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LAND AND SURVEY DEPARTMENT- TITLE REGISTRATION AND TRANSFER PROCESS

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MISSION REPORT

USAID JORDAN ECONOMIC DEVELOPMENT PROGRAM

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1.0 Executive Summary

The World Bank "Doing Business" Report, an important reference to investors across the world, considers the simplicity and cost associated with "Property Registration" as an indicator for the ease of doing business. According to this report, Jordan is ranked 80 among 178 countries in the overall ranking of ease of doing business and ranked 109 on the Property Registration Indicator.

Despite a fairly vibrant real estate market in Jordan, the registration process is relatively complicated, slow, and expensive. The current registration process fails to provide the kind of support that encourages healthy activity in the real estate market or supports entrepreneurship.

To that end, SABEQ has conducted a diagnostic study to analyze the property registration process, identify problem areas, both administrative and legislative in nature, and recommend an action plan for improvements.

Based on SABEQ's study, many of the Department of Land and Survey (DLS) activities were found to include functions that are outside of the norm for a typical registration process. This results in extra delays, added costs, and other burdens on the business during the process of registration.

This report addresses the specific improvement areas that were identified based on the diagnostic study, some of which were discussed during a workshop conducted with DLS officials. The report also provides a proposed action plan for both immediate and long term solutions for further discussion and for DLS consideration.

DLS can dramatically start to simplify the registration process and improve Jordan's overall ranking in the Doing Business report by implementing the identified, straight forward administrative changes. Issues identified on the policy or legislative level should be pursued by DLS with the support of the Ministry of Finance (MOF) for further enhancement on the process.

2.0 Introduction

In most countries of the world, the real estate market constitutes a significant portion of the country's economy. The basic function of the market is to transfer properties from the less efficient users to a higher and better use, and thus encourage investments. This transfer of properties benefits everyone, helps in job creation and contributes to the country's prosperity.

Accordingly, an effective registration system encourages this process and supports entrepreneurs through providing mortgages' financing opportunities that supports their startups and on-going operations.

2.1 Objectives

SABEQ, and based on Department of Land and Survey's (DLS) request, has conducted a diagnostic study to:

1. Analyze the property registration process in Jordan
2. Identify problem areas, both administrative and legislative in nature
3. Provide an Action Plan based on recommendations for improvement on the current practices to better attract investments and support the growth of businesses.

2.2 Document Overview

This report provides an overview of the approach used in conducting the diagnostic study and provides specific recommendations and findings for 13 different Key Improvement Areas.

Further Analysis has been conducted to assess the current performance of Jordan compared to two international countries.

The final part of the report provides a prioritized Action Plan in order to improve the process within the capacity of DLS.

Within this report appendices include:

- DLS current process description,
- Selected cities process summary,
- Reference material of Jordan's Ranking in IFC Doing Business, and
- Improvement areas interdependencies

3.0 Methodology and Approach

3.1 Phase 1: AS IS, Analysis and Benchmarking

The team conducted a diagnostic study¹ of the process that a business has to go through in order to register or transfer property.

Detailed processing was captured and documented through a process walk-through, and through a number of interviews and inquiries to business owners at the Department of Land and Survey (DLS), and at the West Amman Registration office.

A baseline assessment was conducted through interviews with employees and by inspection of sample registration records in order to understand how long it takes to perform the various tasks and how much it costs.

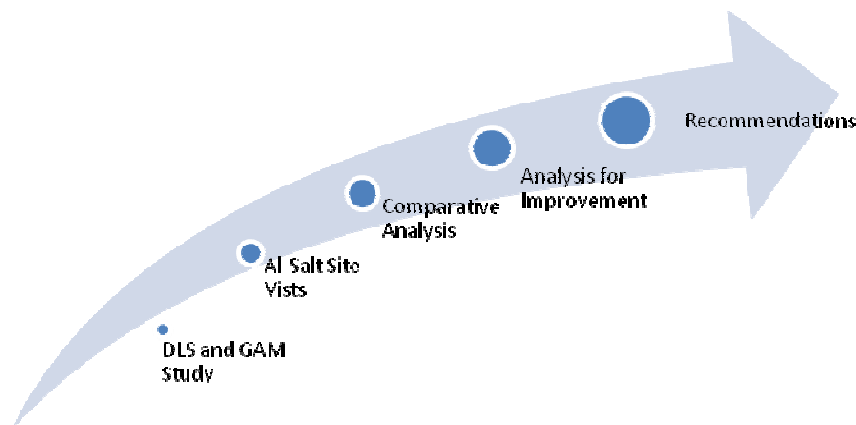
Related processing in Greater Amman Municipalities' (GAM) offices² as a main stakeholder was also captured and documented.

Site visits outside of Amman to the Al-Salt Directorate were conducted to identify processing variations among the cities of Jordan.

Comparative analysis with selected countries' practices in terms of duration, cost, and quality of services was performed.

The process with its related forms and procedures was reviewed and analyzed for simplification and improvement opportunities to the identified delays, redundancies, and costs. Relevant laws and regulations were studied for identification of investment barriers. Areas of improvements were identified and a series of recommended solutions ranging from minor improvements to major changes were developed for discussion with DLS officials.

SABEQ team selected an imaginary business and followed its process from the very beginning to the completion of registration. The exercise simulated a simple case of a business that is owned by Jordanians, does business in Amman, and is interested in acquiring land in order to expand its existing business activity. The exercise aimed at examining how long the registration of what might be considered a routine property transaction would take and what it would cost. The same business assumptions were adopted in the "Doing Business" report.



¹Department of Land and Survey Property Title Transfer Process; step-by-step study dated March 6, 2008

²The Municipalities outside Amman in conjunction with Ministry of Municipal Affairs (MOMA) perform similar functions outside Amman to GAM's offices.

3.2 Phase II: Validation of Findings and Action Plan

SABEQ conducted a workshop for key members of the Department of Land and Survey with the attendance of its Director General and other organizations involved in the registration process. The relationship of property registration to the overall economy in Jordan was presented, the diagnostic study results were shared with business owners and specific problem areas were pointed out. The workshop also covered the relevant systems and practices of the United States, Russia, and Moldova to set a benchmark standard of performance.

The initial conclusions were presented and discussed at a workshop held in Amman on April 12, 2008. Selected problem areas were discussed for proposed solutions.

The team formulated a list of recommendations and actions to be taken by DLS to enhance the registration process.

The results of the proposed recommendations were simulated using Doing Business Simulator to understand the impact of improvements on the overall rank of Jordan in the Doing Business report. Further prioritization and analysis of recommendations' interdependency were conducted and an action plan was developed accordingly.

4.0 Findings

4.1 General Improvement Areas

4.1.1 Key Improvement Area 1: Cost of Registration

Problem	Specific Recommendations
<p>Problem 1: There is no registration fee in Jordan but there is a transfer tax</p> <p>The normal practice in developed countries, and the strict requirement for World Bank financed registration projects, is that the fee for registration is set in relation to the cost of the registration process and not to the value of the property. After all, the process is the same no matter whether the property is valued at 1000JD, 10,000JD, or a million JD. On this basis, registration fees are fairly nominal.</p> <p>In Jordan, although it is called a registration fee, In fact it is a transfer tax. Registration is being used as a hidden form of taxation.</p>	<p>Recommendation 1:</p> <p>Jordan should distinguish between the registration fee and transfer tax and implement a uniform registration fee. The common standard for determining the amount of the registration fee is to set it at a level which is just sufficient to run the cost of the registration operations.</p>
<p>Problem 2: Registration costs 10% of property value, one of the largest in the world</p> <p>In Jordan, cost of registration, in reality a transfer tax, is set at 10% of the value of the property at the time of registration. Although transfer tax imposition is common around the world, and ranges from less than 1% to a high of 10% or more, according to the World Bank, very few countries have a double digit transfer fee and most of these are the most backward countries of Africa. The average transfer tax for the Middle East is 6.6%. With 10% tax, Jordan's score among other countries in the IFC "Doing Business" report is dramatically affected.</p>	<p>Recommendation 2:</p> <p>Jordan should reduce the level of the transfer tax. The level of transfer tax is an arbitrary amount which will need to be set based on policy of the Jordanian government. A fairly reasonable goal for Jordan would be to reduce transfer tax to around 4% that shows most feasibility.*</p>
<p>Problem 3: Tax burden is inequitable</p> <p>The registration fee is considered one of the main sources of revenue for the Government of Jordan. At the same time, this hidden form of taxation is inequitable in that the taxes are placed on a very limited group, namely the businesses and individuals who invest in property. In addition to its inequity to other groups that are in reality not traders. Jordan at the same time ignores imposing taxes on profit made by those traders; e.g. capital gains tax.</p>	<p>Recommendation 3:</p> <p>Jordan may consider a fair capital gains tax on profit made instead of high transfer Tax. The level of capital gain tax should be equitable to other investment sectors. This should also be fair for non-traders.</p>
<p>General Recommendations</p>	<p>Implement recommendations 1,2 & 3 jointly</p> <p>Revise cost structure to include: reasonable registration fee just to cover cost of service; not more than 4% transfer tax;</p>

Problem	Specific Recommendations
	and fair capital gains tax.
Expected Gains	<ol style="list-style-type: none"> 1. Improve Jordan's overall rank in ease of doing business in the "Doing Business" report to 68 instead of the current 80 and place Jordan just above UAE, but still behind Saudi Arabia, Kuwait, and Oman. 2. Reduce cost to the public and still provide government revenue 3. Provide equitability with other sectors and fair to non-traders

