




NOTARY OFFICES IN THE DIGITAL AGE: BETWEEN THE EFFICIENCY OF BLOCKCHAIN AND THE RISKS OF LGPD – AN URGENT DEBATE FOR PUBLIC POLICIES

CARTÓRIOS NA ERA DIGITAL: ENTRE A EFICIÊNCIA DA BLOCKCHAIN E OS RISCOS DA LGPD – UM DEBATE URGENTE PARA POLÍTICAS PÚBLICAS

NOTARIAS EN LA ERA DIGITAL: ENTRE LA EFICIENCIA DE BLOCKCHAIN Y LOS RIESGOS DE LA LGPD – UN DEBATE URGENTE PARA LAS POLÍTICAS PÚBLICAS

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ABSTRACT

This study adopts an interdisciplinary approach to examine how housing formalization through property titling — functions as a driver of social security for Brazilian families. Based on a comprehensive literature review, documentary analysis, and recent empirical data (IPEA, IBRADIM, FGV, 2022–2024), the research demonstrates that land regularization significantly reduces housing insecurity (–65%), increases property value (+35%), and expands access to formal credit (+73%). By comparing formalized housing such as units from the Minha Casa, Minha Vida program — with informal settlements, the study reveals that legal property titles are associated with lower eviction risks, greater household investment (+43%), and stronger community engagement (+31%). The findings suggest that property titling serves as a structural mechanism for social inclusion, reinforcing the constitutional right to housing and underscoring the need for integrated public policies, such as the Urban Land Regularization Program (Reurb), to ensure equitable access to safe and dignified housing.

Keywords: Property Titling. Housing Security. Land Regularization. Social Inclusion. Public Policies. Right to Housing.

RESUMO

Este estudo investiga, sob uma abordagem interdisciplinar, de que maneira a formalização da moradia — concretizada por meio da titulação de propriedade atua como vetor de segurança social para famílias brasileiras. A partir de revisão bibliográfica, análise documental e sistematização de dados empíricos recentes (IPEA, IBRADIM, FGV, 2022–2024), demonstra-se que a regularização fundiária contribui significativamente para a redução da insegurança habitacional (–65%), para a valorização dos imóveis (+35%) e para a ampliação do acesso ao crédito formal (+73%). O estudo contrasta realidades de moradias formalizadas, como aquelas vinculadas ao programa Minha Casa, Minha Vida, com assentamentos informais, evidenciando que a existência de matrícula imobiliária está associada à menor exposição a despejos, maior investimento doméstico (+43%) e maior engajamento comunitário (+31%). Conclui-se que a titulação de propriedade opera como mecanismo estruturante de inclusão social, reforçando o direito constitucional à moradia e

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exigindo a articulação de políticas públicas integradas, como o Programa de Regularização Fundiária Urbana (Reurb), para garantir o acesso equitativo à habitação digna e segura.

Palavras-chave: Titulação de Propriedade. Segurança Habitacional. Regularização Fundiária. Inclusão Social. Políticas Públicas. Direito à Moradia.

RESUMEN

Este estudio investiga, utilizando un enfoque interdisciplinario, cómo la formalización de la vivienda, lograda a través de la titulación de propiedad, actúa como un vector de seguridad social para las familias brasileñas. A partir de una revisión bibliográfica, análisis documental y sistematización de datos empíricos recientes (IPEA, IBRADIM, FGV, 2022-2024), se demuestra que la regularización de tierras contribuye significativamente a la reducción de la precariedad habitacional (-65%), a la valorización de las propiedades (+35%) y a la ampliación del acceso al crédito formal (+73%). El estudio contrasta las realidades de la vivienda formalizada, como las vinculadas al programa Minha Casa, Minha Vida, con los asentamientos informales, mostrando que la existencia de registro inmobiliario está asociada con una menor exposición a los desalojos, una mayor inversión interna (+43%) y una mayor participación comunitaria (+31%). Se concluye que la titulación de propiedad opera como un mecanismo estructurante de la inclusión social, reforzando el derecho constitucional a la vivienda y requiriendo la articulación de políticas públicas integradas, como el Programa de Regularización del Suelo Urbano (Reurb), para garantizar el acceso equitativo a una vivienda digna y segura.

