

# Enhancing property tax compliance in Mandalay



## In brief

- This brief discusses several policy options that could improve tax compliance and tax administration in Mandalay – helping the city to escape its low-tax and underfunded services trap.
- Increasing the perceived benefits of paying tax – by communicating the link between tax and infrastructure – would likely encourage compliance, so long as the government can facilitate ease of payment through effective approaches to tax collection.
- To be effective at using such policies, cities first need strong foundations for tax administration. In particular, Mandalay could look to update its systems for property identification and assessment. The brief suggests several different approaches to do this and their associated trade-offs.

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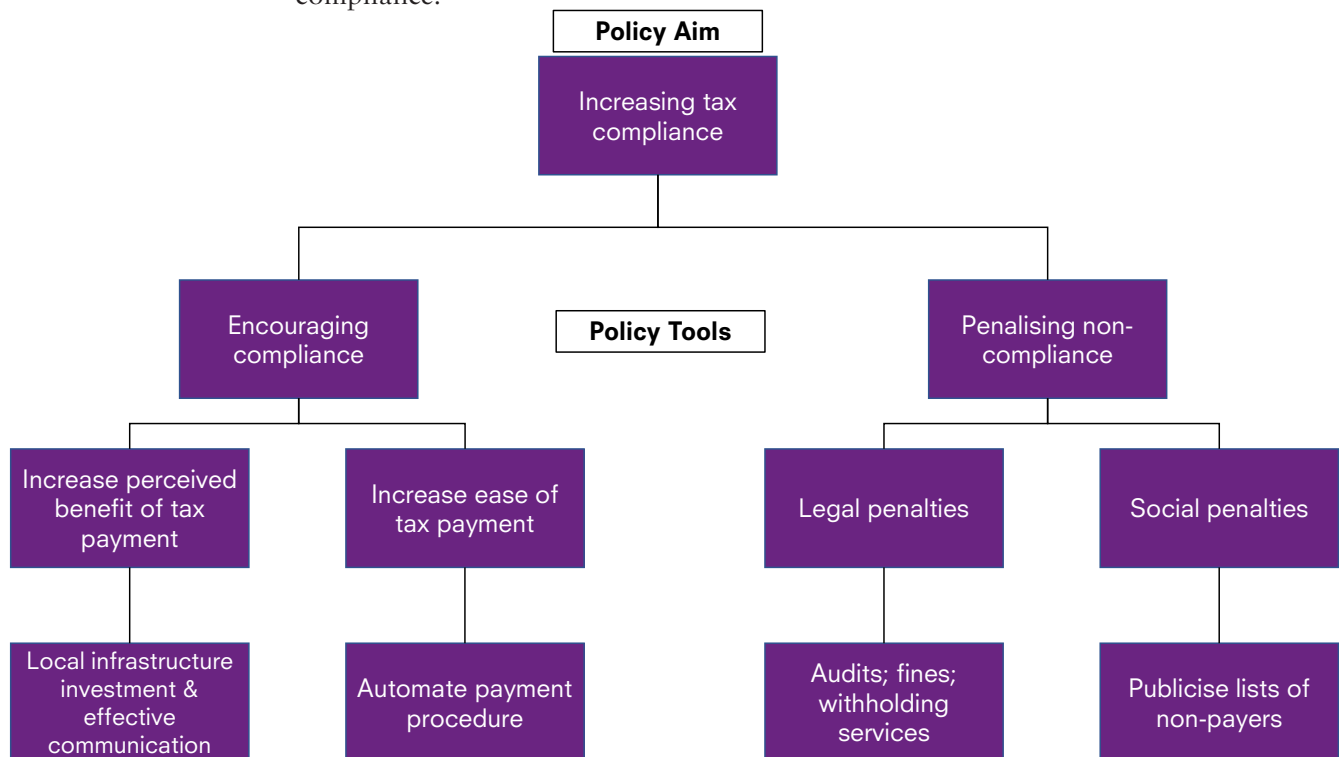
## Introduction

The Mandalay City Development Committee (MCDC) of Myanmar has identified property tax compliance as a key opportunity for policy reform that could boost municipal revenues and improve the relationship between local government and citizens. This is reflective of the experience of many cities across the world. For example, Lagos’ transformative infrastructure programmes over the last 20 years have been fundamentally underpinned by reforms to property tax compliance.

