Article

Affordable Housing as a Governance Challenge: Legal, Institutional, and Technological Insights from Practitioners

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Abstract: This study examines affordable housing delivery in India through a governance and law-in-practice perspective. It focuses on how legal frameworks, institutional arrangements, and administrative technologies shape implementation outcomes. This study is based on 18 semi-structured interviews with urban practitioners involved in planning, land governance, and housing regulation. This study adopts a qualitative, interpretive research design, and thematic analysis. The analysis shows that housing outcomes depend more on institutional coordination, land governance, and procedural capacity than on housing supply alone. Fragmented land tenure systems, complex approval processes, and weak inter-agency coordination emerge as core constraints. Things are also transparent under digital governance. Nevertheless, it has the ability to develop novel patterns of leaving out people, as well as, make the system less adaptable. Offering services through market-based means raises supply but concerns are that it is not equitable and convenient to informal workers and vulnerable individuals to turn up. This research contributes to the perception of housing governance by hearing the professionals and demonstrating how regulations and the way they are implemented impact the price of housing. The findings indicate that there has to be coordinated transitions in governance that reflect the objectives of the policy. The changes should also be able to cooperate with the institutions that are in place, enhance the strength of land ownership systems and enhance the fairness of the processes of providing housing.

Keywords: Affordable housing; urban governance; land law; institutional coordination; housing regulation

INTRODUCTION

Affordable housing challenges persist across urban systems even in contexts where policy attention has been substantial, largely because systemic barriers weaken implementation effectiveness. It is increasingly converges on the view that housing shortfalls cannot be explained solely through deficits in supply or finance. Instead, they reflect deeper institutional, legal, and governance failures that mediate how policies are interpreted and executed in practice. Amar & Armitage (2025) identify five recurring impediments cutting across jurisdictions: definitional ambiguity in affordable housing policy, inflexible strategic frameworks, misaligned investment incentives, spatial inequities in resource allocation, and fragmented governance arrangements. These structural constraints are frequently compounded by operational challenges such as rising construction costs, limited access to finance, and weak urban planning integration (Enwin & Ikiriko, 2023). It can be seen that existing studies indicate that housing policy outcomes are shaped less by stated intent and more by the everyday functioning of regulatory and institutional systems.

It is widely known, an empirical investigation has demonstrated, that neighbourhood attributes, the availability of infrastructure, and levels of social inclusion, as well as, the access to urban services, have a conclusive impact on the effectiveness of housing stock as a whole and the satisfaction of residents. Afshan & Sinha (2023) show that the process of making a decision about the location is regulated by a heterogeneous combination of urban morphology, social capital

networks, and demographic factors, but Agarwal et al. (2021) rely on the necessity of access to education, healthcare, transport, and community infrastructure when evaluating housing feasibility. In its turn, the socio-economic constraints work with the land tenure security, the communal cooperation, and the urbanisation pressures to form the fairness of the housing accessibility (Ogundipe et al., 2024). At the same level of individual buildings, the availability of sufficient ventilation, stable water supply, and closeness to facilities are critical factors that determine long-term housing performance (Biswas & Mukerji, 2025). All these insights are opposed to the strictly limited prescriptions of policy that adopt only numeric housing targets against sound governance and institutional frameworks.

It has come out as a decisive factor in determining whether affordable housing is implemented or not due to governance and institutional arrangements. The literature collection proves that the division of responsibilities among the national, provincial, and local institutions often sabotages the execution of policies. Mhlongo et al. (2024) catalogue the erosion of housing delivery due to a poor institutional grasp of the principles of governance, poor accountability systems and stakeholder participation. Previous studies also reveal that governments tend to have unilateral access to the identification of needs and the design of projects, which, by default, create opposition and poor satisfaction among the beneficiaries (Mhlongo et al., 2022). Although legislative frameworks are used to describe the principles of participation and accountability, they are not properly implemented in practise; poorly coordinated implementation leads to cost overruns, delays, and low housing quality (Scheba & Turok, 2023). These papers highlight the importance of studying affordable housing in terms of governance and law-in-practise.

