

10th August, 2023

To: Municipal Manager,
Homa Bay Municipality,
P.O. BOX 469-40300.



Dear Sir,

RE: REQUESTING FOR ACTION ON DISPLACEMENT OF WORKING SPACE.

Following the new trader who occupied my trading premises, I humbly
in writing request your able office to take action, since I cannot
carry out my business as usual.

I am looking for your action towards the complaint raised
yours faithfully,

Rosemary Achirog
Trader Homa Bay market (solco mjiiriga).



HOMA BAY MUNICIPALITY
OFFICE OF THE MUNICIPAL MANAGER
P.O BOX 469- 40300
HOMABAY
Email:municipalityhomabay@gmail.com



GOVERNMENT OF KENYA

HOMA BAY COUNTY

Date: 14th August, 2023

To: Rosemary Achieng
HB Trader (Soko Mjinga Entrance)

RE: COMPLAINT RESPONSE

This letter is made in response to your letter dated 10th August 2023, following the complaint issue on your trading space.

With due consideration from our office we have realized that you have not been trading for over six months rendering the space vacant and therefore given to another trader.

Our office will organize a new trading space for your business within 2 days.

Please do follow up with our office on the matter withing the working office hours.

Thanks for your patience



MR. MARK ODHIAMBO OKETH
MANAGER HOMA BAY MUNICIPALITY

OUR REF: CAJ/KSM/CG/HBY/000/071/10/22-MA

December 16, 2022

County Secretary
County Government of Homabay
P.O Box 469-40300
HOMABAY



Dear Sir,

RE: COMPLAINT BY TERESA ANYANGO OSII REGARDING FRAUDULENT RE ALLOCATION OF MARKET STALL NO.25 IN HOMABAY MUNICIPAL MARKET

Kindly receive warmest compliments from the Commission on Administrative Justice (Office of the Ombudsman).

The Commission is in receipt of a complaint from Teresa Anyango Osii who alleges as follows:

1. That she is a resident and business woman within Homabay County.
2. That she successfully balloted and was allocated stall No. 25 within the Homabay Municipal Market as per the Public Notice published in the local newspaper sometime in May 2022.
3. That she has not been able to take possession of the stall as it has been allocated to unknown trader contrary to the public notice.
4. That the action or inaction herein is a violation of her economic rights, more particularly Articles 27, and 41(b) of the Constitution of Kenya.
5. That despite several follow ups with your office, the issue is yet to be resolved.
6. That in the interest of justice and fairness, she seeks your intervention into the matter with the view to her taking possession of the stall.

This is therefore to request you to respond to the same clearly indicating your position with regard to the above concerns. We look forward to hearing from you within **twenty-one (21) days** from the date hereof.

We thank you for your continued cordial relations and assure you of our highest regards.

Yours Sincerely,

A handwritten signature in black ink, appearing to read "A. Otono".

AMELIA OTONO
FOR: COMMISSION SECRETARY



GOVERNMENT OF KENYA

HOMA BAY MUNICIPAL BOARD

P.O.BOX 469 – 40300

HOMA BAY



HOMA BAY COUNTY

14th AUGUST 2023

REF: HBMB/M/VOL.1/ (37)

TO
THE COUNTY SECRETARY/ HEAD OF PUBLIC SERVICE
HOMABAY COUNTY

**RE: COMPLAINT BY TERESA ANYANGO OSII ON FRAUDULENT ALLOCATION OF
MARKET STALL NO.25 IN HOMABAY MUNICIPALITY**

In reference to your letter dated 4th August 2023, Reference No;HB/CTY/COMPL/VOL.II (132), following were the resolution of the committee mandated to solve the grievances:

That the complainant –Teresa Anyango Osii appeared on the Kenya gazette notice as a former stall owner S/No 25. However, the complainant did not appear on the stall allocation list.

The complainant claims to have been allocated stall No. 25 with reference to the letter from the Ombudsman; Ref CAJ/KSM/CG/HBY/000/071/10/22-AO. Therefore, the committee requests the complainant to produce any official documentation that she has to this effect, such as the Allotment letter & payment receipts.

Kind Regards



MARK O. OKETCH
MUNICIPAL MANAGER
HOMABAY MUNICIPALITY
HOMA BAY COUNTY

24/08/2023

To

THE MUNICIPALITY MANAGER

HOMABAY MUNICIPALITY

P.O.BOX 469-40300 HOMABAY



Dear Sir,

RE: REQUEST FOR TEMPORARY OPEN SPACE

I have been operating a small business along KNUT Road until recently that we got affected by the road construction that is currently underway.

I am humbly requesting for another temporary space to continue operating my business and also to help the county government generate revenue as required. I have not been able to do business for almost two weeks now which has led to great losses on the business.

Please do consider this humble request as I wait for your consideration on this.

Thanks in advance

A handwritten signature in blue ink, appearing to be 'SA' with a flourish.

