



UNIVERSITI PUTRA MALAYSIA

DISTRIBUTION OF AFFORDABLE HOUSING IN YINCHUAN, CHINA

ZHANG TAO

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DISTRIBUTION OF AFFORDABLE HOUSING IN YINCHUAN, CHINA

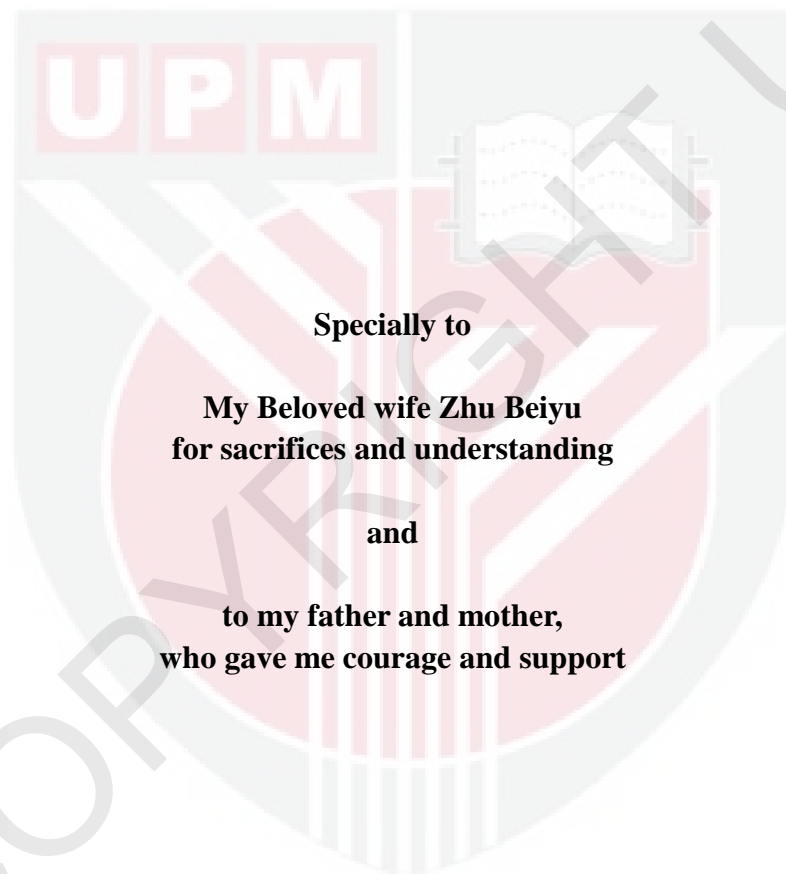
By
ZHANG TAO

**Thesis Submitted to the School of Graduate Studies, Universiti Putra Malaysia,
in Fulfilment of the Requirements for Doctor of Philosophy**

November 2012

**Thesis Submitted to Universiti Putra Malaysia
in Fulfilment of the Requirements for the Degree of Doctor of Philosophy**

DEDICATION



Specially to

**My Beloved wife Zhu Beiyu
for sacrifices and understanding**

and

**to my father and mother,
who gave me courage and support**

Abstract of thesis presented to the Senate of Universiti Putra Malaysia in fulfilment of the requirement for the degree of Doctor of Philosophy

DISTRIBUTION OF AFFORDABLE HOUSING IN YINCHUAN, CHINA

By

ZHANG TAO

November 2012

Chairmen: Associate Professor Ahmad Hariza Hashim, PhD

Faculty: Human Ecology

Affordable housing is built with public assistances and public land in Yinchuan. It aims to provide an accommodation with security and stability to the urban poor and help them overcome disadvantages and live as a human being with dignity. It is absolutely unacceptable that the ineligible occupy affordable housing and obtain welfare benefits. The affordable housing fraud deprives the people who are genuinely in need from accessing to the program.

Distinguished from the policy study about the affordable housing program, this research is conducted from law perspective to investigate drawbacks in the legal system of affordable housing distribution. Based on the Rawls' theory of justice and the framework of legal

operating system of affordable housing distribution, the researcher conducts investigation from four perspectives, which are affordable housing legislation, enforcement, judiciary and sanction.

The aims of this study are to explore the general picture of affordable housing development in Yinchuan; to identify the problem in affordable housing distribution in Yinchuan; to investigate drawbacks in affordable housing distribution system in Yinchuan and to examine views and perceptions of low income respondents upon the affordable housing distribution system in Yinchuan. Data collection techniques involve documents, observation, interview and survey using questionnaire. The questionnaire is designed based on the findings of documents analysis, observation and interview. Data gathered from the survey are analyzed descriptively.

The findings reveal that there are some drawbacks in the affordable housing distribution system, which consists of legislation upon eligibility, distribution execution, judiciary and sanction. Each subsystem is not perfect to play its role in safeguarding fair distribution. Legislation upon eligibility criteria and required proof documents are not clear and adequate enough to ensure eligibility of applicants. The execution of distribution consists of four procedures in which each procedure does not function effectively due to its defects. The judiciary consists of three types, which are from civil, criminal and administrative procedures. There are also some drawbacks in the subsystem of sanction as well. The results of this study suggest that drawbacks in each subsystem make its operation very

ineffective and prevent the whole system functioning normally. All these drawbacks result in unfairness and injustice in the process of affordable housing distribution.