The law of land and planning are another form of restriction, which influences housing products by regulatory interpretation and interaction with the market. Shanks (2021) shows that land-use regulations that are restrictive have the potential of strangling housing supply by raising land consumption per dwelling, whereas Raynor et al. (2021) emphasise the ineffectiveness of negotiated affordable housing deals due to a lack of institutional trust. Rahmawati et al. (2025) also display a further implication that weak enforcement and ambiguity in regulations help a private developer to focus on profit-making instead of social housing goals. Regulatory systems are often used to create uncertainty, procrastination, and marginalisation rather than serving as neutral facilitators especially in situations where there are speculative land markets and uneven administrative capacity.

Administrative technologies are being placed as remedies to governance shortages, when their effects are controversial. As Umana et al. (2024) and Çetin et al. (2022) reveal, monitoring, maintenance, and policy responsiveness may be improved with the help of digital platforms, artificial intelligence, and data-driven systems. At the same time, it has been shown that the technological interventions are limited by the complexity of regulations, lack of equality in digital capacity, and socio-economic background (Idrus et al., 2024). Technology, therefore, cannot replace governance reform, its success depends on the correspondence of institutions and the clarity of the law.

This study examines affordable housing as a governance challenge, drawing on practitioner perspectives to analyse how land law, institutional arrangements, and administrative technologies shape housing outcomes in practice. It addresses three research questions: (1) how urban practitioners interpret the role of land law and planning regulations in shaping affordable housing outcomes; (2) what legal and institutional constraints limit effective policy implementation; and (3) how governance arrangements and administrative technologies affect equity and market participation in housing delivery. It is foregrounding practitioner experience, the study contributes empirically, conceptually, and practically to debates on housing governance and regulatory design.

2. Literature Review
Most of the available literature on affordable housing has gone to economic, policy-focused, and socio-spatial explanations with the focus on supply-side inadequacies, land prices, and funding limitations. There is a consistent evidence of high land values, increased construction costs, and high rates of urbanisation as the major causes of housing unaffordability (Alhajri, 2022). Exclusion in formal housing markets is further aggravated by socioeconomic inequality, restricted access to credit, inequality in the provision of infrastructure, and inequalities in provision of credit institutions (Sindhu, 2025). Although these explanations may be useful, they are often biased towards top-down policy formulation and macro-level indicators, often failing to consider the way housing programmes are realised in specific institutional and regulatory settings.

On the other hand, the institutional and governance viewpoints shift the focus of policy formulation to the practical application and synchronisation of the housing policies. They expose the fact that the allocation and integration of the responsibilities at the various levels of government significantly influence the housing results. As shown by Mhlongo et al. (2024), housing delivery is directly affected by weak collaborative strategies, poor governance capacity, and the lack of stakeholder participation. The article by Scheba & Turok (2023) also confirms that in conditions of fragmented governance, housing projects are characterised by considerable failures in the implementation process and inefficient use of state resources. According to this body of literature, policy effectiveness is not only a factor of formal programme design, but also institutional coherence, accountability, and participatory mechanisms.

The barriers to implementation are usually institutional fragmentation and lack of inter-agency coordination. Emiru et al. (2024) have discovered severe deficiencies in the coordination, vertical and horizontal, in land administration in the urban area which constrains the

quantity of the land that can be used for housing. Subsequent research validates this finding by establishing that conflicting mandates, ineffective communication, and ambiguous escalation regulations cause project delay (Emiru, 2024). These problems are also reflected in housing delivery, where the neglect of the principles of governance results in opposition to the community and the halt of projects (Mhlongo et al., 2022). According to Mitra (2022), to develop effective and context-specific implementation, particularly in decentralised systems, the structured dialogue between national, state, and local institutions is needed.

Affordable housing has been identified to get its foundation on secure land tenure and clear legal rules. Land rights can promote investment, reduce the risk of eviction, and simplify the implementation of the policy (Baig & Sarwar, 2024; Ekpodessi & Nakamura, 2023). The land titling has contributed to more investment in housing and unlocked public funds in India (Rao P. et al., 2022). However, speculative markets, disproportionate enforcement, and ambiguous regulations continue to make these advantages restricted (Rahmawati et al., 2025).