***Doing Business- cost reduction impact assessment:**

Cost of Registration (% of property Value)	Ease Doing Business Rank	Rank Improvement	Among Other Middle East Countries
Current : 10	80		After Saudi Arabia, Kuwait, Oman and UAE
9	80	0	After Saudi Arabia, Kuwait, Oman and UAE
8	80	0	After Saudi Arabia, Kuwait, Oman and UAE
7	77	3	After Saudi Arabia, Kuwait, Oman and UAE
6	75	5	After Saudi Arabia, Kuwait, Oman and UAE
5	72	8	After Saudi Arabia, Kuwait, Oman and UAE
4	68	12	After Saudi Arabia, Kuwait and Oman. Before UAE and others
3	67	13	After Saudi Arabia, Kuwait and Oman. Before UAE and others
2	67	13	After Saudi Arabia, Kuwait and Oman. Before UAE and others
1	65	15	After Saudi Arabia, Kuwait and Oman. Before UAE and others

Please refer to: <http://www.doingbusiness.org/>> Simulate reforms excel sheet

4.1.2 Key Improvement Area 2: Inequitable Treatment of Property Transfers by Businesses

Problem	Specific Recommendations
Problem 1: Discrimination against the	Recommendation:

Problem	Specific Recommendations
<p>registration applications of businesses</p> <p>Contrary to world practice, the registration process in Jordan differs for applicants that are businesses from those that are individuals. The property transfer for a business is a two step process, with the first step being simply a qualification by the business for property registration.</p> <p>During the qualification step of the process, DLS is performing a multitude of functions that are outside of the normal registration practices such as verifying zoning, checking on the company certificate, and land holdings that result in extra delays, added costs, and other burdens on the business during the process of registration.</p> <p>Problem 2: Restrictions on businesses' land holdings</p> <p>During the qualification step of the process, DLS conducts an investigation of the applicant's land holdings to insure that they are not over the limit that is specified in the Law on Rental and Sale of Immovable Property. This limitation on Land holdings is an unusual restriction on business activity.</p>	<p>Jordan should remove the qualification step of the process and other restrictions on land holding for businesses. Registration of a property transfer should be no more than the compilation of information, in an organized form, on the change of ownership or interest in the property by the registration office. With this, the process should be identical for individual and business entities. All other interest of the government (financial, criminal, and administrative) should be handled by other government structures</p>
<p>General Recommendations</p>	<p>Eliminate the legal requirement for land holding restriction and authorities' consultations for business entities.</p>
<p>Expected Gain</p>	<p>By using Doing Business methodology, this should:</p> <ol style="list-style-type: none"> 1. Reduce the total registration processing time by 8-12 days 2. Cut out 1 step. 3. Improve Jordan's overall rank in ease of doing business to 75. <p>Based on SABEQ time study, this should:</p> <ol style="list-style-type: none"> 1. Reduce the overall processing time to 10 instead of 37 days (based on average calculation) 2. Cut out 4 visits to DLS and all the other visits needed to consulted authorities out of 12 visits calculated in the overall process. 3. Save the business applicant the effort and travel cost associated with the process; thus increasing overall satisfaction and helps promote Jordan as an investor friendly climate.

4.1.3 Key Improvement Area 3: Legal Framework

Problem	Specific Recommendations
Sale of property is governed by a multitude of legislation under which the DLS operates. It is estimated that more than 49 laws, regulations and instructions govern the overall subject area. This causes confusion for the applicants related to the legal framework including obligations and benefits. Additionally, it creates difficulties for the DLS officials in implementing scattered legal requirements and explaining them to applicants. It also does not help promoting Jordan as an investment-friendly environment.	Conduct comprehensive legal review and revision, eliminate inconsistencies and redundancy, and establish a unified land code.
General Recommendations	Establish a unified land code.
Expected Gains	<ol style="list-style-type: none"> 1. Enable consistent practices across DLS offices 2. Ease of application to DLS officials 3. Raise applicants' awareness of legal framework that will enhance DLS customer service and enable smoother operations 4. Promote Jordan for investors

4.1.4 Key Improvement Area 3: IT Systems

Problem	Specific Recommendations
<p>The main purpose of the registration IT system is to enhance availability of information at maximum speed and minimum cost.</p> <p>The operation of the current IT system in DLS appears to be adequate to support the registration needs. DLS currently utilizes a cadastral management system and several other in-house developed systems to serve specific needs in the registration process. However; potential improvement areas do exist; systems integration, functionality enhancements and other enhancements related to information security and loss prevention.</p>	The existing IT systems will need to undergo a technical review to determine the extent of improvements to the systems that may be required to enhance systems integration and functionalities, and ensure security and data protection
General Recommendations	Conduct IT assessment study.
Expected Gains	<ol style="list-style-type: none"> 1. Enhances process efficiency due to wider

Problem	Specific Recommendations
	information availability. 2. Enhanced systems security

4.2 The Qualification Process' Improvement Areas

4.2.1 Key Improvement Area 5: Requirements Preparation

Problem	Specific Recommendations
<p>Problem 1: Different locations and many visits</p> <p>The applicant has to go to 3 different locations to obtain copies of documents that are in the computer systems of each of those organizations.</p> <ul style="list-style-type: none"> • From Registration office, a cadastral map and property title • From Greater Amman Municipality (GAM), a copy of the zoning map. • From the Ministry of Industry and Trade, a copy of the Company Registration Certificate, or a Memorandum of Association, as appropriate. <p>Although the process itself is a couple of minutes of time, maximum; this process requires a fair amount of time and 3 visits. It is particularly burdensome on applicants residing outside of Amman or registering property outside of Amman, which requires additional time for travel.</p>	<p>Recommendation 1:</p> <p>GAM zoning map issuance service to be hosted at DLS and registration offices.</p>
<p>Problem 2: Cost of Service</p> <p>The applicant is paying a fee to obtain material that simply needs to be printed from the records and all of the information that is obtained is printed on one or two piece of paper. The 8 – 15 JD cost appears to be high for this kind of service and the applicant has barely started the process of registration.</p>	<p>Recommendation 2:</p> <p>Replace the requirement for cadastral map, zoning map, and legal copy of the property title with alternative ways to obtain the required information.</p>
<p>Problem 3: Not even processing related</p> <ol style="list-style-type: none"> 1. Property Title: the DLS requires a legal copy of the Property Title. This legal copy is only used to identify the property that is the subject of the transfer. In best practices, an entity should not ask for information that is already in its system. 2. Cadastre map: the map is required by GAM for the issuance of the zoning map. This is required by GAM for purposes of updating 	<p>Property Title: A considerably simpler requirement can be imposed, such as the use of a cadastre number to identify the property, or a photo copy of the property title of the current owner</p> <p>Cadastral map: a possible solution is to give GAM the electronic access to cadastre maps that are on record at the</p>

Problem		Specific Recommendations
<p>the information on its records.</p> <p>3. Zoning map: the map is used as a guide for DLS in determining to which consulting authorities' letters should be addressed.</p>		<p>registration office.</p> <p>Zoning map: a letter is invariably sent to the municipality where the property is located and, with or without the zoning map, the municipality responds to the letter based on its own records on zoning</p>
General Recommendations		<p>Implement recommendation 1 or alternatively Recommendation 2, preferably 2</p> <p>Recommendation 1: Host zoning map issuance services at DLS</p> <p>Recommendation 2: Replace the requirement for cadastral map, zoning map, and legal copy of the property title with coordination with GAM and cadastre number</p>
Expected gain		<p>Recommendation 1:</p> <ol style="list-style-type: none"> 1. Reduces number of visits the applicant makes for requirement preparation to 2 instead of 3 <p>Recommendation 2:</p> <ol style="list-style-type: none"> 1. Reduces the number of visits the applicant makes for requirement preparation to 1 instead of 3 2. Eliminate the cost of 8-15 JD in addition to travel cost on applicant

4.2.2 Key Improvement Area 6: Consultation Letters

The Jordanian legal system permits non Jordanians and judicial persons to purchase property in Jordan, provided that the opinion of "consulted authorities" is taken into consideration prior to concluding the purchase transaction.

Problem	Specific Recommendations
Problem 1: Out of property registration scope This function is outside of the normal registration practices. Consultations are used to ensure businesses' proper utilization which is out of DLS scope and falls normally in the domain of other governmental authorities.	Recommendation 1: The legal requirements for consultation letters should be reviewed and eliminated. All interest of the government whether financial, criminal, and administrative, etc, should be handled by other government structures. Have it clear to the applicant that this step does not
Problem 2:Redundancy This practice has no binding authority. That is; these approvals will need to be obtained once	

Problem	Specific Recommendations
again from consulted authorities when the project is finally being developed.	grant any land utilization permits.
<p>Problem 3: Not Specific</p> <p>Decision of the Council of Ministers dated 25th August 2002 names the consulted authorities as: “The Ministry of Interior, General Intelligence Department, Public Security Department, Ministry of Agriculture, Ministry of Municipal Rural and Affairs, Ministry of Environment, and Ministry of Industry & Trade” but the decision also left it open to DLS to consult any other relevant authorities.</p> <p>This is an open ended and judgment-based process. In addition, some of the ministries stated that they were not requiring such letters but they respond to them only because the letters were sent to them.</p>	<p>Recommendation 2:</p> <p>The necessity and feasibility for consultations should be reviewed with current consulted authorities. Additionally clear criteria should be set for requesting consultation.</p>
<p>Problem 4: Lack of limitation on time for providing such approvals</p> <p>The Law does not, nor do the regulations and instructions issued pursuant thereto, impose time limitations on any of the government authorities to issue their respective approval.</p> <p>As a result, the applicant has to wait for an undefined period of time to get the required consultation letters from the consulted government authority. It is estimated to take from one week to one month (sometimes up to several months) to complete the consultation.</p> <p>The process itself remains unregulated and subject to delays because of lack of regulation of time lines imposed on said consulted authorities.</p>	<p>Recommendation 3:</p> <p>A reasonable time limit, such as 3 days, should be established for completion of the consultations.</p>
<p>Problem 4: Validity of Consultation</p> <p>Consultation is currently done based on the purpose of purchase, and nationality of buyers.</p> <p>The first; on purpose of buying; which can add up to 3 months delays on the registration process, although this is a function of the land , it needs to be obtained for each attempt to purchase by different purchaser.</p> <p>The second is currently done with Ministry of Interior as a security check on foreign buyers. Although this is a function of the buyer, this consultation that adds up to 24 days to the registration process is currently performed for each</p>	<p>Recommendation 4:</p> <p>Treat consultations as prerequisites that can be obtained by buyers on security issues in advance and by the sellers for different utilization purposes of properties. This should be done jointly with establishing a validity period for reusability of consultations.</p>

