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IN CONVERSATION WITH:

NASRA NANDA

C.E.O.

Kenya Green Building Society (KGBS)

IN THIS ISSUE

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CM PROPERTY DIGEST: AN EXCLUSIVE INTERVIEW WITH NASRA NANDA, CEO OF THE KENYA GREEN BUILDING SOCIETY (KGBS)

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CM PROPERTY DIGEST: Leading Sustainable Change in Kenya's Built Environment with Nasra Nanda.

Welcome back to CM Property Digest, your source for insightful discussions on Africa's real estate and built environment. We explore key trends in sustainable design, urban innovation, and construction that are shaping Kenya's property landscape, while highlighting the leaders driving change.

Today, we're excited to feature Nasra Nanda, an influential advocate for sustainable architecture and **CEO of the Kenya Green Building Society (KGBS)**. Nasra's leadership extends to her role as **Chair of the Africa Regional Network at the World Green Building Council (WGBC)**, where she drives initiatives promoting green building practices across the continent. Furthermore, she is an **Honourable Member of the County Assembly in Nairobi city**.

Her work has led to significant milestones, including Kenya's achievements at *COP28* and *the first IFC EDGE Green Government office certification in Africa*. A passionate champion of policy integration and community development, Nasra's efforts are shaping Kenya's future through sustainable, inclusive design.

STELLA: Let me start by first asking you to introduce yourself.

MS. NASRA: Sure! My name is Nasra, and I am the CEO of the Kenya Green Building Society (KGBS). KGBS is a non-profit, membership-based organization that serves as a green building council. We are one of only two such councils in Africa to achieve established status with the World Green Building Council. Our mission is to educate, advocate for, and certify green buildings.

However, KGBS is not your traditional green building council. We view the built environment as an ecosystem that can champion change. Our approach involves considering the entire built environment, including informal settlements and marginalized communities, to ensure that every aspect contributes to our success. Additionally, I serve as a nominated member of the County Assembly in Nairobi.

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STELLA: I was reading your 2024 impact report, and I noticed that you go beyond commitments to action. Why is it important for our reports to have measurable impact?

MS. NASRA: It's crucial because being a community of doers helps build trust. This trust fosters partnerships that enable us to scale our efforts. If we commit to actions that don't translate into tangible change over time, we limit our opportunities to create that change. Therefore, it's important that our initiatives are grounded in action as well as vision.

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STELLA: You mentioned your role in the county assembly involves legislation and policy. Could you tell us about the Climate Change Act you passed?.

MS. NASRA: One advantage of my dual perspective in the private and public sectors is my understanding of the implications of legislation. The Climate Change Act at the Nairobi county level is significant because it empowers the county to not only launch green projects but also secure funding for them. This is critical for an urban area like Nairobi. For instance, last year we experienced severe flooding, and without the Climate Change Act, we had to resort to emergency fundraising as lives were lost and homes were destroyed. Taking a proactive approach through this Act allows us to mainstream sustainable practices into our projects, investments, and partnerships.

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STELLA: What committees do you serve on?

MS. NASRA: Currently, I am a member of the Environment Committee and the Planning Committee. I also participate in the Women's Caucus and chair the Delegated County Legislation Committee. As chair, I also sit on the Liaison Committee, which is akin to the cabinet for the assembly.

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STELLA: As chair of the Delegated Committee, have you encountered instances where the county executive oversteps their mandate when establishing regulations?

MS. NASRA: No, I haven't encountered that directly. However, one of the biggest challenges I face as chair is that past laws have sometimes been unclear, which poses significant issues. When the county executive creates regulations, the ambiguous language can diminish accountability.

This lack of clarity complicates implementation and can lead to punitive measures. There's a tendency within the executive to operate within boundaries that might seem advantageous in the short term—essentially, if it's not broken, don't fix it—but this can lead to long-term problems. For example, people may be forcibly removed from their homes without proper mechanisms in place, leaving the county exposed to legal challenges.

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STELLA: Let's circle back to the built environment. For someone unfamiliar with the term, how would you explain what the built environment is?

MS. NASRA: The built environment encompasses everything within an urban, village, or peri-urban space. This includes the homes and buildings we see, the roads we walk on, the trees that provide shade, and the infrastructure that supports our daily activities—encompassing everything we rely on to live, work, and play.

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STELLA: What are some tenets that would define a green or sustainable built environment?

MS. NASRA: And so, Let's envision a sustainable future in the built environment, where nature thrives through micro-forests and greenery, creating harmony in our urban spaces. Imagine cities that prioritize energy efficiency and inclusivity, allowing everyone—especially the elderly, women, and those with disabilities—to navigate safely. Healthy environments are vital for healthy lives, reminding us that urban design should focus on people's well-being.

Good governance is key, offering the infrastructure and services needed for communities to flourish. We must create affordable housing that meets the diverse needs of populations, particularly in informal settlements like the Nubians, who add richness to our communities. True sustainability for the Global South means uplifting these communities, allowing us to redefine success on our own terms. By embracing innovative concepts like ESG, we're paving the way for a brighter future. Together, we can foster spaces where everyone feels a sense of belonging and dignity, inspiring meaningful change that resonates far and wide.

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STELLA: And that brings me to even the issue of the affordable housing scheme. How do you think we have made it inclusive in terms of not just gender, youth, and age, but also in terms of recognizing that we have communities like the Nubians who are very communal?

MS. NASRA: I'm glad you asked that question. To begin with the issue of roads, I completely agree that professionals often overlook the needs of people in the Global South, including our leaders. Development should not just focus on structures; it must be viewed as a service to the community. If our projects—whether housing or roads—don't benefit the people, who are they really for?

In Kenya, we have not comprehensively addressed the affordable housing crisis for low-income populations. We mainly approach it from a formal perspective, ignoring communities like the Nubians that exist on the fringes of both formal and informal settlements.

At KGBS, we believe sustainability should focus on these fringe areas. With about 60% of Nairobi's population living in informal settlements, our definitions of sustainability must reflect their reality. This year, we aim to explore climate resilience for these communities, despite the challenge of changing the mindset that equates prosperity with formal structures.

We hope to work with you to raise awareness and foster understanding so that communities like the Nubians can have dignity in their spaces. Although changing perspectives will be tough, it's achievable. Just a few years ago, discussing ESG in Kenya seemed impossible; now, we are leading the agenda in the built environment and serving as the vice-chair for buildings and climate globally, alongside Brazil and France. We must continue this momentum until we reach our goals.

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STELLA: Focusing on professionals in this sector, Geoscientists are seeking increased recognition, especially within government, for their contributions to the built environment. There is concern about unregulated borehole drilling and its potential impact on building integrity. I would like to know if your organization employs geoscientists and if their expertise has been integrated into your operations.

MS. NASRA: So, I'll be frank with you. We haven't worked with a geoscientist at KGBS yet. But I think in part, they're challenged.

And the reason why I say they're challenged is because I've seen it with a lot of professionals. Whether it's a lawyer or an architect. But in particular, service-driven professionals or technical professionals.

Their biggest problem is that they talk to a common person like another professional. The lingo and the technical jargon are thrown at the other person. It is overwhelming.

We don't lack technical capacity in Africa. What we lack is relational capacity. And I think in that regard, then, I feel one of their challenges is potentially not humanizing their value add to the market.

