (3), 25(a)  
& (c), 27, 28, 40, 42, 46, 47, 53, 70 AND 162(2) (b) OF THE  
CONSTITUTION OF KENYA, 2010  
AND  
IN THE MATTER OF: THE RENT RESTRICTION ACT  
AND  
IN THE MATTER OF: SECTIONS 65 & 66 OF THE LAND ACT  
AND  
IN THE MATTER OF: SECTION 13(1), (2), (d) & (e), (3) & (7) OF THE  
ENVIRONMENT & LAND COURT ACT, 2011  
AND  
IN THE MATTER OF: VIOLATIONS OF RIGHTS AND FREEDOMS OF THE  
PETITIONERS

1. DOMINIC OTIENO MIGUNA  
2. SALIM HASSAN JOHA  
3. ROBERT OUKO OGUNDO  
4. ROSE NANCY SINDIGA  
5. ROSE MGANDI  
6. DAVID SIMWA  
7. EMMANUEL MWANDOE & OTHERS .....PETITIONERS.  
-VERSUS-  
NATIONAL HOUSING CORPORATION..... RESPONDENT.

IN OPEN COURT ON 15<sup>TH</sup> DAY OF MARCH 2018 BEFORE HON. LADY JUSTICE D. CHEPKWONY

**ORDER**

**THIS MATTER** coming up for ruling in the presence Ms. Mukoya for the applicants and Mr. Wafula for the respondent;

**IT IS HEREBY ORDERED THAT:-**

1. THAT reasons given in support of the preliminary objection are correct as they are established from documentary evidence which has been availed.
2. THAT there is need to carry out repairs and replace the roofing all together.
3. THAT the preliminary objection dated 19<sup>th</sup> June, 2017 and filed on 20<sup>th</sup> June, 2017 by the Respondent is hereby upheld. Subsequently, petition dated 10<sup>th</sup> May, 2017 is struck out with costs to the Respondent.
4. THAT the orders issued by the Court on 24<sup>th</sup> May 2017 and in particular order number 2 is vacated.

GIVEN under my hand and seal of this Honourable Court on 15<sup>th</sup> day of March 2018.

DEPUTY REGISTRAR  
MOMBASA HIGH COURT

ISSUED at MOMBASA this ..... day of ..... 2018.

**PENAL NOTICE:-**

**"If any party served with this Order disobeys the same, shall be cited for contempt of Court and liable to imprisonment for a term not exceeding six months"**



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MOMBASA

CONSTITUTIONAL PETITION NO. 21 OF 2017

DOMINIC OTIENO MIGUNA & 6 OTHERS .....PETITIONERS

VERSUS

NATIONAL HOUSING CORPORATION .....RESPONDENT

1. The Applicants filed a petition on 10<sup>th</sup> May, 2017, seeking several declaratory orders, and more particularly, that the intended eviction of them as tenants by the respondents and their payment of rent as unconstitutional. They cited several provisions of the Constitution of Kenya, 2010 which they perceived to have been violated by the Respondent.
2. The Honourable court heard a preliminary objection which was filed by the Respondents on 20<sup>th</sup> June, 2017 in which they alleged that the petition so filed, was res-judicata. Upon considering the arguments by counsel over the same, the court upheld it on 15<sup>th</sup> March, 2018, the effect of which the petition was dismissed and the earlier orders issued on granting an injunction vacated.



3. The Applicants have since filed a notice of appeal against the said ruling and are back to this court seeking for orders of temporary injunction.

4. Vide a Notice of Motion application dated 29<sup>th</sup> March, 2018 under certificate of urgency filed on even date, the applicants are seeking for the following orders;

1. THAT, the application be certified urgent and be heard ex-parte in the first instance.

2. THAT, this Honourable court be pleased to issue a temporary injunction restraining the Respondents herein either by itself, its agents, assignees, employees and/or servants from evicting and harassing the Applicants, intermeddling and/or interfering with the tenancy of the Petitioners /Applicants pending the hearing and determination of this application.

3. THAT this Honourable court be pleased to issue a temporary injunction restraining the Respondent herein either by itself, its agents, assignees, employees and/or servants from evicting and harassing the Applicants, intermeddling and/or interfering with the tenancy of the Petitioners/Applicants pending hearing and determination of the intended Appeal.



4 .THAT, the Petitioner/Applicants be allowed to continue paying rent as per their leases during the subsistence of this application and the appeal preferred.

5. THAT, the costs of this application be awarded to the Petitioner /Applicants.

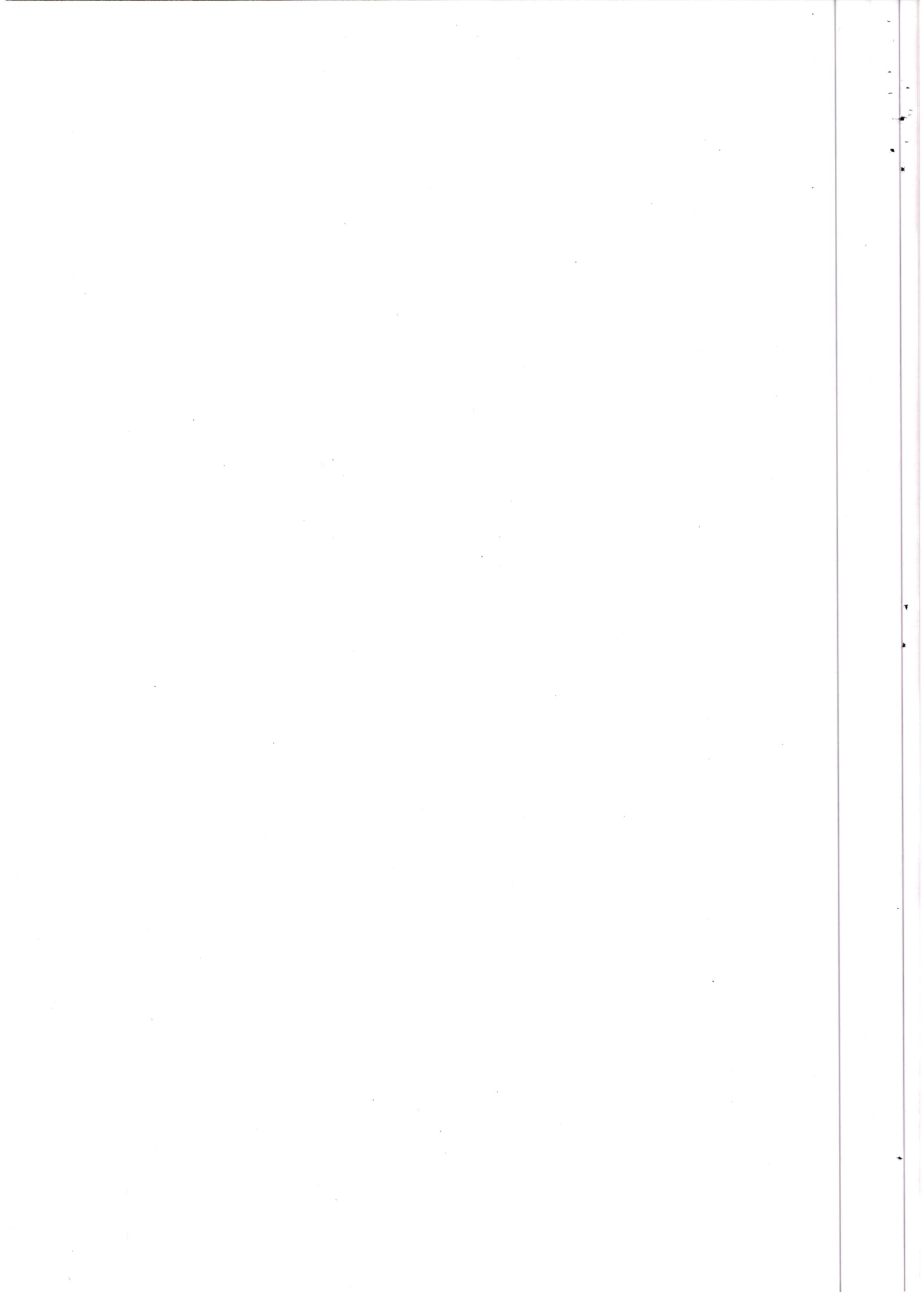
5. The same is premised on thirteen (13) grounds whereby grounds number one (1) to eight (8) are essentially a recap of the events that have taken place in this matter to date. The important position, in my view, is what is stated at paragraphs 9 and 10 of the said grounds.

