

# Fatima Gattoo

Director



Fatima Gattoo is a Director in our Real Estate Law practice. She specialises in all areas of property law including but not limited to registration of complex securities, township developments and establishments, sectional title developments, and has extensive experience in renewable energy projects.

## About Fatima

Fatima began her career in 2006 as a Candidate Attorney with a specialist conveyancing firm. She joined Hofmeyr Herbstein and Gihwala (now Cliffe Dekker Hofmeyr) as an Associate in 2007. Fatima was promoted to Director in 2015.

## Credentials

### Education

- LLB, University of Johannesburg
- Practical Legal Training , Law Society of South Africa – Milpark School
- Year of admission as an attorney, notary and conveyancer: 2007
- Registered with the Legal Practice Council

## Experience

### • Sectional Title Register

Involved and instrumental in the opening of the Sectional Title Register and attending to the transfers in the Milpark Mews scheme of over three hundred units.

### • Waterfall development

Assisted and involved in the establishment of approximately 65 new townships which includes more than 31,000 erven. New townships includes all of the townships created in the multi-billion rand Waterfall mixed use development in Midrand.

### • Residential mortgage bonds institutions

Involved in the registration of residential mortgage bonds for institutions such as RCS Home Loans, Integer Home Loans and SA Homeloans.

### • Property transfers

Involved in both commercial and residential property transfers.

## Contact Fatima

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[Fatima on LinkedIn](#)

## Expertise

[Real Estate Law](#)

## Location

Johannesburg

## Language

English

- **Registration of servitude**

Extensively deals with drafting and registration of servitudes for the opening of new townships, as well as drafting and registration of servitudes for institutions such as Rand Water Board and Eskom.

- **Lease agreements**

Drafting agreements relevant to property transactions, including, sale of land agreements, sale of letting enterprise agreements, option and sale agreements in respect of agricultural land, lease agreements, long term lease agreements and tender documents.

- **Due diligence investigations**

Property related due diligence investigations.

- **General and special notarial bonds**

Drafting and registration of general and special notarial bonds in various acquisition finance and project finance transactions.

- **Momentous Energy**

Advising Momentous Energy on the securing of land tenure and associated real rights for a solar photovoltaic power plant. Mandate included the drafting, negotiation and bringing to execution of all land tenure and real right documents pursuant to the IPP Procurement Programme. The project achieved Financial Close under Round One of the IPP Procurement Programme.

## News

### [Empowering cyber-resilience in South African conveyancing: Navigating challenges and crafting solutions](#)

In the ever-evolving landscape of property transactions, conveyancing has undergone a transformative shift from traditional, paper-bound practices to a digital era marked by efficiency and accessibility. However, with these advancements comes a formidable adversary – cybercrime. This article delves into the multifaceted challenges posed by cyber threats in South African conveyancing and offers proactive solutions to fortify the integrity of property transactions.

### [Pre-emptive rights and property transactions](#)

A pre-emptive right in a lease agreement creates an obligation on the registered owner to offer the property to the lessee first, should the owner decide to sell it. The Deon Nel v Petrus Jacobus de Beer and Another (406/21) ZASCA 145 (26 October 2022) case heard facts which took into account this legal principle.

### [Sectional Title Amendment Bill](#)

The Sectional Title Amendment Bill was introduced by the Minister of Agriculture, Land Reform & Rural Development to the National Assembly on 2 November 2020. The Bill was passed by the National Assembly and transmitted to the National Council Of Provinces for concurrence on 16 November 2021. The Bill was passed by the National Council of Provinces and sent to the President for assent on 27 October 2022.

### [Latent defects, patent defects and voetstoots](#)

Have you purchased your dream home, only weeks later to find out that your walls are damp? Perhaps the window was shattered? Or do you now find yourself in a position where you have sold your home and are now required to defend yourself against unwarranted claims for damages from the buyer? The answer is found in the differentiation between what constitutes a latent defect versus a patent one.

### [Traversing uncharted territory: Does the conclusion of a 'package deal' trigger pre-emptive rights?](#)

The genealogy of pre-emptive rights can be traced back as far as the Digest of Justinian – where D 18 1 75 and D 19 1 21 5, albeit scantily, dealt with the sale of land subject to the condition that the buyer would not sell to anyone other than the seller. Since then, the nature, content and scope of pre-emptive rights have undergone considerable development – ranging from the early Roman Law pactum protimeseos to the Germanic Law näherrecht – and so, too, have the remedies afforded to the grantee upon breach thereof by the grantor.

[All news by Fatima Gattoo →](#)

## Recognition

- Market recognition
  - The Legal 500 EMEA 2023-2024 was mentioned for Real Estate.