Palabras clave: Título de Propiedad. Seguridad de la Vivienda. Regularización de Tierras. Inclusión Social. Políticas Públicas. Derecho a la Vivienda.

1 INTRODUCTION

The right to housing, provided for in Article 6 of the Federal Constitution of 1988, is part of the essential core of human dignity and constitutes one of the fundamental pillars for the construction of a just and egalitarian society. Despite its constitutional recognition, estimates indicate that between 30% and 50% of Brazilian properties are still in an irregular situation, without formal registration of ownership (Figueiredo, 2022). This reality reveals a scenario of legal and social vulnerability that affects millions of families, especially those with low income, and compromises the full exercise of basic rights.

This chapter aims to analyze how property titling acts as a foundation for socio-family security, articulating legal, economic and welfare dimensions. It starts from the following central question: how does housing formalization change the lives of families in terms of asset protection, access to credit, property appreciation and social stability?

The relationship between the right to housing and family security has gained increasing relevance in the contemporary legal and social debate. Housing, in addition to meeting a basic need, is recognized as a fundamental human right, directly linked to dignity, citizenship and quality of life. The absence of legal title not only weakens the residents' bond with the space they occupy, but also exposes them to risks such as arbitrary evictions, exclusion from public policies, and difficulties in accessing the financial system.

This paper proposes a comprehensive analysis of the impacts of the formalization of housing, considering its legal, social and economic implications. The methodology adopted consists of an interdisciplinary bibliographic review, encompassing legal texts, social studies and statistical data. National and international studies, specific legislation — such as the City Statute (Law No. 10,257/2001) and Law No. 13,465/2017, which establishes Reurb — are compared, as well as information from organizations such as the Institute of Applied Economic Research (IPEA), the Brazilian Institute of Geography and Statistics (IBGE) and the Inter-American Development Bank (IDB).

The study begins with a discussion on the right to housing as a social and historical phenomenon, exploring the evolution of housing policies in Brazil and its impact on family structures. Next, the differences between formalized housing and informal settlements are examined, with emphasis on the legal, health, and social consequences of each model. The analysis delves into public policies aimed at land regularization and the improvement of housing conditions, highlighting the role of the State and institutions in guaranteeing the right to safe and dignified housing.

The conclusion summarizes the main findings, emphasizing that the formalization of property not only ensures legal protection for families, but also promotes social inclusion, economic stability and improved living conditions. The work also reinforces the urgency of effective, integrated and inclusive housing policies, capable of meeting the multiple urban realities and contributing to the strengthening of the social structure and the construction of fairer and more sustainable cities.

2 RIGHT TO HOUSING AS A SOCIAL AND HISTORICAL PHENOMENON

The title of this chapter proposes an approach that understands the right to housing as a social phenomenon, playing a fundamental role in the constitution and evolution of society, with emphasis on family security. The formulation suggests an in-depth analysis of the historical development of the ways of inhabiting, reflecting social, economic and political transformations over time.

From ancient civilizations to contemporary times, the way individuals occupy spaces reveals patterns of social organization (Sherwani and Malik, 2019). In the Brazilian context, housing policy acquired a mass character with the creation of the National Housing Bank in 1964, through programs such as Minha Casa, Minha Vida (2009) and, more recently, Casa Verde e Amarela (2020). These initiatives dialogue with the thesis of De Soto (2000), according to which property titles have the potential to transform the so-called "dead capital" into an economic asset.

Carneiro (2019, p. 109), in a case study, points out that "for the housing experience in the area to improve, its main expectation is focused on improving infrastructure and sanitation conditions: defined streets, water, electricity and sewage network. These are the conditions associated with living with dignity." The author complements, stating that "in addition to infrastructure conditions, expectations are also mentioned regarding the expansion of public service offerings: education, health, and public safety" (Carneiro, 2019, p. 110).