SYPRAS AKOTH LUCY

HB TRADER



GOVERNMENT OF KENYA

**OFFICE OF THE GOVERNOR
HOMA BAY MUNICIPALITY BOARD
P.O BOX 469- 40300
HOMABAY**



HOMA BAY COUNTY

Date: 28th August, 2023

To: **SYPRAS AKOTH LUCY**

RE: ALLOCATION OF TEMPORARY SPACE WITHIN HOMA BAY MUNICIPALITY

In reference to your request for a temporary trading space, due to displacement for road construction, we have allowed you to operate a **TEMPORARY STRUCTURE** within the space provided with review on existing charges under the following conditions:

1. Payment of the space will depend on the size of space of operation as stipulated by the Finance Act.
2. The space shall strictly operate a TEMPORARY STRUCTURE.
3. Abide by the county laws that govern and control activities within the Municipality.
4. The space provided remains a property of the County Government and default thereof on remittance of any charges, the space will be repossessed without any claim to the Municipality.
5. No transfer of ownership allowed.

If this offer is agreeable to you, please sign below the undersigned. It is important that you keep copies of this letter for future reference.



MR. MARK ODHIAMBO OKETCH

MUNICIPAL MANAGER

HOMA BAY MUNICIPALITY

Cc: Sub County Administrator Homa Bay Town Sub-County

Revenue Officer Homa Bay Town Sub County

To

THE MUNICIPALITY MANAGER- HOMABAY MUNICIPALITY

Dear Sir,

RE: REQUEST FOR TEMPORARY OPEN SPACE

Following the ongoing construction works, I cannot carry out business in my usual trading space, therefore in line with this, I request your able office to find a space for business operation within town.

Thanks for your continued support.



8/9/2023

Miss. Achieng Lynnvent
Business woman





GOVERNMENT OF KENYA

OFFICE OF THE GOVERNOR
HOMA BAY MUNICIPALITY BOARD
P.O BOX 469- 40300
HOMABAY



HOMA BAY COUNTY

Date: 18th September, 2023

To: **ACHIENG LYNNVENT**

Phone no. : +254712417807

ID NO. : 34306333

RE: ALLOCATION OF TEMPORARY SPACE WITHIN HOMA BAY MUNICIPALITY

In reference to your request for a temporary trading space, due to displacement for road construction, we have allowed you to operate a **TEMPORARY STRUCTURE** within the space provided with review on existing charges under the following conditions:

1. Payment of the space will depend on the size of space of operation as stipulated by the Finance Act.
2. The space shall strictly operate a TEMPORARY STRUCTURE.
3. Abide by the county laws that govern and control activities within the Municipality.
4. The space provided remains a property of the County Government and default thereof on remittance of any charges, the space will be repossessed without any claim to the Municipality.
5. No transfer of ownership allowed.

If this offer is agreeable to you, please sign below the undersigned. It is important that you keep copies of this letter for future reference.

MR. MARK ODHIAMBO OKETCH

MUNICIPAL MANAGER

HOMA BAY MUNICIPALITY

Cc: Sub County Administrator Homa Bay Town Sub-County

Revenue Officer Homa Bay Town Sub County



8th Sept 2023

To
The Manager
Homa Bay Municipality
P. O Box 469
Homa Bay

Attention should be given to the owner of house to manage the water from the building according to the act.



[Signature]
12/9/2023

Dear Sir,

Ref. Replacement of Storm water pipe at Luwaa Plaza L.R. No. 1432/546

Kindly allow us to replace the damaged storm water to main drainage line along Luwaa Plaza. This is the outlet for storm water from our roof and it has become unsafe for the building if it is not replaced immediately during this rainy season.

Please allow us to do it today or it become dangerous in case it rains again today.
Yours faithfully,
[Signature]



HOMA BAY MUNICIPALITY
OFFICE OF THE MUNICIPAL MANAGER
P.O BOX 469- 40300
HOMABAY
Email:municipalityhomabay@gmail.com



GOVERNMENT OF KENYA

HOMA BAY COUNTY

Date: 11th September, 2023

To: Odira Samuel
Manager, Luore Plaza

RE: REPLACEMENT OF STORM WATER PIPE

This letter is made in response to your letter dated 8th September 2023, requesting to repair/replace the damaged storm water pipe to the main drainage line.

To ensure safety and effective water drainage system during the rainy season, our office hereby allows you to do replacement and any repair works within your reach.

Thanks for your concern.



MR. MARK ODHIAMBO OKETH
MANAGER HOMA BAY MUNICIPALITY



14th SEPTEMBER, 2023

To
THE MUNICIPALITY MANAGER
HOMABAY TOWN
P.O.BOX 469-40300 HOMABAY

Dear Sir,

RE: APPLICATION FOR TEMPORARY OPEN SPACE

I have been operating a small business along KNUT Road until recently that we got affected by the road construction that is currently underway.

I am humbly requesting for another temporary space to continue operating my business and also to help the county government generate revenue as required. I have not been able to do business for almost two weeks now which has lead to great losses on the business.

Please do consider this humble request as I wait for you consideration on this.