Exclusionary outcomes can also be created by the regulatory design. Khaire (2023) show that the housing subsidy programmes often favour those with steady income streams, thus systematically locking out vulnerable populations. The restrictive land-use policies also generate price-premiums which marginalise the low-income groups (Mottelson, 2023). Huang & Ren (2022) explain how local governments use selective inclusion by adding extra requirements to marginalised groups, whereas Herawati et al. (2023) determine that housing regulations do not tend to focus on low-income housing needs in all. These works theorise exclusion and demonstrate that it is not a collateral effect of regulation but a characteristic attribute of its structure. Digital governance has become a popular instrument of improving transparency and efficiency in administration. As shown by Idrus et al. (2025) and Hidayat (2024), digital platforms increase the accessibility of information and bureaucratic transparency, which enhances the level of trust in the population. Li et al. (2024) also indicate that the digital self-service systems transform customer relations with the city government. However, digital governance poses several issues connected to digital literacy, interoperability, and cybersecurity (Sharmin & Chowdhury, 2025) as well, which leads to the need of implementing it contextually.

Nevertheless, there are still significant gaps regardless of this growing body of research. Amar & Armitage (2025) emphasise ongoing conceptual diversity and disjointed governance in affordable housing scholarship, and Silva et al. (2024) demand frameworks, which are adaptive and integrated to correlate technical, social, and governance aspects. Reid (2023) and Batra (2021) also determine knowledge and implementation gaps at the practitioner level. Taken together, this discourse warrants the importance of practitioner-centred, law-in-practise research that analyses the operation of governance arrangements in the actual implementation

circumstances. The given research is a direct answer to this gap.

3. Methods
3.1 Research design and analytical orientation
This research follows a qualitative and interpretive research design in investigating affordable housing as a governance challenge influenced by legal frameworks, institutional coordination and regulatory practise. Qualitative approaches are especially suited to analyse governance and regulatory processes because they allow close scrutiny of how laws and rules are interpreted and negotiated and used in practise, rather than by imagining a direct correspondence between statutory design and policy outcomes. Socio-legal and governance scholarship has revealed that the effectiveness of legal frameworks relies to a large extent upon institutional interpretation, administrative discretion and organisational context, making the qualitative nature of inquiry a crucial tool to understanding regulatory implementation (Smith et al., 2022). Rather than evaluating affordable housing via formal legal provisions or programme outputs alone, the study takes law and governance in action. Planning regulations, land tenure rules, approval procedures and digital administrative systems are considered institutional processes whose outcomes are influenced by mechanisms of coordination, unwritten discretionary practises and capacity limitations. This analytical orientation is consistent with law-in-practise approaches which focus on the gap between legal intent and implementation, especially in complex urban governance settings (Smith et al., 2022).

3.2 Data collection: semi-structured interviews
Primary data was gathered in the form of eighteen semi-structured interviews with urban practitioners who are engaged in planning, land governance, housing regulations and policy making across India. Semi-structured interviews are a staple in governance and regulatory research, offering the necessary flexibility to probe into relevant context-specific institutional issues, while maintaining adequate levels of structure for analytical comparison across respondents (Kvale & Brinkmann, 2009). The interview protocol used for this study is given in Appendix A. Interviewees were chosen through purposive sampling in order to ensure that they represented actors directly involved in the interpretation/execution of statutory planning and housing frameworks. The sample consisted of a heterogeneous group of public-sector planners and officials, planning and housing consultants and policy or research professionals, thus representing various institutional positions in the urban governance system. This approach prioritised far greater depth of institutional insight than statistical representativeness, a feature of qualitative research in an effort to understand regulatory practise rather than variation at the level of populations.

Guest et al. (2006) demonstrate that the emergence of core themes in qualitative interview research is shaped less by sample size alone and more by the relevance, expertise, and institutional positioning of respondents. In line with this methodological insight, the present study

prioritised practitioners directly involved in planning, land governance, and housing regulation, enabling governance- and regulation-related themes to recur across interviews despite a limited number of participants.

