



**Jamaica
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Association Ltd.**

March 2025

NEWSLETTER



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ASSOCIATION LIMITED**

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REAL ESTATE DEVELOPMENT WEBINAR

RESILIENT HOUSING STRATEGIES IN NATIONAL DEVELOPMENT



Afeef Lazarus
Consultant, Livingston
Alexander Levy



Wayne Henry, CD, JP
Chairman & Director
General, PIOJ



Courtney Wynter
GM - JMB



Patricia Burke
Dir. Bus. Ops. - JMB



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Matthew Royal
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Karl Vendryes
Millenium Props. Ltd.



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Carlton Earl Samuels, CD, JP
CDFO - JN Group



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Technical Director, NHT



Robert Stephens
President - Pragma
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Christopher Burgess
MD, CEAC Solutions



Edward Shakes
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Real Estate Development Webinar: October 2024

Our second Real Estate Development Webinar, held on Thursday, October 31, 2024, was once again a success, fostering meaningful discussions among speakers, panellists, and attendees.

Dr. Wayne Henry, CD, JP, Chairman and Director General of the Planning Institute of Jamaica, delivered the opening address, emphasizing the critical role of collective action and strategic planning in addressing climate change. He also highlighted the impact of low-income housing on national development and the broader significance of sustainable housing solutions.

His insightful remarks deeply resonated with the audience, and we received positive feedback from attendees who appreciated the clarity and depth of his address, along with those of our other presenters.

We extend our sincere gratitude to all who participated and contributed to the success of this event.

Once again, we had the privilege of experiencing outstanding presentations from industry representatives:

- **The Impact Of Low-Income Housing On National Development**
Mr. Courtney Wynter,
General Manager, Jamaica Mortgage Bank
- **Navigating Covenant Modifications; Legal Guidelines and Neighbour Relations**
Mr. Matthew Royal,
Associate, Myers Fletcher & Gordon
- **Integrating Water Harvesting in New and Old Developments**
Mr. Robert Stephens,
President, Pragma Consultants Ltd.

Special thanks to our Moderator Mr. Afeef Lazarus, Consultant at Livingston Alexander Levy, for generously sharing his knowledge, experience, and expertise in guiding the discussions.

Panelists included

- Mr. Carlton Earl Samuels, CD., JP., Chief Development Financing Officer, The Jamaica National Group
- Mr. Karl Vendryes, Director, Millennium Properties Ltd.
- Mrs. Patricia Burke, Director of Business Operations, Jamaica Mortgage Bank

- Ms Vanessa Lalasingh, Legal Officer and Company Secretary, Jamaica Mortgage Bank
- Mr. Alton Morgan, Managing Partner, Alton E. Morgan & Company
- Mr. Andre Gordon, Chairman, Education Committee, Land Surveyors Association of Jamaica
- Mrs. Licea-Ann Smith, Partner, Nunes, Scholefield, DeLeon & Co
- Dr. Christopher Burgess, Managing Director, CEAC Solutions Company
- Mr. Donald Moore, OD, Technical Director, National Housing Trust
- Mr. Edward Shakes, Engineer, National Water Commission

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As usual, part proceeds from this event will be contributed to needy students in the Built Environment of the University of Technology.



CHAIRMAN'S CORNER

As we begin 2025, I would like to express my sincere appreciation for your continued support and commitment to the Jamaica Developers Association. The past year has been one of resilience and progress, and together, we have made meaningful advancements in our industry.



a practising registered architect at the Jamaica Defence Force. Mr. McFarlane discusses the evolving nature of housing development in Jamaica, highlighting the shift from addressing basic needs to treating property as a financial commodity, driven by urbanization and corporate profit motives.

This year, our focus remains on fostering innovation, strengthening partnerships, and advocating for policies that drive sustainable development. Your engagement and support are vital to our shared success.

We are excited to host two webinars this year and encourage you to not only participate but also invite your colleagues and friends to join these insightful events.

This newsletter includes three insightful articles – one from the Real Estate Board, one from the National Land Agency, and another from Mr. Matthew McFarlane,

Please take the time to review these articles thoroughly and adhere to the relevant regulations. As always, should you require any assistance, do not hesitate to contact us via phone 876-967-2503 or 876-619-8721 or email: jamdevass@gmail.com.