So, if you were to talk about the integrity of a structure. I would simply say we're here to make living in spaces safer. Ultimately, living in a safe space is the difference between life and death.

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STELLA: Professionals in various fields have a strong online presence, and you are a leader in this area. You mentioned focusing on Nairobi's climate policies and initiatives in 2025. Could you elaborate on this?

MS. NASRA: I believe it's vital to have a clear vision and collaborate with others to create and implement it effectively. My roles as an MCA and the CEO of KGBS position me to translate this vision into meaningful action. One of our significant milestones has been certifying the governor's office as Africa's first green government building. This achievement not only establishes Nairobi as a leader in green initiatives but also encourages the governor to maintain this positive momentum, especially now that we have a climate change act in place. We are currently focused on two valuable initiatives.

First, Nairobi County is about to sign a Memorandum of Understanding (MOU) for flood resilience with a partner. This collaboration aims to enhance our preparedness and minimize potential loss of life and property damage. Second, a Project, which is dedicated to developing a sustainable micro-neighborhood along the Nairobi rivers, highlights our commitment to improving nature-based solutions in an area that needs significant attention. These projects represent key steps toward tangible action, and my role is to facilitate their progress and growth. I am open to exploring more opportunities both at grassroots levels and in higher channels.

I encourage professionals, young people, and women to share their initiatives and ideas with me. I would be glad to serve as a platform for amplifying your agendas. By working together, we can move beyond discussions to implement effective solutions, particularly in sustainable materials and technologies for green construction

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STELLA: How can we encourage people to use this material? Can we find some items locally? We also need to think about how to recycle materials.

MS. NASRA: We have completed a comprehensive building materials report at KGBS to identify local sustainable options, which will help us pinpoint barriers and opportunities this year. Our Gender Green app, developed with FSD Kenya, serves as a vital directory for sustainable material suppliers and consultants, confirming that there are active players in the low-carbon materials market in Kenya. As we partner with the government to mainstream green building standards, we will seek legal incentives, such as tax waivers for low-carbon materials, to boost market engagement.

It's critical to dispel the misconception that sustainability is expensive; it can be affordable and accessible when approached correctly. Local contexts matter, so building strategic partnerships is essential. We must tackle sustainability systematically. Start with small, impactful actions like recycling and energy-saving practices that require minimal investment but yield significant results. Lastly, beware of opting for cheaper certification solutions, as they can lead to higher long-term costs. Engaging experts can reveal valuable opportunities, making your sustainability journey both efficient and economically sound.

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STELLA: Waste management is a major issue in urban and rural areas. What can we do regarding sustainable and green buildings?

MS. NASRA: The issue at hand revolves around mindset. When people suggest eliminating the lake, we must think about its implications for infrastructure and waste management. This year, we are excited to launch a course on waste management and certification aimed at empowering professionals in the built environment. This includes not just architects but also real estate lawyers, who can unlock financial benefits for their clients through effective waste management.

Many people are unaware of waste issues, so we need to inspire change by highlighting the health hazards and the potential for financial gain. In urban areas, waste management holds incredible business prospects, as evidenced by places like Dandora, where responsible waste handling is respected. We must engage in meaningful discussions about the negative impacts of waste and the empowering opportunities that arise from effective management.

Stella: Well said Nasra. This has been such an insightful conversation. We will have a Part 2 with you and I'm very excited for that. For now, thank you for having us. To our readers...stay tuned for the 2nd part of the interview in our upcoming issue.

Contributor Information

IN CONVERSATION WITH:

NASRA NANDA

C.E.O.

Kenya Green Building Society (KGBS)

Nasra Nanda is a dynamic leader at the intersection of sustainability, governance, and urban development. As the CEO of the Kenya Green Building Society (KGBS), she is driving the transformation of Kenya's built environment, championing green building standards, and integrating ESG principles into real estate. Her influence extends beyond Kenya as the Chair of the Africa Regional Network of the World Green Building Council, where she works to accelerate sustainable development across the continent. In addition to her advocacy, Nasra serves as a nominated member of the Nairobi City County Assembly, using her legislative role to push for policies that promote climate resilience and inclusive urban growth. Passionate about creating impact at both grassroots and policy levels, she is at the forefront of shaping a future where sustainability is not just an ideal, but a reality for all.

Contributor Information

INTERVIEWER:

STELLA ORENGO

Legal Expert | Dispute Resolution Specialist | Gender & Sustainability Advocate | Director & Co-Founder

With over 14 years of post-graduate experience, Stella Orengo is a highly skilled legal practitioner specializing in pre-disputes and appropriate dispute resolution mechanisms, family law, legal drafting, and sustainability practice. She is adept at crafting strategic legal solutions that prevent, manage, and resolve conflicts while ensuring compliance with legal and regulatory frameworks.

As a gender practitioner, she has a strong focus on gender analysis, reporting, and training, working to integrate gender-responsive approaches into legal and policy frameworks. Her expertise extends to sustainability, where she advises on ESG compliance, responsible business practices, and legal mechanisms that promote environmental and social impact.

In addition to her legal practice, Stella Orengo is the Director and Co-Founder of Bio-Climate Solutions Limited, a firm offering bespoke ESG and sustainability advisory services. Through this platform, she provides tailored solutions that help businesses and institutions embed sustainability into their operations, governance, and strategic planning.

Passionate about transformative legal practice and sustainable development, she combines legal acumen with a commitment to social and environmental impact, making her a trusted advisor in both corporate and public interest matters.

THE IMPACT OF ESG CRITERIA ON PROPERTY VALUATION IN KENYA

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In recent years, the importance of Environmental, Social, and Governance (ESG) criteria has transcended corporate boardrooms and is now making waves across various sectors, including real estate. ESG considerations are reshaping property markets worldwide, and Kenya is no exception. As the demand for sustainable, socially responsible, and well-governed properties increases globally, the Kenyan real estate market is beginning to recognize the long-term value these criteria can add to property valuation.

PROPERTY VALUATION

The valuation of properties is a necessary requirement in the real estate sector to determine a property's monetary worth for various financial purposes. In Kenya mandated by the national government through the Ministry of Lands, Housing and Urban Development. The national government establishes the Office of the Chief Government Valuer and provides guidelines for property valuation and taxation. The Chief Government Valuer oversees valuation processes nationwide, appoints private valuers, renews valuation reports, approves or rejects applications within 30 days and notifies the transferee and Collector of Stamp Duty of the market value of the property. As such, the value of a property can be influenced by various factors such as location, size, condition, market demand, neighbourhood quality, amenities, age, recent renovations, local economic factors, interest rates, and comparable sales in the area. While these factors remain traditional parameters, environmental, social, and corporate governance (ESG) and sustainability initiatives are increasingly influencing investor decisions and impacting the market value of real estate.

2. INVESTOR INTEREST IN ESG-COMPLIANT PROPERTIES

As ESG principles become more embedded in the global investment landscape, Kenyan investors are increasingly attuned to these criteria. Many institutional investors, including pension funds and international investment firms, are focusing on sustainability and corporate social responsibility when choosing where to invest. This has begun to influence the Kenyan property market. In contrast the following concisely provide as to where ESG bends towards influencing the Kenyan market scope:

- **Foreign Investment:** Foreign investors, particularly from Europe and North America, are increasingly looking at properties that meet ESG criteria. As international funds enter the Kenyan market, there is a growing emphasis on environmentally sustainable developments, socially responsible practices, and good governance. This shift is pushing property developers to integrate ESG into their designs, which, in turn, increases property values.