Paragraph 9 states as follows:

***“THAT, however, pending the hearing of the appeal, the applicants are exposed to the actions of the Respondent, and therefore wish that the honourable court grants the orders as per this application, to protect the Applicants against the actions of the Respondents;***

Paragraph 10;

***“THAT , the Respondent has already started issuing notices for distress for rent and eventual eviction which***



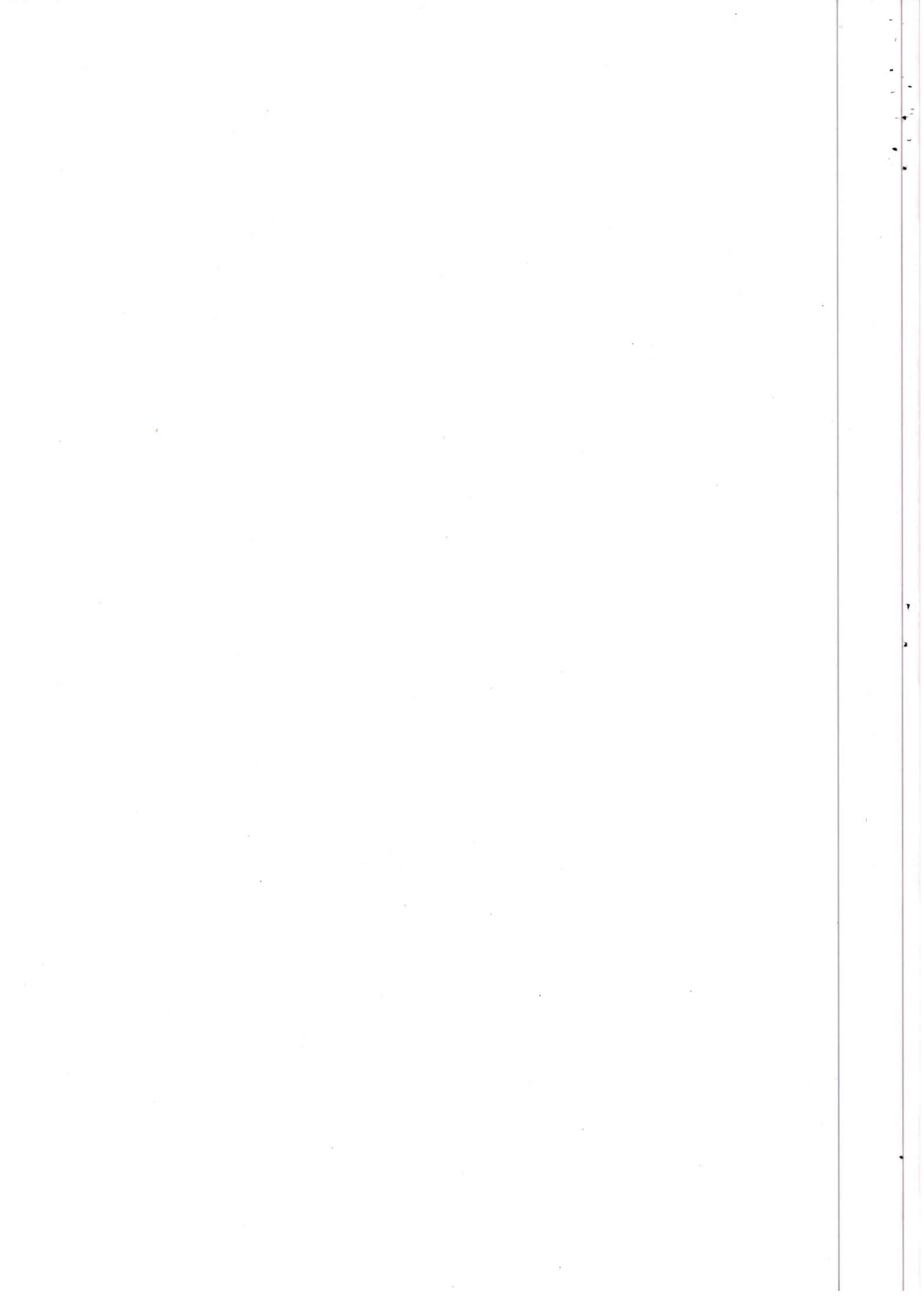
*time lapses before the appeal will be heard, and may render the appeal nugatory”.*

6. The applicants bolstered their grounds in support of their application in the affidavit sworn on 29<sup>th</sup> March, 2018 by Dominic Otieno Miguna which also follows the same pattern whereby paragraphs one (1) to twelve (12) are a recap of the events that have transpired in this case to date while paragraphs thirteen (13) and fourteen (14) are merged with grounds nine(9) and ten(10) with paragraph fourteen (14) supplying the notices that have been issued to the applicants by the Respondents seeking to evict them.

7. The application is opposed by the Respondent through the Replying affidavit sworn by DOREEN WAMUA on 10<sup>th</sup> April, 2018 and filed in court on the same date. In this affidavit, she also gives a chronology of the events that have transpired in the matter to date. And of consideration are paragraphs seven (7) and eight (8) of the said affidavit.

Paragraph 7 states,

***(7) “THAT, this Honourable court having rendered its decision on 15<sup>th</sup> march, 2018 upholding the preliminary objection that the petition is “res-judicate” and***



*proceeded to set aside the orders issued on 24<sup>th</sup> May, 2017, this Honorable court became “functus officio” and has no jurisdiction to issue injunction orders as prayed for at all”.*

Paragraph 8 states as follows;

*(8)“THAT, the Application herein is and attempt to have this court sit as an appellate court on its own decision and/or decisions of the court with concurrent jurisdiction and I have been advised by the advocates for the Respondent herein, which advice I verily believe to be correct that this Honourable court lacks jurisdiction.*

The deponent a paragraph nine (9) adds that the applicants owe the Respondent in excess of Kenya shillings One Hundred Million ( Kshs 100,000,000.00) in rent arrears and has attached a statement and schedule of defaulters marked as “DW1”

It is worth noting that at the time of filing of this reply, the Applicants had not served the notice of appeal upon the Respondent, that is on 10<sup>th</sup> April, 2018.



8. In addition to the replying affidavit, the Respondents also filed grounds of opposition predicated on five (5) pillars;