Wishing you a successful and prosperous 2025, filled with new opportunities and accomplishments,



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EXCERPTS FROM PRESENTATIONS

Please note that complete presentations can be viewed/downloaded from our website: <http://jamaicadevelopersassociation.org/presentations>

NAVIGATING COVENANT MODIFICATIONS: Legal Guidelines & Neighbour Relations

Mr. Matthew Royal, Attorney-At-Law, Myers Fletcher & Gordon

Mr. Royal's presentation explored recent Jamaican court rulings on real estate developments, with a particular emphasis on the modification and discharge of restrictive covenants and the enforcement of development orders.

He highlighted key legislation relevant to real estate developments, including: -

- The Town and Country Planning Act
- The Restrictive Covenants (Discharge & Modifications) Act
- The Registration of Titles Act

He then provided a detailed explanation of restrictive covenants and development orders, discussing the potential consequences of breaches, such as legal actions, injunctions, and damages.

Development Orders: Key Recommendations

Mr. Royal emphasized the risk of obtaining a "vulnerable planning permission," (building permission without covenant modification) warning that proceeding with construction under such circumstances could expose developers to significant financial and legal risks. To mitigate these risks, he advised:

- Securing special consent from the relevant planning authority for variations related to setbacks, density, and building height.
- Consulting an experienced attorney and other independent professionals to assess the reliability of planning permissions.
- Being aware that financial institutions may scrutinize the validity of approvals.



After Breaking Ground

- Build strictly in accordance with the approved permit.
- Even with proper planning permission, adherence to permit conditions is crucial.
- Planning authorities have the power to revoke permits for non-compliance, and stricter enforcement procedures may increase in the future.
- Increased regulation of developers should not be seen negatively, as long as it is applied fairly and reasonably.

Final Recommendations

In conclusion, Mr. Royal stressed the importance of:

- Conducting thorough due diligence before proceeding with any development.
- Assessing restrictive covenants and modifying those that may impact the project before purchasing or breaking ground.
- Ensuring all necessary permits are valid before commencing construction.
- Evaluating legal and financial exposure based on the specific circumstances of the development.



THE IMPACT OF LOW-INCOME HOUSING ON NATIONAL DEVELOPMENT

Mr. Courtney Wynter – General Manager, Jamaica Mortgage Bank

In his presentation, Mr. Wynter highlighted the profound effects of post-COVID-19 disruptions (2021–2022) on global markets, citing supply chain constraints, geopolitical conflicts in Europe, and declining global productivity. He emphasized that Jamaica’s economy, including the construction sector, was not insulated from these challenges.



He noted that the Jamaican construction industry experienced substantial cost increases in key materials such as steel, lumber, and aggregates. Additionally, global central banks intervened to curb inflation through aggressive interest rate hikes. In the Jamaican context, policy rates surged from 0.5% to 7.0% over five quarters, significantly impacting financing conditions.

Tighter Credit Conditions in the Construction Sector

Increased risks in Jamaica’s construction sector due to overexposure led banks to tighten lending requirements.

Developers faced stricter loan conditions, with financial institutions shifting to a model requiring 100% pre-sales and 100% pre-approval of end users before extending credit.

Trends in the Housing Market

Mr. Wynter then addressed key developments in the housing sector:

Overall Market Trends: A slight slowdown in demand, particularly in the high-end segment.

Strong Demand for Affordable Housing: The most significant demand in Jamaica remains within the low- to middle-income segment.

Jamaica Mortgage Bank (JMB)

Performance: A review of five years of data underscored the market’s resilience and potential.

Investment Opportunities: Housing development in Jamaica presents a major opportunity for diaspora investors.

Economic Impact: Housing construction is a win-win for the government, generating significant tax revenues while stimulating both formal and informal economies.

Skilled Workforce: Jamaica possesses the technical expertise and training institutions necessary to support large-scale housing development.

Construction Financing: Key Considerations

Mr. Wynter explored options for financing housing development, particularly on the supply side. He underscored the importance of:

- Addressing the significant shortfall in housing supply.
- Recognizing the economic and job creation potential within housing development.
- Expanding investment in residential construction to build thousands of homes annually as a catalyst for economic growth.
- Leveraging innovative financing solutions, including:
 - Private investors and developers
 - Financial institutions
 - Public-Private Partnerships (PPPs) and government initiatives

In closing, Mr. Wynter reiterated that if Jamaica is serious about using housing as a driver for economic expansion, then strategic investments and innovative financing models must be prioritized to unlock the sector’s full potential.



INTEGRATING WATER HARVESTING IN NEW & OLD DEVELOPMENTS

Mr. Robert Stephens, President, Pragma Consultants Ltd.