- **Long-Term Value and Risk Mitigation:** Properties that align with ESG criteria are often seen as more resilient in the long term. Investors perceive these properties as lower risk due to their ability to withstand future regulatory changes (e.g., environmental regulations), shifts in tenant preferences, and market dynamics. As such, ESG-compliant properties are viewed as more valuable from a long-term investment perspective.

The national government focuses on various socio-economic projects aimed at enhancing access to social and economic inclusion services for vulnerable households. It does this by committing to improving housing and settlement through real estate projects such as the Affordable Housing Programme, housing finance schemes and incentives for developers. As the national government seeks to expand on the provision of such initiatives, the social impact presents an opportunity to attract more ESG criteria-led investments.

3. THE CHALLENGE OF ESG IN TRADITIONAL VALUATION MODELS

Traditional approaches to real estate valuation such as the **Cost Approach, Sales Comparison Approach, the Income Approach, the straight method approach, spot valuation approach and the annual servicing fund approach** suffer from the disadvantage of inadequate historical data on ESG-compliant properties hence making this comparison challenging. Climate change and ESG considerations pose both physical risks (such as damage from extreme weather) and transitional risks (such as the shift to a low-carbon economy) that could impact property values. Traditional valuation methods primarily rely on historical data and comparables, which are not readily available for ESG-compliant properties. Additionally, since ESG is an evolving and relatively new area in real estate, there is a lack of reliable historical data to guide appraisers in estimating the impact of ESG factors. As a result, ESG factors currently serve to bolster such traditional valuation approaches leading to a lower discount rate, thereby increasing the property's valuation.

Despite these challenges, the increasing investor interest in ESG and the forthcoming regulatory changes are pushing the real estate industry to consider alternative approaches to integrating ESG into property valuations. To address this, new valuation methodologies are emerging to factor ESG considerations more effectively.

4. EMERGING APPROACHES TO INCORPORATE ESG FACTORS IN VALUATION

Additive Approach

This approach aims to include ESG factors by quantifying the savings or benefits that ESG upgrades can bring to the property. The process involves:

- Identifying relevant ESG factors for the property, such as energy consumption, water usage, and greenhouse gas emissions.
- Quantifying the financial impact of these factors. For example, energy-efficient systems can reduce energy costs, while water-saving technologies can decrease utility expenses.
- Calculating the initial investment in upgrades and comparing it with the projected long-term savings to determine the net present value of the improvements.

This method creates a baseline measurement of current property usage and evaluates the financial impact of implementing ESG upgrades. While it can be effective in quantifying the operational benefits of sustainability, it may not fully capture the broader market trends or tenant preferences influenced by ESG factors.

2. Integrative Approach

The integrative approach takes a more holistic view, factoring in all elements of the property's valuation, both ESG and non-ESG related. This approach:

- Incorporates both ESG and traditional property features such as location, property size, age, and acreage. It looks at the entire property in the context of current market dynamics, tenant expectations, and investment strategies.
- Quantifies ESG features (e.g., energy efficiency, sustainability, and community impact) and calculates the cost of upgrades while integrating these factors into the property's projected cash flow.
- Avoids double-counting ESG factors by considering all variables comprehensively, ensuring a more accurate estimation of the property's value based on both physical and market-related characteristics.

The integrative approach offers a broader perspective, allowing for a better understanding of how ESG factors influence tenant demand, rental rates, and property retention. This methodology is particularly useful for identifying market shifts driven by growing ESG awareness among tenants and investors.

3. Scenario Analysis

Scenario analysis involves evaluating the potential risks and rewards associated with various ESG factors through multiple "what-if" scenarios. This approach helps real estate owners and investors understand how future events could affect property value, and is based on:

- Environmental factors: Assessing how climate change might affect a property's location, such as the frequency of extreme weather events (floods, susceptibility to heat waves, rising sea levels), proximity to ecologically sensitive sites and how these risks might decrease or increase property value.

- Social factors: Understanding shifts in tenant preferences, such as growing demand for properties that are aligned with sustainability goals or that offer better social benefits (e.g., affordable housing, green spaces and recreational amenities, community engagement, design issues).

- Governance factors: Evaluating the potential consequences of non-compliance with ESG regulations, including penalties, legal issues, and reputational damage that might impact property value.

By running different scenarios, property owners can assess the long-term risks associated with climate change, ESG compliance, and societal trends, allowing them to make more informed decisions. Scenario analysis is crucial for managing long-term planning, risk mitigation, and strategic decision-making.

5. The Growing Importance of ESG in Property Valuation

With global trends leaning toward sustainability and an increased focus on ESG practices, the value of properties is increasingly being determined by their alignment with ESG criteria. Properties that implement ESG initiatives can see:

- Higher Market Value: Properties that meet carbon and energy reduction targets, use renewable energy, and reduce waste are often seen as more attractive investments. As a result, ESG-compliant properties tend to have a premium value.

- Mitigation of Risks: By investing in ESG upgrades, property owners can reduce operational costs, mitigate environmental risks (e.g., from extreme weather events), avoid the costs of non-compliance with future environmental regulations and avoid colliding with the government.

- ncreased Demand: As tenants increasingly seek sustainable, socially responsible, and well-governed spaces, properties that align with these values are more likely to see higher demand, leading to higher rental yields and property values.

6. Potential Impact of ESG and Sustainability Initiatives

Real Estate Valuation

The real estate industry is beginning to recognize the growing influence of Environmental, Social, and Governance (ESG) factors on property valuation. There is a rapid shift in how these factors are being integrated into valuation models. With an increasing focus on sustainability, climate change, and regulatory compliance, understanding ESG's impact on property value is becoming essential for real estate investors and appraisers alike.

ENVIRONMENTAL CONSIDERATIONS: A GREEN FUTURE FOR REAL ESTATE

With the increasing focus on climate change, the demand for environmentally responsible buildings has escalated, especially in urban areas like Nairobi, Mombasa, Nakuru, Eldoret and Kisumu. Environmental factors feature:

- **Energy Efficiency and Green Building Standards:** In Kenya, energy-efficient buildings are highly sought after due to the rising cost of electricity and the national push for sustainable energy. Properties with solar panels, efficient insulation, and smart energy systems not only reduce operational costs but also offer a reduced carbon footprint. Green building certifications like Green Star Africa and LEED tend to be valued higher because they promise lower operating costs and higher tenant demand, particularly among multinational corporations that prioritize ESG compliance.

- **Water Conservation and Waste Management:** Water scarcity is a significant concern in Kenya, particularly in urban areas that face recurrent droughts. Properties that incorporate water-saving technologies such as rainwater harvesting, boreholes, efficient irrigation, and water recycling systems are becoming more attractive. Similarly, waste management practices like waste segregation and recycling initiatives contribute to a building's appeal, resulting in higher property values.

- **Climate Resilience:** Kenyan properties that are designed to withstand climate risks such as floods, droughts, and heat waves are beginning to be valued more highly. As the effects of climate change become more pronounced, both buyers and investors are increasingly factoring in a building's resilience to environmental risks. For instance, properties located in flood-prone areas without adequate mitigation measures may see a decrease in value.