1. The application lacks merit and is a gross abuse of court process.

2. The Applicants are coming to court of equity with tainted hands as they are in rent payment default.

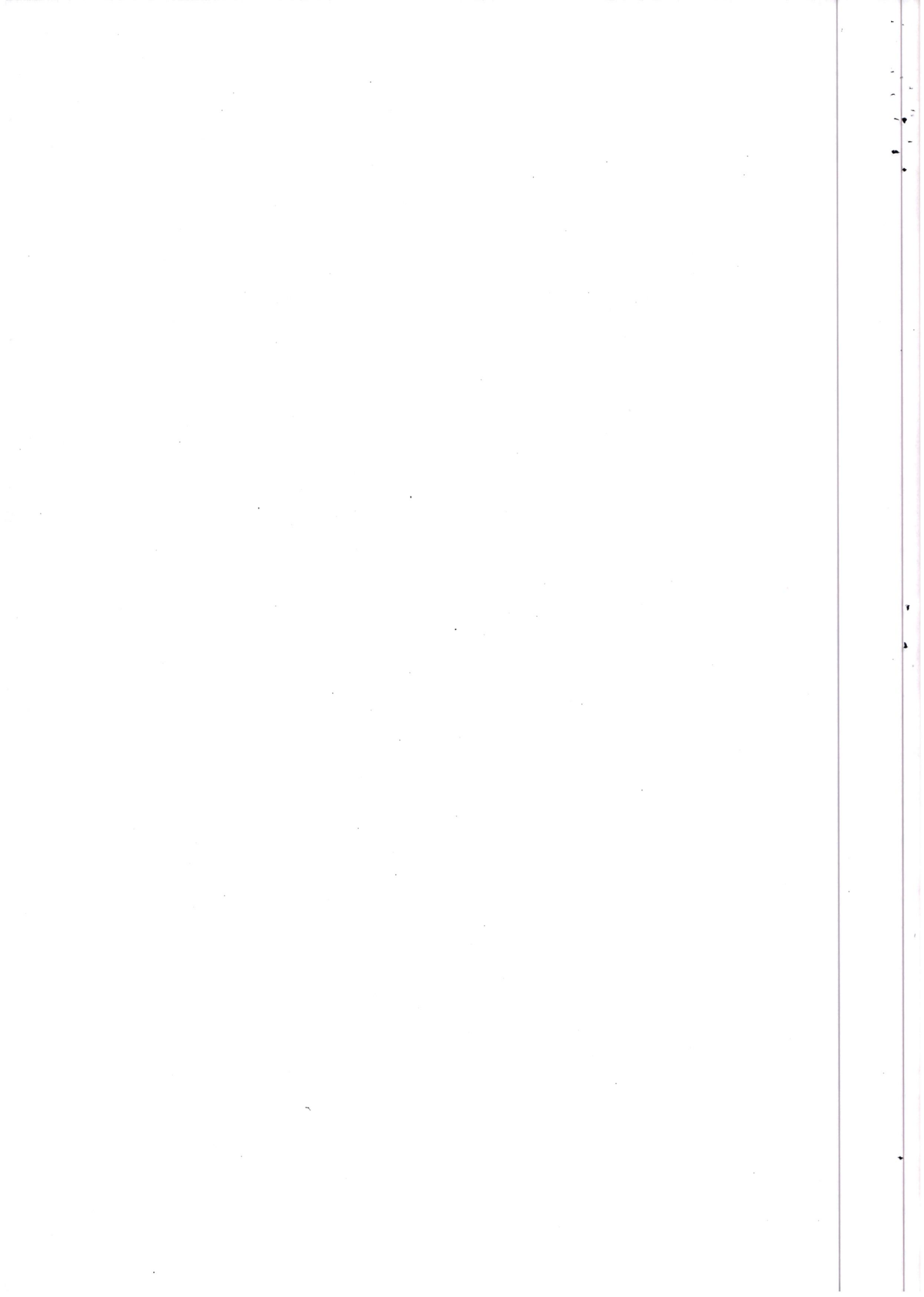
3. There is no appeal filed and the applicants shall suffer no prejudice.

4. The application seeks to revive a cause of action that does not exist as the matters herein have been declared res judicata.

5. The application is an afterthought solely meant to frustrate and vex the Respondent in executing its statutory mandate.

9. The counsel for both sides submitted their arguments with regard to the applicants application for an injunction dated 29<sup>th</sup> March, 2018. Having listened to the rival arguments, I have looked at the authorities cited and law on the dispute before me. The thrust of the pleadings and arguments before this court crystalize into the following issues for determination;

1. whether this Honourable court has jurisdiction to grant an injunction pending an appeal.



2. whether the applicants have satisfied the conditions for the grant of an injunction pending appeal.

10. On the first issue, the law on the issue of this court's jurisdiction to grant and injunction pending an appeal is found under order 42 Rule 6 (1) of the Civil Procedure Rules, 2010 and Rule 5 (2) of the court of appeal Rules, 2010.

The issue as to whether or not this Honourable court has jurisdiction to grant an injunction pending appeal was long settled by the court of appeal in the decision rendered in the case of MADHU PAPER ( 1985) KLR 840. In this case, the issue of the concurrent jurisdiction of this court to grant injunctions was restated and the court of appeal came to the conclusion that the court has such jurisdiction . The learned judge of appeal stated as follows at page 846 paragraph 25;

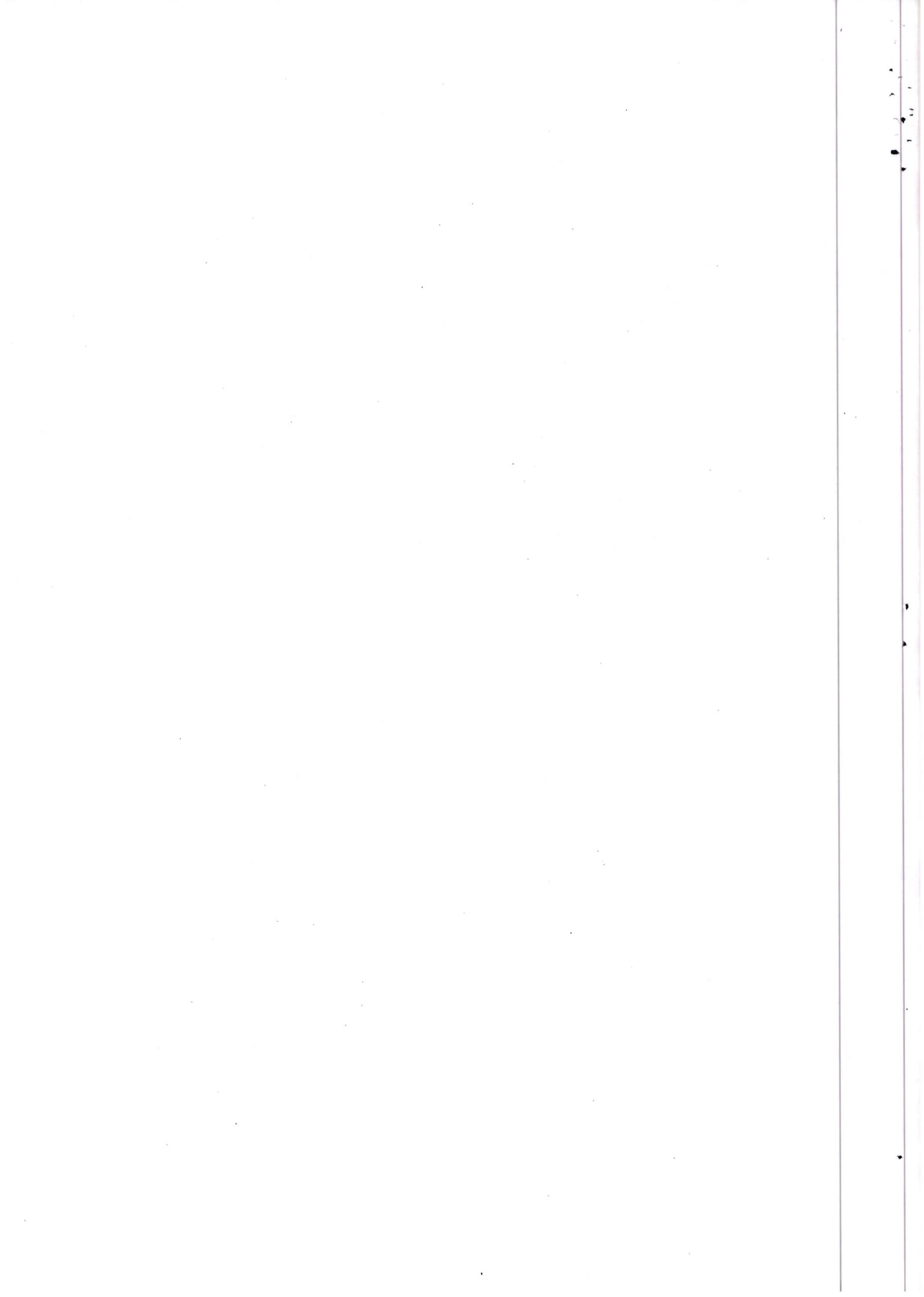
*It is preferable for the High court to deal with such an application, in any event, not so much to prevent the court from a sudden inconvenient dislocation of its lists but more because this court would have the distinct advantage of seeing what the judge made of it. The learned judges of the High court should take note of this*



*concurrent jurisdiction which the two courts have and exercise theirs”*

What this decision translates to is that the two courts have concurrent jurisdiction to grant an injunction or stay on sufficient reasons given provided that a party has filed and served a notice of appeal. This Honourable court therefore has jurisdiction to grant an injunction if it is satisfied by the party applying.