Problem	Specific Recommendations
intent to purchase – whatever is the time lag- for the same buyer.	
General Recommendations	<p>Implement Recommendation 1 or alternatively recommendations 2, 3 and 4 jointly. Preferably 1</p> <p>Recommendation 1: Eliminate the requirement for Consultations</p> <p>Recommendation 2: Eliminate unneeded consultations</p> <p>Recommendation 3: Establish time limitation for responses to consultations</p> <p>Recommendation 4: Allow consultations' reusability and preparation in advance</p>
Expected gains	<p>Based on SABEQ time study, this should:</p> <p>Recommendation 1:</p> <ol style="list-style-type: none"> 1. Limit the number of applicant visits to DLS during the qualification process to 2 instead of 4 and the number of visits to consulted authorities to zero instead of several visits. 2. Reduce consultations' processing time needed to complete the qualification to zero instead of up to average calculated 2 weeks(10 days) (expected up to 3 months) 3. Reduce the overall processing time by 14 days calculated for consultation letters preparation and consultations processing time. 4. Reduce the overall processing time to 23 instead of 37 days 5. Reduce trips cost and other cost associated with obtaining consultations' replies on applicant <p>Recommendation 2:</p> <ol style="list-style-type: none"> 1. Eliminate the cost and time of unneeded consultations <p>Recommendation 3:</p> <ol style="list-style-type: none"> 6. Reduce waiting time to 3 days instead of 10 days (can be up to 90 days) 7. Reduce the overall processing time to 30 instead of 37days <p>Recommendation 4:</p> <ol style="list-style-type: none"> 1. Limits the number of applicant visits to DLS during the qualification process to 2 instead of 4 2. Reduces consultations' processing waiting time

Problem	Specific Recommendations
	<p>needed to complete the qualification to zero instead of 10 days.</p> <ol style="list-style-type: none"> Cut out an additional 4 days calculated for consultation letters preparation and consultations processing time. Reduce the overall processing time to 23 instead of 37 days

4.2.3 Key Improvement Area 7: Letters to Approving Authorities

A sale transaction may require the approval of the Ministry of Finance and/or Council of Ministers, as per Articles 8 and 10 of the Law of Rental and Sale of Immovable Property to Non Jordanians and Legal Person

Problem	Specific Recommendations
<p>Problem 1: Time Consuming</p> <p>Most of the letters on land holdings go the Minister of Finance and are approved within a few days but some go to the Council of Ministers, where approval can take up to weeks.</p>	<p>Recommendation 1:</p> <p>The authority for approvals be delegated to the Director of the Department of Land and Survey</p> <p>Recommendation 2:</p> <p>MOF Minister authority for approvals be delegated to the Director of the Department of Land and Survey.</p> <p>Recommendation 3:</p> <p>Cabinet authority for approvals be delegated to the MOF Minister</p> <p>Recommendation 4:</p> <p>Increase the authority of DLS Director General and Minister of Finance by raising the Land size Cap of their approvals.</p>
<p>Problem 3: Not Value Added</p> <p>These letters only seek confirmation of the arithmetic accounting on land holdings which is done by DLS</p>	
<p>General Recommendations</p>	<p>Implement recommendation 1. Alternatively implement recommendations 2 and 3, or 4; preferably 1 :</p> <p>Recommendation 1: Delegate all approval authorities to DLS</p> <p>Recommendation 2: Delegate MOF approval authority to DLS</p> <p>Recommendation 3: Delegate Cabinet approval authority to MOF:</p> <p>Recommendation 4: Raise Land size cap of DLS/ MOF</p>

Problem	Specific Recommendations
	approvals
Expected gains	<p>Based on SABEQ time study, this should:</p> <p>Recommendation 1:</p> <ol style="list-style-type: none"> 1. Limit approvals processing to 2 days currently used by DLS for preparation for all business transactions 2. Cut out current approval waiting time to zero days instead of current average estimated as 9 days for all business transactions 3. Reduce the overall processing time to 28 instead of 37 days for all business transactions <p>Recommendation 2:</p> <ol style="list-style-type: none"> 1. Limit approvals processing to 2 days currently used by DLS for preparation for up to 90% of business transactions 2. Cut out current approval waiting time to zero days instead of current average calculated as 8.8 days for up to 90% of business transactions 4. Reduce the overall processing time to 28 instead of 37 days for up to 90% of business transactions <p>Recommendation 3:</p> <ol style="list-style-type: none"> 1. Cut out on average 10.5 days(can reach up to months) for cabinet approval for 10% of business transactions <p>Recommendation 4:</p> <ol style="list-style-type: none"> 1. Fewer applications forwarded to Ministry of Finance and the Cabinet respectively; thus reducing overall processing time for certain categories of land. The impact is directly related to the level up to which the limits are increased.

4.2.4 Key Improvement Area 8: Numerous Trips/Visits by the Applicant

At all stages of the qualification process, the applicant performs courier services or is required to make trips outside of the registration offices to obtain documents. The applicant has to visit DLS at least 3 times in addition to the other visits to consulted authorities

Visit (1) to submit the required documents to the Central Office.

Visit (2) to pick up the required consultation letters from the Central Office.

Visit (3) to submit the obtained consultation letters to the Central Office.

Visit (4) to pick up the complete transaction file from the Central Office.

This process requires a fair amount of time and is particularly burdensome on applicants residing outside of Amman or registering property outside of Amman, which requires additional time for travel.

Problem	Specific Recommendations
<p>Problem 1: Consultation Letters</p> <p>The applicant has to make a separate trip to DLS just to pick up consultation letters and then deliver them to various consulted authorities. When these letters are ready, he has to pick them up and bring them back to DLS. This will require 2 visits to Central Office and several other visits to consulted authorities</p>	<p>Recommendation 1:</p> <p>Consultation letters are form letters that are generated on the order of 50 – 100 per day. DLS can communicate with consulted authorities without the applicant's involvement. Where possible, DLS can send letters electronically or via express mail to the consulted authorities and coordination could be established to receive responses in a similar fashion.</p> <p>Recommendation 2:</p> <p>Expedite the issuance of consultation letters so that they could be made available during the initial visit.</p>
<p>Problem 2: File and Transfer Notice</p> <p>The applicant has to make a separate trip to DLS just to pick up the file and the Transfer notice to Directorate of Registration.</p>	<p>Recommendation 3:</p> <p>The file can be given to the applicant during his previous trip and the transfer notice can be sent electronically to the Registration Office indicating that the applicant is approved for registration.</p>
<p>General Recommendations</p>	<p>Implement Recommendation 1 or alternatively 2; preferably 1</p> <p>Implement recommendation 3</p> <p>Recommendation 1: Establish coordination mechanism for consultations without applicant involvement</p> <p>Recommendation 2: Expedite issuance of consultation letters at first visits</p> <p>Recommendation 3: Establish internal communication mechanism to transfer between DLS central and offices</p>

Problem	Specific Recommendations
Expected gains	<p>Recommendation 1:</p> <ol style="list-style-type: none"> 1. Reduces number of visits to 2 instead of current 4 2. Eliminates applicants' need to visit other authorities 3. Reduces trips cost <p>Recommendation 2:</p> <ol style="list-style-type: none"> 4. Cuts one visit by the applicant currently to pick-up consultation letter 5. Reduces number of visits to 3 instead of 4 6. Cuts out one trip cost <p>Recommendation 3:</p> <ol style="list-style-type: none"> 1. Cuts one visit by the applicant currently to pick-up transfer letter 2. Reduces the number of visits to 3 instead of 4 1. Cuts out one trip cost

4.3 The Registration Process

4.3.1 Process Improvement Area 9: Requirements Preparation

Problem	Specific Recommendations
<p>Problem 1: Different locations and many visits</p> <p>The actual registration process starts with the applicant filling out a sales form at the registration office and then going to GAM to receive clearances on the following items:</p> <ul style="list-style-type: none"> • A clearance that service charges have been paid. • A clearance that the building tax has been paid. • A check that GAM has no plans for acquisition of the property for public purposes. <p>When the applicant returns to the registration office, he will now have made two trips to DLS and an additional one to GAM and the registration process has barely started.</p>	<p>Recommendation 1:</p> <p>Integrate GAM system with DLS to query service charge and building tax dues and issue clearance for compliant applicants on the spot.</p> <p>Recommendation 2:</p> <p>Provide a link from GAM on the status of the service charge and building tax payments to the registration office computers. If payment is due, this can be collected at the registration office and then turned over to GAM.</p> <p>Recommendation 3:</p> <p>Provide for the physical presence of GAM representatives at the registration offices. Clearances can then be obtained on the spot and payment would be made directly to GAM.</p>
<p>General Recommendations</p>	<p>DLS and GAM should establish a closer relationship so that clearances can be obtained at the registration office. DLS should implement one of the provided recommendations for coordination; preferably Recommendation 2:</p> <p>Recommendation 1: Provide service charge and building tax compliance verification service at DLS/ registration offices</p> <p>Recommendation 2: Host service charge and building tax clearance services at DLS/ registration offices through system integration and authority delegation</p> <p>Recommendation 3: Host service charge and building tax clearance services at DLS/ registration offices through GAM's physical presence</p>
<p>Expected gains</p>	<p>Recommendation 1:</p> <p>Only for complaint applicants</p> <ol style="list-style-type: none"> 1. Cuts out one visit to the registration office and an additional visit to GAM

Problem	Specific Recommendations
	<ol style="list-style-type: none"> 2. Reduces total number of trips that the applicant makes during the title registration step to 3 instead of current calculated 5 3. Reduces processing time by 2 days. <p>Recommendation 2 or 3:</p> <p>For both complaint and non-compliant applicants</p> <ol style="list-style-type: none"> 1. Cuts out one visit to the registration office and an additional visit to GAM 2. Reduces total number of trips applicant makes during the title registration step to 3 instead of current calculated 5 3. Reduces processing time by 2 days.

