

# Lydia Owuor

Partner



Lydia Owuor is a Partner in our Real Estate Law practice. She is a highly experienced Advocate of the High Court of Kenya with more than 10 years of experience. She specialises in conveyancing, property law, and documentation and review of bank securities. Presently, she serves as a valuable member of the Law Society of Kenya's Land, Environment & Natural Resources Committee mandated to originate proposals on reform of the law and practice in relation to conveyancing, property law, and environmental law.

## About Lydia

## Credentials

## Education

- Advocate of the High Court of Kenya – admitted to the Roll of Advocates on 8 October 2009
- Master of Laws (LL.M), Environmental Natural Resources Law – University of Nairobi
- Postgraduate Diploma, Law – Kenya School of Law
- Bachelor of Laws (LL.B) – University of Nairobi

## Memberships

- Law Society of Kenya
- East Africa Law Society

## Experience

- A foreign government agency on the acquisition an entire compound in Rosslyn – Nairobi consisting six (6) diplomatic town houses valued at USD 5,700,000. Our scope included conducting due diligence on the property and the vendor; advising on tenure, zoning regulations, planning laws and change of user; and reviewing Valuation Report and Physical Planning Report and providing risk indicators and recommendations

## Contact Lydia

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[Lydia on LinkedIn](#)

## Expertise

Real Estate Law

Agriculture, Aquaculture & Fishing

Commercial Real Estate

## Location

Nairobi

## Language

English

- An international client looking to invest in a real estate project involving development of apartments and townhouses together with the related improvements and infrastructure to be leased or sold to a foreign embassy. Our scope involved undertaking due diligence on the project land and reviewing the transaction agreements to assist the client identify any risks and/or determine the viability of investing in the project
- A Kenyan company in a matter valued at approximately USD 12,733,560 involving sale of the entire issued share capital of the company whose main asset is a multi-storey office building located in the Central Business District, Nairobi
- A top-tier commercial bank in a sale of a commercial property located in Upper Hill and a residential property located in Muthaiga, Nairobi valued at approximately USD 9,929,430.00 by way of private treaty to reduce the borrower's indebtedness
- A local private hospital in an equity investment by Abraaj Group (a leading private equity fund with a focus on Africa and the Middle East) in drafting and negotiating the commercial terms of a long-term lease over the hospital premises
- A state corporation in the energy sector in the purchase of five adjacent parcels of land in Suswa, Great Rift Valley, Kenya for the development of a high-voltage infrastructure network
- Top-tier local commercial bank, in the preparation and perfection of securities created by five related Companies securing an aggregate of USD 20,449,014.22, negotiating loan take over terms with two local commercial banks and negotiating security sharing terms with Proparco
- As a team member, a top-tier local commercial bank in due diligence investigations over securities in connection with the proposed acquisition of the portfolio of loans assets of another financial institution
- An international financial institution on the steps required to undertake their security review portfolio in Kenya in light of the new legislation, that is, the Movable Property Security Rights Act, 2017 (MPSR), and registration of the security rights created by borrowers in its favour in the Collateral Registry created under the MPSR
- A leading commercial bank in Kenya which was introducing its microfinance portfolio on perfection of microfinance security documents. Also assisted in developing a standard template for microfinance group lending and other support services

## News

### [I have someone at home: Is your marriage de facto or de jure?](#)

A story is told of a lawyer who asked a client if they were married to determine whether spousal consent was needed. The client's response was, "I have someone at home." This answer highlights a common uncertainty about whether simply cohabiting and sharing a life qualifies as a marriage under the law. It is a distinction that carries significant consequences, as it can mean the difference between legal recognition and a relationship left in legal limbo.

### [Seller's grief: An emerging category of risk in real estate](#)

An idea that has long eluded real estate buyers and their legal representatives is the profound impact of the emotional undercurrent that can be understood through a concept we might call "seller's grief." To put it plainly, seller's grief represents what is at stake when the experience that a seller has been through, leading to them disposing of their property, negatively informs the seller's attitude in a real estate transaction.

### [What women need to know about land ownership after marriage](#)

Lydia Owuor, Partner in Real Estate Law in Kenya, was recently featured in Business Daily, shedding light on what women need to know about land ownership after marriage.

### Can Real Estate Investment Trusts (REITs) be a pathway to affordable homeownership?

Kenya's affordable housing agenda is a government initiative aimed at addressing the housing deficit in the country by providing affordable and decent housing for its citizens through homeownership. This initiative aligns with the Government's broader development goals outlined in its Vision 2030 blueprint. The key challenges that have been identified as the barriers to delivering this agenda include (i) limited capacity for rapid construction of affordable homes even though the Government has initiated large-scale construction projects across the country; (ii) lack of guaranteed off-take, which undermines property developers' confidence in exiting developments upon completion; and (iii) limited access to financing options that could enable developers bring more affordable homes to the market.

### Note to lenders: Strengthen your securities by transitioning GLA titles

Consider a situation where a lender is processing a financial facility secured by two properties within the Government Lands Act (GLA) land regime. On one hand, they receive a converted GLA title, while on the other hand, they encounter a Form LRA 33 transfer instrument as the title document. The lender is suddenly faced with a dilemma: how do they reconcile the deferring formats and ensure that both titles are equally credible and secure? This underscores the important question about consistency, reliability and legal interpretation addressed in our previous article on transitioning GLA titles.

## Podcasts

### Celebrating women's voices on International Women's Day 2024

International Women's Day (IWD) is a global day celebrating the social, economic, cultural, and political achievements of women. The day also marks a call to action for accelerating gender parity.

[All news by Lydia Owuor →](#)

## Recognition

- Kenya Property Developers Association

Featured in the Kenya Property Developers Association (KPDA) Q1 Issue 2023 Digest as one of the leading ladies in KPDA