11. This takes me to consider the second issue, which is whether the applicant has made out a case for the grant of an injunction pending appeal. The jurisprudence which has developed over time to date is that a party must show that it has an arguable appeal if considered has high chances of success and that unless the injunction or stay is granted, it stands to suffer irreparable loss.
12. On the first limb of these conditions, it has been pointed out that the applicants have prayed for an order to continue paying rent pending the hearing and determination of the appeal. In the affidavit of DOMINIC OTIENO MIGUNA at paragraph ten (10), they depose and admit that they are continuing to default. These two positions are in-concurrent and one wonders how this can assist the applicants.



A quick glance at the draft memorandum of appeal reveals that the core of the dispute has not been addressed, hence casting doubt on whether these is an arguable appeal or at all.

13. The second reason is whether there is an appeal filed by the applicants.

Rule 75 (1) of the Court of Appeal Rules requires that a party desirous of appealing should file a notice of appeal within fourteen (14) days and serve the same on the parties within seven (7) days.

The applicants have complied with the first part of the Rule but there is no evidence to show or rebut that the same has been served upon the Respondents.

Rule 77(1) of the court of Appeal Rule states as follows;

***“An intended appellant, shall, before or within seven days after lodging notice of appeal, serve copies thereof on all persons directly affected by the appeal”***

The applicant through its further or supplementary affidavit has not supplied this court with evidence of service of notice of appeal.

And as for whether the appeal will be rendered nugatory, the applicants have not demonstrated to this court that the appeal will succeed especially with regard to the courts finding that the prayer for stay is



being sought of a decision where this Honourable court found the petition to be res-judicate and put down its tools in view of lack of jurisdiction to hear the same.

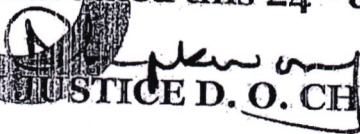
14. I therefore find that there is no arguable appeal as no case has been made out to warrant grant of injunction by this Honourable court.

In light of my above findings, the application by way of Notice of Motion dated 29<sup>th</sup> March, 2018 be and is hereby dismissed with costs to the Respondents.

The interim orders of injunction granted ex parte on 5<sup>th</sup> April, 2018 and issued on the same day are hereby discharged.

Orders accordingly.

Ruling delivered, signed and dated this 24<sup>th</sup> day of May, 2018

  
LADY JUSTICE D. O. CHEPKWONY

In the presence of:

Mr Shimaka counsel for the Petitioner/Appellant

Mr Wafula, counsel for the Respondent

Applicants – Most present

C/clerk- Beja



REPUBLIC OF KENYA  
**IN THE HIGH COURT OF KENYA**  
**THE ENVIRONMENT AND LAND DIVISION AT MOMBASA**  
**CONSTITUTIONAL PETITION NO. 21 OF 2017**

IN THE MATTER OF: VIOLATION OF THE PETITIONERS' RIGHTS AND  
FUNDAMENTAL FREEDOMS

AND

IN THE MATTER OF: ARTICLES 19, 20, 21, 22(1) (2) 7 (3), 23(1) & (3), 25(a) & (c), 27, 28, 40, 42, 46,  
47, 53, 70 AND 162(2) (b) OF THE CONSTITUTION OF KENYA, 2010

AND

IN THE MATTER OF: THE RENT RESTRICTION ACT

AND

IN THE MATTER OF: SECTIONS 65 & 66 OF THE LAND ACT

AND

IN THE MATTER OF: SECTION 13(1), (2), (d) & (e), (3) & (7) OF THE ENVIRONMENT  
AND LAND COURT ACT, 2011

AND

IN THE MATTER OF: VIOLATIONS OF RIGHTS AND FREEDOMS OF THE PETITIONERS

1. DOMINIC OTIENO MIGUNA
2. SALIM HASSAN JOHA
3. ROBERT OUKO OGUNDO
4. ROSE NANCY SINDIGA
5. ROSE MGANDI
6. DAVID SIMWA
7. EMMANUEL MWANDOE & OTHERS .....PETITIONERS

-VERSUS-

NATIONAL HOUSING CORPORATION..... RESPONDENT

IN OPEN COURT ON 24<sup>TH</sup> DAY OF MAY 2018 BEFORE  
HONOURABLE LADY JUSTICE DORAH CHEPKWONY

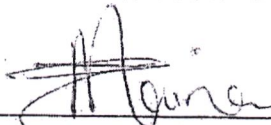
**ORDER**

**UPON READING** the Notice of Motion dated 29<sup>th</sup> day of March 2018 together with the Supporting Affidavit of Dominic Otiemo Miguna sworn on 29<sup>th</sup> day of March 2018 **AND UPON HEARING** Counsels for both parties;

**IT IS HEREBY ORDERED THAT:-**

1. The application dated 29<sup>th</sup> day of March 2018 is hereby dismissed with costs to the respondent.
2. The interim orders of injunction granted ex-parte on 5<sup>th</sup> April, 2018 and issued on the same day are hereby discharged.

GIVEN under my hand and seal of this Honourable Court on 24<sup>th</sup> day of May 2018.



DEPUTY REGISTRAR  
HIGH COURT OF KENYA  
MOMBASA

ISSUED at MOMBASA this 5<sup>th</sup> day of JUNE 2018.



~~REPUBLIC OF KENYA~~  
**IN THE HIGH COURT OF KENYA**  
**THE ENVIRONMENT AND LAND DIVISION AT MOMBASA**  
**CONSTITUTIONAL PETITION NO. 21 OF 2017**

IN THE MATTER OF: VIOLATION OF THE PETITIONERS' RIGHTS AND  
FUNDAMENTAL FREEDOMS

AND

IN THE MATTER OF: ARTICLES 19, 20, 21, 22(1) (2) 7 (3), 23(1) & (3), 25(a) & (c), 27, 28, 40, 42, 46,  
47, 53, 70 AND 162(2) (b) OF THE CONSTITUTION OF KENYA, 2010

AND

IN THE MATTER OF: THE RENT RESTRICTION ACT

AND

IN THE MATTER OF: SECTIONS 65 & 66 OF THE LAND ACT

AND

IN THE MATTER OF: SECTION 13(1), (2), (d) & (e), (3) & (7) OF THE ENVIRONMENT  
AND LAND COURT ACT, 2011

AND

IN THE MATTER OF: VIOLATIONS OF RIGHTS AND FREEDOMS OF THE PETITIONERS

1. DOMINIC OTIENO MIGUNA
2. SALIM HASSAN JOHA
3. ROBERT OUKO OGUNDO
4. ROSE NANCY SINDIGA
5. ROSE MGANDI
6. DAVID SIMWA
7. EMMANUEL MWANDOE & OTHERS .....PETITIONERS

-VERSUS-

NATIONAL HOUSING CORPORATION..... RESPONDENT

IN OPEN COURT ON 25<sup>TH</sup> DAY OF MAY 2018 BEFORE  
HONOURABLE LADY JUSTICE DORAH CHEPKWONY

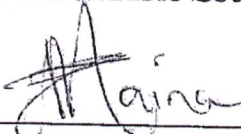
**ORDER**

THIS MATTER coming up for ruling in the presence of Mr. S.N Kimani holding brief  
for Mr. Wafula for the respondent.

**IT IS HEREBY ORDERED THAT:-**

1. The applicant stay of execution for thirty(30) days is declined.

GIVEN under my hand and seal of this Honourable Court on 25<sup>th</sup> day of May 2018.



DEPUTY REGISTRAR  
HIGH COURT OF KENYA  
MOMBASA

ISSUED at MOMBASA this 5<sup>th</sup> day of JUNE 2018.

**PEJAL NOTICE**

**TAKE NOTICE** that in the event of disobedience or breach of any of the terms of this Order the party in breach shall be liable for contempt and subject to the punishment thereto.