4.3.2 Key Improvement Area 10: Property Valuation

Problem	Specific Recommendations
<p>Problem 1: Process Delays</p> <p>Field inspections for property valuation cause a serious delay in the registration process. The inspection date is set only when the registration office evaluator is available and the evaluation process itself is time consuming. The problem comes about because the registration office does not have current information on all property values in their database. The Instructions do not impose any time deadlines for undertaking of visits to conduct the evaluation nor does it have a time frame for the issuance of the Evaluation Report.</p> <p>The result is that the evaluation procedure can take several days to complete and requires an additional visit.</p>	<p>Recommendation 1:</p> <p>Provide for the availability of property appraisals by private appraisal firms. The firms would need to be licensed and bonded, and the DLS will need to take steps to provide for this additional valuation resources through legislative and procedural changes.</p>
<p>Problem 2: Effort duplication, and not in scope of registration</p> <p>There is the question as to whether the registration office should even be conducting field inspections to obtain property valuations. As required by law, the municipality appraises property to set the level of the property taxes. This is done every two years. Even though at times this valuation could be a little out of date when compared with the latest market value, this difference should be fairly minimal (10 – 20%) and that should be true only in instances of high growth of property values, which is an</p>	<p>Recommendation 2:</p> <p>Arrange for a computer link between registration offices and GAM, which has the responsibility for evaluating property so that a building tax could be assessed. This is done on an ongoing basis for all the property and would make current information available to the registration office for the sporadic event when a property</p>

Problem	Specific Recommendations
<p>abnormal situation.</p> <p>There is no reason why the registry needs to duplicate the process of valuation. The registry needs to register property information without getting involved in valuation</p>	<p>comes up for registration.</p>
	<p>Recommendation 3:</p> <p>Establish a semi governmental body for national valuation and arrange for a computer link between registration offices and that body.</p>
<p>Problem 3: Controversial</p> <p>Property valuation is a controversial issue and generates other inconveniences and delays in the overall operation of DLS.</p> <p>Applicants tend to appeal on most transactions which cause delays on the overall process. Devaluation itself potentially constitutes a legal responsibility on the officials themselves. It is also the root cause for other processing related problems namely the post audit practice.</p>	<p>Any of the above</p>
<p>General Recommendations</p>	<p>Transfer the risk and work on data availability issue through implementing one of the recommendations above preferably recommendation 2:</p> <p>Recommendation 1: Use private firms' appraisals</p> <p>Recommendation 2: Activate and use GAM's Building Tax appraisal</p> <p>Recommendation 3: Establish semi governmental body for national valuation</p>

Problem	Specific Recommendations
Expected gains	<p>Recommendation 1:</p> <ol style="list-style-type: none"> 1. Reduces number of appealed cases to zero 1. Reduces the number of visits to registration offices to 2 instead of current 4 2. Reduces total number of visits to 3 instead of current 5. <p>Recommendation 2 or 3:</p> <ol style="list-style-type: none"> 2. Reduces the number of appealed cases dramatically 3. Reduces the number of visits to registration offices to 2 instead of current 4 4. Reduces total number of visits to 3 instead of current 5

4.3.3 Key Improvement Area 11: Go/ No Go Decisions Performed Late in the Process:

Some steps (requirements) that affect the decision of purchases are performed or requested too late in the process after the applicant would have gone through many steps mainly; qualification process as a whole. This causes inconvenience for the applicant and increases the workload on DLS.

Problem	Specific Recommendations
<p>Problem 1: Acquisition Check</p> <p>Although this check affects land size and shape and consequently applicant purchase decision and also affects the type of approval needed for that transaction, it is requested after the applicant and DLS have both performed and completed the qualification process.</p>	<p>Recommendation 1:</p> <p>Integrate with GAM acquisition system to provide the service at DLS and perform it at the beginning of the qualification process</p>
<p>Problem 2: Title dispute Check</p> <p>Although this check prevents title transaction to be performed, it is done by DLS at the last step of the title registration process just before contract arrangement, even after the valuation process is preformed.</p>	<p>Recommendation 2:</p> <p>Perform this step at the beginning of the qualification process as it affects the decision of buying</p>
General Recommendations	<p>Implement recommendations 1 and 2 :</p> <p>Recommendation 1: Host acquisition check service at DLS and conduct at the beginning of the qualification process</p> <p>Recommendation2: Perform title dispute check at the</p>

Problem	Specific Recommendations
	beginning of the qualification process
Expected gains	Recommendation 1 or 2: Both recommendations (and for different reasons): <ol style="list-style-type: none"> 1. Saves both applicant and DLS processing un-needed transactions

4.3.4 Key Improvement Area 12: Numerous Trips by the Applicant

At all stages of the qualification process, the applicant performs courier and pick up services. The applicant has to visit the registration office 4 times, in addition to DLS central if needed to appeal, in addition to another visit to GAM.

Visit (1) to pick up the application form

Visit (2) to submit the required documents and set inspection date to the registration office

Visit (3) to pick up evaluator to perform property inspection

Visit (4) to drop back the evaluator at the registration office

This process requires a fair amount of time and cost to travel

Problem	Specific Recommendations
Problem 1: The applicant has to visit the registration office in a separate trip to obtain the application form that needs to be stamped by GAM clearances.	Recommendation 1: The form can be made available at DLS central office instead Recommendation2: Allow applicant to obtain the clearances in GAM in separate form
Problem 2: The applicant is asked to pick up the evaluator and return him back to directorates. This is an extra travel cost and an additional visit and time that the applicant is asked to pay for due to DLS resources shortage. It also causes inefficiency in the process as it causes waste of time as evaluators may conduct a site visit for a land that is far away, and then return back at the same time for the same area	Recommendation 3: Site visits for property valuation to be scheduled and conducted by the registration office internally, and in a uniform way, without applicants' presence.
Problem 3: If applicant needs to appeal on valuation he is asked to travel back to the central office. This is a source of inconvenience to applicants especially for those residing outside Amman.	Recommendation 4: Applicant should be able to submit requests / appeals at the district office on the spot. Applicants should be able to pick up the reply from the district

Problem		Specific Recommendations
		office.
General Recommendations		<p>Implement recommendation 1 or alternatively 2, Jointly with the other recommendations presented.</p> <p>Recommendation 1: Provide sale form at DLS central office</p> <p>Recommendation 2: Allow GAM clearances in separate forms</p> <p>Recommendation 3: Conduct site inspections without applicant involvement</p> <p>Recommendation 4: Accept appeals/requests in district offices, and forward them to the central office internally.</p>
Expected gains		<p>Recommendation 1 or 2:</p> <ol style="list-style-type: none"> 1. Cuts out one visit to the registration office (the trip the applicant makes to pick up the sale form) 2. Cuts out one trip cost <p>Recommendation 3:</p> <ol style="list-style-type: none"> 1. Cuts out one visit to the registration office (to pick evaluator) 2. Cuts out one trip cost <p>Recommendation 4:</p> <ol style="list-style-type: none"> 1. Cuts out the potential one visit to the DLS (the applicant makes to submit appeals) 2. Cuts out one trip cost

4.3.5 Process Improvement Area 13: Post Audit

Problem	Specific Recommendations
There is a process in the Jordanian registration practice that may very well be unique. It is called a post audit process. After the sale transaction is completed, the seller has received all his money, and a new title has been issued, the registration office reviews the files and, if it finds that it has undervalued the property, it informs the buyer that he owes more money on the difference. Of course the buyer can file an appeal but the law does not provide for collection of the difference in fees from the seller. And this re-evaluation can take place up to 3 months after the completion of registration.	<p>Recommendation 1:</p> <p>Jordan should do away with the practice of assessing additional fees after registration has been completed. The post audit practice should be used to identify valuation errors that the registration office may have made but these should be used to correct the procedures of the registration office only and not for collecting additional fees. If valuation is incorrect, DLS</p>

Problem	Specific Recommendations
	<p>should handle this risk internally.</p> <p>Recommendation 2:</p> <p>Limit legal re-evaluation time of the property such as 10 days.</p> <p>Recommendation 3:</p> <p>Adopt sampling criteria for post audit purposes. Such samples shall be based on the level of risk and importance of the transaction.</p>
General Recommendations	<p>Implement Recommendation 1 or alternatively recommendations 2 & 3 jointly. Preferably 1</p> <p>Recommendation 1: Eliminate the legal requirement for demanding extra fees based on post audit , use it only for process correction</p> <p>Recommendation 2: Implement legal time limitation for post audits, preferably shorten it</p> <p>Recommendation 3: Adopt high risk-sampling mechanism</p>
	<p>Recommendation 1:</p> <p>Cuts out number of appealed cases- after completion to zero.</p> <p>Recommendation 2 or 3:</p> <p>Minimizes number of appealed cases</p>

5.0 Comparative Analysis

The registration process varies from country to country due to variations in registration laws, land codes, and civil codes that govern the process in each country.

This variation is primarily due to the type of documents that are registered to protect property rights. However, the basic way that each registration system operates entertains a high level of similarity.