Thanks in advance

ALFRED OWITI

0742250210



HOMA BAY MUNICIPALITY
OFFICE OF THE MUNICIPAL MANAGER
P.O BOX 469- 40300
HOMABAY
Email:municipalityhomabay@gmail.com



GOVERNMENT OF KENYA

HOMA BAY COUNTY

HBMB/M/VOL1/011

DATE: 26TH SEPTEMBER, 2023

TO: ALFRED OWITI

RE: ALLOCATION OF TEMPORARY SPACE WITHIN HOMA BAY MUNICIPALITY MAIN MARKET

In reference to your letter dated 14th September 2023, requesting for a temporary space within the Homa Bay Municipality, and having made payments, we have allowed you to use the temporary space provided within the market with review on existing charges under the following conditions;

1. Abide by the Homa Bay County laws that govern and control activities within the Municipality.
2. Abide by the NEMA laws that govern and control activities within the municipality.
3. No transfer of ownership allowed.

The space has been provided within Salama Road.

Regards,



MR. MARK ODHIAMBO OKETCH
MUNICIPAL MANAGER,
HOMA BAY MUNICIPALITY

HOMA BAY BANK ROAD
BUSINESS OWNERS.
02/10/2023

TO MR. MARK O. OKETCHI
HOMA BAY MUNICIPALITY
P.O. BOX 469 – 40300
HOMA BAY.

**RE: COMPLAIN REGARDING LAND ENCROACHMENT AND ILLEGAL FENCING OF
HOMA BAY MARKET TOWARDS PLOTS FACING BANK ROAD.**

We beg to state that we the business owners with plots facing bank road and having back side facing the market are and will continue having our access interfered with if the market wall is allowed to be erected at the backside of our plots instead of the wall being erected at the end of the road facing the market. Whoever instructed or approved the erection of the market wall erred by instructing the contractor to construct the market wall past the public road, the market wall should have been constructed towards the market land and not trespassing the public road towards our end.

Per Kenyan Law Act No. 15 of 2007 occupational, safety and health “Every workplace shall be provided with adequate means of escape in case of fire”. For example, if the market wall is erected towards our side Twin Towers Hotel will not have emergency fire exit from the backside of the hotel.

The market wall will interfere with the Kenyan Law on Physical Planning and building laws and regulations. It interferes with the sewage and water system that is already running at present.

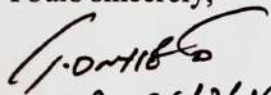
The original map on our plots shows that we should have access of our plots from the front side facing the bank road and the backside facing the market to do our business without any interference.

This matter was addressed to the previous municipal manager and the construction was stopped and we are surprised that the construction is going on without our consultation.

Therefore, we would like to kindly request you and the relevant authority to register this complaint for the market wall encroachment and trespassing. We further request you and the relevant authority to kindly stop the development from further erecting the fence towards our properties at the earliest action.

We shall be grateful for your kind co-operation on this urgent matter.

Yours sincerely,


0700346364

CC.

Homa Bay County Governor.

Homa Bay County Deputy Governor.

Homa Bay County Minister for Roads, Public Works, Transport and Infrastructure

Homa Bay County Minister for Trade, Industry, Tourism Cooperative Development and Marketing

Homa Bay County Minister for Lands, Physical Planning, Housing and Urban Development.



Received
By Ely
14:14 hrs

HOMA BAY BANK ROAD
BUSINESS OWNERS.

02/10/2023

TO MR. MARK O. OKETCH
HOMA BAY MUNICIPALITY
P.O. BOX 469 – 40300
HOMA BAY.

**RE: COMPLAIN REGARDING LAND ENCROACHMENT AND ILLEGAL FENCING OF
HOMA BAY MARKET TOWARDS PLOTS FACING BANK ROAD.**

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We shall be grateful for your kind co-operation on this urgent matter.

Yours sincerely,

J. O. Oketch
0700346364

CC.

Homa Bay County Governor.

Homa Bay County Deputy Governor.

Homa Bay County Minister for Roads, Public Works, Transport and Infrastructure

Homa Bay County Minister for Trade, Industry, Tourism Cooperative Development and Marketing

Homa Bay County Minister for Lands, Physical Planning, Housing and Urban Development.



Received
By Ely
14:14 hrs



GOVERNMENT OF KENYA

HOMA BAY MUNICIPALITY
OFFICE OF THE MUNICIPAL MANAGER
P.O BOX 469- 40300
HOMABAY
Email:municipalityhomabay@gmail.com



HOMA BAY COUNTY

Date: 6th October, 2023

To: Onyiero

Tel: 0700346364

Chair, Bank Road Business Owners

RE: RESPONSE LETTER

In response to your letter date 2nd October, 2023, concerning the land encroachment and illegal fencing of the homa bay market, our office will do a follow-up with the project engineer and the concerned team withing 7 days to ensure your matter is fully addressed

Please don't hessite to follow up with our office on the same during office working days from Monday to Friday (8.00 am-5pm)

Thanks for your concern.



MR. MARK ODHIAMBO OKETH
MANAGER HOMA BAY MUNICIPALITY