All interviews were conducted after obtaining informed consent from participants. Respondents were assured of confidentiality and anonymity, and no identifying information is disclosed in the analysis. Interviews were audio-recorded with permission and transcribed verbatim to ensure accuracy.

3.3 Analytical approach

The thematic analysis was used to analyse the transcripts of the interviews and this is a flexible and systematic method that identifies and interprets recurring patterns of qualitative data. The thematic analysis, especially, seemed to me to be best applied to the governance-related research, as it allows digging deep into the depths of institutional dynamics and regulatory relations without imposing a strict theoretical construct immediately (Braun & Clarke, 2006). The analysis was done in an iterative process of becoming familiar with the data, initial coding, theme development, and theme refinement. We created the original codes inductively through directly working with the transcripts, on issues that relate to legal, institutional, and governance, including land-tenure limitations, regulatory discretion, inter-agency relationship, and administrative-technological application. These codes were then arranged into larger themes that embodied the patterns that were common in the interviews.

3.4 Analytical rigor and trustworthiness

Several steps were taken to enhance analytical rigor and trustworthiness. The use of verbatim transcripts reduced the risk of interpretive distortion, while iterative coding supported the systematic development of themes. Reflexive attention was maintained throughout the analysis to account for the interpretive role of the researchers, particularly when synthesising perspectives from respondents occupying different institutional and regulatory positions. Such reflexive and transparent practices are widely recognised as essential for credibility in qualitative governance research (Guba & Lincoln, 1994).

3.5 Scope and limitations

The results are informative of a purposive sample of practitioners and are not meant to be statistically generalisable. The research question is analytical generalisation: to produce some insight into the functioning of affordable housing policies and governance structures in practise in the Indian city context. Though institutional and regulatory depth is made possible by the focus on India, it restricts direct cross-jurisdictional comparison. Further research would be possible to build on this method with comparative across legal system studies or mixing qualitative observations with quantitative measurements of policy effects.

4. Findings

Theme 1: Policy ambition has outpaced local implementation capacity

Practitioners interviewed outlined new affordable housing plans as independent of scale, those covering a wider range of individuals and having a more convoluted process than previous programmes. Although the respondents embraced the larger motive, they added that the capacities of implementation both at the city and state levels have not developed at the same level. This was a lack of alignment that appeared in the staffing shortages, disjointed work processes, and lack of technical capacity in the urban local bodies and development authorities, reflecting those that governance-oriented housing studies noted (Mhlongo et al., 2024). The new compliance conditions connected with the identification of beneficiaries, digital reporting, and coordination between departments were seen as creating additional administrative load instead of the simplification of delivery. Consequently, implementation results took a very distinct turn in the different jurisdictions, with the delays being experienced at the initial levels of the regulation rather than in the construction.

Theme 2: Legal usability of land is a greater constraint than physical availability

The land related constraints proved to be the most persistent barricade to affordability of housing across the interviews. As noted by the practitioners, the shortage of land is not a physical limitation but mostly a legal and administrative one, which supports the results of land governance research (Rahmawati et al., 2025; Shanks, 2021). Divided ownership, unclear title, inheritance issues and time-consuming verification process always slowed down the start of the project. Respondents noted that the benefits eligibility of a beneficiary is heavily intertwined with documentation and tenure status, which automatically locks out households that do not have formal documentation. Extensive administration was also committed to solving land and documentation problems at the cost of construction development, a tendency that is consistent with previous findings on tenure-driven displacement (Ekpodessi & Nakamura, 2023).

Theme 3: Digital governance improves traceability but introduces new frictions

Interviewees have repeatedly noted that digital systems that facilitate approvals, keeping land registers, and tracking housing projects have actually increased transparency and reduced the discretionary invisibility, similar to the wider e-government assessment (Idrus et al., 2024). However, practitioners raised a slew of red flags: lack of optimal interoperability between databases, differences between spatial and revenue data, and lack of mechanisms to correct incidences of inaccuracies. Smaller developers and less digital-savvy households were specifically seen as being disadvantaged. Digitalisation was thus described by the respondents as a necessary but incomplete process, which tended to extend the existing institutional disintegration instead of trying to fix it a theme also found in the technology-based governance literature (Umana et al., 2024).

