BEFORE MONEY MOVES

Property checks to complete from abroad

Use this list before you commit funds or sign documents

A remote purchase can be handled methodically. Ask your Kenyan advocate to confirm the transaction, the people, the land record and the completion path in writing.

- [ ] Confirm the seller's identity and legal capacity to sell before relying on copies sent by an agent or relative.
- [ ] Obtain an official land search and check registered ownership, charges, cautions, restrictions and other entries.
- [ ] Match the title, survey information, location, occupation and physical boundaries; investigate any inconsistency.
- [ ] Check rates, land rent, lease term and required consents that may apply to the particular property.
- [ ] Have your advocate review or prepare the sale agreement before you pay a deposit or sign remotely.
- [ ] Agree a documented payment and completion process; avoid unexplained personal accounts and rushed cash requests.
- [ ] Confirm execution, stamp-duty steps, registration and delivery of the resulting title or lease documents.
- [ ] Keep one complete digital file containing searches, receipts, approvals, signed instruments and status updates.

SEND YOUR LAWYER

The draft agreement, title copy, seller details, property location, agent correspondence, proposed price, payment history and your intended timeline. Do not send original identity documents through an unverified channel.

PRIMARY SOURCES

Land Registration Act, Cap. 300
https://new.kenyalaw.org/akn/ke/act/2012/3

Land Act, Cap. 280
https://new.kenyalaw.org/akn/ke/act/2012/6

BEFORE DECISIONS BECOME DISPUTES

Succession and family-wealth preparation

Create a clear starting record for Kenyan assets

The right route depends on the family, the assets and whether the owner is planning ahead or an estate is already being administered. Start by making the facts visible.

- [ ] List Kenyan land, businesses, bank interests, investments, debts and important supporting records.
- [ ] Record how each asset is owned and whether any co-owner, spouse, lender, company or trust has an interest.
- [ ] Identify dependants, intended beneficiaries and any family circumstances that require careful provision.
- [ ] Locate existing wills, trust deeds, nominations, grants, court orders and earlier family agreements.
- [ ] Choose trusted Kenyan contacts for practical coordination, without giving informal authority over assets.
- [ ] Ask whether a will, trust, lifetime transfer or succession application fits the objective and current facts.
- [ ] If using a power of attorney, define its purpose and limits in writing and verify execution requirements first.
- [ ] Schedule a periodic review after major family, residence, ownership or business changes.

SEND YOUR LAWYER

An asset list, family tree, ownership documents, existing estate-planning papers, death certificate or court papers where relevant, your country of residence and the outcome you want. Use secure sharing agreed with the firm.

PRIMARY SOURCES

Law of Succession Act, Cap. 160
https://new.kenyalaw.org/akn/ke/act/1972/14

Trustees (Perpetual Succession) Act, Cap. 164
https://new.kenyalaw.org/akn/ke/act/1923/12/eng@2024-04-26