SABEQ evaluated several aspects of the registration process in relation to several cities in order to develop plans on how to adopt similar best practice.

5.1 Selected Countries

SABEQ compared the registration in Jordan against two other countries; United States of America, and Moldavia. These two countries were selected for the following reasons:

- San Francisco, CA, USA: as it is has one of the easiest systems to use from an applicant perspective.
- Moldova: as it has one of the most modern registration systems that is supported by an advanced IT infrastructure.

5.2 Comparison Criteria

Comparison was conducted in terms of:

1. World Bank Doing Business report Property Registration rank, <http://www.doingbusiness.org/economyrankings/>
2. Cost to public as a function of registration fee and transfer fee.
3. Number of visits required by applicant for property registration processing.
4. Total time required to complete registration, and detailed as waiting time and processing time.
5. General system advantages

5.3 Analysis

	Criteria	US/San Francisco	Moldova	Jordan
1.	Registering Property Rank	10	46	109
2.	Cost to Public	Low	Low	High
2.1	Registration Fee	\$5 (3.55 JD) for the first page of the document and \$1.0 (0.71 JD) for each additional page.	84 Lei (5.8 JD)	10% of property Value
2.2	Transfer Fee	0.00055% of the property value	0.001% of the property Value	0
3.	Number of	1 Visit	2 Visits	10 Visits

	Criteria	US/San Francisco	Moldova	Jordan
	Visits	Registration Office: One to file and certificate sent by mail	Registration Office: One to file and another to collect	
4.	Total time	15- 21 day	32 day	37 day
4.1	Processing time with applicant presence*	1 day	2 days	11 days
4.2	Waiting Time	2- 3 weeks	30 days	26 days
5.	System advantages	Registration processing is performed without the need to applicant presence Results are sent to applicant by Mail	Registration processing is performed without the need to applicant presence Fast track service: Expedited service is based on a graduating scale where for one day service the cost is 2100 lei (146.6 JD).	

* For calculation, visit duration is calculated as 1 day.

6.0 Suggested Action Plan

6.1 Priorities Scheme for Recommendations

Each improvement action is assigned a priority class (A, B and C). Items (A and B) are considered priority items and part of the Action Plan. However, items with priority (C) shall be postponed for future phases of improvement at DLS.

For each Key Improvement Area, a set of recommendations has been provided, which are detailed in section [4.0 Findings](#).

These recommendations are categorized into 2 main categories based on the nature of change as mentioned below:

Nature of Change	Description
(1) Administrative	Improvements that can be implemented either within the DLS operations or through coordination with other governmental entities. These improvements are primarily administrative in nature, but their implementation will provide immediate noticeable improvements in the process, contribute to the overall simplification of the registration process, expedite the total time for registration, and reduce costs.
(2) Legal	Improvements that are beyond the ability of DLS alone to implement. They require coordination of reform at a higher government level, sometimes outside of the Ministry of Finance jurisdiction. These improvements require more extensive reforms; require delegation of authorities between government entities; or tackle main concepts and purpose of registrations. They will require legislative changes.

Each of these recommendations has been assessed to the degree of positive impact (High, Medium or Low) that it would result in once properly implemented.

Impact	Description
(H) High	Changes will dramatically improve cost and duration of the registration process.
(M) Medium	The changes will provide immediate noticeable improvements in the process, expedite the total time for registration, and reduce costs and number of visits
(L) Low	The changes will contribute to the overall simplification of the registration process.

During the workshop, DLS indicated that they are receptive to making changes and implementing all reforms of non-legislative nature immediately.

Based on this direction; the priorities for recommendation are then given in accordance with the table below:

Impact Nature of Change	High	Medium	Low
(1) Administrative	A	A	A
(2) Legal	B	C	C

All Items that are administrative in nature are assigned a priority class (A).

Items that are of High Impact and require Legislative changes are given priority (B) for implementation.

The rest of the improvement items are given priority (C) for their implementation as they are relatively difficult to implement and have lower impact once adopted.

It shall be left to the DLS team to decide on a suitable timeframe to adopt the recommendations of (C) priority and put a course of action to implement them.

6.2 Prioritization of Recommendations

The table below illustrates the various actions that will form the basis for DLS action.

KIA	Key Improvement Area	REC #	Recommendation	Impact Level	Change Type	Priority Class
1	Cost of Registration	1.1	Revise cost structure to include; uniform registration fee just to cover cost of service, not more than 4% transfer tax, and fair capital gain tax.	H	2	B
2	Inequitable Treatment of Property Transfers by Businesses	2.1	Eliminate the legal requirement for land holding restriction and authorities' consultations for business entities.	H	2	B
3	Legal Framework	3.1	Establish a unified land code	L	2	C
4	IT systems	4.1	Conduct IT assessment study	M	2	C
5	Requirements Preparation	5.1	Host zoning map issuance services at DLS	L	1	A
5	Requirements Preparation	5.2	Replace the requirement for cadastral map, zoning map, and legal copy of the property title and with coordination with GAM and cadastre number	M	1	A

KIA	Key Improvement Area	REC #	Recommendation	Impact Level	Change Type	Priority Class
6	Consultation Letters	6.1	Eliminate the requirement for Consultations	H	2	B
6	Consultation Letters	6.2	Eliminate unneeded consultations	M	1	A
6	Consultation Letters	6.3	Establish time limitation for responses to consultations	M	2	C
6	Consultation Letters	6.4	Allow consultations' reusability and preparation in advance	M	2	C
7	Letters to Approving Authorities	7.1	Delegate all approval authorities to DLS	M	2	C
7	Letters to Approving Authorities	7.2	Delegate MOF approval authority to DLS	M	2	C
7	Letters to Approving Authorities	7.3	Delegate Cabinet approval authority to MOF	L	2	C
7	Letters to Approving Authorities	7.4	Raise Land size cap of DLS/ MOF approvals	M	2	C
8	Numerous Trips by the Applicant	8.1	Establish coordination mechanism for consultations without applicant involvement	M	1	A
8	Numerous Trips by the Applicant	8.2	Expedite issuance of consultation letters at first visits	L	1	A
8	Numerous Trips by the Applicant	8.3	Establish internal communication mechanism to transfer between DLS central and offices	L	1	A
9	Requirements Preparation	9.1	Provide service charge and building tax compliance verification service at DLS/ registration offices	L	2	C
9	Requirements Preparation	9.2	Host service charge and building tax clearance services at DLS/ registration offices through system integration and authority delegation	M	2	C
9	Requirements Preparation	9.3	Host service charge and building tax clearance services at DLS/ registration offices through GAM's physical presence	M	1	A
10	Property	10.1	Use private firms' appraisals	H	2	B

KIA	Key Improvement Area	REC #	Recommendation	Impact Level	Change Type	Priority Class
	Valuation					
10	Property Valuation	10.2	Activate and use GAM's Building Tax appraisal	H	2	B
10	Property Valuation	10.3	Establish semi governmental body for national valuation	M	2	B
11	Go/ No Go Decisions Performed Late in the Process	11.1	Host acquisition check service at DLS and conduct at the beginning of the qualification process	M	1	A
11	Go/ No Go Decisions Performed Late in the Process	11.2	Perform title dispute check at the beginning of the qualification process	M	1	A
12	Numerous Trips by the Applicant	12.1	Provide sale form at DLS central office	L	1	A
12	Numerous Trips by the Applicant	12.2	Allow GAM clearances in separate forms	L	1	A
12	Numerous Trips by the Applicant	12.3	Conduct site inspections without applicant involvement	L	1	A
12	Numerous Trips by the Applicant	12.4	Accept appeals/requests in district offices, and forward them to the central office internally.	L	1	A
13	Post Audit	13.1	Eliminate the legal requirement for demanding extra fees based on post audit , use it only for process correction	H	2	B
13	Post Audit	13.2	Implement legal time limitation for post audits, preferably shorten it	L	2	C
13	Post Audit	13.3	Adopt high risk-sampling mechanism	M	2	C

Items (A and B) that are selected as part of the Action Plan are classified into two phases for implementation, where;

Phase-I consists of immediate course of actions that DLS can implement, those are the items of Priority Class (A)

Phase-II consists of longer term actions that DLS should implement; those are the items of priority Class (B)

6.3 Action Plan

The improvement actions are not equal in nature. For example, the implementation of (B) priority items will save DLS the implementation of other related administrative improvement items. DLS needs to give special consideration to some items listed in the immediate term Phase I in case the team plans to tackle (B) classified improvement items in the short term.

Expected gains are described for each improvement item under section [4.0 Findings](#)

It is worth mentioning that combined implementation of recommendations will lead to better gains and higher improvements.

The sub-sections below provide description of the expected process based on a combined implementation of the improvement items, highlights expected performance gains, and lists action items, responsibilities, stakeholders involved in the implementation of each action.

6.3.1 Phase I: Immediate Improvements

Expected Process

1. Applicant performs only one visit for requirement preparation outside DLS to obtain the Company Registration Certificate, which he might already have.
2. Applicant visits DLS-registration office where title dispute and GAM acquisition are checked on the spot for applicant's decision, based on which the applicant submits the application.
3. Applicant waits until DLS processes the required consultations and gets approval. The case is transferred internally to the relevant registration office. Registration office will conduct a property valuation, then inform applicant in a text message of the tax due.
4. The applicant visits the registration office for the second time, and pays service charge and building tax clearances. Based on this, the contact is arranged, the tax is paid and the Registration Certificate is issued.