The relevance of property titles in the context of the right to housing is remarkable. The legal possession of a property transcends the simple formalization of a real estate transaction, conferring dignity, stability and social recognition to families. Legal ownership is understood not only as a legal guarantee, but as an essential element for the promotion of human dignity.

Residents without financial conditions to access the formal market end up living in areas where both housing and infrastructure are self-built, facing technical limitations and scarcity of resources (Carneiro, 2019, p. 124).

Cruz (2021) highlights that home is ontologically a fundamental human need, citing the phrase attributed to Tolstoy: "true happiness is in the home itself, among the pure joys of the family". The author reinforces that the property represents the space where the family can exist, develop and, often, constitutes the individual's greatest asset.

The evolution of housing conditions throughout history reveals, in a profound way, the cultural, economic, political and social changes in different periods and regions. From the first civilizations to contemporary countries, the way of living has been a relevant indicator of the level of social and economic development.

According to Sherwani and Malik (2019), in today's world, housing conditions vary significantly between developed and developing countries. In the former, there is an appreciation of functional, sustainable and aesthetically planned housing, reflecting greater environmental awareness and high standards of quality of life. In developing countries, challenges persist related to housing precariousness and the absence of basic infrastructure, with a large part of the population living in slums or informal settlements.

The history of housing is, therefore, a privileged lens for understanding the social and economic dynamics of societies. It reveals how living conditions have transformed in response to changing social structures, technological advances, and economic priorities, remaining an essential indicator of quality of life and human development. Families without access to the formal market resort to self-construction in areas devoid of adequate infrastructure (Carneiro, 2019).

The absence of ownership exposes residents to evictions and restricts domestic investments, compromising housing stability (Cruz, 2021). Data from Amnesty International (2023) reveal that approximately 16 million people — equivalent to 12% of the Brazilian population — live in favelas subject to forced evictions. In view of this scenario, it is necessary to devote attention to the role of capital, in articulation with the State, in the production of the built environment and, consequently, in the generation of housing, especially in recent decades. Such a relationship has shown potential to generate — and not necessarily solve — recurrent crises.

Historically, large-scale housing construction programs, articulated with the production of urban space, have made up a significant part of the strategies for overcoming crises of

overaccumulation. Therefore, it is equally relevant to analyze housing policies and state involvement in the sector, considering their structural impacts. Law No. 13,465/2017, which instituted Reurb (Urban Land Regularization), represents a milestone in this process, by establishing agile titling mechanisms. Between 2019 and 2024, the federal government delivered more than 370 thousand property titles (IRIB, 2022), and studies by the CNJ/USP (2023) indicate that land formalization is correlated with a 72% reduction in possessory litigation.

In practice, the costs of the systemic imbalances caused by the action of capital on the urban territory fall on the inhabitants of the cities themselves. This occurs both through real estate appreciation, which expels vulnerable populations, and through state indebtedness, often used as a justification for fiscal austerity policies. In this context, it is not surprising that urban space and housing have been consolidated as central arenas in the anti-capitalist struggle (Paolinelli, 2018, p. 40).

Housing programs, generally promoted by the State, have been used as instruments to stabilize the economic system in times of excess capital without productive destination. This perspective indicates that such policies can have purposes that go beyond the simple provision of housing, also functioning as tools of economic regulation.

The attempt to contain social tensions through housing policies shows that housing constitutes a strategic arena for mobilization. Both in theory and in everyday practice, there is a growth in the recognition of housing as a space for political and social dispute (Paolinelli, 2018, p. 40). This recognition can be interpreted as a reflection of the growing urban and housing tensions faced by various contemporary societies.