**ANNEXURE 3**

**LEGAL BRIEF ON SUB JUDICE**



MEMO

*DLS*  
*noted. W do*  
*letter to*  
*Hon. Mwingi.*

TO : THE CLERK OF THE NATIONAL ASSEMBLY

THRO' : THE DIRECTOR, LEGAL SERVICES - NATIONAL ASSEMBLY

*Forwarded. I agree with the opinion herein.*  
*The same may be brought to the attention of*  
*the Transport, Public Works and Housing Committee for*  
*consideration and advice. Nam. 02/10/18*

THRO' : THE PRINCIPAL LEGAL COUNSEL

*Forwarded. I agree with the*  
*opinion that the petition by Hon. Mwingi is sub judice*  
*in terms of S.O 89. The Speaker may, however, allow*

FROM : LEGAL COUNSEL II, NA

*reference to the matters as provided*  
*for under S.O 89(S).*

DATE : 2ND OCTOBER, 2018

*10*  
*2/3/18*

RE: LEGAL BRIEF ON SUB JUDICE IN THE PUBLIC PETITION BY RESIDENTS OF NATIONAL HOUSING CORPORATION TENANTS WELFARE ASSOCIATION IN CHANGAMWE CONSTITUENCY, MOMBASA COUNTY

The above matter refers and your instructions to the Legal Directorate to prepare a legal brief on the same.

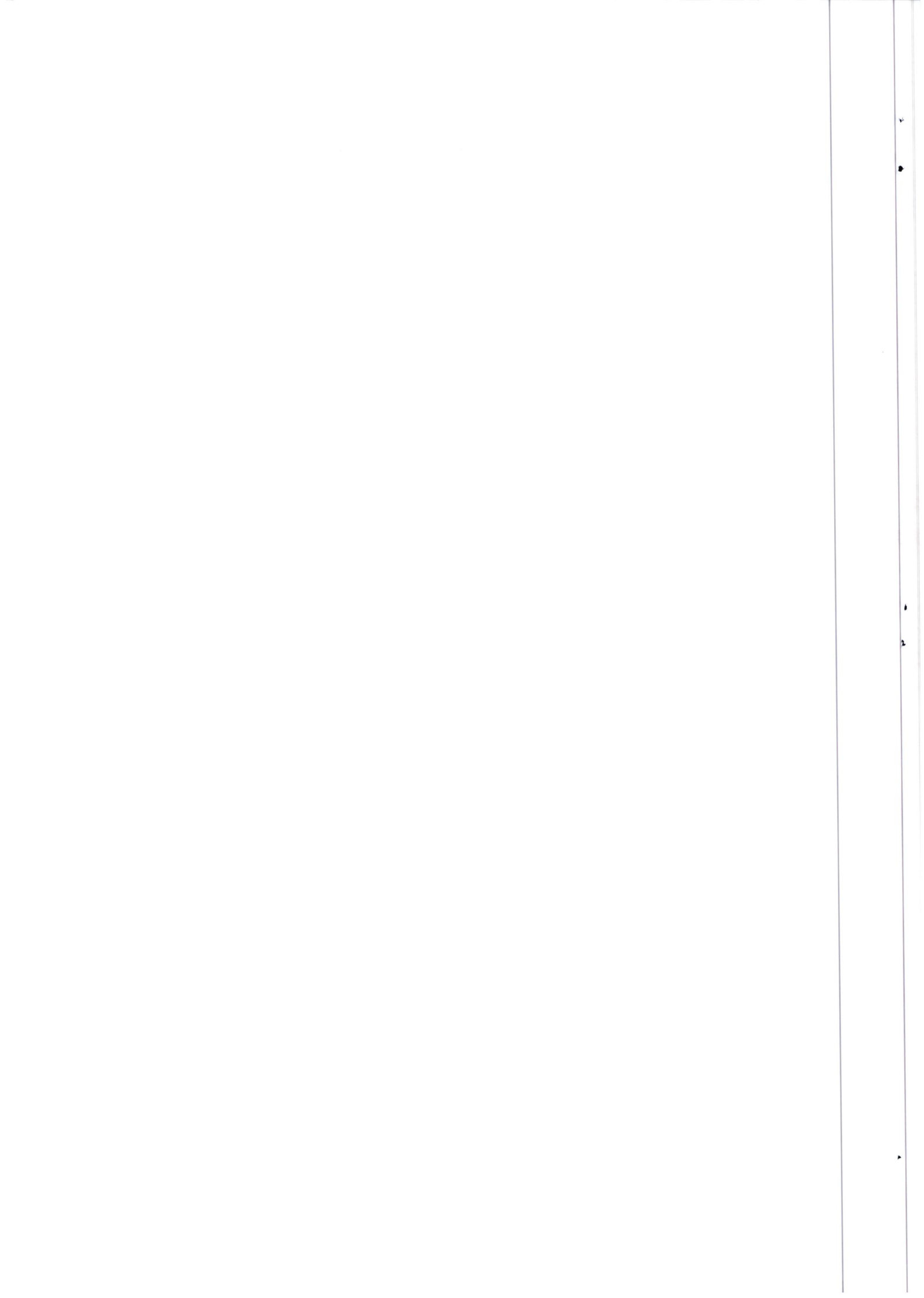
The Petitioner, Hon,Shimbwa Omar Mwingi MP, Member for Changamwe constituency petitioned the National Assembly on behalf of the residents of National Housing Corporation Tenants Welfare Association. The Petitioner prayed that the National Assembly, through the relevant committee-

- (a) Recommends that rent rates be harmonized, disputed arrears be waived, sewer issue be addressed and maintenance of the houses be commenced with immediate effect so that the Petitioner's plight is addressed;
- (b) Causes the tenants to be included in key-decision making processes by the management of the National Housing Corporation;
- (c) Intervenes on the matter to ensure that tenants are allowed to purchase the houses under the NHC policy on "Tenant Purchase Option"; and
- (d) Makes any other order or direction that it deems fit in the circumstances of the matter.

RECEIVED  
02 OCT 2018  
CLERK'S OFFICE

RECEIVED  
02 OCT 2018  
CLERK'S OFFICE

*Ms Mercy Wanjau -*  
*Kindly note*  
*and facilitate*  
*3/10/2018*



We have perused the Constitution, the National Assembly Standing Orders and advise that the *sub judice* rule is set out in Standing Order No.89, which provides as follows-

*“(1) Subject to paragraph (5), no Member shall refer to any particular matter which is sub judice or which, by the operation of any written law, is secret.*

*(2) A matter shall be considered to be sub judice when it refers to active criminal or civil proceedings and the discussion of such matter is likely to prejudice its fair determination.*

*(3) In determining whether a criminal or civil proceeding is active, the following shall apply-*

*(a) criminal proceedings shall be deemed to be active when a charge has been made or a summons to appear has been issued;*

*(b) criminal proceedings shall be deemed to have ceased to be active when they are concluded by verdict or sentence or discontinuance;*

*(c) civil proceedings shall be deemed to be active when arrangements for hearing, such as setting down a case for trial, have been made until the proceedings are ended by judgment or discontinuance;*

*(d) appellate proceedings, whether criminal or civil, shall be deemed to be active from the time when they are commenced by application for leave to appeal or by notice of appeal until the proceedings are ended by judgment or discontinuance.*

*(4) A Member alleging that a matter is sub judice shall provide evidence to show that paragraphs (2) and (3) are applicable.*

*(5) Notwithstanding this Standing Order, the Speaker may allow reference to any matter before the House to a Committee.”*

The following principles on *sub judice* have been set out in the *Speakers' Considered Rulings, Guidelines and Orders: National Assembly of Kenya 10<sup>th</sup> and 11<sup>th</sup> Parliament* ;

- (a) The onus of showing that a matter is *sub judice* lies with the Member alleging it;
- (b) *Sub judice* rule is imposed voluntarily by Parliament;
- (c) The rule should relate to active court proceedings;