Theme 4: Inter-agency coordination shapes delivery speed and equity

We continue to observe that the coordination among planning authorities, housing agencies, revenue departments, utilities, and banks is the game-changer on the housing outcomes. According to practitioners, there is a cumulative effect on coordination hiccups, and the failure of a single regulatory action may effectively paralyse the entire delivery chain. It was also typical of having conflicting interpretations of rules, sequential approvals, and weak mechanisms of escalation, which is already typical of multi-level governance studies (Mitra, 2022; Scheba & Turok, 2023). Respondents also stressed that the effectiveness of the delivery of housing on a personal agency basis and more on whether the institutions are functioning as a system.

Theme 5: Market-oriented delivery expands supply but raises equity concerns

Practitioners acknowledged the growing role of private developers, credit-linked approaches, and project restructuring mechanisms in restoring housing supply. However, many expressed concern that compliance-intensive regulatory systems disproportionately favour larger, formal developers with greater administrative capacity, reinforcing exclusionary dynamics identified in prior studies (Khaire, 2023). Smaller developers, cooperatives, and community-led initiatives were seen as struggling to navigate approvals. Several respondents questioned whether housing classified as affordable remained accessible in high-demand urban locations, given infrastructure costs and location constraints.

Theme 6: Rental housing recognition exceeds governance readiness

Respondents noted increasing policy recognition of rental housing and migrant mobility, reflecting shifts in housing discourse. While welcomed, practitioners cautioned that operational models for rental housing remain underdeveloped. Interviewees pointed to unclear institutional responsibility, limited municipal capacity for asset management, and weak tenancy enforcement mechanisms, concerns consistent with emerging literature on rental governance gaps (Silva et al., 2024). Preparedness varied widely across cities, limiting near-term scalability.

Theme 7: Public trust depends on procedural clarity and grievance resolution

The practitioners always associated the ordinary experience of regulation with the public trust in housing programmes as opposed to the policy announcements. Time wastages, obscure processes and unaddressed complaints were viewed as strengthening dependency on middle men and feelings of marginalisation. The prevalent perception of the mechanisms of grievance as the most vulnerable aspect of existing governance structures conformed to the research literature of grievance redress, which is core to legitimacy but not always efficacious in practise (Hossain et al., 2024).

5. Discussion

These results are in line with the existing studies that characterises affordable housing as a challenge that requires governance and law, but not limited to a simple constraint in supply. The reports of practitioners indicate that institutional coordination, the legal usability of land, and regulatory capacity conclusively determine the outcomes of implementation, which supports the interpretations of governance related to housing policy failures (Amar & Armitage, 2025; Scheba & Turok, 2023). The identified gap between the ambition and the capability of the policy execution speaks to the structural issue of the institutional design failure, rather than the administrative failure. Expanding the scope of programmes without a corresponding increase in governance capacity increases the congestion of procedures and disproportionate results - a trend that is long-established in the literature on multi-level governance (Mhlongo et al., 2024). This indicates that the absence of institutional preparedness to institutionalise regulatory ambition can lead to unwanted delivery efficiency. Findings related to land demonstrate the need to change the focus of analysis regarding land to the element of land governance. In line with Rahmawati et al. (2025) and Ekpodessi & Nakamura (2023), the paper shows that clear tenure, documentation, and dispute resolution are not side technicalities but fundamental determinants of access and equity. Housing policy that ignores these legal premises will be subject to systematic exclusion irrespective of supply augmentation.

The mixed effects of digital governance highlight the limits of technology-driven reform. The digital systems improve transparency and monitoring (Idrus et al., 2024), however, they do not resolve coordination failures in the absence of interoperable institutional frameworks and legal clarity, echoing concerns raised by Umana et al. (2024). Technology does not pay back the weak aspects of institutional reform but enhances the existing governance arrangements.