B. SOCIAL CONSIDERATIONS: ENHANCING COMMUNITY WELLBEING

Social factors in the real estate sector, particularly in Kenya, are beginning to shape how properties are valued. There is growing awareness among developers, investors, and tenants about the social impact of properties. This focus on social considerations that influence property valuation can be established in the following ways:

- **Affordable Housing:** Kenya faces a significant housing deficit, particularly in urban areas, and there is an increasing push for properties that cater to the needs of low and middle-income groups. Properties offering affordable housing solutions, such as those developed under government initiatives or with social responsibility objectives, are gaining popularity. These properties, particularly in areas with good access to transportation, healthcare, and education, may see a rise in demand, thus enhancing their valuation.

- **Health and Wellbeing:** There is a growing recognition of the importance of health and wellbeing in the built environment. Developers who focus on creating properties with green spaces, natural light, air quality systems, and recreational facilities (e.g., gyms, parks) are likely to experience a premium in property value. In urban centers like Nairobi, tenants are increasingly prioritizing wellness, with businesses also investing in offices that provide healthy environments for employees, provide friendly access to and use by disabled persons.

- **Community Development:** Properties that contribute to the local community—whether through infrastructural improvements, job creation, or promoting social inclusivity—tend to have stronger social value. Real estate projects such as economic zones that foster community engagement or improve local amenities often see higher demand from socially conscious buyers and renters. As Kenya's middle class grows and more people value ethical development, properties with a positive social impact are gaining in value.

C. GOVERNANCE FACTORS: TRANSPARENCY AND ACCOUNTABILITY

In the Kenyan property market, governance factors play an essential role in shaping property values. The real estate sector in Kenya has, in the past, faced challenges related to land ownership disputes, poor regulatory enforcement, and corruption. However, with increased awareness and stricter regulations, governance practices have become more important for ensuring property value. In due regard, governance both at the national and county levels can be projected a follows:

- **Regulatory Compliance:** Properties that adhere to local building codes, zoning laws, and land ownership regulations are considered less risky investments. The Kenyan government, particularly through the county governments, has made strides in improving governance within the real estate sector, with stricter enforcement of building codes and regulations. Developers who ensure compliance with these regulations and maintain transparent ownership records can command higher property values because they reduce the risk of legal disputes.

- **Corporate Governance in Property Management:** For commercial real estate, properties managed by well-governed firms or corporations are more attractive. Investors often look for transparency in operations, ethical management practices, compliance with rules and regulations, zoning rules on plot ratios, seamless change of user, good title deeds and good tenant relations when valuing a property. In Kenya, reputable developers who have a track record of ethical construction practices and delivering on promises see an increase in the market value and consideration of their properties.

- **Land Ownership Transparency:** Land title disputes have historically been a problem in Kenya, with many properties subject to ownership claims or unclear titles. Properties that offer clear, verifiable title deeds and are free from legal disputes are valued higher. Investors are willing to pay a premium for properties with clean governance practices, knowing that their investment will not be undermined by ownership conflicts.

CONCLUSION: THE PATH FORWARD FOR ESG IN KENYAN REAL ESTATE

Although traditional real estate valuation approaches may not yet formally integrate ESG criteria, the growing recognition of sustainability, climate change, and social responsibility is pushing the real estate industry to adopt new methods. The additive, integrative, and scenario analysis approaches offer valuable tools for factoring in ESG considerations into property valuations. As investor interest in ESG factors grows, and regulations around climate change and sustainability tighten, real estate owners and investors must increasingly factor ESG into their valuation models to maximize long-term value, reduce risk, and stay ahead of market trends. Incorporating ESG considerations into property valuations is not only an ethical decision but also a strategic one, ensuring the future resilience and profitability of real estate investments.

In due regard, the impact of ESG criteria on property valuation in Kenya is undeniable. As environmental sustainability, social responsibility, and governance

MANDATORY REGISTRATION OF REAL ESTATE COMPANIES WITH THE OFFICE OF THE DATA PROTECTION COMMISSIONER: THE REQUIREMENTS AND OBLIGATIONS

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1. INTRODUCTION

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3. In the contemporary digital era, data protection is instrumental for the protection of the personal data that is shared for purposes of progressing transactions. As the sharing of data with various persons and agencies increases and due to porosity of digital platforms, the necessity for robust data protection measures and comprehensive regulatory frameworks becomes ever more imperative. Ensuring the security and privacy of this data is essential not only for safeguarding individual rights but also for maintaining trust during the course of dealings. Because of the risk of data breaches and access of personal information which can be used for fraudulent purposes, there is increased regulation for purposes of protection of personal data.

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5. The Office of the Data Protection Commissioner ("*ODPC*") is Kenya's data regulatory office established pursuant to the Data Protection Act, 2019 ("*DPA*"). The mandate of the ODPC is to promote and protect the right to privacy by ensuring data controllers and data processors adhere to their obligations. In Kenyan law, data controllers are entities or individuals that determine the purposes and means of processing personal data. Data processors, on the other hand, are those who process data on behalf of the data controller, following their instructions. Both roles are defined under the Data Protection Act, which outlines their responsibilities and obligations in handling personal data.

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7. In addition to the Data Protection Act 2018, the Data Protection (Registration of Data Controllers and Data Processors) Regulations, 2021 (the "*Regulations*") were published to provide the framework for registration and compliance of the data controllers and processors.

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9. REGISTRATION REQUIREMENTS FOR REAL ESTATE COMPANIES

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11. Real estate companies in Kenya typically collect a variety of personal data to facilitate property transactions and enhance customer service. This data may include names, contact information (such as phone numbers and email addresses), identification numbers (like national ID or passport numbers), and financial information (including income details and bank account information) to assess the buyer's or tenant's ability to afford a property. Additionally, companies may gather demographic information, such as age, gender, and marital status, to better understand their client base and tailor their services accordingly. Personal data refers to any information that can be used to identify an individual, either directly or indirectly, and it is crucial for real estate companies to ensure compliance with legal requirements and enhance data security.

12.

13. Regulation 5 of the Regulations outlines the procedural requirements for submitting an application for registration. In accordance with this provision, the data controller or processor is mandated to submit an Application for registration through the online ODPC portal. The Application shall be accompanied by the prescribed registration fees, copy of the establishment documents, particulars of the data controllers or data processors, description of the purpose for which personal data is processed and a description of categories of personal data being processed.
14.
15. Even though there are exceptions to the mandatory requirement of registration which is provided for under Regulation 13 which are that any data controller or processor who has an annual turnover of less than five million Kenya shillings and has less than ten employees, will be exempt from the registration requirements, real estate companies do not qualify for exemptions. The third schedule establishes the thresholds for mandatory registration, thereby identifying certain circumstances under which a data controller or processor is required to register, regardless of their eligibility for the exceptions set forth in Regulation 13. This ensures that certain categories of data processing remain subject to registration requirements, reinforcing the regulatory framework's intent to uphold data protection standards across a broad range of activities.
16.
17. Data controllers or processors engaged in the processing of data for property management purposes, such as the sale of land, fall within the scope of the registration threshold outlined in the third schedule of the Regulations. As such, real estate companies are required to register with the ODPC, irrespective of their annual turnover or the number of employees they employ. This ensures that all entities involved in the processing of property-related data are subject to the same registration obligations, thereby promoting consistency and transparency in data protection practices across the sector.
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19. OBLIGATIONS OF DATA HANDLERS

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21. Section 25 of the DPA outlines the obligations of data handlers, which include data controllers and data processors. These obligations are critical to ensuring the protection of personal data and the privacy rights of individuals. The key obligations are as follows:
22.