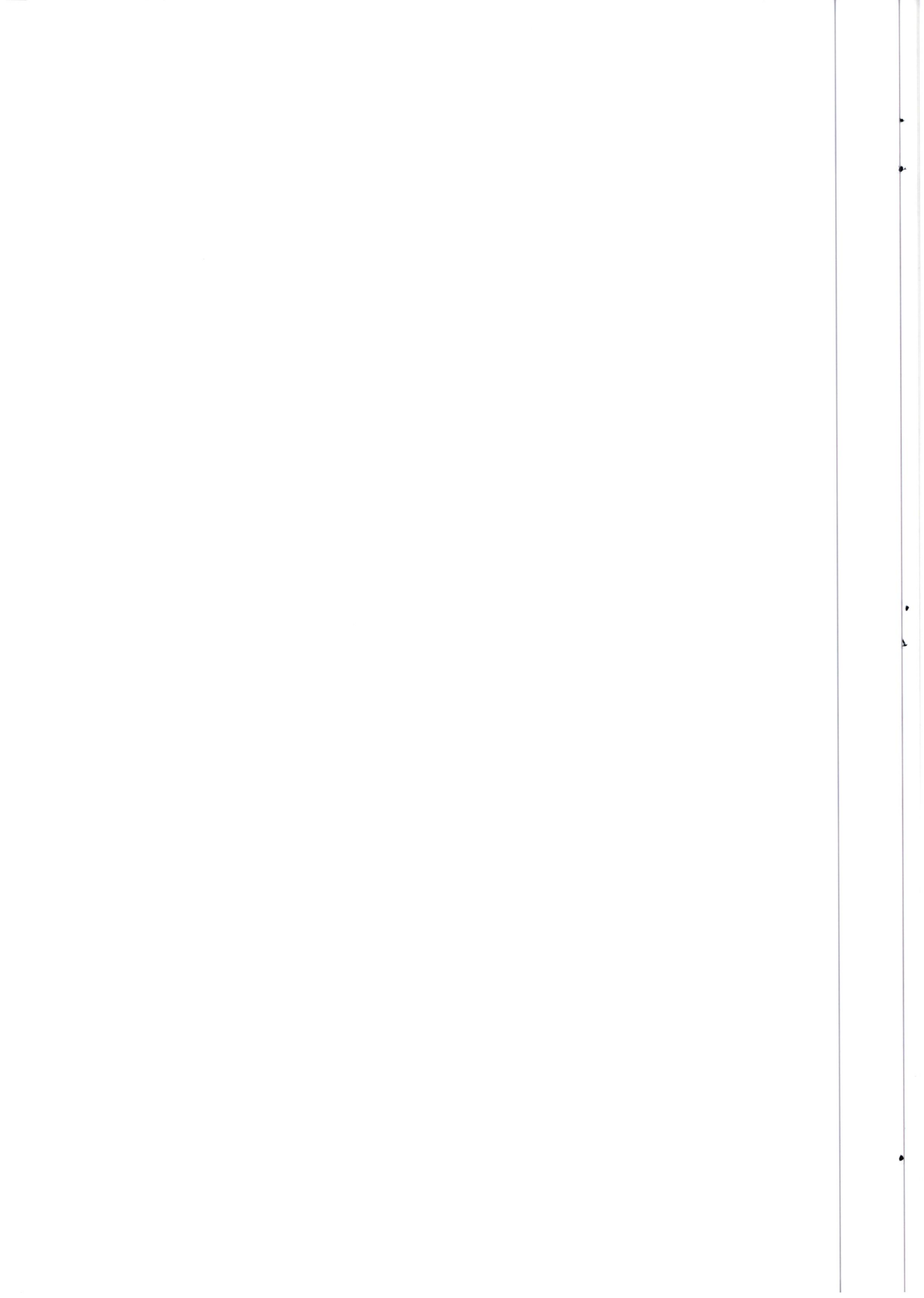


- (d) There must be a likelihood of prejudice to the fair determination of the matter by reference to it in the House, the burden of which must be set very high;
- (e) The chair has the discretion to allow reference to a matter notwithstanding that it is *sub judice*;
- (f) It is a presumption that matters of immense public interest are generally allowed for debate unless sufficient and sound grounds are advanced in opposition to the rule;
- (g) Parliament shall not abandon a matter over which it is seized on the ground that the matter has become the subject of litigation; and
- (h) Parliament is not barred from debating on a legislative Bill that covers the same subject matter under consideration in Court.

The rule is premised on the constitutional principle of separation of powers by which Parliament should not be seen as trying to deal with matters that properly belong to the Judiciary. The rule on mutual respect aims to prevent Members of Parliament from discussing a matter under consideration by a Court of law or before a Court for determination. This rule safeguards the principle of separation of powers between the legislature and judiciary by which Parliament is not seen to transact matters that are before Court. For the rule to apply the matter alleged to be pending before the court or other legal body must be active and there must be a likelihood of prejudice to its fair determination of the issue under consideration if the House or its Committee refers to it in debate.

The House voluntarily imposes the rule on itself subject to the discretion of the Chair and that the Chair has discretion to allow reference to a matter notwithstanding that it is active and that there is a likelihood of prejudice to its fair determination by the courts.

That on Tuesday, 4<sup>th</sup> of September, 2018, the Departmental Committee on Transport, Public Works and Housing held a meeting with the Petitioner and other stakeholders. The Committee was informed by the National Housing Corporation that the matter in respect of which the Petition had been made was pending in court. That some of the tenants had filed a representative suit in court, CMCC NO.2665 of 2008, High Court Petition No.7 of 2015 and No. 21 of 2017 challenging the Corporations decision to increase rent from the initial amount. The cases and subsequent appeals on the matter were dismissed. That with respect to HCC No.5 of 2012, the



tenants and the National Housing Corporation had recorded a consent in court. That further, the tenants had recently filed another case, **HCC No.59 of 2018, Dominic Otieno Miguna and others Vs National Housing Corporation** over the same issues. The matter is coming up for hearing on 3<sup>rd</sup> October,2018.

That in view of the foregoing, we are of the opinion the Petition is *sub-judice* since the subject matter in respect of which the Petition has been made is still active in court vide HCC No.59 of 2018. The chair however has the discretion to allow reference to a matter notwithstanding that it is *sub judice*.



**MERCY WANYONYI.**

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**ANNEXURE 4**

**COMMITTEE MINUTES**



**MINUTES OF THE FIFTY THIRD (53<sup>RD</sup>) SITTING OF THE DEPARTMENTAL COMMITTEE ON TRANSPORT, PUBLIC WORKS & HOUSING HELD ON TUESDAY, 4<sup>TH</sup> SEPTEMBER 2018 AT 10.00 A.M. IN 2<sup>ND</sup> FLOOR BOARDROOM, CONTINENTAL HOUSE, PARLIAMENT BUILDINGS**

**MEMBERS PRESENT**

1. Hon. David Pkosing - Chairperson
2. Hon. Samuel Arama
3. Hon. Ahmed Bashane Gaal
4. Hon. Dominic Kipkoech Koskei
5. Hon. Gideon Mutemi Mulyungi
6. Hon. Kulow Maalim Hassan
7. Hon. Peris Pesi Tobiko
8. Hon. Shadrack John Mose
9. Hon. Tom Mboya Odege
10. Hon. Vincent Kemosi Mogaka

**MEMBERS ABSENT WITH APOLOGY**

1. Hon. Moses Kuria - Vice Chairperson
2. Hon. Rehema Dida Jaldesa
3. Hon. Johnson Many Naicca
4. Hon. Savula Ayub Angatia
5. Hon. David Njuguna Kiaraho
6. Hon. Suleiman Dori Ramadhani
7. Hon. Ahmed Abdisalan Ibrahim
8. Hon. Mugambi Murwithania Rindikiri
9. Hon. Rigathi Gachagua

### **SECRETARIAT**

- |                       |   |                     |
|-----------------------|---|---------------------|
| 1. Ms. Chelagat Tungo | - | Clerk Assistant I   |
| 2. Mr. Ahmed Salim A. | - | Clerk Assistant III |
| 3. Mr. Abdinasir Moge | - | Fiscal Analyst      |
| 4. Mr. James Muguna   | - | Researcher          |
| 5. Mr. Eugene Luteshi | - | Audio Officer       |
| 6. Mr. Moses Kariuki  | - | Sergeant at arm     |

### **IN ATTENDANCE**

- |                          |   |                                      |
|--------------------------|---|--------------------------------------|
| 1. Hon. Omar Mwinyi, MP  | - | Conveyor of a petition               |
| 2. Mr. Andrew Saisi      | - | Managing Director, NHC               |
| 3. Mr. William Keitany   | - | Corporation Secretary, NHC           |
| 4. Mr. Erastus Rintaugu  | - | Credit Control Manager, NHC          |
| 5. Mr. John W. Agutu     | - | General Manager Estates, NHC         |
| 6. Mr. Jackson M. Mwaura | - | General Manager Business Dev.        |
| 7. Ms. Jackline Karuri   | - | Corporate Communications Officer     |
| 8. Mr. Robert M. Ambuku  | - | Ag. Gen. Manager, Technical Division |

### **MIN No. TPWH 231/2018:**

### **PRELIMINARIES**

The Chairperson called the meeting to order at ten minutes past ten o'clock, with a word of prayer from Hon. Ahmed Bashane Gaal, MP. The meeting Chairperson informed the Committee that the agenda of the meeting was to consider two petitions; one conveyed by Hon. Peris Tobiko and another one conveyed by Hon. Omar Mwinyi. Members adopted the agenda, the proposer being Hon. Samuel Arama and the seconder being Hon. Dominic Koskei.