The increasing visibility of problems such as the scarcity of affordable housing, gentrification processes, and socio-spatial segregation reveals that housing is at the center of current social and political debates. It is, therefore, a field that demands critical attention and integrated action between the State, civil society and economic agents, aiming to guarantee the right to the city and decent housing as fundamental pillars of social justice.

The appreciation of owning a home is directly associated with the feeling of family security and stability. A survey conducted by Datafolha in partnership with QuintoAndar (2022) gave a score of 9.7/10 to the importance of owning a home, even surpassing financial stability, which obtained a score of 9.6. This result shows that the desire to own a property is deeply linked to the search for control over the domestic space and the construction of a safe environment for the family.

Complementing this perception, a study by the Inter-American Development Bank (IDB, 2023) showed that an increase of one standard deviation in the feeling of security is capable of raising the average value of real estate by R\$ 1,513. This data reinforces the idea that the formalization of ownership not only guarantees legal certainty, but also adds economic value to the asset, becoming a desirable and valued asset in the market.

This evidence suggests that the legal possession of a property is understood as a central element in the structuring of family life, reflecting aspirations for stability, belonging and protection. Formalized housing, therefore, transcends the patrimonial aspect, assuming a symbolic and functional role in the consolidation of daily security.

Table 1

Aspect	Importance Rating (0-10)
Home ownership	9,7
Financial stability	9,6
Family	9,4

Source: Author.

In addition, a study conducted by the Inter-American Development Bank (IDB, 2025) estimated that an increase of one standard deviation in the feeling of home security raises the average value of properties by R\$ 1,513 (US\$ 757), directly impacting about 18 million homes. This data reveals a precise correlation between perceived security and the economic value of formalized housing, showing that legal ownership not only protects legally, but also reinforces the perception of stability, positively influencing the economic and emotional well-being of families.

The formalization of housing represents, in this context, a safeguard against risks such as evictions, especially in informal areas such as favelas. Human rights reports, such as those by Amnesty International (2023), point out that approximately 16 million people — about 12% of the Brazilian population — live in favelas, often without access to basic services and subject to forced evictions.

Historically, favela eradication policies, such as those implemented during the military regime, have resulted in the displacement of hundreds of thousands of residents. On the other hand, housing programs such as Minha Casa Minha Vida (MCMV), by guaranteeing legal rights of possession or concession, contributed to mitigating this vulnerability. Launched

in 2009, MCMV built about 2.6 million housing units, benefiting low-income families with subsidies that cover up to 90% of the value of the property, promoting its integration into urban areas with adequate infrastructure (Breda, 2025).

These initiatives demonstrate that housing policy, when articulated with land regularization and the guarantee of rights, can act as an instrument of social protection, asset enhancement and promotion of human dignity.

Table 2

Type of Housing	Vulnerability to evictions	Access to Basic Services
Formalized (MCMV)	Low	High
Informal (Favelas)	Discharge	Low

Source: Author.

The absence of legal title in informal areas, such as favelas, exposes families to arbitrary removals, while the formalization of ownership provides stability, an essential element for family security (Oliveira, 2021). Informal housing often lacks basic sanitation, clean water and waste collection, which increases the risks of disease and infant mortality. According to an IBGE report, more than five million households were in precarious conditions in 2020 (IBGE, 2020).

On the other hand, formalization, especially through government programs, ensures access to urban infrastructure — such as electricity, transportation, and public services — promoting significant improvements in the quality of life. An example is the land regularization project in Pernambuco, supported by Habitat for Humanity, which expanded access to legal tenure for women and vulnerable groups, contributing to the reduction of urban poverty (Habitat for Humanity, 2025).

Despite the benefits, challenges remain, especially in urban areas marked by violence. Studies indicate that even formalized housing in the peripheries can face physical security problems due to the actions of criminal organizations. In some housing complexes of the Minha Casa Minha Vida (MCMV) program, the presence of militias compromises the safety of residents (Müller, 2025). Even so, legal certainty works as a "social passport", even in violent contexts, although it does not eliminate the risks associated with crime (Oliveira, 2021; Müller, 2024).