Expected Gain

Gain	Expected	Current
Total number of visits	2	9
Number of visits to DLS central office	1	4
Number of visits to DLS registration office	1	4
Number of visits to other authorities during processing	0	1
Number of visits to other authorities for requirement preparation	1	3
Overall processing time (day)	28	37
Number of appealed cases	no improvements	
Cost of registration	Reduced travel cost	

	and requirement preparation cost	
Impact on Doing Business Rank	67	80

Action plan

Phase I: Immediate Improvements Time Frame : Short Term (TBD)					
REC #	Recommendation	Decision Making Guide	Responsibility	Stakeholders	Timeframe
5.2/ 1	Replace the requirement for cadastral map, zoning map, and legal copy of the property title with coordination with GAM and cadastre number or Host zoning map issuance services at DLS	N/A	DLS	GAM	
6.2	Eliminate unneeded consultations	Not needed if DLS plans to tackle REC# 5.1 soon	DLS	MOF and current Consulted Authorities	
8.1	Establish coordination mechanism for consultations without applicant involvement	Not needed if DLS plans to tackle REC# 6.1 soon	DLS	Current Consulted Authorities	
8.3/2	Establish internal communication mechanism to transfer cases between DLS central and offices, or Expedite issuance of consultation letters at first visits	Not needed if DLS plans to tackle REC# 6.1 soon	DLS	N/A	
9.3	Host service charge and building tax clearance services at DLS/ registration offices through GAM's physical presence	N/A	DLS	GAM	
11.1	Host acquisition check service at DLS and conduct at the beginning of the qualification process	N/A	DLS	GAM	
11.2	Perform title dispute check at the beginning of the qualification process	N/A	DLS	N/A	

12.3	Conduct site inspections without applicant involvement	Not needed if DLS plans to tackle REC# 10.1/2 soon	DLS	N/A	
12.1/2	Provide sale form at DLS central office or Allow GAM clearances in separate forms	Not needed if DLS plans to tackle REC# 6.1 soon or if REC# 9.3 is implemented	DLS	N/A	
12.4	Transfer appeals/requests in district offices, and forward them to the central office internally	Not needed if DLS plans to tackle REC# 10.1/2 soon or if REC# 12.3 is implemented	DLS	N/A	

6.3.2 Phase II: Long Term

Expected Process

1. Applicant performs only one visit for requirement preparation outside DLS to obtain the Company Registration Certificate, which he might already have.
2. Applicant visits DLS-registration office where title dispute and GAM acquisition are checked on the spot for applicant's decision, based on which applicant submits the application.
3. The applicant, at the same visit, can pay service charge and building tax clearance and based on this the contact is arranged, the tax is paid and the Registration Certificate is issued.

Expected Gain

Gain	Expected	Current
Total number of visits	1-2	9
Number of visits to DLS central office	0	4
Number of visits to DLS registration office	1-2	4
Number of visits to other authorities during processing	0	1
Number of visits to other authorities for requirement preparation	1	3
Over all processing time (day)	1-2	37

Number of appealed cases	0	
Cost of registration	Reduced to 4% of property value	
Impact on Doing Business Rank	59	80

Action plan

Phase II: Category (B) Improvements Time Frame : Long Term (TBD)					
REC #	Recommendation	Decision Making Guiding Point	Responsibility	Stakeholders	Time Frame
1.1	Revise cost structure to include; uniform registration fee just to cover cost of service, not more than 4% transfer tax, and fair capital gain tax.	N/A	MOF	Minister Cabinet	
2.1	Eliminate the legal requirement for land holding restriction and authorities' consultations.	N/A	MOF	Minister Cabinet	
6.1	Eliminate the requirement for Consultations	N/A	MOF	Minister Cabinet	
10.1/2	Use private firms' appraisals, or Activate and use GAM'S building tax appraisal	N/A	MOF	Minister Cabinet	

7.0 Appendix I: DLS Current Registration Process

The study found that the property transfer for a business is a two step process. The first step is a requirement that the business qualifies for registration, the second step is the regular registration process.

7.1 Step 1- Business Qualification for Registration

The qualification process takes place at the DLS central offices in Amman and involves a series of steps that the applicant for registration must follow.

In order to qualify to register a property transfer, the applicant has to first obtain the following documents:

- From the Ministry of Industry and Trade, a copy of the Company Registration Certificate, and a Memorandum of Association, as appropriate.
- From the local registration office, a legal copy of the Property Title (costs 1.55 JD) and a cadastral map (3.5 JD).
- From GAM, a copy of the zoning map (3 – 10 JD)

Next, the applicant goes to the DLS office, fills out a Request for Purchasing Approval form and presents the documents that he had been collecting. DLS now prepares letters to consulted authorities and the applicant is notified to come back to the DLS office when these letters are ready. The applicant must then deliver them to the various consulted authorities.

The auditor at DLS conducts an investigation of the applicant's land holdings to insure that they are not over the limit specified in the Law on Rental and Sale of Immovable Property.

DLS now prepares a Request for Approval letter to Approving Authorities. Most of these letters go the Ministry of Finance and are approved within a few days, but some go to the Council of Ministers, where approval can take up to two weeks.

After a response is received from the Approving Authority, the DLS prepares a Case Transfer to Directorate of Registration form and notifies the applicant to pick up this form and the rest of his file.

7.2 Step 2: The Registration Process

After completing the qualification, the applicant heads to the registration office to start the regular registration process. This is the same process that would involve a transfer of property by an individual.

The applicant fills out a sales form and then goes to GAM to receive the following clearances:

- A clearance that service charges have been paid.
- A clearance that the building tax has been paid.
- A check that GAM has no plans for acquisition of the property for public purposes.

After obtaining the clearances the applicant goes back to the registration office.

Now a file is opened and a property valuation report is ordered. If a field inspection is required, which is frequently the case, the applicant will have to return for at least another visit to the registration office to receive the valuation report.

Based on the valuation, a 10% transfer tax is assessed.

Next a sales contract is prepared, a hearing session is conducted, the sales contract is signed, and the transfer fee is paid. Finally, a new Property Title is issued, which completes the process of registration.

8.0 Appendix II: Selected Cities Registration Summary

8.1 USA (San Francisco, California)

8.1.1 Registration Process Description

1. There are no forms to fill out, the applicant only hands in the document that he wants to register to the clerk, who informs the applicant of the registration cost.
2. Applicant pays the money, and the clerk stamps the document with a registration number, and the document is accepted for registration.
3. In two to three weeks, after the document has been entered into the registry's computer network, the applicant receives registered document in the mail.

8.1.2 Registration Cost

Registration costs \$5 for the first page of the document and \$1 for each additional page.

Transfer fee is based on the value of the property. The fee is 55 cents for \$1000 of the property value.

8.1.3 Other Remarks:

There is a variety of other institutions that participate in the overall purchase and sale process before registration takes place including:

- Title companies: provide assurance on the correctness of information on this property that is maintained at the registry.
- Escrow companies or lawyers: perform a variety of services, including that of acting as an escrow, where a middle party holds all the documents and the money so that when it has everything ready, it sends a messenger with the new title for registration.

The applicant can register property by himself or may need to utilize services of one of these other institutions and the cost for these services can be substantial. The process for registration is simple but how you get to registration can be quite complicated.

8.2 Moldavia

8.2.1 Registration Process Description

1. The buyer and seller enter into a purchase/sale agreement
 - a. Either buyer or seller should obtain an extract of title and a cadastral map from the local registration office or from the central office in Chisinau.
 - b. A notary is retained to prepare the purchase/sale agreement. The agreement recites the condition of the title as shown in the extract and lists the cadastre number of the subject property.
 - c. The parties sign the agreement and the buyer pays for the property.
2. The buyer registers this agreement which completes the transfer of the interest in the property to the new owner. this part consist of two steps from applicant perspective
 - a. an initial visit to the registration office: to deliver the document for registration and pay the registration fee ; where :
 - i. The clerk fills in electronically a "Request for work" form, assigns a new file number and determines the amount of the registration fee.

- ii. The clerk prints a “Bill for services” form which lists the total amount due and the buyer pays this at the cashier’s office
- iii. The buyer brings the receipt form back to the clerk who then assigns the date for return by the buyer, based on the fee that the buyer had paid, prints out the “Request for work” form, and gives it to the buyer. And the buyer now leaves the registration office.
- b. A second visit to the registration office: when return date is due, and after sales agreement is registered, the buyer returns to the registration office, presents his “Request for registration” form, and receives the registered purchase/sale agreement. This completes the second step in registration and the buyer leaves.

8.2.2 Registration Cost

1. The normal processing time for obtaining Extract of Title and a cadastral map is 3 days and costs 51 lei (3.5 JD) One day service is available for 255 lei (15.7 JD).
2. The normal registration processing costs 84 lei (5.8 JD). This is the fee, which by law can take up to 30 days. Expedited service is available and based on a graduating scale where for one day service the cost is 2100 lei (146.6 JD).
3. Transfer fee is based on the value of the property: the value is extracted by the clerk from his computer records and amounts to approximately 0.001%. For a property with a nominal value of 300,000 lei (20,950 JD), the fee is 336 lei (23.4 JD)

9.0 Appendix III: Doing Business

9.1 Jordan- Ease of Doing Business

Ease of Doing Business	Doing Business 2008 rank	Doing Business 2007 rank	Change in rank
Doing Business	80	79	-1
Starting a Business	133	133	0
Dealing with Licenses	71	71	0
Employing Workers	45	45	0
Registering Property	109	106	-3
Getting Credit	84	80	-4
Protecting Investors	107	105	-2
Paying Taxes	19	19	0
Trading Across Borders	59	51	-8
Enforcing Contracts	128	128	0
Closing a Business	87	84	-3

9.2 Registering Property

The ease with which businesses can secure rights to property is shown below. Included are the number of steps, time, and cost involved in registering property.

