

Simóne Franks

Director



Simóne Franks is a Director in our Real Estate Law practice. Her key specialisations are property related transfers, bonds, notarial agreements and due diligences. Her property spectrum experience includes residential and commercial development agreements and ensuing transfers, commercial bonds, residential bonds, notarial contracts (servitudes, notarial bonds and antenuptial contracts), town planning and land use matters.

About Simóne

Simóne has been a Director in our Real Estate practice since 2002. She has been a Notary Public Examiner at the Legal Practice Council since 2003 and was the joint regional notarial examinations facilitator from 2009 to 2019.

Credentials

Education

- Registered with the Legal Practice Council
- BA, University of the Western Cape
- LLB, University of the Western Cape
- LLM, University of Cape Town
- PGDip (Tax), University of Cape Town
- Year of admission as an attorney: 1996
- Year of admission as Conveyancer and Notary Public: 1998

Experience

Contact Simóne

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[Simóne on LinkedIn](#)

Expertise

[Real Estate Law](#)

[Agriculture, Aquaculture & Fishing](#)

[Consumer Goods, Services & Retail](#)

Location

Cape Town

Language

English

- **Extensive experience in conducting due diligences in respect of all properties for developers and advisory clients**

Extensive experience in conducting due diligences in respect of all properties for developers and advisory clients to determine if there are any restrictive conditions that affect the properties in question. Our in-depth review of the properties would include confirmation of ownership, deeds office searches and behind the pivot searches to assess and determine all conditions, servitudes, limited real rights, encumbrances and endorsements against the property. We would also in the process consider leases and any other notarial contract registered against the property. Our mandate includes assessing surveyor general diagrams and the identity of the property, confirming its extent and whether deduction have been properly made against the property. We also advise on the zoning and whether any land claims or expropriations are applicable. Our searches include property in South Africa located across all deeds office jurisdictions.

- **Acting on behalf of developers in respect of township planning, servitude agreements and residential and commercial property transactions**

Acting on behalf of developers in respect of township planning, bulk and phased housing developments (one of which hails from inception in 2010 wherein over 2000 end transfers have been registered), servitude agreements and residential and commercial property transfers.

- **Extensive experience in preparing due diligence reports**

Extensive experience in preparing due diligence reports in relation to Public Law, Compliance and Regulatory law, Admin Law, and Public Law in relation to property transactions.

- **Advising clients on agreements and legislation affecting their property portfolios.**

Acting on behalf of a corporate to develop land by means of a 99 year leasehold structure as opposed to freehold, which is not commonplace in South Africa.

- **Registration of residential, commercial, industrial and notarial bonds for various banks and lending companies.**

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- **Advising clients on agreements and legislation affecting their property portfolios.**

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- **Drafting Homeowners Constitutions for developments.**

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- **Drafting newsletters and presenting seminars on property-related issues.**

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- **Major corporate clients**

Major corporate clients include: the TUHF Limited, Business Partners Limited, Business Partners Properties 002, The Standard Bank of South Africa Limited Commercial Property Finance, Investec Bank, Atterbury Property Developments, Commercial Dynamics, City of Cape Town, Alderwood Trading 53, Meshco, Model Homenet, Pam Golding, Communicare, Blue Dot Properties 69 and Oceana.

News

[Alternatives to purchasing immovable property in South Africa](#)

Despite the failure by Parliament to successfully pass the Constitution Eighteenth Amendment Bill, 2021 (the Bill), aimed specifically at making provision for land expropriation without compensation, the Justice and Correctional Services Minister, Ronald Lamola, stated during the debate before voting on the Bill that several other bills are already before Parliament or yet to be introduced which will be used to give practical effect to the issue of accelerated land reform.

[A look at some practical implications of POPI on the Real Estate industry](#)

Each person has a constitutional right to privacy. This includes the right to have personal information safeguarded by a person entrusted with such information. On 1 July 2020 substantive provisions of the Protection of Personal Information Act 4 of 2013 (POPI) will come into operation and this article discusses some practical implications that POPI requires of service providers in the real estate industry.

[POPI Bumper Special Alert](#)

The President of the Republic of South Africa has indicated that the Protection of Personal Information Act 4 of 2013 will come into force on 1 July 2020. Due to the wide definition of personal information, the commencement of POPI will have far reaching implications for responsible parties.

Podcasts

[WOZA Podcast Three - Turning the tide](#)

Join CDH Conversations for the third and final episode of the CDH and WOZA Women in Law podcast series, hosted by Senior Associate, Muwanwa Ramanyimi.

[All news by Simóne Franks →](#)

Recognition

- Market recognition
 - The Legal 500 EMEA 2021-2024 recommended Simone in real estate.