The Impact of Climate Change on Water Resources

In his presentation, Mr. Stephen highlighted the critical effects of climate change on global water supplies, emphasizing that:

- Water is increasingly scarce yet in high demand worldwide.
- Frequent water restrictions and supply disruptions are becoming the norm.
- Effective water conservation strategies, including rainwater harvesting (RWH), are essential.



- In households with flush toilets, greywater constitutes approximately 65% of total wastewater.

- Proper usage (e.g. irrigation) minimizes risks associated with residual pathogens.

Best Practices for Greywater Management

To ensure safe reuse, greywater systems should adhere to the following guidelines:

- **Avoid Storage:** Use within 24 hours to prevent odor and bacterial growth.
- **Minimize Contact:** Ensure infiltration into soil to avoid pooling or runoff.
- **Optimize Drainage:** Proper soil percolation prevents water accumulation and mosquito breeding.
- **Simplify Systems:** Avoid complex setups requiring extensive maintenance.
- **Use a Three-Way Valve:** Allows for easy switching between greywater and conventional drainage.

Understanding Rainwater Harvesting (RWH)

RWH captures runoff from impervious surfaces for storage and future use. The process typically involves:

- Collecting rainwater from rooftops via gutters and directing it into storage tanks.
- Implementing systems ranging from basic barrels to large-scale setups for hotels and residential communities.
- Configuring solutions to support household or commercial water needs.

Benefits of Rainwater Harvesting

- **Cost-Effective & Clean:** Naturally pure and free to collect.
- **Self-Sufficiency:** Provides greater control over water supply.
- **Environmental Sustainability:** Reduces dependence on conventional water sources.
- **Improved Landscaping Water Quality:** Free from chlorine and other chemicals.
- **Stormwater Management:** Mitigates drainage and flooding issues.

The Role of RWH in Water Conservation

As water scarcity intensifies, RWH is crucial for:

- Enhancing conservation initiatives.
- Improving water efficiency in homes, businesses, and hospitality sectors.
- Providing alternative water sources for essential uses like showers, toilets, and dishwashers.

Overview of Greywater

Mr. Stephen also addressed greywater management, covering its quality, quantity, and practical applications.

Greywater Characteristics

- Contains traces of excreta and organic matter, deteriorating rapidly if stored.

Types of Greywater Systems

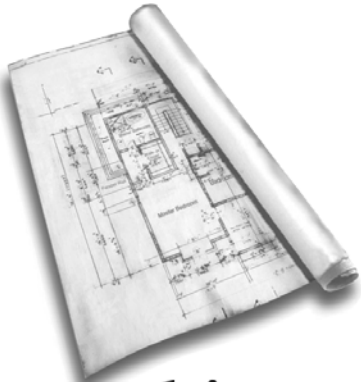
- **Filtered Greywater Systems**
 - **Kitchen Sinks:** High in organic matter, requiring mulch basins or specialized filters.
 - **Bathroom Sinks & Showers:** Lower volume, suitable for direct irrigation.
- **Pumped Greywater Systems**
 - Necessary for uphill or long-distance water transport.
 - Consists of a storage barrel with an effluent pump for distribution.
 - Requires electricity and maintenance, making gravity-fed solutions preferable when feasible.

Case Study: Filtered Greywater for Irrigation

AES New Zealand successfully utilizes filtered greywater from showers, hand basins, and washing machines for irrigation. Their system features reusable filters that require only periodic cleaning.

Conclusion

Mr. Stephen emphasized that adopting rainwater harvesting and greywater reuse is a proactive approach to addressing water shortages. These strategies enhance conservation efforts while promoting long-term sustainability and resilience in residential and commercial sectors.



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AN OVERVIEW OF THE SYSTEMATIC LAND REGISTRATION PROGRAMME IN JAMAICA

Systematic Land Registration- Jamaica's Journey

As of January 2025, data from the National Land Agency's (NLA) Land Valuation Division (LVD) indicates that approximately 62.94% of land parcels in Jamaica are registered. Of the fourteen (14) parishes, Kingston (91.77%) and Saint Andrew (86.18%) have the highest rates of land registration. The two (2) parishes with the lowest rates of land registration are Portland (43.1%) and Saint Elizabeth (45.97%). There are several reasons for the relatively low rates of land registration including:

The Expenses Incurred in Registering Land:

Sections 24 to 42 of The Registration of Titles Act (RTA) set out the procedure in bringing land under the operation of the Act¹. When an Applicant retains the services of an Attorney-at-Law to prepare his Application, legal fees are incurred as well as other accompanying costs. Where the land is being identified by Plan, the Applicant will incur the fees charged by a Commissioned Land Surveyor to survey the parcel. In addition, property tax must be paid up to the date of the Application and registration fees are determined on the basis of the market value of the land at the time of lodging the Application. Applications vary from parcel to parcel and these are therefore just a few of the anticipated fees which are incurred during the registration process.

