



# Hamida Abass

**Associate | ALN Kenya | Anjarwalla & Khanna**

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## Background

Hamida Abass is an associate at ALN Kenya| Anjarwalla & Khanna and a member of the Real Estate and Construction department. She focuses on real estate law and property development. She represents residential and commercial developers on all aspects of real estate development, including the acquisition and sale of properties, property due diligence and negotiating transaction documents.

Prior to joining ALN Kenya, she worked at MMAN Advocates for over 5 years, where she advised clients on a range of legal matters such as corporate and commercial law and banking and finance assignments. She holds the Loan Market Association Certificate on African Loan Documents.

## Professional Membership

- Law Society of Kenya
- East African Law Society

## Professional Qualifications

- 2018 Postgraduate Diploma in Law, Kenya School of Law
- 2017 LL.B, Bachelor of Laws, Strathmore University

## Career Summary

Oct 2024 – Date Associate, Anjarwalla & Khanna

2019 – Oct 2024 Lawyer/Associate, MMAN Advocates

2017 – 2018 Legal Assistant, Industrial Property Tribunal

## Top Matters

### Real Estate & Construction

- Acting for Mi Vida Thika Road in connection with the development of Amaiya, the second phase of its residential development within the larger Garden City mixed-use development, including preparing and negotiating all agreements for lease and the residential leases.
- Acting for Westlands Triangle Properties in connection with the drafting and reviewing of template heads of terms, leases, surrenders, license agreements and variation letters.
- Advising real estate developers and purchasers in connection with land control requirements in relation to agricultural properties, physical and land use planning processes, real estate taxes, including stamp duty, capital gains tax, land rent and rates.
- Acted for Unity Homes Limited, the developer of a residential housing estate in Eldoret, Kenya in connection with the preparation of sale and transfer documents for the individual units within the estate.
- Advising a Kenyan land-owning company in connection with all aspects of the sale of a property, including preparing and negotiating the sale agreement, reviewing, and approving the instrument of transfer, and providing general closing services.
- Acting for a Kenyan land-owning company in connection with the extraction of separate titles pursuant to a subdivision of land, including advising the property owner on all aspects of the process, preparing and registering a surrender of land (road) to the Government of Kenya, preparing stamp duty exemption applications in respect of the instruments of transfer, preparing the instruments of transfer, obtaining the stamp duty exemptions, registering the instruments of transfer, opening individual land rates accounts with the Nairobi City County, and providing general closing services.
- Acting for a Kenyan land-owning company in connection with all aspects of the sale of their KES 210 million property, including advising the property owner on all aspects of the sale, preparing, and negotiating the agreement for sale, preparing the instrument of transfer, and providing general closing services.
- Advising on the construction of a natural gas pipeline project in two East African countries, including advising on the commercial structure, considerations and legislative basis for the project and subsequently advising on the incorporation of the gas pipeline operating in the East African countries.

## **Banking & Finance**

- Advising a leading development bank in connection with a corporate loan facility to a paper mill company.
- Acting for a leading commercial bank in connection with a USD 1 million secured revolving overdraft facility lending to an importer of liquified petroleum gas, including advising the lender on all aspects of the financing, preparing the facility agreement and the security package which comprised of the existing and new first ranking securities, drafting an all asset debenture and overseeing its registration, drafting the borrower's holding company's pledge over shares in the borrower, a charge over the borrower's revenue accounts, corporate guarantees and indemnities issued by the borrower's holding company and associated companies, and drafting the corporate authorisations.
- Acting for a leading commercial bank in connection with a KES 100 million secured residential mortgage facility, including preparing the facility agreement and the security package which comprised of a first ranking residential legal charge, overseeing the registration of the legal charge and providing general closing services.
- Acting for a leading financial institution in connection with all aspects of their USD 25.3 million secured term and revolving facilities lending, including preparing the facility agreement, negotiating an interlender agreement and the security package which comprised an all asset debenture, pari passu legal charges over various real estate properties, pari passu specific asset debentures over various motor vehicles, negative pledges, and cross guarantees and indemnities issued by the borrowers and providing general closing services.
- Advising a leading microfinance institution in connection with various financings, including negotiating and drafting transaction documents i.e., term sheets, share subscription agreements and other ancillary documents such as the disclosure letter and disclosure bundle.

## Corporate Commercial M&A

- Advising a foreign cash register software business in connection with the acquisition of its Kenyan subsidiary.
- Advising clients on competition matters, including preparing advisory opinions on merger control, restrictive trade practices and general corporate matters under Kenyan law.
- Advising various domestic and international clients in connection with setting up business operations in Kenya, including advising on ongoing compliance requirements, regulatory and licensing requirements and immigration aspects for foreign employees.
- Issuing an advisory opinion to a global technology company seeking to set up a data centre in Kenya.
- Advising a private equity firm based in the US in connection with its proposed acquisition of a top 500 global solar developer in Kenya, including undertaking a legal corporate due diligence on the target.
- Advising a remittance company registered in England and Wales as local counsel in connection with setting up as a money remittance provider in Kenya, including providing regulatory compliance services
- Advising on routine company secretarial matters, including advising a UK-registered charity to set up a guarantee company in Kenya and advising on corporate governance and compliance audits.
- Advising a global telecommunication company with a branch office in Kenya in connection with the deregistering of the dormant branch company at the Companies Registry and as a taxpayer with the Kenya Revenue Authority.
- Advising an international cross border payment solutions provider in connection with deregistering its dormant branch company at the Companies Registry.
- Advising a global telecommunication company in Kenya in connection with the reconstruction of its records in compliance with the Kenya Companies Act to enable the company to obtain its telecommunication licence from the Communications Authority of Kenya.