23. **Compliance with Data Protection Principles:** These principles include ensuring that personal data is processed lawfully, transparently, and for specific, legitimate purposes. Data should be accurate, up-to-date and not retained for longer than necessary.
24. **Data Security:** Data handlers must implement appropriate technical and organizational measures to ensure the security of personal data. This includes protecting data against unauthorized access, loss, destruction or damage.
25. **Notification of Data Breaches:** In the event of a data breach, data handlers are required to notify the Data Commissioner and affected individuals without undue delay, where feasible, if the breach results in a high risk to the rights and freedoms of individuals.
26. **Accountability and Record-Keeping:** This includes maintaining records of data processing activities and providing evidence of the steps taken to ensure compliance with the DPA's requirements.
27. **Data Protection Impact Assessments:** Where necessary, data handlers must conduct Data Protection Impact Assessments ("DPIAs") to assess the risks of processing activities that may impact the privacy and rights of individuals.

These obligations ensure that data handlers are accountable for how they collect, store, process, and protect personal data, and that individuals' privacy rights are respected and safeguarded.

RIGHTS OF DATA SUBJECTS

Section 26 of the DPA outlines the rights of data subjects, which empower individuals to have control over their personal information and to seek redress in cases where their data is misused. The key rights of data subjects as per Section 26 are:

1. **Right to be informed of use of data:** this ensures that data is used for legitimate purposes and enables transparency with how data is used.
2. **Right to Access Personal Data:** Data subjects have the right to access their personal data that is being processed by a data controller or processor. Upon request, the data subject should be provided with a copy of the data held, along with information about the purposes of processing, the categories of data involved, and the recipients of the data.
3. **Right to Correction of Inaccurate or Incomplete Data:**. This ensures that the personal data remains accurate and relevant for the purposes for which it is being processed.
4. **Right to Erasure (Right to be Forgotten):** Data subjects have the right to request the erasure of their personal data in certain circumstances, such as when the data is no longer necessary for the purposes for which it was collected or processed.
5. **Right to Object to Processing:.** This includes cases where the processing is based on legitimate interests or is used for direct marketing purposes.

Data controllers must facilitate the exercise of these rights, and individuals have the option to seek redress through the Data Commissioner if their rights are violated.

COMPLIANCE REQUIREMENTS

Data controllers must conduct Data Protection Impact Assessments ("DPIAs") when initiating new processing activities or projects that are likely to result in high risks to the privacy of data subjects, as provided for under Section 31 of the DPA. High-risk circumstances in data protection in Kenya refer to situations where the processing of personal data could result in significant harm to individuals' rights and freedoms. These include large-scale processing of sensitive data, systematic monitoring of public areas, or processing that could lead to discrimination or identity theft. In such cases, conducting a DPIA is essential to identify and mitigate potential risks before initiating the data processing activities. Data handlers must also maintain detailed records of their data processing activities. These records should include information on the purpose of processing, the categories of data subjects and data, data retention periods, and security measures taken to protect the data.

In the event of a data breach that poses a risk to the rights and freedoms of data subjects, data controllers and processors must notify the Data Commissioner within 72 hours of becoming aware of the breach, pursuant to Section 43 of the DPA. They must also inform the affected data subjects without undue delay if the breach is likely to result in high risks to their rights and freedoms.

If personal data is transferred outside Kenya, data controllers and processors must ensure that the recipient country provides adequate protection for the data in accordance with the standards outlined in the DPA.

Data controllers and processors are expected to ensure that their staff members who handle personal data are trained on data protection principles and the organization's obligations under the DPA. This helps to ensure that the personnel are aware of their responsibilities and the procedures to follow in order to maintain compliance.

CONSEQUENCES OF BREACH OF DATA

Section 73 of the DPA provides for the penalty to be incurred by someone who breaches the provisions of the Act. Accordingly, a person who commits an offence under the DPA shall, on conviction, be liable to a fine not exceeding three million shillings or to an imprisonment term not exceeding ten years, or to both. Additionally, they may be ordered to forfeit any equipment used or connected in any way with the commission of an offence or prohibited by the Court to stop a continuing contravention.

IMPACT ON REAL ESTATE COMPANIES

The mandatory requirement for registration with the ODPC has significant implications for real estate companies. Real estate companies will need to dedicate resources to ensure compliance, which may include hiring data protection officers (DPOs), training staff, and updating internal systems to ensure data collected by them is secure. Companies will also incur costs for the registration itself. Failure to register can result in penalties, legal action, or reputational damage, which could deter potential customers and investors.

Real Estate companies will be in need of robust data handling and protection practices and policies for secure data collection, processing, and storage. Companies must maintain detailed records of their data processing activities, which increases accountability and transparency. Furthermore, agreements with clients, tenants, vendors, and other stakeholders may need revisions to include clauses for data privacy and protection.

The mandatory registration with the ODPC introduces additional responsibilities for real estate companies but also

NAVIGATING PROPERTY RIGHTS IN COHABITATION

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- Cohabitation, while increasingly common in Kenya, exists in a legal grey area when it comes to property rights. Unlike formal marriages, cohabiting couples do not have a clear legal framework to govern the ownership and division of property acquired during their relationship. This leads to disputes and uncertainty, particularly when the relationship ends.

- Kenyan courts have increasingly relied on the principles of constructive and resulting trusts to provide a measure of protection and fairness for cohabiting partners, especially in situations where the property in question is not jointly owned. In recent times, the Supreme Court has guided that it is nigh for Kenya to legislate the rights of cohabiting persons, in separating assets and liabilities at the end of their relation-

THE CHALLENGE OF COHABITATION AND PROPERTY

Unlike married couples, whose property rights are governed by the Matrimonial Property Act, cohabiting partners in Kenya do not have specific legislation to determine how their assets should be divided if the relationship dissolves. This lack of a clear legal framework can create significant challenges when disputes arise over property acquired during the cohabitation period, particularly when the property is registered in the name of only one partner.

CONSTRUCTIVE TRUSTS: A SHIELD FOR COHABITING PARTNERS

Recognizing the potential for injustice in these situations, Kenyan courts have turned to the equitable principles of constructive and resulting trusts to protect the interests of cohabiting partners. A constructive trust arises when it would be unfair or inequitable for one partner to retain sole ownership of property that was acquired through the joint efforts of both parties. This principle is particularly relevant in cohabitation where one partner may hold legal title to the property, but both have contributed to its acquisition or improvement.

KEY PRINCIPLES AND CONSIDERATIONS

- **Contribution as the Cornerstone:** The courts will meticulously examine each partner's contribution, whether financial or non-financial, to the acquisition and maintenance of the property. This includes direct financial contributions, as well as indirect contributions like homemaking, childcare, and other forms of support that enabled the other partner to acquire wealth. This approach recognizes that contributions to a relationship and the acquisition of property are not always monetary and aims to ensure that all forms of contribution are valued.

- **Intention and Joint Benefit:** The court will look for evidence of a mutual intention that the property would be used for the joint benefit of both partners. This intention can be inferred from the conduct of the parties, their communication, and the nature of their relationship. This acknowledges that in many cohabiting relationships, the intention to share property and build a life together is implicit and understood, even without formal documentation.