The 'pushback' from landowners when encouraged by personnel from the NLA to have their parcel of land registered has consistently been that the money they would have to spend to 'get a piece of paper,' is better spent feeding their families and financing the education of their children.

Lack of Documentary Proof of Ownership:

A requirement for bringing land under the operation of the Act is for the Application to be accompanied by deeds, documents or other evidence which the Applicant relies on in support of the Application². Applications and supporting documents are submitted by the Registrar of Titles to a Referee of Title for consideration and determination. The RTA sets out the factors to be considered by a Referee of Title (including documentary proof of ownership) before a provisional approval is granted³.

Common claims to land ownership include acquiring land by purchase or by gift. However, Applicants are unable to produce the documentary proof of ownership such as Receipts/Agreements for Sale or Deeds of Gift. The repercussion of this is that when Applicants attempt to register their parcel of land, there is no tangible proof of ownership. Without the documentary proof to substantiate an Applicant's claim to the land, it tends to be difficult and time consuming for provisional approval to be granted by the Referee of Title and for a Certificate of Title to be issued by the Registrar.

The Inability of Landowners to satisfy the requirements of Municipal Corporations

By virtue of the Local Improvements Act, Subdivision Approval is a requirement from Municipal Corporations when land is subdivided⁴. There exists however, a culture of 'family land' ownership in Jamaica whereby generations of a family live on the same plot of land which is informally subdivided and occupied by descendants. If a member of the family attempts to register his 'portion' of the land, once it is discovered that the parcel of land as denoted on a Plan forms a part of a larger tract of land, his Application will be rejected by the Office of Titles (Land Titles Division of the NLA) for Subdivision Approval.

A typical Condition of Approval from Municipal Corporations is for the relevant infrastructure such as drainage, sewage, roadways etc... to be in place. The onus is usually on the landowner to have the infrastructure work completed before the approval from the Municipal Corporation is granted. Landowners tend to discontinue their Application to register land on the basis of the perceived lengthy process and high costs likely to be incurred for infrastructure works.

The Registration of Titles Cadastral Mapping and Tenure Clarification (Special Provisions) Act

The Special Provisions Act was enacted in 2005, to facilitate the expeditious and cost-effective cadastral mapping and tenure clarification of a project area as defined by a plan⁵. The intent of the legislation was to address the barriers which impeded landowners from registering their

¹ Registration of Titles Act (Jamaica) 1889

² Ibid s29

³ Ibid s31

⁴ Local Improvements Act (Jamaica) 1914 s5

⁵ Registration of Titles Cadastral Mapping and Tenure Clarification (Special Provisions) Act (Jamaica) 2005



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land. As regards the abovementioned barriers (a) and (c), by virtue of the Act, any parcel in a project area is exempt from the requirement of Subdivision Approval and the Application is exempt from the payment of Transfer Tax and Stamp Duty⁶. In contrast to registration under the RTA, reliance on the SPA allows registration fees to be based on the value of the land on the Property Tax Roll⁷. As regards barrier (b), in the absence of documentary proof of ownership- open, undisturbed and undisputed possession of land for at least twelve (12) years for private lands and sixty (60) years for Crown lands will suffice⁸.

The aforementioned Act has assisted in making the land registration process less arduous and more affordable and it was anticipated that the ‘removal’ of the major barriers would have led to a surge in the registration of parcels. However, the reality is that many Jamaicans do not see land registration as a priority and it is not compulsory for a landowner to register his parcel. The enactment of the Special Provisions Act in the new

millennium was however, the genesis of the evolution of land registration in Jamaica.

The New Era of Land Registration in Jamaica

On March 6, 2018, the Land Administration and Management Programme (LAMP) was merged with the NLA and this resulted in the establishment of the Adjudication Services Division (ASD). The core mandate of the ASD is to assist landowners who have been in open, undisturbed and undisputed possession of their land for twelve (12) years or more, to claim ownership of their land via the Systematic Land Registration process. Secondary to that mandate, the ASD also acts as Secretariat to Adjudication Committees established across the island⁹.

