

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 Editorial 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

[From lapse to lawsuit: The real cost of waiting on lease extensions](#)

Lydia Owuor, Partner in the Real Estate Law practice in Kenya, was recently featured in People Daily discussing "From lapse to lawsuit: The real cost of waiting on lease extensions."

[Extend your lease before it is too late: An Analysis of the Supreme Court's Decision in Harcharan Singh Sehmi and Another v Tarabana Company Limited and Five Others \(Petition E033 of 2023\)](#)

In our experience, the most prudent approach is to apply for a lease extension at least five years before expiry. This rule of thumb exists for good reasons. In Kenya, there is a legal distinction between a lease extension and a lease renewal. An extension, if applied for before the lease expires, preserves the leaseholder's legal interest and ensures continuity of title. Renewal, on the other hand, occurs after expiry, by which time the land has already escheated to the Government, the lessee's rights have lapsed, and any new grant is subject to reallocation risks and fresh terms. When you factor in persistent delays at the land registry and the complications that can arise when life happens (such as the death of a co-tenant activating a procedural burden in the form of succession proceedings before any land dealings can occur), it becomes clear that waiting too long transforms a manageable administrative process into a precarious legal one.

[The Supreme Court's judgment in Kwanza Estates Limited v Jomo Kenyatta University of Agriculture and Technology](#)

Before delving into the specifics of the Supreme Court's decision in Kwanza Estates Limited v Jomo Kenyatta University of Agriculture and Technology (Petition E001 of 2024), it is helpful to first establish some key principles that underpin the governance of leases.

[Fair wear and tear is a tenant's shield, not a landlord's loophole](#)

It is neither reasonable nor realistic to expect leased premises to remain in their original, untouched state. Buildings age, materials wear and time inevitably leaves its mark. Recognising this reality, the principle of "fair wear and tear" plays a pivotal role in creating a balance in landlord-tenant relations.

[Flood risk in Kenyan real estate](#)

As the murky floodwaters swallowed her compound, a lone woman perched on the roof of her bungalow in Athi River, clutching her belongings and waiting to be rescued. This haunting image, splashed across the pages of a local daily newspaper, is a stark reminder of the rising flood risks in Kenyan real estate.

Videos

[Webinar Recording | Real Estate Legal Overview 2024: Highlights of Key Contract Amendments](#)

CDH Kenya Partner, Lydia A. Owuor, hosted a webinar titled "Real Estate Legal Overview 2024: Highlights of Key Contract Amendments".

[Webinar Recording | The overlooked risk of unregistered leases](#)

Lydia Owuor, a Partner in the Real Estate Law practice hosted a webinar titled "The overlooked risk of unregistered leases".

[Webinar Recording - Structuring Sectional Titles: Understanding the concepts](#)

Our CDH Kenya office hosted a webinar titled "Structuring Sectional Titles: Understanding the concepts".

Podcasts

[Accelerate Action – The state of gender equality in the African legal sector – Part 2](#)

In celebration of International Women's Day, we gathered a powerhouse panel of women in law to discuss the evolving role of women in the African legal sector.

[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