This brief draws on economic research and international experiences to suggest possible routes through which Mandalay could improve property tax compliance. Such policy changes are predicated on strong foundations for tax administration, and in particular, the systems for property identification and assessment of tax obligations. These reforms to tax processes could generate big impact whilst also offering greater simplicity and political acceptability over other conventional approaches such as adjusting the rates that taxpayers face.

## Tax compliance and service delivery

Two-thirds of Myanmar’s urban residents now report that they would be happy to pay more property taxes in return for improved local service delivery.<sup>1</sup> Incremental tax compliance reforms are a key way to catalyse this process as they often represent a low-hanging fruit to increase property tax collection and are at the heart of the process whereby residents come to understand that property taxes are a legitimate price to pay for effective local services. Policies to increase tax compliance can broadly be divided into those that directly encourage compliance and those that penalise non-compliance:



## Increasing the perceived benefits of tax payments

Policymakers can encourage compliance by increasing the perceived benefit of tax payment and by increasing the ease of tax payment. That is, taxpayers are far more likely to voluntarily comply with property taxes if they see them as the legitimate price paid for decent local public services. Two-thirds of urban residents in Myanmar have said they would be happy to pay more property tax if it meant better services for them and their city. To keep its side of this bargain, the MCDC needs to not only provide decent services but also needs to communicate to citizens that these services can only be provided if they pay their taxes.

Currently, many local urban governments in Myanmar struggle to effectively communicate to citizens how their taxes are used. Forty-five percent of urban residents do not even realise property taxes go to the local rather than the union government. Ninety percent say they would like more information on how their taxes are spent.<sup>2</sup> In many cases, collection practices only serve to add to citizen's lack of understanding.

For example, currently many municipalities explicitly break up one 'property tax' payment into four itemised payments (for land and buildings, street-lighting, water, and waste collection). However, the municipalities do not actually provide some of the associated services (e.g., waste collection) in return.<sup>3</sup> Such discrepancies fundamentally undermine the link between property taxation and the local services needed to support high compliance.

One clear way to demonstrate the link between taxes and better service delivery is to hold public consultations on how people want their taxes spent. The government can then effectively communicate that taxes have been spent on public priorities, or if such communication fails, could even consider earmarking spending for particular public priorities. Lagos offers a useful case study of effective public participation and political communication to increase tax compliance.

## Case study: Communicating the link between tax and infrastructure in Lagos<sup>4</sup>

In the 1990s, Lagos, the capital city of Nigeria, was internationally renowned for corruption, weak public infrastructure, low tax compliance, and an over-reliance on oil revenues. With the advent of democracy in 1999, Governor Babatunde Raji Fashola was elected Governor of Lagos State on a platform of tax reform and infrastructure delivery. Faced with limited central government transfers and a constituency demanding improvements, reforms started by streamlining and semi-privatising local property tax collection practices.

The increased property tax revenues generated were spent on highly visible and popular infrastructure, such as roads. This was based on extensive public consultations revealing that, as one of the world's most congested cities of the time, roads were the most pressing issue requiring state government attention. At the same time, the state government used innovative communication practices to demonstrate to citizens that roads could not have been built without their tax contributions.

Between 1999 and 2011, Lagos State's revenues from state-level taxes increased five-fold to over \$1 billion. Capital spending increased from \$600 million in 2006 to \$1.7 billion in 2011. This represents a shift towards a higher tax, higher service delivery equilibrium. What's more, Governor Fashola and his successor Bola Tinubu were both successfully re-elected based on popular support for the tax and infrastructure reforms.