Titling, therefore, needs to be accompanied by integrated public policies, aimed at security and local development. According to research by the Institute of Applied Economic Research (IPEA, 2022), families with formally registered properties have a 42% higher housing security index compared to those in an informal situation. The study, which analyzed 2,500 families in different regions of the country, found: (i) a 38% reduction in land conflicts; (ii) a 27% increase in access to infrastructure; (iii) average appreciation of 35% of the property; and (iv) a 29% increase in access to credit.

Marques and Silva (2023) identified a "ripple effect" resulting from the formalization of ownership, with a 43% increase in investments in housing improvements, a 31% increase in community engagement, and a 65% reduction in the perception of insecurity. In a longitudinal study with 850 families, the authors also observed greater participation in government programs (an increase of 38%) and a stronger sense of belonging.

Oliveira (2021) highlights that real estate registration, a central document of the Brazilian registry system, guarantees legal protection against dispossession and facilitates the transmission of assets, access to housing programs, obtaining credit with better conditions, and the resolution of marital conflicts involving real estate.

In addition, a study by the Getulio Vargas Foundation (FGV, 2023) on legal security and social development revealed that municipalities with a higher rate of real estate formalization have higher social indicators: lower rate of domestic violence (-18%), higher school permanence (+22%), higher family investment in education and health (+25%) and lower unemployment rate (-12%).

Santos and Pereira (2024), in qualitative research with 200 families who went through the land regularization process, identified relevant subjective elements in the relationship between formalization and well-being. The expression "now I am a real citizen" was recurrent in the statements, showing how the formal recognition of property contributes to the construction of social identity.

The National Council of Justice (CNJ), in partnership with the University of São Paulo (USP), published in 2023 the report *Effectiveness of the Brazilian Real Estate Registry System*, which pointed to a significant correlation between registry security and the reduction of lawsuits involving housing issues. Formalization is associated with a decrease of up to 72% in the judicialization of possessory conflicts, which represents savings for the judicial system and reduced stress for families (CNJ; USP, 2023).

Rodrigues (2022) complements this analysis by demonstrating that formal real estate registration positively impacts the mental health of family members. According to its longitudinal study, after regularization there was a reduction in the rates of anxiety (-31%), stress (-28%) and depression (-24%) among the heads of household.

The Brazilian Institute of Real Estate Law (IBRADIM, 2022), in a survey of more than 3,000 families in 15 Brazilian states, identified that the formalization of ownership expanded access to financial services: 73% of families started to access lines of credit that were previously unavailable, 68% reported an improvement in their credit score, and 47% used the property as collateral for loans aimed at raising their children or investing in small businesses.

Alves (2023) reinforces that the security provided by real estate registration changes the economic behavior of families. According to the author, there is a transition from a logic of immediate survival to medium and long-term planning, with a focus on housing improvements, education and health. Real estate registration works as a "psychological anchorage", allowing families to visualize and build a more stable future.

Informality in land tenure is a historical challenge in Brazil. Estimates indicate that between 30% and 50% of the properties need some type of regularization, most of which belong to the low-income population. Land regularization, through registration in a notary's office, is seen as an essential strategy for reducing poverty and urban inequality (Figueiredo, 2022).

During the Covid-19 pandemic, more than 40 thousand families suffered eviction or repossession processes, and another 217 thousand were threatened with losing their homes, affecting more than one million people (Lucena, 2023). The main justification for these evictions was the absence of legal possession. Land regularization acts directly to eliminate this vulnerability, ensuring asset protection and preventing removals without due process.

Local authorities also recognize this importance. Sampaio (2025) states that, in the state of Roraima, the urban titling program implemented in 2023 was considered "essential to ensure legal certainty for occupants", ensuring the permanence of the benefited families in their properties.

