An experience of Regularization Private Urban in Brazil: the case of Terra Nova Urban Land Regularization Ltda.

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Terra Nova Land Regularization Ltda

The Terra Nova Land Regularization Ltda began its activities in 2001. Its fast expansion has been motivated by the originality of the model intervention in large scale developed for the urban land regularization, a segment until then dependent on the State.

Historically the Public Power has not capacity to solve the problem of urban land irregularity in the ratio it demand, especially in private areas taken occupied by low income population. The discontinuity of the governemental plans, the conflicting political interests and the volume necessary resourses for the reintegration of these properties limit or even make it impracticable the action of the State in the local, regional and national scope.

In Brazil they estimated that more than 50% of urban land it is irregular (LGAF, Wordl Bank, 2014).
SOLUTION

In this context Terra Nova specialized in regularization these areas paying attention to urban lines guidelines and reverting environment impacts, dissolving land conflicts and starting a new model of intervention through agreements between owners and irregular occupants, with the use of instruments that guarantee the access to the property to that population who occupied a plot of land and there conquered the right to remain.

The activities the company have shown a viable way to solve this complex urban problem and making it possible for the low income, in their own ways to take ownership of the property of the plot where they live.

This modality created by Terra Nova makes room for private companies and the society organized in a space traditionally taken by the public sector, redefining the paper of the State in the process.
PROBLEM: Land Conflict in consolidated areas
The Mediation: Multistakeholders Solution

To mediate the interests of the owners, inhabitants and others stakeholders Terra Nova Nova organizes the communities, Public Power, Judiciary, etc discuss the process demonstrating the advantages of having the ownership of the plots where they live. The result of this agreement between the all the stakeholders envolved is the Judicial Agreement, homologated by the Judiciary that establishes all the criteria of price, period, and conditions through each stakeholder will adhere. They will have rights and obligations.
Methodology
THE CASE OF VILA MARINHO

• 390,379,10 m²
• initially 500 families in 2003
• Consolidated for 10 anos
• 1538 families benefice in 2010
• 75% population adhere the project
• Land increase in value 10 times more
The positives points

1. The profile of the components of the Technical Comitee, intense professional bond and established staff, and clarity of purpose and commitment to the families involved.

2. The transparency of information on the criteria adopted, stimulating the participation and organization of the community, and the intense relationship between the population and the members of the Technical Board, with an establishment of ties of friendship, respect and fellowship among all. At all times remained the atmosphere of cordiality and closeness.

3. The understanding and support of the judiciary, which played a decisive role, since the Judicial Agreement, to the reintegration and necessary educational and demolition orders;

4. The Cooperation Agreement, a key instrument which supported all interventions implemented and political conflicts between government agencies;
The positive points

5. The demonstration effect that the multi-stakeholder composition is a solid element in building solutions to achieve good land governance with the reordering of land through organized democratic social participation and self-sustainable;

6. The transformation of a disorderly occupation in an organized neighborhood with urban parameters and the hands of the people themselves, giving a sense of ownership of their space.

7. Initially land regularization process the square meter was determined that the value would be around R $ 37.50 / m2 ;

8. 10 years of the beginning of the adjustment process, the value of the plots range from is R $ 375.00 / m2.
Conclusion

• The private company can do all the process of land regularization with agreements between all stakeholders involved;

• The instruments multistakeholders that the company use to do the regularization are very efficient: Settlement Plan, Conduct Adjustment Agreements, Technical Comitee, Judicial Agreement;

• These instruments are good form of collaborative and democracy participation that contributed with the transparency and sinergy between all stakeholders;

• Empower citizens and promote a process very effective, efficiente and democratic

• The methodology generate a social transformation in the quality of life the occupants;

• The increase in land is considerable, turning a land of no value into areas with a formal market value.