For property taxes in particular, tax payments can not only be linked to better infrastructure delivery, but also to more secure property rights. Property tax payments therefore become the legitimate price paid for both tenure security and local infrastructure delivery



*In Lagos, physical road signs and social media campaigns have been used to sensitise citizens to the tangible benefits of paying tax (Photo credit: EBS RCM Helpdesk, 2017).*

## Improving the ease of tax payment

The current process for paying property tax in Mandalay is highly manual and labour-intensive. In each township, every six months 15-30 tax collectors go door to door in person, and collect payments on the spot in cash. If the payment is withheld or appealed, the tax collector may need to revisit the property multiple times throughout the year.<sup>5</sup>

There are certain advantages to this reliance on individual tax collectors: on-site visits can ease collection, and collectors' familiarity with the local area can help identify properties that are not on cadastral records. However, notwithstanding the high staff costs in collection for MCDC, there are serious limitations involved with the current process:

- Taxpayers may face practical difficulties amassing cash on a particular payment day.
- Taxpayers have a strong incentive not to pay on collection day: If they don't pay, the cost of a re-visit often exceeds the payment being collected, so it doesn't happen.
- Tax collectors can adjust the assessed tax to be collected, leaving room for corruption.

The ease of the taxpaying experience varies hugely depending on the tax collector involved. Since tax collectors do not receive formal training and largely learn by doing, this results in poor service in many areas. Furthermore, if collectors cannot explain tax payments effectively, this increases suspicions of corruption. A recent survey showed that 90% of Myanmar's urban residents say they would like clearer information on which taxes they need to pay.<sup>6</sup>

These factors not only make the taxpaying process challenging, but also undermine the very legitimacy of the tax system itself. In other words, a poor tax payment system undermines not only the ease of payment, but also the perceived benefit of payment. In the short term, better training and performance-related incentives for tax collectors, as well as independent audits of assessed valuations, could go some way towards tackling these challenges.

The MCDC has recognised that the tax payment system will ultimately need to become more automated to increase both ease and legitimacy. Four cities in Myanmar are currently piloting an automated tax billing and collection system, 'Myankhon'. Initial findings suggest this has both increased revenues and reduced perceptions of corruption. Whilst this technological innovation is promising, as the case study of Kampala shows, automation can only be as effective as the staff who make the automated system work in practice.

## Case study: Revolutionising tax revenue collection in Kampala<sup>7</sup>

The Kampala Capital City Authority (KCCA) of Uganda has increased its own-source revenues by over 100% over the past four years. This has been achieved entirely through improving internal tax collection practices and without any national-level policy change.

When the KCCA was created in 2011, to replace the Kampala City Council, the new Executive Director made revenue collection one of her top priorities. She created an independent Directorate of Revenue Collection (DRC), tasked with creating a collection system that ‘treats the taxpayer as a client’. To do this, the DRC created a new city-level taxpayer database, distinct from the incomplete national database. This database was then automated as part of a new electronic revenue management system, eCitie.

eCitie makes the tax payment process easy for both taxpayers and DRC staff. It automatically generates an account for each taxpayer and calculates the payments required for each account. Taxpayers can access their account via the internet or mobile phone at any time to understand the payments they need to make. Tax payments can be made through a number of convenient and traceable channels, including electronic transfer, cheque, mobile phone, or cash payments at the local bank. Partnerships with local banks and telecommunications operators have been developed to facilitate this.

To enable better management of payments, eCitie also automatically generates receipts, sends out reminders to taxpayers, flags which taxpayers are in arrears, and generates management reports for the DRC. This has helped the KCCA to identify what revenue sources and which taxpayers are the most significant and enable effective prioritisation.

For the DRC to help design and operate eCitie effectively, it needed a critical mass of qualified staff. The new Executive Director of the KCCA had previously worked in the national Ugandan Revenue Authority and appointed a number of her previous colleagues to work with her in the new DRC. Previous staff also received intensive training. Currently, all DRC staff receive monthly training and refresher courses on tax, up-to-date tax laws, and operational guidelines. Salaries have increased to recruit and maintain high-calibre, well-trained staff, and diminish incentives for corruption.

Both eCitie and staff improvements have been enormously successful investments for the city. Collection costs have increased from roughly 1% of tax collected in 2011 to 9% in 2015, however this has been more than off-set by an increase in own-source revenues of over 100% in the same period. The KCCA effectively receives a slightly smaller percentage of a much larger pie. Increased tax collection from the KCCA’s reforms have meant that the cost of staff and technology investments were largely recouped within only one year.