Indicator	Jordan	Region	OECD
Procedures (number)	8	6.8	4.9
Duration (days)	22	48.1	28.0
Cost (% of property value)	10.0	6.6	4.6

10.0 Appendix III: Recommendations Interdependency

<p>1.1 Revise cost structure to include; uniform registration fee just to cover cost of service, not more than 4% transfer tax, and fair capital gain tax.</p>		
<p>2.1 Eliminate the legal requirement for land holding restriction and authorities' consultations for business entities</p>	<p>7.1 Delegate all approval authorities to DLS</p>	<p>7.2 Delegate MOF approval authority to DLS</p>
		<p>7.3 Delegate Cabinet approval authority to MOF</p>
		<p>7.4 Raise Land size cap of DLS/ MOF approvals</p>
<p>6.1 Eliminate the requirement for Consultations</p>	<p>6.2 Eliminate unneeded consultations</p>	
	<p>6.3 Establish time limitation for responses to consultations</p>	
	<p>6.4 Allow consultations' reusability and preparation in advance</p>	
	<p>8.1 Establish coordination mechanism for consultations without applicant involvement</p>	<p>8.2 Expedite issuance of consultation letters at first visits</p>
	<p>8.3 Establish internal communication mechanism to transfer between DLS central and offices</p>	
	<p>12.1 Provide sale form at DLS central office</p>	<p>12.2 Allow GAM clearances in separate forms</p>
<p>3.1 Establish a unified land code</p>		
<p>4.1 Conduct IT assessment study</p>		
<p>5.2 Replace the requirement for cadastral map, zoning map, and legal copy of the property title with coordination with GAM and cadastre number</p>	<p>5.1 Host zoning map issuance services at DLS</p>	
<p>9.2 Host service charge and building tax clearance</p>	<p>9.3 Host service charge and building tax clearance services at DLS/ registration offices through GAM's physical presence</p>	

services at DLS/ registration offices through system integration and authority delegation	9.1 Provide service charge and building tax compliance verification service at DLS/ registration offices through authority delegation	
10.2 Activate and use GAM's Building Tax appraisal	10.1 Use private firms' appraisals	12.3 Conduct site inspections without applicant involvement
	10.3 Establish semi governmental body for national evaluation	12.4 Transfer appeals/requests in district offices, and forward them to central office internally
11.1 Host acquisition check service at DLS and conduct at the beginning of the qualification process		
11.2 Perform title dispute check at the beginning of the qualification process		
13.1 Eliminate the legal requirement for demanding extra fees based on post audit , used it only for process correction	13.2 Implement legal time limitation for post audit, preferably shorten it	
	13.3 Adopt high risk-sampling mechanism	

11.0 Appendix IV: Average Calculations

Step	Avg. Calculated (days)
Obtain Cadastral Map	1
Obtain Zoning Map	1
Submit Request for Purchasing Approval	1
Wait for Consultation Letters preparation	2
Pick up Consultation Letters	1
Obtain Replies	10
Submit Replies on Consultation Letters	1
Wait for approval (MOF or Cabinet)	11
Pick up file	1
Obtain Sale Form	1
Obtain Clearances	1
Submit sale form and set inspection appointment	1
Wait for inspection appointment	3
Conduct inspection, valuation and contract arrangement	1
Pay money then set for hearing session, and get the new title	1
Total	37

12.0 Appendix V- Approved Action Plan

DLS Phase I: Action Plan

This action plan is based on the Phase I recommendations of the Mission Report, dated June 30th, 2008, for the “Land and Survey Department- Title Registration and Transfer Process” conducted under the USAID Jordan Economic Development Program (SABEQ).

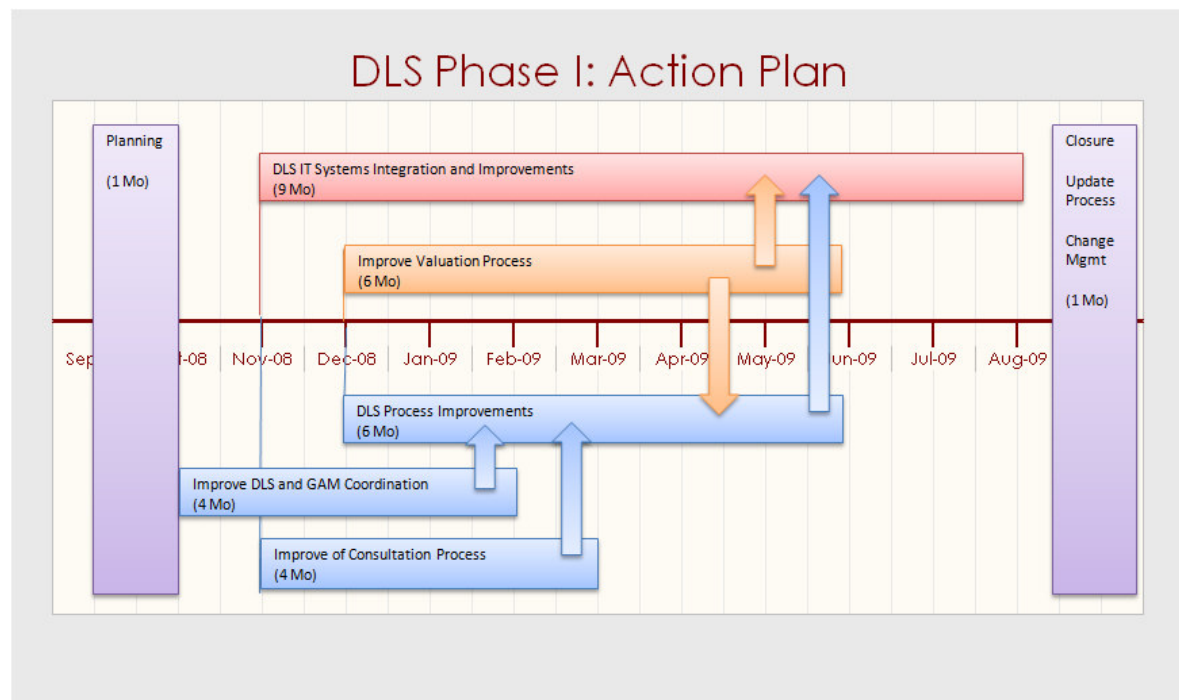
This action plan groups and details the various recommendations into measurable tasks to be conducted over the proposed timeframe of each.

It is important to note, that the overall gain mentioned in the Mission Report and referenced at the end of this document, cannot be achieved without the complete and successful implementation of the action plan.

After the completion of the phase I action plan, it is vital for DLS to organize processing sequence, document and republish the final process, train employee as needed , reorganize offices’ layout , and support the front office operation with queuing system to maximize benefits of improvements.

13.0 Overall Project

View of the various projects, dependencies and timeframe.



14.0 Phase I Tasks

14.1 Task 1: Improve Consultation Process for Business Property Registration

Objectives:	<ol style="list-style-type: none"> 1. Eliminate unneeded consultations 2. Control consultation process 3. Establish coordination mechanism for consultations without applicant involvement
Time Frame:	4 Months
Reference Recommendations:	6.2, 6.3, 8.1

14.1.1 Scope:

Activities	Stakeholder	Area	Responsibility
Review the necessity and feasibility for consultations with consulted authorities	Consulted Authorities	Process	DLS
Establish clear criteria for requesting consultation	Consulted Authorities	Process	DLS
Establish reasonable time limits with consulted authorities for providing responses	Consulted Authorities	Process	DLS
Use alternative mechanism for exchange of consultation letters without applicant's involvement: <ol style="list-style-type: none"> 1. Electronic mail 2. Express mail 3. Official mail 4. Fax 	Consulted Authorities	Process	DLS

14.1.2 Deliverables:

1. MOUs with defined criteria for consultation, timeframe and communication mechanism

14.1.3 Expected Gain:

1. Eliminate the cost and time of unneeded consultations
2. Reduce applicant's waiting time to a reasonable and defined number of days, instead of current unknown lengthy waiting time (of average 14 days that reach to 90 days).
3. Eliminate applicants' need to visit other authorities.
4. Cut out the two visits and their travel cost that applicants currently have to perform just to collect consultation letters and submit responses back to DLS; consequently, cut out number of visitors to the central office by 50%.

14.1.4 Beneficiaries:

1. Business Applicants

14.2 Task 2: Improve DLS and GAM coordination for Property Title Transfer Requirements Preparation

Objectives:	1. Eliminate the requirement of the cadastral map and zoning
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	map 2. Provide service charge clearance , building tax clearance services at DLS(registration offices) through GAM's physical presence 3. Provide acquisition check service at DLS (central and registration offices) through GAM Physical Presence
Time Frame:	4 Months
Reference Recommendations:	5.2, 9.3, 11.1

14.2.1 Scope:

Activities	Stakeholder	Area	Responsibility
Integrate the Cadastral Map System of DLS with Zoning Map System of GAM. Possible alternatives: 1. Direct System Integration 2. Establish a Mechanism for monthly update of systems 3. Provide GAM with Access to Cadastral Map System	GAM	Process/IT	DLS
Eliminate the requirement of a Zoning Map	GAM	Process	DLS
Provide electronic access at DLS premises (central and directorates) to: 1. Building Tax system 2, Service Charge system 2. Acquisition system	GAM	Process/IT	DLS
Appoint GAM representatives with relevant authorities at DLS premises (central and directorates) to execute: 1. Building tax clearance 2. Service charge clearance 3. Acquisition check	GAM	Process	DLS
Establish a mechanism for management of fee collection of building tax and service charge clearances	GAM	Process	DLS

14.2.2 Deliverables:

1. MOU with agreements on implementation mechanism and timeframe of:
 - a. Hosting GAM services (building tax, service charge, and acquisition check) at all DLS premises.
 - b. Integrating cadastral and zoning systems
2. DLS Issuance of an official decision of eliminating the requirement of a Zoning Map.