According to the survey *The Effect of a Land Titling Programme on Households' Access to Credit* (2015), carried out in the municipality of Osasco (SP), the titling of properties in low-income communities had significant impacts. After receiving the title deed, households expanded their use of formal credit and reduced their reliance on informal loans, such as those obtained from relatives or loan sharks.

From another perspective, De Losso et al. (2009) demonstrated, through a study carried out in the community of Caju (RJ), that the titled households had a higher family income than those without regularization, evidencing a positive effect of formalization on the economic gains of the residents.

Galiani and Schargrodsky (2010), when analyzing experiences in Peru and other Latin American contexts, identified that property titling increased household spending on housing improvements by about 40%, compared to non-titled ones. These data reinforce that adequate housing is not limited to the existence of a roof, but involves safety, permanence and quality – elements that formalization provides.

Regularized homes tend to be better built, healthier and safer, promoting better living conditions for their occupants and contributing to the appreciation and integration of neighborhoods. According to official data, the Federal Government delivered more than 370 thousand land titles between 2019 and 2022 (Brasil, 2022).

International experience shows that titling programs achieve greater effectiveness when articulated at three levels of government, with a clear division of competences: the Union is responsible for allocating resources and defining guidelines; the States coordinate the training of notary offices and land agencies; and the Municipalities promote community mobilization and territorial planning. This multilevel governance structure enhances tax benefits — such as the expansion of the IPTU collection base —, improves urban planning, and creates a favorable environment for attracting private investments in infrastructure.

For land regularization policies to be effective, it is essential that they are accompanied by technological innovation and transparency. The digitization of records and interoperability between registries — notary offices, city halls, and environmental agencies — contribute to cost reduction, fraud prevention, and agility in the granting of titles. Simultaneously, social participation mechanisms, such as public hearings and collaborative georeferencing platforms, ensure that decisions are aligned with local needs and strengthen social control over potential impacts, such as gentrification.

3 FINAL CONSIDERATIONS

The formalization of housing, through real estate registration, transcends mere patrimonial legality: it represents an instrument of social transformation. By providing legal certainty, titling strengthens the sense of belonging, raises the self-esteem of residents, expands economic opportunities and consolidates family protection networks. Empirical

evidence shows that titled families show concrete gains in several aspects, such as mental health, income, access to credit, community engagement, and property appreciation.

However, for these benefits to be lasting and effective, it is essential that the titling is articulated with convergent public policies, which involve urban infrastructure, public safety, access to essential services and financial inclusion. Land regularization cannot be understood as an isolated action, but as part of an integrated set of strategies aimed at promoting social justice and confronting urban inequalities.

The right to housing, recognised as a fundamental human right, is an indispensable condition for dignity, security and social stability. In addition to being an indicator of quality of life, it directly reflects economic and social disparities, requiring effective and equitable policies for its implementation. In this sense, the expansion of Reurb and the implementation of inclusive housing programs are a sine qua non condition for the reduction of territorial inequalities and for the realization of the right to housing in Brazil.

In the face of contemporary challenges, such as the disorderly growth of cities, the environmental crisis and the intensification of social vulnerability, housing plays a central role in sustainable development. Governments, institutions and civil society organizations must ensure adequate housing, integrating it into broader strategies for urban planning, social inclusion and environmental sustainability. Decent housing is not just a physical shelter, but a space for building bonds, exercising citizenship and projecting the future.

The formalization of ownership, especially for low-income families, has proven to be a vector of transformation. Recent studies indicate that, in addition to protection against evictions and possessory conflicts, real estate registration facilitates access to credit, stimulates investments in housing improvements, and strengthens community stability. Families with titles tend to invest more in their homes, raising the construction standard and contributing to the appreciation of neighborhoods and social cohesion.

Through public policies such as Reurb and inclusive housing programs, hundreds of thousands of families have become, in recent years, to have an official address, a registered deed and the peace of mind of knowing that their home is protected by law. This advance represents not only a legal achievement, but an affirmation of citizenship and a decisive step towards the construction of fairer, safer and more sustainable cities.

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