## Penalising non-compliance

Where non-compliance with tax obligations persists, MCDC currently relies on strict legal penalties such as fines and property seizures. Due to the limited credibility of these penalties, MCDC could consider more easily enforceable legal penalties or indeed social penalties for non-compliance.

### Legal penalties

Non-compliant taxpayers in Mandalay can be issued with fines. Over time, if the tax payment is still not made, the local government has the power to seize the property until arrears are settled. However, these powers are rarely exercised because such punishments involve complex and costly court proceedings which exceed the individual amount of tax being collected.

To avoid costly court proceedings for fines and property seizures, the MCDC could consider withholding services (e.g. infrastructure connections or land titling services) from noncompliant households. This is a practice regularly used by utility companies. It is important to note this is likely to be an unpopular policy if adopted in isolation – such a punishment may only be seen as legitimate if accompanied by efforts to ease and motivate tax payment.

### Social penalties

Where legal penalties are difficult to enforce, local governments in many developing cities have found innovative ways to harness social pressures to make residents pay tax. A study in South Asia, for example, found that the government was able to increase VAT tax compliance by up to 17% by publishing lists of firms who hadn't paid their taxes.<sup>8</sup> One way in which the MCDC could increase collection is by publicising similar lists within local communities of those who have not paid their property taxes, however, its important to ensure that transparency and equal treatment is applied to every non-complier to ensure that such a scheme is palatable to all citizens.

Notably, the study showed that this strategy only worked in areas where a significant number of firms (over 15%) were already paying taxes. In areas where non-compliance was the norm, lists of non-payers were unable to motivate a significant increase in tax payments. In areas where there is currently mass non-compliance, it may be more effective for the MCDC to publicise those who do pay their taxes: For example, the government of India has recently introduced personalised certificates to praise honest taxpayers.

## Improving the administrative foundations of property tax collection

As in many developing cities, administrative weaknesses in Mandalay make a reduced property tax intake a foregone conclusion. Many administrative functions are done manually rather than being automated and decentralised, which means crucial elements of the tax system – such as cadastral maps and valuation rolls – are often incomplete and out of date. These deficiencies constrain property tax collection from the outset: the total revenue potential already misses a broad base of taxable properties and at the same time valuation deficiencies impede the accurate setting of tax rates.

To facilitate more effective property tax collection there are three administrative foundations that MCDC may need to focus on as a starting point:

1. Identification of taxable properties
2. Preparation of an up-to-date valuation roll
3. Establishing integrated land management systems

### Identification of taxable properties

The first step towards levying a property tax is to establish an inventory of all properties and their liable taxpayers. Countries where property-related information is inaccurate or difficult to access are destined to struggle with low compliance and collection.<sup>9</sup>

In Myanmar, property identification is based on cadastral maps that are typically very old and in poor condition. Records tend to be paper-based and incomplete, making them susceptible to tampering, damage, loss, or general discrepancies across the registry. Paper records also make it very difficult for tax collectors to add properties that are not currently on the register or to update records to reflect changes in property and ownership characteristics.<sup>10</sup>

As a result, a substantial number of properties are either not paying the correct amount of property tax or not paying property tax at all.<sup>11</sup> Moreover, even when properties are well-identified, there is often ambiguity over who is liable to pay the charge – whether it should be the registered owner or the occupier who pays and whether certain properties, owners or tenants are suitable for exemptions. These ambiguities lead to missed payments and disputes which end up costing the municipality valuable resources.

Problems in the property tax system can often be traced back to weaknesses in the identification of properties. Hence, improving the cadastral system should be a foundational element of property tax reform in Myanmar. As the case study of Rwanda shows, there are quick and cost-effective ways to achieve comprehensive identification and registration of property.