### **MIN No. TPWH 232/2018:**

### **CONFIRMATION OF MINUTES OF THE PREVIOUS SITTINGS**

Confirmation of the minutes of the previous sitting was deferred to the next sitting.

### **MIN No. TPWH 233/2018:**

### **CONSIDERATION OF A PETITION FROM THE HON. PERIS PESI TOBIKO, MP ON BEHALF OF**

**THE RESIDENTS OF KAJIADO EAST REGARDING  
THE COMPENSATION OF THE RESIDENTS OF  
KAJIADO EAST BY THE STANDARD GAUGE  
RAILWAY PHASE 2A PROJECT**

The meeting was informed that the Ministry, which had been invited to appear before the Committee to submit their views on the petition, had written a letter requesting the Committee to postpone the meeting to a later date because the Principal Secretary in charge and the acting Managing Director for Kenya Railways were away on official duty. The Committee noted that the reasons conveyed were reasonable and the Committee further resolved to postpone the consideration of the petition to a later date.

**MIN No. TPWH 234/2018:**

**CONSIDERATION OF A PETITION FROM THE  
HON. SHIMBWA OMAR MWINYI, MP ON BEHALF  
OF THE RESIDENTS OF THE NATIONAL  
HOUSING CORPORATION TENANTS WELFARE  
ASSOCIATION IN CHANGAMWE  
CONSTITUENCY, MOMBASA COUNTY**

The Hon. Member for Changamwe Constituency, Hon. Omar Mwinyi, MP was given an opportunity, as the conveyor of the petition to submit his comments on the petition. In his petition before the Committee, the Member was requesting that the Departmental Committee:

- i. Recommends that the rents be harmonized, disputes arrears be waived, sewer issue be addressed and maintenance of the houses be commenced with immediate effect;
- ii. Causes the tenants be included in key-decision making processes by the management of the National Housing Corporation;
- iii. Intervenes on the matter to ensure that the tenants are allowed to purchase the houses under the NHC Policy Scheme on “Tenant Purchase Option”; and
- iv. Makes any other order that it deems fit in the circumstances of the matter.

Having heard the conveyor of the petition, the Committee invited the National Housing Corporation to respond to the issues raised. In their submission, the National Housing Corporation explained that the first rent increment was done in the year 1994 and thereafter revised after every four years and that the increase has never been arbitrary. They submitted that

the Corporation abided by the court orders maintaining status quo. Any disparities as a result of the rent arrears that arise from the court cases when tenants decline to pay the new rents and when tenants take advantage of the status quo order and stop paying current rates while hiding behind court case.

On the allegation that the sewer system is messy, the National Housing Corporation acknowledged that the sewer system within Changamwe estate often clogs up resulting to backflow. In such instances, the NHC reported that the corporation clears and exhausts the sewer line without fail at its cost.

The NHC further submitted that vide a High Court Case number 5 of 2012 (Fadhila S. Ali, Dominic Otieno Miguna and Others Vs, NHC and Other, the tenants and the corporation recorded a consent that the corporation will carry out repairs of the sewerage system as and when the need arises.

The Committee inquired more about the aforementioned court case and the NHC submitted that indeed there has been a number of court cases and the latest case is High Court Civil Suit No. 59 of 2018 Dominic Otieno Miguna and Others Vs. National Housing Corporation which is coming up for hearing on 3<sup>rd</sup> October 2018 and thereby the matter before the Committee is res-subjudice.

The Committee sought clarification from the Hon. Omar Mwinyi on the pending case but the matter led to a strong argument between the Committee and the Member. The Committee resolved to adjourn the consideration of the matter until the time the Committee shall appoint.

**MIN No. TPWH 235/2018:**                      **ANY OTHER BUSINESS**

The Committee noted the following:

1. That the Hon. Mwinyi's conduct and reaction to the issue raised regarding the pending court case was unfortunate, improper and not acceptable to the Committee. The Committee's Legal Counsel was therefore tasked to prepare a brief for the Chairman through the Clerk's office on matter sub-judice as noted in the public petition by residents of National Housing Corporation Tenants Welfare Association in Changamwe Constituency, Mombasa County, which will then guide the Committee on way forward.

2. That there was a proposed visit to Lamu to visit the LAPPSET project from 6<sup>th</sup> to 9<sup>th</sup> September 2018 and thereafter proceed with other pending Committee business and that Members need to confirm attendance.

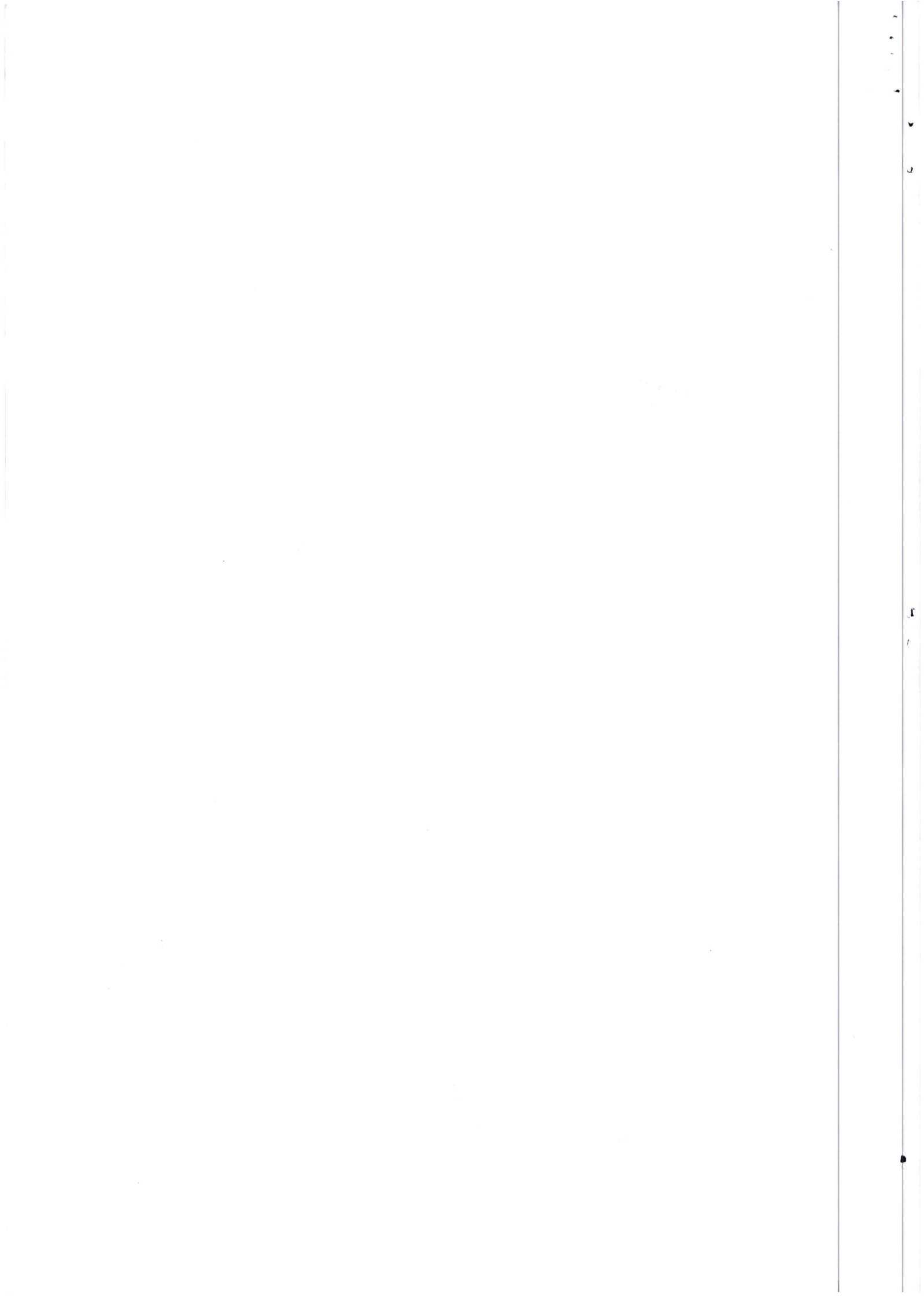
**MIN No. TPWH 236/2018:                      ADJOURNMENT**

There being no other business, the sitting was adjourned at thirty five minutes past noon. The next meeting to be held on 5<sup>th</sup> September 2018.