- **Equity and Fairness:** Constructive trusts are rooted in the principles of equity, which seek to prevent unjust enrichment. The court will strive to ensure that neither partner benefits unfairly from the other's contributions. This is particularly important in cohabitation where traditional gender roles may mean that one partner's contributions are less visible or easily quantifiable.

- **Case-Specific Analysis:** Each case is assessed on its individual merits. Evidence of cohabitation, shared resources, and mutual dependence will be considered. This ensures that the court takes into account the unique circumstances of each relationship and avoids applying a rigid, one-size-fits-all approach.

THE ROLE OF RESULTING TRUSTS

In addition to constructive trusts, resulting trusts can also play a crucial role in safeguarding property rights in cohabitation. Unlike constructive trusts, which focus on preventing unjust enrichment, resulting trusts center on the presumed intention of the parties at the time of acquiring the property.

A resulting trust typically arises when one parterfinancially contributes to the purchase of a property, but the legal title is registered solely in the name of the other partner. In such situations, the law presumes that the contributing partner intended to retain a beneficial interest in the property proportionate to their contribution. This presumption can be rebutted if there is evidence to the contrary, such as a clear intention to make a gift.

IMPLICATIONS AND PRACTICAL CONSIDERATIONS

While constructive and resulting, trusts offer a safety net for cohabiting partners, they also highlight the need for greater legal clarity in this area.

- **Burden of Proof:** The partner seeking to establish a constructive or resulting trust bears the burden of proving their contribution and the existence of a common intention. This can be challenging, especially in long-term relationships where records may be sparse or where contributions have been primarily non-financial.

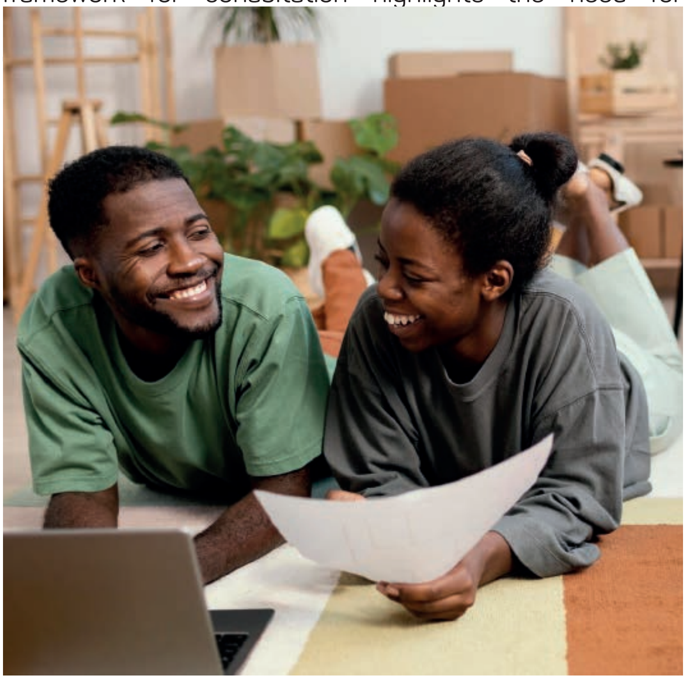
- **Legal Uncertainty:** Cohabitation inherently creates legal uncertainty regarding property rights, which can lead to disputes and protracted litigation. Relying on the courts to determine property rights through equitable principles can be time-consuming and costly.

- **No Application of Matrimonial Property Act:** It's crucial to remember that the Matrimonial Property Act, which governs property division in divorce cases, does not apply to cohabiting couples. This means that the court cannot divide property based on concepts like "marital property" or "contributions to the marriage." Instead, the court will rely on the principles of constructive and resulting trusts to determine the ownership of property.

- **Joint Ownership as a Safeguard:** To avoid the complexities and uncertainties of relying on constructive trusts, it is highly advisable for cohabiting partners to ensure that any property acquired during their relationship is registered in both their names. This provides clear evidence of joint ownership and simplifies the division of assets should the relationship end.

CONCLUSION

Constructive and resulting trusts are essential tools for protecting the property rights of cohabiting partners in Kenya, especially when property is not jointly owned. They provide a mechanism for recognizing and valuing the contributions of both parties, ensuring that neither partner is unjustly enriched. However, the lack of a clear legal framework for cohabitation highlights the need for



STAMP DUTY EXEMPTION FOR FIRST-TIME HOME BUYERS IN KENYA: A POSITIVE STEP FOR AFFORDABLE HOUSING

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In Kenya, stamp duty is a tax imposed on property transfers, calculated based on the value of the property. The rate is 4% in urban areas and 2% in rural areas. Buyers are responsible for paying this tax, which can significantly increase the total cost of purchasing property.

To make homeownership more achievable, especially for first-time buyers, the Kenyan government introduced a stamp duty exemption for those purchasing homes under the Affordable Housing Scheme. This exemption was implemented through the Tax Laws (Amendment) Act of 2018, which added Section 117(k) to the Stamp Duty Act, allowing first-time buyers to be exempt from paying stamp duty when purchasing property.

WHAT IS AN AFFORDABLE HOUSING UNIT?

For buyers to qualify for the stamp duty exemption, the property must be classified as an "affordable housing unit." The Stamp Duty Act itself does not define affordable housing. However, the Affordable Housing Act (Cap 2) of 2024 provides the definition, stating that affordable housing is "housing that is adequate and costs no more than 30% of a person's monthly income to rent or acquire."

This definition ensures that the exemption targets first-time buyers who are seeking affordable homes and may otherwise face difficulties in affording homeownership.

HOW DOES THE EXEMPTION BENEFIT BUYERS?

The stamp duty exemption provides considerable savings for first-time buyers. In urban areas, where the regular stamp duty rate is 4%, this exemption can result in substantial savings. In rural areas, where the rate is 2%, the savings are smaller but still significant.

For example, if a buyer purchases a property worth KES 5 million in a city, they would typically have to pay KES 200,000 in stamp duty. With the exemption in place, this amount is saved, making the property more affordable.

ADVANTAGES FOR DEVELOPERS AND BUYERS

This exemption not only helps buyers but also benefits developers. By offering properties that qualify for this exemption, developers can attract more buyers. The opportunity to save on stamp duty can be a compelling selling point, making their projects stand out in a competitive housing market.

For developers in the affordable housing sector, this exemption enhances the appeal of their properties, helping them attract more buyers and contributing to the growth of affordable housing developments.