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## Case study: Rwanda's quick and cost-effective approach to parcel identification

Between 2009 and 2013, Rwanda became the first country in Africa to establish a complete and fully digital legal cadaster.<sup>12</sup> Two aspects of the program make the case study of compelling interest: the relatively short time that was required to go from initial implementation to delivery, in just five years the government systematically demarcated and registered over 11 million parcels, and the delivery at a low cost of \$6 per parcel, well below international averages – for comparison: In Tanzania, complex surveying processes inflate titling costs to over \$3,000 for an individual land parcel.<sup>13</sup>

The program's success stemmed from combining local consultations and communication campaigns with wide-scale and low cost technologies for mapping and surveying of plots. Instead of using highly trained professional cadastral surveyors, local para-surveyors demarcated plot boundaries using simple methods of boundary demarcation in the presence of the whole community, and plots were then recorded using satellite and aerial photographs<sup>14</sup>.

Each parcel could then be unambiguously identified and mapped through a unique parcel identifier (UPI). This UPI can be digitally linked to the registry and other government services. To date, the UPI has not been used for tax purposes, however, there is no doubt that it offers great potential to facilitate and review Rwanda's property tax administration. For example, a recent World Bank study used the UPIs to impute different outcomes that would arise under alternative approaches to taxing residential land and property in Kigali.<sup>15</sup> The authors show that the government could yield a tenfold increase over its current revenue from public land if it were to apply a 1% flat rate fee as opposed to the current system of lease fees.<sup>16</sup>

The Rwanda case study shows how innovative approaches can be used to revamp cadasters using only a fraction of time and resources typically used elsewhere. This identification not only brings more properties into the tax net, but crucially, the unique property identification number can be linked with subsequent property-related actions such as tax assessments, billing, and transfer of title deeds.<sup>17</sup> This allows city authorities to assess and review their tax policies, ultimately enhancing their potential resources and laying the foundations for more informed policy decisions.

Below we provide further detail on the issuance and allocation of taxpayer identification numbers (TIN) and the critical role they play in successful tax administration.

## **Taxpayer identification numbers**

Without Taxpayer Identification Numbers (TIN), it is very difficult to track taxpayers and make use of information for the assessment and billing of tax obligations. Many countries opt for a single TIN – issued at the individual taxpayer level to encompass all taxes – on the premise that a single and unique identifier simplifies the ease of payment and monitoring of compliance.

However, some countries may choose to issue multiple, separate TINs for different types of taxes. This may be useful where different taxes are administered by separate departments or where certain taxes demand different treatment of taxpayer information. For instance, properties may be assigned unique property identifiers that can be associated with the public cadastral records and the title deed, while an individual's income tax number may need to remain confidential to protect the taxpayer. The key matter is that all TINs are able to map back to a single, unique TIN which tallies the total obligations for each individual taxpayer.<sup>18</sup>

Practically speaking, having multiple TINs increases the administrative requirements of tax authorities. It also makes the system more vulnerable to potential error and fraud. Ensuring that multiple TINs can be successfully used requires strong coordination between different departments administering separate taxes. These requirements mean computer-aided systems are practically an essential to streamline the coordination, monitoring, and issuance of taxpayer identification numbers across the tax system, but again, as the Kampala case shows, automation needs to be combined with training for public administrators.

Another equally important matter – that becomes particularly relevant when multiple TINs are issued to taxpayers – is that administrative departments take measures to ensure there is no duplication of TINs: no TIN is assigned to more than one taxpayer and that no taxpayer is assigned more than one TIN. For example, when the National Board of Revenue in Bangladesh reviewed its taxpayer registry in 2013, they discovered that of the existing 3 million taxpayers registered with TINs, 1.2 million were either fake or duplicated – allowing opportunities for widespread avoidance of tax obligations.<sup>19</sup> Similar issues exist in Myanmar, where it has been suggested that some property owners avoid paying taxes by creating duplicate sale contracts: one recording the actual transaction and a dummy to be submitted for tax purposes.<sup>20</sup>

## **Preparation of an up-to-date valuation roll**

Fair and efficient property tax systems not only require a good basis for initial identification and inventory of properties but they also require systems for valuation and revaluation of the asset and its associated characteristics. As in many developing countries, valuation methods in Myanmar are often unable to accurately capture a significant share of the

variation in land and property values. The formulas to calculate property tax obligations are often based on quite basic characteristics to proxy property values – such as the number of storeys and material make-up of buildings – which in turn often make these formulaic values substantially different from the true value of the property in question.<sup>21</sup>