Signed.....  


**(Chairperson)**

Date.....  

**MINUTES OF THE SIXTY FIRST (61<sup>ST</sup>) SITTING OF THE DEPARTMENTAL COMMITTEE ON TRANSPORT, PUBLIC WORKS & HOUSING HELD ON MONDAY, 6<sup>TH</sup> NOVEMBER 2018 AT 10.00 A.M. IN THE COMMITTEE ROOM, 2<sup>ND</sup> FLOOR, CONTINENTAL HOUSE, PARLIAMENT BUILDINGS**

**MEMBERS PRESENT**

1. Hon. David Pkosing - Chairperson
2. Hon. David Njuguna Kiaraho
3. Hon. Ahmed Abdisalan Ibrahim
4. Hon. Ahmed Bashane Gaal
5. Hon. Dominic Kipkoech Koskei
6. Hon. Johnson Many Naicca
7. Hon. Mugambi Murwithania Rindikiri
8. Hon. Rigathi Gachagua
9. Hon. Shadrack John Mose
10. Hon. Tom Mboya Odege
11. Hon. Vincent Kemosi Mogaka

**MEMBERS ABSENT WITH APOLOGY**

1. Hon. Moses Kuria - Vice Chairperson
2. Hon. Samuel Arama
3. Hon. Gideon Mutemi Mulyungi
4. Hon. Kulow Maalim Hassan
5. Hon. Suleiman Dori Ramadhani
6. Hon. Rehema Dida Jaldesa
7. Hon. Peris Pesi Tobiko
8. Hon. Savula Ayub Angatia

## **SECRETARIAT**

- |                             |   |                         |
|-----------------------------|---|-------------------------|
| 1. Ms. Chelagat Aaron Tungo | - | Clerk Assistant I       |
| 2. Mr. Ahmed Salim          | - | Clerk Assistant III     |
| 3. Mr. Abdinasir Moge       | - | Fiscal Analyst          |
| 4. Mr. Eugene Luteshi       | - | Audio Officer           |
| 5. Ms. Noelle Chelagat      | - | Media Relations Officer |
| 6. Ms. Zainab Wario         | - | Sergeant at arm         |

## **IN ATTENDANCE**

- |                         |   |                               |
|-------------------------|---|-------------------------------|
| 1. Mr. Daniel Manduku   | - | Ag. MD, Kenya Ports Authority |
| 2. Mr. Edward Kamau     | - | GM, Corporate Services, KPA   |
| 3. Mr. Peter Oremo      | - | Lamu Port Project Coordinator |
| 4. Mr. Abduatif Hussein | - | Programme Assistant, LCDA     |
| 5. Mr. Benard Oluoch    | - | Finance Officer, LCDA         |
| 6. Mr. Geoffrey Kavate  | - | Ag. GM, Finance, KPA          |
| 7. Eng. A. M. Samatar   | - | GM, Lamu Port Project, KPA    |
| 8. Eng. D. Amadi        | - | Head, Lamu Port Project, KPA  |
| 9. Mr. Martin Mutuku    | - | Head, Corporate Dev. KPA      |

## **MIN No. TPWH 275/2018: PRELIMINARIES**

The meeting was called to order at ten minutes past ten o'clock, with a word of prayer from Hon. Johnson Many Naicca, MP. Members confirmed the agenda as meeting the stakeholders to discuss the funding gap for the Lamu Port Project. Members adopted the agenda, the proposer being Hon. Rigathi Gachagua and the seconder being Hon. Tom Odege.

## **MIN No. TPWH 276/2018: CONFIRMATION OF MINUTES OF THE PREVIOUS SITTINGS**

Confirmation of the minutes of the previous sitting was deferred to the next sitting.

## **MIN No. TPWH 277/2018: DISCUSSION ON THE LAMU PORT FUNDING GAP**

The Committee noted that this was a follow up meeting, the earlier one having been held on 25<sup>th</sup> September 2018 at the same venue.

The Kenya Ports Authority submitted that there were eight funding options for the construction of the Lamu Port. These include a commercial loan, a government borrowing loan, infrastructure bond, Build Operate & Transfer model, government to government arrangement with China, KPA to pay from its own reserves although this option was not feasible, review of tariff from 10% to 15% which is also not feasible, and the last option was direct funding by the government of Kenya as has been the case, an option which was thought to be more practical.

It was noted that in the current financial year, the government of Kenya funded the project to a tune of around 8.8 billion.

The meeting noted that termination of the contract at this point is not a good option and that it may turn out to be more costly. It was agreed that a way of funding must be found. The KPA submitted that it was important to look for a development partner who will not only be able to give volume to the works but one who will also be able to provide for the funding gap.

The Committee noted that there was financing gap of around 36 billion but the exact figure will, as per the undertaking by KPA, become known by the first week of December 2018. KPA further reported that it had so far used around 6.453 billion from its own reserve for the project and that it was already constrained financially in terms of project funding.

The meeting further resolved that a hybrid model of funding may be the best option. This will include combined efforts of the government of Kenya, the Kenya Ports Authority and the Build, Operate and Transfer model. KPA and the Committee's Fiscal Analyst were tasked with coming up with a draft resolution on the same.

**MIN No. TPWH 278/2018:**

**ADOPTION OF THE REPORT ON THE PETITION  
BY THE TRANSPORT OPERATORS WORKERS'  
UNION OF KENYA ON CREATION OF  
REGULATION OF DIGITAL TAXI /CAB  
OPERATORS (E-HAILING APPS) IN KENYA**

The Committee adopted the Report on consideration of the petition by the Transport Operators Workers' Union of Kenya on creation of Regulation of Digital Taxi /Cab Operators (E-Hailing Apps) in Kenya, which was conveyed by Hon. Simba Arati. Adoption was proposed by Hon. Vincent Mogaka and seconded by Hon. Dominic Kipkoech Koskei.

**MIN No. TPWH 279/2018:**

**ADOPTION OF THE REPORT ON THE PETITION  
FROM THE HON. SHIMBWA OMAR MWINYI, MP  
ON BEHALF OF THE RESIDENTS OF THE  
NATIONAL HOUSING CORPORATION TENANTS  
WELFARE ASSOCIATION IN CHANGAMWE  
CONSTITUENCY, MOMBASA COUNTY**

The Committee adopted the Report on consideration of the petition from the Hon. Shimbwa Omar Mwinyi, MP on behalf of the residents of the National Housing Corporation Tenants Welfare Association in Changamwe Constituency; Mombasa County was proposed by Hon. Shadrack Mose and seconded by Hon. Tom Mboya Odege, MP.

**MIN No. TPWH 280/2018:**

**ANY OTHER BUSINESS**

1. Some Members proposed that the retreat scheduled to take place between 8<sup>th</sup> and 11<sup>th</sup> November 2018 be postponed to a later date because of other official engagements which may make it hard for Members to attend. It was also feared that some of the Ministry officials, may for the same reason not be able to attend to the retreat. The Chairperson undertook to consult the Ministry on the same and communicate to Members on the way forward.

2. The meeting further resolved that the Cabinet Secretary for Treasury and the Cabinet Secretary for Transport and Infrastructure be invited to appear before the Committee on Thursday, 29<sup>th</sup> December 2018 to deliberate on the issue further.

**MIN No. TPWH 281/2018:                      ADJOURNMENT**

There being no other business, the sitting was adjourned at five minutes past one o'clock. The next meeting to be held on notice

**Signed**.....

**(Chairperson)**

**Date**.....