In regions aiming to increase levels of land registration, a structured land registration procedure is usually implemented in order to achieve this goal. Systematic Land Registration is the comprehensive and orderly parcel by parcel registration of land, in a set geographical location

⁶ Ibid s5

⁷ Ibid s11

⁸ Ibid s10

⁹ National Land Agency, ‘FAQs’ (National Land Agency, 15 January 2021) <<https://www.nla.gov.jm/>> accessed 9 January 2025

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known as the Systematic Adjudication Area (SAA). The process seamlessly combines the fields of Surveying and Law, as parcels of land are surveyed in the SAA and rights and interests in land are adjudicated in accordance with a legal framework.

On June 9, 2020, the Special Provisions Act was amended to provide the legislative framework for the Systematic Land Registration process. The RTA was also amended on the aforementioned date to facilitate the issuance of Certificates of Title via the Systematic Land Registration process.

The Systematic Land Registration Process in a Nutshell

(a) Selection of SAA

The NLA's criteria for selecting a SAA include: (1) identifying parishes (from the LVD database) with the lowest rates of land registration (2) identifying communities in those parishes with a high population density living on unregistered lands. Thereafter, in accordance with The Act, a recommendation by the CEO (supported by a diagram of the proposed SAA and the total number of registered and unregistered parcels in the SAA) is submitted to the Minister with responsibility for land for declaration of the SAA¹⁰.

(b) Public Education Awareness

A major aspect of the Systematic Land Registration process is notifying persons in the relevant SAA/community, the country and the diaspora that: parcels of land in a SAA will be surveyed, rights and interests in land ascertained and Certificates of Title issued to landowners who participate in the programme. Therefore, every effort is made at different stages of the SLR process to ensure that citizens and members of the diaspora are notified via newspaper publications, radio and television advertisements, sensitization seminars etc... of what Systematic Land Registration is, what the process entails, who can participate and the benefits to be derived from having a Certificate of Title.

(c) Declaration of SAA

Once a SAA is declared, the Minister's Declaration along with the Notice of Intended Inspection of Lands and Recording of Rights and Interests are sent to the Jamaica Printing Services to be gazetted. The aforementioned documents are also published once in two (2) local newspapers and once in an overseas newspaper circulating across the diaspora. The Notice provides comprehensive information to Jamaicans and members of the diaspora about the SAA including: the name of the community, parish, outline

of the SAA and the fact that the NLA and external Surveyors will visit each parcel of land to adjudicate rights and interests in lands and to conduct surveys respectively.

(d) Surveying & Adjudication of Rights and Interests

Fieldwork by Surveyors: Parcels of land in the SAA are surveyed by external Commissioned Land Surveyors contracted by the NLA and Cadastral Map Sheets lodged at the Surveys & Mapping Division (SMD) of the NLA for certification. Thereafter, digital copies of the Cadastral Map Sheets are submitted to the ASD to facilitate the adjudication of rights and interests in lands in the SAA.

Fieldwork by Attorneys: Using the digital Cadastral Map Sheets received from the SMD, the legal team from the ASD visits each parcel of land in the SAA household by household and administers the provisions of The Registration of Titles Cadastral Mapping and Tenure Clarification (Special Provisions) (Amendment) Act. The team is usually stationed in the SAA for extended periods and Applicants are interviewed to determine whether they are in sole, open, quiet, continuous and undisturbed possession as proprietor of the land for upwards of twelve (12) years. At least two (2) neighbours and or community members who can trace the history of ownership of the parcel are also interviewed. This is done in order to confirm that the Applicant has been in possession of the land in accordance with the Act¹¹.

The ASD legal team also conducts further 'on the ground investigations' in the community to ensure the accuracy and veracity of the information garnered during the field investigations. Thereafter, a Systematic Adjudication Application and Statements in Support of a Systematic Adjudication Application are prepared for each Applicant and uploaded to the Systematic Adjudication System (SAS).

The Systematic Adjudication System is a comprehensive web-based software which manages the Systematic Land Registration (SLR) process and facilitates the creation and management of all Applications processed under the SLR process, Notices, the generation of Adjudication Records etc.