Another issue with the formula based approach to valuation that Mandalay currently uses is that in an attempt to build fairness into the calculation of rates, the municipality incorporates a vast array of variables to determine the tax bands in which each property falls. Paradoxically, this tends to overcomplicate the process, leading to larger administrative burdens and increased timeframes to carry-out property assessments. Valuations are relatively infrequent as a result, thus decreasing the legitimacy of the tax and leaving taxpayers susceptible to sudden, dramatic shifts in tax burdens as and when reassessments of property values occur.

These issues highlight a common trade off that municipalities face when choosing how best to value land, the trade off between greater accuracy and greater simplicity. We summarise some of these trade offs in the table below which compares several different categories for property valuation that are commonly used by international standards. Each cell in the table indicates the relative performance of each tax category against a certain criteria, highlighting in red areas where the taxes are very costly, orange where they are medium, and green where they perform relatively well. This table and subsequent information for this section is taken from an IGC policy paper on *Land and property taxes for municipal finance* so we refer the reader there for a more detailed review of common tax approaches.<sup>22</sup>

Type of assessment	Accuracy	Data requirements on transactions	Data requirements on land contents/ characteristics	Estimation capacity required	Transparency
Capital Market Value	High – though requires regular	Significant (on assets transactions)	High for greater accuracy	Significant	Can be low
Rental Value	High (where rental values are available and rent controls are not applied)	Significant (on rental transactions)	High for greater accuracy	Significant	Can be low
Points/Proxy	Medium (depending on calibration to market values and number of proxies included)	None needed – though helps in accuracy	Depends on number of proxies	Medium	Relatively high
Area-based	Low	None	Very limited	Limited	High
Construction cost	Low	High – on supply side transactions	High	High	Relatively high

More accurate
Greater simplicity

As the above table indicates, market value assessments, which include capital market and rental value assessments, are comparatively highly accurate. These tend to be the ‘gold standard’ used by developed cities. However, they require a significant amount of data to accurately measure current values of properties in any systematic way, often beyond the resource capacities of developing cities.

A more feasible option for developing cities might be more akin to a reasonable value approach – which has been used historically in developed countries such as the USA and Canada. An example of this would be to update the valuation of a property to reflect the sale price of the property every time it changes hands, or to use similar property sales in the same network to estimate what you think the property would sell for, were it to be listed. This shares the intention of market-based approaches in that property values are estimated base on previous or similar transactions, however, it involves more informal subjective judgement rather than more rigorous computer-aided appraisal. The advantage is it offers a quick and convenient method for valuation, however, its important to note that it is still only effective insofar as there is a reasonably dynamic and liquid real estate market that values property sales relatively effectively.

Other commonly used assessment methods in developing cities include area-based assessments as these typically only require a small number of variables that cover information on the size, location, and quality of structures. This method is most closely related to Mandalay’s current system, however, one of the main benefits of an area-based approach is that it typically does not require too much data on property characteristics, meaning the estimation process is not overly burdensome and can be easily communicated to the public. The complexity of Mandalay’s current calculation methods may therefore detract from the typical benefits that area-based assessments offer.

Finally, points-based valuation systems offer a hybrid ground between more complex value-based versus area-based assessments. In these approaches, points are assigned to various positive and negative observable characteristics of land and property in order to generate a proxy for property values that can be used for taxation. Implementing a points based system allowed local authorities in Sierra Leone to increase revenues between 200 – 450% from 2007-2011, and these systems are now being developed in other cities such as Kampala.

*“Implementing a points based system allowed local authorities in Sierra Leone to increase revenues between 200 – 450% from 2007-2011.”*

When considering how best to value land and property in Mandalay, it’s important to pay close attention to these accuracy-simplicity trade offs so that tax revenues can be adjusted and scaled appropriately to match the level of urban development. Although market based assessments may be closer to the true value of property, they require large data and administrative resources. Simpler valuation schemes not only reduce these costs but come with the advantage that they can be more transparent and easily communicated to taxpayers, thus encouraging greater compliance.