14.2.3 Expected Gain:

1. Eliminate the applicants need to travel back-and-forth between DLS and GAM premises for requirements preparation (including; Zoning Map, service charge clearance, building Tax clearance and acquisition check). This will reduce number of visits and travel cost and time on applicants

2. Enable requirements' preparation (with exception of the company registration certificate for business) and application's filing in one visit.
3. Reduce cost of requirement preparation by the cost of zoning map issuance.

14.2.4 Beneficiaries:

1. All Applicants (both businesses and individuals)

14.3 Task 3: Improve Valuation Process

Objectives:	<ol style="list-style-type: none"> 1. Provide continuously updated and ready for use values for all properties in DLS database. 2. Eliminate applicant's involvement in property valuation process. 3. Eliminate subjectivity, inconstancy, and/or error in property valuation. 4. Reduce number of appeal cases on property valuation. 5. Eliminate the need for post audit practice.
Time Frame:	6 Months
Reference Recommendations:	12.3, 10, 13 modified

14.3.1 Scope:

Activities	Stakeholder	Area	Responsibility
Implement an advanced valuation mathematical model that improves the current system and enables estimates update of properties' value	Internal	IT	SABEQ
Populate the new valuation system with historical data	Internal	IT	DLS
Provide query access to the new valuation system at DLS premises (central and directorates)	Internal	IT	DLS
Integrate the new valuation system with the Contract Management System to retrieve property value directly in to contract	Internal	IT	DLS & SABEQ
Restructure operations of valuers into a functional unit at the central office to provide prescheduled periodic inspections to feed into the system data	Internal	Process	DLS
Eliminate post valuation process	Internal	Process	DLS

14.3.2 Deliverables:

1. An implemented advanced valuation mathematical system
2. DLS Issuance of an official decision of eliminating the post audit process
3. A restructured valuation function of DLS into a central office

14.3.3 Expected Gain:

1. Cut out the valuation processing time for each transaction to zero instead of current estimated as an average (3-5 days)
2. Cut out the two visits and their travel cost that applicants currently have to perform just to pick up evaluators and return them back to office for site inspection.
3. Reduces the number of valuation appeal requests dramatically
4. Eliminate the need for demanding extra fees after registration and thus cut-out appeals on post audits to zero

5. Establish a unit that can grow as a national valuation office to serve both property and building tax valuation.
6. Eliminate applicants' intervention in property valuation process.
7. Eliminate subjectivity , minimize errors, and enhance consistency across valuations

14.3.4 Beneficiaries:

1. All Applicants (both businesses and individuals)

14.4 Task 4: DLS Process Improvements

Objectives:	<ol style="list-style-type: none"> 1. Establish internal mail exchange mechanism to transfer cases, and appeal request on valuation between DLS central and offices 2. Perform Go/No Go decisions at the beginning of the process. 4. Eliminate the requirement of the cadastral map and property title
Time Frame:	6 Months
Reference Recommendations:	5.2, 8.3, 11.2, 12.4

14.4.1 Scope:

Activities	Stakeholder	Area	Responsibility
Use alternative mechanism to transfer cases and appeal requests between DLS central and its directorates: <ol style="list-style-type: none"> 1. Electronic mail 2. Express mail 3. Official mail 4. Fax 	Internal	Process	DLS
Provide access to title dispute check at the central office	Internal	Process	DLS
Perform title dispute check at the beginning of the qualification process at the central office and at the beginning of the registration process for individuals sales process	Internal	Process	DLS
Perform the acquisition check activity at the beginning of the qualification process at the central office and keep it at the beginning of the registration process for individuals sales process	Internal	Process	DLS
Replace the requirement for Cadastral Map with: <ol style="list-style-type: none"> 1. Cadastre number 	Internal	Process	DLS
Replace the requirement for Property Title with: <ol style="list-style-type: none"> 1. Cadastre number 2. Photo copy of the property title of the current owner 	Internal	Process	DLS
Query Property Value for applicant information at the beginning of the qualification process at the central office and at the beginning of the registration process for individuals sales process ; thus, inform applicant of with title transfer tax at first visit	Internal	Process	DLS

14.4.2 Deliverables:

1. DLS Implementation of an internal mail exchange mechanism between central office and directorates.
2. GO/ NO-GO decisions ;title dispute and acquisition check are performed at first applicant visit
3. Property value is provided to applicant at first visit
4. DLS Issuance of an official decision of eliminating the requirement of a Zoning Map.

14.4.3 Expected Gain:

For all applicants:

1. Saves both applicant and DLS processing un-needed transactions by placing the Go/ No GO decisions including the acquisition check and title dispute check at the beginning of the qualification process for business applicant.
2. Reduce cost of requirement preparation by the cost of cadastral map property title issuance.
3. Cut out the potential one visit to DLS central office and its travel cost that applicants currently have to perform to submit appeal cases on value

For business applicants:

4. Cut out the visit and its travel cost that applicants currently have to perform to DLS central office just to pick up the file and the transfer notice to DLS Directorate, consequently reduce number of visitors to central office by 25%.
5. Cut out one visit and its travel cost that applicants will need to make to DLS directorate for Tax payment (applicant will be not need to leave the directorate to withdraw cash and then get back to pay tax and complete transaction; instead, applicants will be able to process the whole transaction in one visit to DLS directorate including fee payment)

14.4.4 Beneficiaries:

1. All Applicants (both businesses and individuals)

14.5 Task 5: DLS IT Systems Integration and Improvements

Objectives:	<ol style="list-style-type: none"> 1. Integrate the various systems within DLS 2. Enable real time data retrieval 3. Enable tracking and automatic transition of cases 4. Enable automatic notification of due cases
Time Frame:	9 Months
Reference Recommendations:	4

14.5.1 Scope:

Activities	Stakeholder	Area	Responsibility
Conduct an assessment of systems ,technology, and underline infrastructure currently in use	Internal	IT	SABEQ
Define information flow/map and integration points within the various processes of DLS	Internal	IT	SABEQ
Identify business requirements for integration and workflow management system and their corresponding functional specifications	Internal	IT	SABEQ
Develop prioritized action plans and terms of reference for systems integration and workflow management system design and implementation	Internal	IT	SABEQ
Implement systems integration	Internal	IT	SABEQ
Implement workflow management system	Internal	IT	SABEQ

14.5.2 Deliverables:

1. Business requirements specifications
2. Prioritized action plans and terms of reference for both systems integration and workflow management system design and implementation
3. Integrated systems
4. Deployed workflow management system

14.5.3 Expected Gain:

1. Constancy and reliability of data across multiple systems
2. Timeliness of processing

14.5.4 Beneficiaries:

1. All Applicants (both businesses and individuals)

15.0 Phase I: Expected Outcome

Envisioned Process (Business Applicants)

Applicant performs only one visit for requirement preparation outside DLS to obtain the Company Registration Certificate, which he might already have.

Applicant performs one visit to the DLS central office, where:

5. Applicant submits to the following:
 - Cadastre number (and if decided a photo copy of the property title)
 - Company Registration Certificate
 - Qualification Application Form
6. GAM authorized person performs acquisition check
7. Front-desk personnel performs the following
 - Checks Title dispute
 - Checks Property value check
 - Informs applicant with registration fee and transfer tax

If applicant decided to continue,

8. Front-desk personnel performs the following:
 - a. logs the application into the SMS system and issue an application number to applicant
 - b. Informs applicant with the expected reply date (the maximum expected date)

Applicant then leaves and waits for DLS Reply

9. Once the application is received, the following activities take place without applicant involvement.
 - a. Issuance of an incoming correspondence number to application
 - b. Issuance of consultation letters as per the defined criteria
 - c. Consultation replies receipt or issuance of approval due to response delay.
 - d. Issuance of qualification approval decision
 - e. Delivering the case to the relevant DLS directorate if approved
 - f. Informing applicant with result through SMS

2nd Visit: to DLS directorate

Applicant performs one visit to the DLS directorate once he receives an SMS qualification approval is received, where:

10. Applicant submits to the application number
11. Front-desk employee performs the following:
 - a. Retrieves the case to applicant
 - b. Issues the correspondence number
12. GAM authorized personnel (s) checks service charge clearance, and building tax clearance and pays service charge and building tax clearances and collect fees
13. Applicant proceed to registration fee and transfer tax payment (the applicant was already informed with due fee in step 3)
14. Clerk arranges Sale contract
15. Applicant set for hearing session
16. Clerk issues the Registration Certificate

Envisioned Process (Individual Applicants)

Applicant performs the first visit to the DLS Registration Directorate, where:

1. Applicant submits the following:

- Cadastre number (and if decided a photo copy of the property title)
 - Sale Form
2. GAM authorized person performs acquisition check
 3. Front-desk personnel perform the following:
 - Checks Title dispute
 - Checks Property value check
 - Informs applicant with registration fee and transfer tax
 4. If applicant decided to continue, front-desk employee issues the correspondence number
 5. GAM authorized personnel (s) checks service charge clearance, and building tax clearance and pays service charge and building tax clearances and collect fees

Applicant might need to leave for cash withdrawal and then return back to the Registration Directorate to complete transaction, where:

6. Applicant proceed to registration fee and transfer tax payment
7. Clerk arranges sale contract
8. Applicant set for hearing session
9. Clerk issues the Registration Certificate

Expected Gain

Gain	Business Applicants		Individual Applicants	
	Expected	Current	Expected	Current
Number of visits to DLS central office	1	4	N/A	N/A
Number of visits to DLS registration office	1	4	1	4
Number of visits to GAM premises	0	3	0	3
Number of visits to other authorities for consultations	0	1 at least	N/A	N/A
Over all processing time	17 days	37 day	2 days	8 days
Number of appealed cases on valuation	To minimum	many	To minimum	many
Number of appealed cases on post audit valuation	0	So many	0	So many
Cost of registration	Reduced by travel cost and requirement preparation cost		Reduced by travel cost and requirement preparation cost	
Impact on Doing Business Rank	67	80	N/A	N/A

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