The long-lasting conflict between efficiency and equity is also enlightened through the market-based delivery mechanisms. The role of private participation here is indeed to revitalise stalled supply; but regulatory regimes focused on compliance are likely to bring benefits to those actors with large administrative resources, thus reinforcing the exclusionary trends observed in the corpus of regulatory and political-economy research (Khaire, 2023; Wetzstein, 2017). As a result, market-based approaches seem to require definite governance protection instead of taking no regulatory assumptions. The saliency of the grievance-resolution mechanisms in building trust supports empirical research that highlights procedural justice as a pillar of policy legitimacy (Gauri, 2011; Hossain et al., 2024). These findings indicate that regulatory experience is a consequential factor as regulatory design, particularly when vulnerable groups have to deal with the dynamics of modern housing systems.

6. Conclusion

This study analysed affordable housing in India from a

governance and law-in-practice perspective, using practitioner insights to examine how legal frameworks, institutional arrangements, and administrative technologies shape implementation outcomes. The analysis confirms that persistent housing challenges cannot be reduced to shortages of supply or finance alone. Instead, outcomes are mediated by governance capacity, legal usability of land, institutional coordination, and procedural fairness, consistent with broader governance and housing scholarship (Amar & Armitage, 2025; Scheba & Turok, 2023).

The analysis indicates that effective housing delivery requires regulatory ambition to be matched by institutional readiness. Housing laws and policies that are formally robust but operationally complex risk producing delay, exclusion, and uneven outcomes when coordination mechanisms and administrative capacity are weak. Land governance emerges as a foundational concern, reinforcing the argument that tenure clarity, documentation processes, and dispute resolution must be treated as central elements of housing policy (Ekpodessi & Nakamura, 2023; Rahmawati et al., 2025).

The study also highlights the conditional role of digital governance. While technology enhances transparency and monitoring, its effectiveness depends on coherent legal frameworks and institutional integration (Idrus et al., 2024; Umana et al., 2024). Similarly, market-oriented delivery mechanisms can expand supply but require governance safeguards to ensure equity, echoing concerns in political economy analyses of housing (Wetzstein, 2017).

Implications

For policymakers, the findings shows the need to prioritise institutional coordination, land governance reform, and grievance resolution alongside policy expansion. For regulators, clearer role definition, interoperable systems, and predictable procedures are essential to reduce delay and exclusion. For practitioners, the study highlights the importance of governance literacy and cross-agency collaboration in translating policy intent into outcomes.

Limitations and future research

This study is based on a qualitative sample of practitioners and does not aim for statistical generalisation. Beneficiary perspectives were not included and may reveal additional dimensions of exclusion. Future research could adopt comparative designs across jurisdictions, integrate beneficiary experiences, or combine qualitative governance analysis with quantitative performance indicators. Further work on rental housing governance and digital land administration would also be valuable as these areas continue to evolve.

Declaration

"The authors declare no conflicts of interest."
"During the preparation of this manuscript, the author(s) used Grammarly for the purposes of proof reading and grammar corrections. The authors have reviewed and edited the output and take full responsibility for the content of this publication."

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Appendix A
Interview Questions

1. How have recent land and housing regulations affected affordable housing delivery?
2. Do current planning and land laws allow enough flexibility for affordable housing projects?
3. How do land tenure, ownership checks, and land records affect access to affordable housing schemes?
4. How effective is coordination between planning bodies, housing agencies, revenue departments, and local governments?
5. Have digital systems (online approvals, land records, dashboards) improved processes or created new difficulties?
6. Where do you see the biggest gap between affordable housing policy goals and actual implementation?
7. How do current governance arrangements influence the role of private developers and PPPs in affordable housing?
8. Do approval and regulatory processes favour formal developers or landowners over vulnerable groups?
9. How do environmental and sustainability requirements affect affordable housing projects?
10. How are legal disputes or regulatory delays in housing projects usually resolved?
11. In your view, are affordable housing problems mainly legal, institutional, or political-economic?
12. What regulatory or governance changes would most improve equity and effectiveness in affordable housing?