## Establishing integrated land management systems

The information to support a property tax system is often held by different agencies across central and local government. To ensure the system can be efficient, measures need to be taken to collect and share information in a consistent way across departments.

In Myanmar, municipal tax administrators routinely struggle to get hold of the information they need to register properties and levy an appropriate tax. To give an example, when there is a transfer of property ownership in Myanmar, the sale contract is signed off by the Land Record Department and Ward Administrator, but the information is not shared automatically with the municipality for tax purposes.<sup>24</sup> Instead, it is deemed the responsibility of the property owner to self-register with the municipality, and they face little incentive to declare themselves onto the radar of tax authorities.<sup>25</sup>

To improve the sharing of information and coordination of land management, the Mandalay authorities may look to instigate new guidelines or legislation for data management at the municipal level, or alternatively, they could pressure regional and national authorities to do so at a wider scale. Such frameworks may look to ensure data collection efforts are standardised and compliant with consistent methodologies used across and between local and national governments. This can ensure that data can be utilised and compared by multiple stakeholders. Legislation and guidelines could also play an important role in facilitating more evidence-based policymaking in general. Perhaps through outlining specific data that all municipalities should collect on a regular basis to be able to understand the growth and the needs of the city population.

Adopting new technology could also streamline the structure and management of tax administration in Mandalay. Computer-aided systems could help to enhance communication links between government departments as well as customer relations. Such policy changes would lessen the face-to-face approach to tax collection currently in place in Mandalay, therefore offering the potential to reduce corruption and error that stems from personalised interaction between taxpayers and collectors. The Myankhon application that has been integrated to tax collection in Taunggyi could be an important example for Mandalay to learn from.

## Case study: A tech-savvy tax administration platform for Taunggyi

In just over a year, the city of Taunggyi in Myanmar was able to reduce the time taken to complete property tax collection by three-fold thanks to the introduction of a new mobile application called Myankhon in October 2016.<sup>26</sup> Myankhon allows municipal staff to manage all aspects of tax administration digitally. Before it was introduced, tax collectors would have to sift through endless paper records, often taking as long as six months to complete their assessments.<sup>27</sup> However, since the launch of the app, there has been widespread digitisation of cadastral records helping to automate the calculation of bills and streamline the overall efficiency of property tax administration.

The new digital platform also means that municipal authorities can now review and analyse larger quantities of property and tax data in real time and in ways that would not be possible with paper records. These improvements in data and research potential are helping their understanding of the urbanisation process and how they can use evidence to evaluate the merit of different policy options.

The pilot of Myankhon shows that digital platforms can generate practical administrative and policy-relevant advantages for property taxation. Moreover, it could be a valuable technological innovation that could be rolled-out across other municipalities in Myanmar. With more widespread digital record keeping, there could be further improvements in efficiency – such as consolidated record keeping at the regional level and more automated billing procedures.



*Municipal staff in Taunggyi use Myankhon. Before the app, property tax collection in the city took nearly six months to finish, now it takes two months with barely any paperwork.*

## In summary

There are a number of tools at the disposal of MCDC to increase property tax compliance. For example, future policy could use public communication as a means to foster a more positive image of tax collection, encouraging citizens to recognise it as a social obligation and legitimate price to pay in return for public services. Another way to encourage tax compliance would be to increase the ease of payment through reorganising the current system from a personalised and manually-intensive collection process to one that can be done at the convenience of the taxpayer. Where non-compliance persists, MCDC should also consider more easily enforceable approaches for penalisation, reducing the legal and administrative complexity of the current system.

The most appropriate way forward would likely encompass some combination of all these approaches. However, they are only likely to be successful insofar as they are based on a strong foundations of identification, valuation, and management in tax administration. These foundations are not only critical for effective collection and enforcement of property taxation, but they also form an essential pillar for generating support for taxation, which becomes much more likely when taxpayers perceive government administration to be a well-oiled machine.

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