

*Wakabu Law Partners & Co. Advocates (WLP & Co. Advocates) aspires to be one of the leading law firms. We are dedicated to delivering high-quality legal services to a diverse clientele, both within Kenya and internationally. We also remain committed to disseminating information to our clients so as to ensure that they possess the power to make informed decisions.*

## **CONVERSION/VERIFICATION OF PROPERTIES WITHIN NAIROBI**

### **1. INTRODUCTION**

During my professional experience, I have encountered numerous landowners in Nairobi who are unaware of the ongoing conversion of properties. Most likely, their properties have already been gazetted and assigned a new Title Number. Additionally, many landowners in Nairobi are oblivious to the necessity of verifying their property.

As a result, landowners often learn about the need for verification or conversion when engaging in transactions, leading to missed opportunities and, in some instances, penalties due to the failure to provide required documents within the agreed completion period. This lack of awareness can be attributed to inadequate sensitization by the government regarding these two processes and their implications.

In this article, we will briefly explore the two processes and outline what actions you, as a landowner, should take to ensure compliance and either convert or verify your title.

### **2. BACKGROUND**

Promulgation of the 2010 Kenyan Constitution laid the foundation for the two processes. The subsequent enactment of The Land Act 2012, The Land Registration Act 2012 (LRA), and the National Land Commission Act 2012 aimed to unify the laws governing land regulation and registration into the above Acts. This was a departure from the plethora of Acts of Parliament that initially governed land ownership in Kenya.

Following the enactment of these laws, the government took steps to ensure compliance with their letter and spirit. This finally led to the Ministry taking steps towards Verification and Conversion of Titles. While the process started in Nairobi, it is expected that the process will be rolled out nationwide in due time.

### **3. DIFFERENCE BETWEEN VERIFICATION AND CONVERSION OF A PROPERTY**

#### **A. Verification**

Verification is a process that involves authenticating a title to confirm that it matches with the records held at the Ministry of Lands and Physical Planning. Unlike conversion, verification does not require surrendering the existing title, instead, the owner submits a scanned copy of his Title for authentication. After verification,

property details are captured on the ardhisasa platform, enabling an owner to deal with his property through the ardhisasa platform.

If your property Title Number's Citation is **Nairobi/Block.....**, then your property is a candidate for Verification.

#### **B. Conversion**

As the name suggests, conversion entails replacing the existing title with a new Certificate of Title. As such, the owner is required to surrender the existing Title so that he/she can be issued with a new Title.

The following tests are sufficient to establish whether your property is subject to Conversion:

- i. Your property is **located within Nairobi**; and
- ii. Your Title's citation is **Land Reference Number .....**

Should your property pass the above test, then you need to embark on Conversion of the Property so as to regularize the Title.

It is worth noting that some properties within **Dagoretti** have also been gazetted and new Title Numbers issued.

#### **4. WHAT YOU, AS A LANDOWNER, SHOULD DO**

If you are a landowner in Nairobi, it is crucial that you undertake either of the two processes depending on your property so as to ensure that your ownership documents comply with the of Parliament noted above. It is thus necessary that you consult your Legal Counsel in order to ensure compliance.

We at WLP & Co. Advocates remain available for clarification, consultation and guide you on the requisite steps to ensure compliance.

In our next article, we will explore the steps that apartment owners, who hold a sub-lease as their Title Document, are required to undertake in light of the Sectional Properties Act.

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*This article is intended for general knowledge only. For substantive legal advice on this, please contact us through [info@wlp-advocates.com](mailto:info@wlp-advocates.com) or call us on +254733803768/0704819555.*

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