(e) Determination of Interests & Display of Adjudication Record

The Director Adjudication Services must be satisfied that the person to whom the Systematic Adjudication Application relates, has satisfied the requirements set out in the aforementioned Act. The Cadastral Map Sheets must also be certified by the Director of Surveys in accordance with the relevant Act¹²

¹⁰ The Registration of Titles Cadastral Mapping and Tenure Clarification (Special Provisions) (Amendment) Act (Jamaica) 2020 s7(c)

¹¹ Ibid s9A

¹² Land Surveyors Act (Jamaica) 1944 s33

AN OVERVIEW OF THE SYSTEMATIC LAND REGISTRATION PROGRAMME IN JAMAICA

Continued from page 10

and thereafter, an Adjudication Record is generated for display. The Adjudication Record is a document listing the names and particulars of all persons claiming an interest in lands on the Cadastral Map(s) of the SAA.

The Adjudication Record is displayed in the SAA for thirty (30) days¹³ and is usually displayed at: Government buildings, corner shops, gas stations or other heavily trafficked areas in the community. The Adjudication Record is also posted on the NLA's website for ease of access by interested parties locally and overseas. This process allows citizens and members of the diaspora to thoroughly peruse the Adjudication Record and submit an Objection to the Adjudication Record, where they claim to have an interest in a parcel of land contained thereon.

The Objection Application must be submitted to the Director Adjudication Services during the thirty-days in which the Adjudication Record is displayed. Upon expiration of the display, the Objection Application is referred to an Adjudication Committee for a determination of ownership in favour of the Applicant or the Objector.

(f) Issuance of Adjudication Certificates & Lodgement at the Office of Titles

An Adjudication Certificate is documentary proof of ownership issued by an Adjudication Committee or the Director Adjudication Services after deliberating on or ascertaining a claim to ownership of land:

- Adjudication Certificate Issued by Adjudication Committee: Once the Adjudication Committee makes a determination of ownership after deliberating on an Objection to the Adjudication Record Application, an Adjudication Certificate is issued in accordance with the Act¹⁴.
- Adjudication Certificate Issued by Director Adjudication Services: Once claims to interests in land have been ascertained and there are no Objections to the Adjudication Record, the Director Adjudication Services issues the Adjudication Certificates¹⁵.
- All Adjudication Certificates are lodged at the Office of Titles and Certificates of Title issued without reference to a Referee of Titles.

¹³ The Registration of Titles Cadastral Mapping and Tenure Clarification (Special Provisions) (Amendment) Act (Jamaica) 2020 s8A(1)g

¹⁴ Ibid s9B

¹⁵ Ibid s8A(1)(j)

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Benefits of Systematic Land Registration

Service is literally brought to the landowner's doorsteps as external Surveyors and the legal team from the ASD visit each parcel of land in the SAA and prepare and lodge all relevant documentation at the NLA. All that is required from landowners is for them to participate in the programme.

The process facilitates the registration of multiple tracts of land in a shorter period as every effort is made to ensure that no parcel of land in a SAA is left unregistered.

Registration costs are currently advanced to the NLA by the Government of Jamaica (GOJ). It is only after the Certificate of Title is issued and distributed to the proprietors that they will be required to repay fees and all outstanding property taxes. There is no timeline for payment and the only requirement is for the proprietors to pay what they can, when they can so that others can benefit from the programme. A Registrar's Caveat will however, be lodged against the Certificate of Title to protect the Government's interest in the aforementioned fees.

The Journey to Date-Jamaica's Success

The ASD commenced adjudicating rights and interests simultaneously in multiple SAAs in Saint Elizabeth in January 2021 and multiple SAAs in Saint Catherine (which had existing Cadastral Maps for parcels surveyed under the former LAMP programme) in May 2021. During the financial year 2022/2023, the ASD commenced adjudicating rights and interests in multiple SAAs in Manchester.

As of December 30, 2024, Twelve Thousand One Hundred and Twelve (12,112) Adjudication Certificates have been lodged at the Office of Titles for processing and Eleven Thousand Four Hundred and Fourteen (11,414) Certificates of Title have been issued thus far. This is the largest number of Certificates of Title ever issued from a land titling programme in the history of Jamaica. The National Land Agency is on track to issue over Twelve Thousand (12,000) Certificates of Title via the Systematic Land Registration programme by March 31, 2025.

Contributed by Shalise Porteous Attorney-at-Law and the Senior Director of the Adjudication Services Division of the National Land Agency

Prepare for upcoming Licensing Period Urges Real Estate Board

With the end of the current licensing period only two months away, The Real Estate Board is sending an early reminder to complete Continuing Professional Development (CPD) Courses, and that the Client Portal can be used to pay and register, as well as make regular licence fee payment for dealers and salesmen.