SUPPORTING HOMEOWNERSHIP IN KENYA

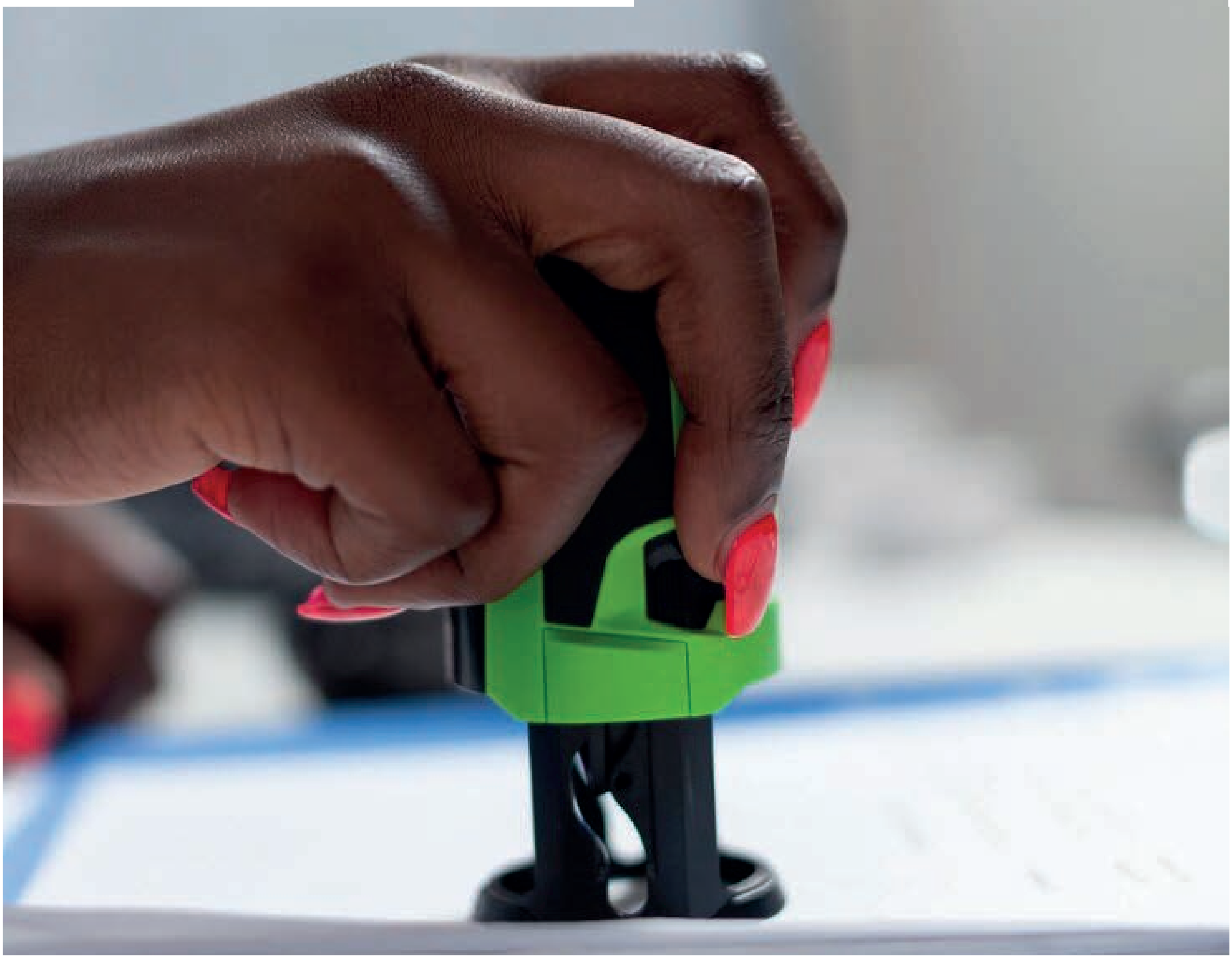
The stamp duty exemption is part of Kenya's broader strategy to promote homeownership and increase access to affordable housing. Homeownership plays a critical role in securing long-term financial stability, and this initiative is designed to make it easier for more individuals to own homes.

As the demand for affordable housing continues to rise, particularly in urban areas, policies like this are crucial for enabling more people to become homeowners. The exemption reduces the financial burden on first-time buyers, fostering a culture of homeownership while supporting the real estate and construction industries.

CONCLUSION

The stamp duty exemption for first-time home buyers under the Affordable Housing Scheme is a significant development for Kenya's housing sector. By removing the stamp duty cost, which can be a substantial barrier to homeownership, the government is making it more affordable for individuals to purchase their first homes.

This policy benefits both buyers and developers, encouraging more people to enter the housing market and contributing to the growth of the affordable housing sector. As Kenya continues to focus on urban development and affordable housing, this stamp duty exemption will play a crucial role in advancing these objectives.



AN OVERVIEW OF LAND USE POLICIES IN KENYA: HISTORICAL CONTEXT AND CURRENT FRAMEWORK

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Land is the most important factor of production, besides labour and capital in Kenya. It is not only a critical resource, but also the foundation of economic development for the country.

The major land-cover types in Kenya are forests, savannah, grasslands, wetlands, fresh and saline water bodies and deserts. These are used for agriculture, pastoralism, water catchments, nature reserves, urban and rural settlements, industry, mining, infrastructure, tourism and recreation. Other uses include cultural sites, fishing, forestry and energy. A larger population in the country derives their livelihoods from land-based activities.

The use of land in urban and rural areas as well as in the land/water interface has been a major area of concern to all Kenyans. Problem of rapid urbanization, inadequate land use planning, unsustainable agricultural and industrial production methods, poor environmental management, poor cultural practices, inappropriate ecosystem protection and management are common place and require appropriate policy responses.

The absence of a clearly defined land use policy in Kenya after years of independence has resulted in haphazard approach to managing the different land use practises and policy responses. In addition, land use issues continue to be addressed through many uncoordinated legal and policy framework that have done little to unravel the many issues affect land use management.

Economic, social and political stability is determined by the extent to which instruments of governance facilitate the productive and sustainable use of land. While Kenya has made important strides towards promoting productive and sustainable use of land, there still a number of challenges which need to be addressed at the policy level. The question of appropriate and beneficial use of land in Kenya has gained prominence in the face of growing population and mounting demand for land resources. This calls for prudent and participatory sustainable manner that maximizes on production.

GOVERNMENT INITIATIVES ON THE LAND USE POLICY IN KENYA

In the past, efforts on land use and environment management were uncoordinated as Kenya has not had a national land use policy. The colonial period introduced various English Laws and policies such as the Swynnerton-plan to manage land use and emerging conflicts. The post-independence era has witnessed rapid population and economic growth. Hence, the government came up with these initiatives to address land use planning in Kenya, which include the Sessional Paper No. 10 of 1965, Sessional Paper No. 1 of 1986 on economic management emphasized the importance of agriculture, Economic Recovery Strategy.

Other government initiatives in form of acts and policies included; Land planning Act, (Cap 303), Town Planning Act, (Cap 134), Land Control Act, (Cap 302), Agriculture Act, (Cap 318), EMCA (1999), the Physical Planning Act, (Cap 286) and the National Development Plan 2002-2008.

However, while each of these initiatives have had measurable successes in addressing land use challenges, lack of institutional coordination and harmony in various statutes poses a challenge in the overall management of land use in the country. Therefore, one of the major aims of the National Land Use Policy is to provide institutional coordination in land use planning across all relevant sectors.

In line with the provisions of the Constitution, the objectives of vision 2030 and Sessional No. 3 of 2009 on National Land Policy, the Land Use Police will make proposals on how to promote and develop opportunities for investments and wealth creation; support livelihoods, as well as create an enabling environment for agriculture and livestock production; settlements and other production concerns for social and political stability.

Land Use Policy is a statement of intent that sets out long term goals on land use management. It addresses issues relating directly to the use of land, its resources and perceptions. It also incorporates all activities that are likely to have an impact on the use of land and its resources.

The Policy is important in addressing the issues of optimal utilization of land and land related resources by providing principles and guidelines for: -

- Proper management of land resources to promote public good and general welfare;
- Land use planning to enhance sustainable development;
- Anchoring land development initiatives;
- Mitigating problems associated with poor land use;
- Promoting environmental conservation and preservation;
- Preparation and review of a national spatial plan and integration of various levels of land use planning;
- Land and related conflicts; and
- Categorization of land uses in the country.