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Abastrak tesis yang dikemukakan kepada Senat Universiti Putra Malaysia sebagai Memenuhi keperluan untuk ijazah Doktor Falsafah

**PENGAGIHAN BAGI KEADILAN RUMAH MAMPU MILIK DI YINCHUAN,
CINA**

Oleh

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Perumahan mampu milik dibina dengan bantuan awam dan tanah awam di Yinchuan. Matlamatnya ialah untuk menyediakan kediaman di samping keselamatan, kestabilan kepada golongan miskin bandar dan membantu mereka mengatasi kekurangan ini dan dapat hidup sebagai manusia yang bermaruah. Adalah sesuatu yang tidak dapat diterima sekiranya mereka yang tidak layak dapat memiliki rumah mampu milik dan memperoleh faedah kebajikan ini. Penipuan dalam pemilikan rumah mampu milik telah menafikan hak mereka yang memerlukan daripada mengakses kepada program ini.

Berbeza daripada kajian dasar mengenai program perumahan mampu milik, kajian ini dijalankan dari perspektif undang-undang untuk mengenalpasti kelemahan dalam sistem

undang-undang yang diamalkan dalam pengagihan rumah mampu milik. Berdasarkan teori keadilan dan kerangka sistem operasi undang-undang pengagihan rumah mampu milik Rawls, penyelidik menjalankan kajian daripada empat perspektif, iaitu perundangan, penguatkuasaan, kehakiman dan hukuman.

Kajian ini bertujuan untuk meneroka gambaran umum pembangunan rumah mampu milik di Yinchuan; untuk mengenal pasti masalah dalam pengagihan rumah mampu milik di Yinchuan; untuk meneliti kelemahan dalam sistem pengagihan rumah mampu milik di Yinchuan dan menganalisis pandangan dan persepsi responden yang berpendapatan rendah dan sederhana terhadap sistem pengagihan rumah mampu milik di Yinchuan. Kaedah pengumpulan data melibatkan analisis dokumen, pemerhatian, temubual dan survei menggunakan borang soal selidik. Borang soal selidik dibina berdasarkan hasil analisis dokumen, pemerhatian dan temubual. Data yang diperolehi melalui survei dianalisis secara deskriptif.

Kajian ini mendapati bahawa terdapat beberapa kelemahan dalam sistem pengagihan rumah mampu milik, iaitu undang-undang ke atas syarat kelayakan, pelaksanaan pengagihan, badan kehakiman, dan hukuman. Setiap subsistem tidak memainkan peranan yang berkesan dalam menjaga pengagihan yang adil. Perundangan ke atas kriteria syarat kelayakan dan dokumen yang diperlukan tidak jelas dan mencukupi untuk menentukan kelayakan pemohon. Pelaksanaan pengagihan terdiri daripada empat prosedur di mana setiap prosedur tidak berfungsi dengan berkesan disebabkan kelemahannya. Badan

kehakiman itu terdiri daripada tiga jenis iaitu prosedur sivil, jenayah dan pentadbiran.

Terdapat juga beberapa kelemahan dalam subsistem hukuman. Hasil kajian ini menunjukkan bahawa kelemahan dalam setiap subsistem menjadikan operasinya sangat tidak berkesan dan ianya juga menghalang keseluruhan sistem daripada berfungsi secara normal. Semua kelemahan ini berlaku akibat ketidakadilan dan ketidaksamaan dalam proses pengagihan rumah mampu dimilik.



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I also want to thank my wife, I owe her too much. The sacrifices she made, the courage she gave and the love she dedicated deserve my whole life to cherish her and keep her accompany. And, I want to say “thank you” to my parents. They are always there when I went through ups and downs. Their generosity and kindness make me feel that they are the permanent haven whenever I come across difficulties.

There are others in Yinchuan who put me on this track. I want to thank my university colleagues who helped me with the design and correction of the survey. I also want to thank the officials from various bureaus, lawyers and a judge from the Supreme Court for their cooperation. I really appreciate their time to sit there for interviews. Their thoughtful reflection made data collection reliable.



I certify that an Examination Committee has met on 2nd November 2012 to conduct the final examination of Zhang Tao on his thesis entitled “Affordable Housing Distribution in Yinchuan, China” in accordance with the Universities and University Colleges Act 1971 and the Constitution of the Universiti Putra Malaysia [P.U.(A)106] 15 March 1998. The Committee recommends the student be awarded Doctor of Philosophy.

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DECLARATION

I declare that the thesis is my original work except for the quotations and citations which have been duly acknowledged. I also declare that it has not been previously, and is not concurrently, submitted for any other degree at Universiti Putra Malaysia or at any other institution.



ZHANG TAO

Date: 2 November 2012



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