Using either the desktop or mobile version of the Board's website, users should identify the "Go to the Portal" Tab on the home page. This tab is a part of the 'Three Ways to Pay' graphic on the page. The other two ways to pay are via the Scotiabank or NCB bill payment platforms, and in office.

The Portal accepts all major debit or credit cards. Real estate salesmen or dealers are required to pay annual licensing fees, either in full by April 1 or in half-year instalments, with the second half due by September 1.

Users can register and pay for CPD Courses in a single process, which provides e-mail confirmation at the end of the process. The other payment options mentioned above may also be used by uploading the proof of payment to the Client Portal as a part of the registration process.

"Failure to complete the mandatory CPDs within the given two-year window post registration, is one of the

main inhibitors to persons being able to be re-licensed at the end of current licensing period," explained CEO, Mr. Phillip Chambers. He also reminded persons that they can check their CPD status on the website, and where they have courses outstanding, they should use the next two months to do so in order to avoid any anxiety come April.

There are five mandatory CPDs that all dealers and salesmen are required do in order to be re-licensed. These are: Go-AML, Terrorism Prevention Act, Anti-Money Laundering II, Common Issues in the Real Estate Industry and the Real Estate Dealers and Developers Act.

He also explained that using the Client Portal is the quickest and most convenient payment method, eliminating the need to visit the Board's offices. To use the Client Portal, users must "Create an Account" from the landing page. He concluded by asking that should anyone encounter any difficulties or have any questions, he or she may contact the Board by phone or email.

***Contributed by Mr. Damian Wilson
Marketing and Public Relations Officer
Real Estate Board***

TREATING HOUSING AS A COMMODITY

Matthew McFarlane

Over the last few decades, Jamaica's housing development motivations have gradually shifted from providing homes that meet basic living needs to treating real estate as a financial commodity.



While this trend has been observed globally for some time, it now influences how Jamaicans think about buying property and planning developments. This change in approach impacts the housing market, society, and built environment and, if not properly managed, it could negatively affect our country.

URBANISATION

One main reason for this shift is urbanisation. As cities become more densely populated, land becomes increasingly scarce and expensive for development. Further, infrastructure and planning requirements, including zoning laws, environmental regulations, and transportation considerations, add complexity and cost to the development process.

Historically, residential real estate development in urban areas was often led by government agencies or self-builders. However, rising construction costs and government bureaucracy have shifted this role to larger corporations. With greater financial resources, these corporations are better positioned to handle the high costs of land acquisition, construction, and regulatory compliance. This allows them to dominate the urban development landscape and hoard land stock.

FINANCIAL MOTIVATIONS OF CORPORATIONS

While government and self-builders may be motivated by financial, social, and personal goals, corporations are primarily driven by profit maximisation and shareholder value. This profit-oriented approach to development significantly influences the nature of new projects, often prioritising return on investment (ROI) over community needs or the quality of life for residents. The emphasis on ROI also results in

developments that lack diversity in income groups, demographics, and housing types, while prioritising quantity over quality, creating denser but less inclusive urban environments.

Government and self-builders are also often connected to the communities they serve, with vested interests in their well-being because of family, business, or personal associations. In contrast, corporate-driven developments are frequently disconnected from local communities and shaped largely by financial imperatives, often with scant regard for a neighbourhood's character. For instance, the focus on luxury amenities, upscale retail spaces, or exclusive housing, while more profitable, can lead to gentrification, displacing lower-income residents and transforming neighbourhoods into unaffordable areas.

Simultaneously, the mindset of buyers has shifted from purchasing homes for personal living to acquiring properties as investments, with a particular focus on capital gains or generating income through rentals. This new attitude toward homeownership stems from rising home costs, which are influenced by developers and buyers.

As a result, the housing supply has adjusted to meet this demand, for example, with multi-family developments being advertised as 'rental-friendly' or 'income-generating'. While this typology addresses a crucial need in urban areas, an overemphasis on developments that primarily cater to 'financial value' can create imbalances in the built and social environment. The absence of other essential housing values, such as fostering community development and promoting economic stability for lower- and middle-class families, can undermine the long-term sustainability and inclusivity of urban areas.

DISCONNECT

Human-centred design and social sustainability, which may have been higher priorities for individuals

building their homes, often take a backseat in the corporate development model. This model relies on a form of ‘spreadsheet-driven development’ that prioritises easily quantifiable selling points, such as square footage and amenities, to commoditise housing. On the other hand, essential human needs such as inclusivity, quality living spaces, walkability, green spaces, and community-oriented infrastructure are harder to commoditise and may not be central to corporate planning processes.