The overall goal of the National Land Use Policy is to provide legal, administrative, institutional and technological framework for optimal utilization and productivity of land and land related resources in a sustainable and desirable manner at National, County and local level.

Specifically, the policy offers a framework of recommendations and principles designed to ensure the maintenance of a land use system that will provide for:

- Land-use planning, resource allocation and resource management for sustainable development to promote public good and general welfare;
- Environment management and sustainable production initiatives in the utilization of land resources;
- Coordination and integration of institutional linkages in planning at sectoral and cross sectoral levels to foster collaboration and decision making among land users;
- Optimum utilization of land resources to meet governance, social-economic, political and cultural obligation of the people of Kenya.
- Anchoring land development initiatives that will respond positively to the market demands;
- Integrated framework for the preparation of a National Spatial Plan and review of various land use plan;
- Mainstreaming of gender and special interest groups in land use planning and management;
- A comprehensive, efficient and affordable computer-based land use information management system;
- An appropriate, accountable and democratic institution for land use conflicts resolution; and
- Mitigating problems associated with poor land use.

PHILOSOPHY OF LAND USE POLICY

This Land use policy recognizes the central place of land in the production chain and addresses issues that relate directly to the use of land, its resources, and the perceptions held towards land. The policy incorporates measures and principles to guide all activities, whether proposed or on-going, that may have direct or indirect impact on the use of land and its resources. The policy takes cognizance too, of the benefits of planned use of land and its resources; and builds in measures for integrated, equitable and sustainable utilization for optimal production.

The policy upholds the values of economic productivity, environmental sustainability and conservation of culture; and seek to facilitate their protection and optimal use. Through this multi-faceted approach, a comprehensive and integrated land use framework creates the context upon which the opportunities and parameters of the use of land in Kenya are determined.

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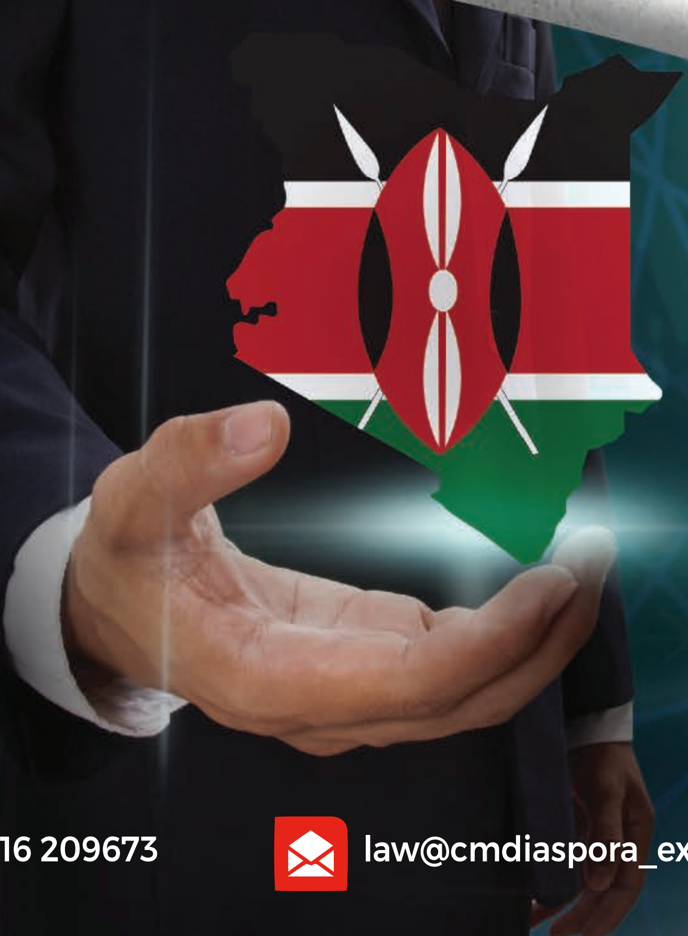

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PROPERTY MANAGEMENT FOR DIASPORA AND FOREIGN INVESTORS

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INTRODUCTION

Owning property in Kenya, whether as a Kenyan living abroad or as a foreigner investor, is an exciting and rewarding venture. The country's real estate market continues to grow, offering high returns and long-term value. However, managing property from afar comes with unique challenges such as ensuring timely rent collection, property maintenance, fraud, lack of reliable on the ground personnel, difficulties with property ownership verification among others.

Without a reliable presence on the ground, even the most promising investments can become a source of stress. Many Kenyans in the diaspora have faced heartbreaking cases where they send money to relatives or friends to manage their properties or oversee construction projects, only to discover that funds have been misused, projects abandoned, or, in some cases, non existent developments.

This is where professional property management services come in to ensure your investment is protected, well-maintained, and generating maximum returns, without the stress of long-distance management.

CHALLENGES OF MANAGING PROPERTY REMOTELY

1. Fraud and financial mismanagement

Many Kenyans in the diaspora send money to the relatives or friends to manage their property investments, only to find that the money was misused. Cases of relatives, friends, project foremen misusing project funds, unfinished construction projects, or fake property deals lead to huge financial losses on the investors.

2. Challenges related to rent collection

Without a reliable system in place, and not being physically available, tenants may default on rental payments or vacate without notice. Many absentee landlords struggle to track rent payments or enforce lease agreements effectively leading to loss of anticipate earnings.

3. Neglect of property maintenance and repairs

Where property is not regularly inspected or maintained deteriorate quickly turning what was a valuable property into a liability. In the absence of local oversight, necessary repairs are often ignored until they become costly.

4. **Legal and regulatory compliance**
The laws governing the real estate sector in Kenya require landlords to adhere to regulations such as the filing of rental income tax, payment of land rates and rents among others. Absentee property owners may unknowingly violate these laws, resulting in legal disputes or hefty penalties.

5. **Ownership disputes**
There have been numerous cases where properties owned by diaspora investors have been grabbed, illegally sold, or involved in court battles due to fraudulent transactions. Ensuring secure ownership from abroad can be challenging without legal and professional oversight.

HOW PROPERTY MANAGEMENT SERVICES CAN MITIGATE THESE CHALLENGES

1. **Professional rent collection and financial reporting**
A property management company ensures that tenants pay rent on time, handles lease agreements, and provides owners with financial reports, eliminating the risk of loss of revenue.

2. **Property maintenance and inspections**
Property managers conduct routine inspections and handle repairs, ensuring that the property remains in good condition and retains its market value.

3. **Tenant screening and management**
Qualified property managers carefully vet tenants, reducing the chances of rent defaults, property damage, or legal disputes. They also handle tenant complaints, ensuring smooth property operations.

4. **Legal assistance and compliance**
A good property management company ensures that the property complies with all legal requirements, including tax obligations and regulatory standards. This protects owners from lawsuits and unexpected penalties.

5. **Project oversight**
Investors who are in the business of building properties can benefit from the oversight function of property management companies thus ensuring that funds are used appropriately and the project is completed on time and to standard.

CONCLUSION

Managing property in Kenya from abroad does not have to be stressful. By having a professional property management service, Kenyans in the diaspora and foreign investors can protect their investments whjle ensuring compliance with the laws of Kenya.

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