Creative housing solutions exist that, if explored, could improve diversity and affordability. Two particularly beneficial options are mixed-income housing and well-planned low-income housing. Additionally, diverse housing typologies can create opportunities for a wide range of income levels and family needs, ensuring inclusivity in urban areas. These approaches are key strategies for reducing economic segregation, fostering diverse communities, and enhancing financial accessibility for lower-income families while creating opportunities for long-term wealth accumulation.

Community-oriented development is essential for creating inclusive, liveable spaces. It prioritises shared spaces, walkable neighbourhoods, and accessibility

while addressing security challenges. Thoughtful urban planning can enhance well-being by incorporating green infrastructure, such as parks and safer public transit options. These elements improve quality of life and help manage congestion and excessive urbanisation, as seen in Jamaica’s urban areas.

Finally, effective policies and regulations such as community engagement, zoning laws and developer incentives play a pivotal role in achieving these goals. Housing trust funds, rent control measures, and protections against gentrification are proven tools for maintaining affordability and preventing displacement, which Kingston faces because of its high cost of living. Additionally, financial aids such as downpayment assistance, along with low-interest loans, could further empower lower-income families to build wealth over time. By combining these strategies, Jamaica’s urban housing can evolve into a sustainable, equitable system that supports diversity, community well-being, and economic stability for all residents.

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JDA FACTS

The Jamaica Developers Association is an umbrella organisation representing the Developers of housing and commercial solutions, allied businesses and groups. Our Associate Members include Commercial Banks, Legal Firms, Building Societies, suppliers of building materials and major mortgage providers.

JDA members adhere to the following:

- Commitment to orderly, responsible development in Jamaica
- Social responsibility, ensuring sustainable designs with minimal negative environmental impact
- Using only registered Engineers and Architects
- Volunteering their expertise to promote improvements in real estate development law and administration
- Providing facilities for the legislature to confer with and ascertain the views of the real estate developers
- Working cooperatively with Government entities such as NEPA, NWA, National Water Commission, National Land Agency and Jamaica Public Service.

BENEFIT TO MEMBERS

Through the years the Association members have the opportunity for dialogue with relevant agencies on matters of concern to the industry.

We believe our efforts have contributed to:-

- Reduction in Stamp Duty
- Transfer Tax paid on new developments discounted by 75%
- The establishment of the Development Assistance Centre at the National & Environment Planning Agency (NEPA)
- 90 days Fast Track Approvals Process

SEAL OF APPROVAL

Members of the JDA are able to use the Association's SEAL – which can be used on their letterheads or in their advertisements when selling their products to show that they follow best practices

Beyond our private practices, many JDA members have formed or are involved in Foundations and Non-profit Organizations in which we support a wide range of causes in education, health, sports and other sectors.

We also raise public awareness of critical human, social and environmental issues for the advancement of the nation.

The Association awards an annual Bursary - “**Eustace Bird Bursary**” in honour of our late Secretary/Manager Mr. Eustace Noel Bird to a third or fourth year student reading for a Diploma in Construction Management at the University of Technology.

The Association will continue to press on to achieve results and will, at all times continue to lobby for the advancement of the real estate development sector, cooperate fully and give genuine and valuable support to Government.

We will continue to provide efficient service and protect the interests of not only our members but also prospective purchasers, and remain a viable and strong organization.

HOW TO BECOME A MEMBER

Developers applying to become members of the Association are thoroughly screened and must :-

- Be recommended by at least two members of our Association
- Have successfully completed a minimum of three development schemes
- Have a proven track record of dependability and the highest ethical standards.

AN INSPIRATIONAL THOUGHT

Our greatest weakness lies in giving up. The most certain way to succeed is always to try just one more time

Thomas Edison

UPCOMING EVENTS

SAVE THE DATE!

- Membership Meeting – Tuesday May 27th
- Real Estate Development Webinar – Thursday June 19th
- Membership Meeting- Tuesday September 23rd
- Real Estate Development Webinar – Thursday October 30th
- Annual General Meeting Wednesday November 26th



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DEVELOPERS
ASSOCIATION LTD.**

*JDA Members are Developers, Contractors, Suppliers,
Financial Institutions, Professionals: Attorneys, Architects,
Engineers, Land Surveyors, Real Estate Agents etc.*

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