

# Quick summary (what you'll get)

List of every commonly used land document in Kenya (title deed, green/white cards, mutation, RIM, deed plan, sale agreement, allotment letter, etc.), with a simple explanation of **what each is** and **why it matters**.

The **authorities** responsible for issuing or certifying those documents and their roles.

**Approximate costs** you'll encounter when doing land searches/record checks at the Ministry/Land Registry (with ranges).

**How to act if a legal dispute arises** — documents to gather, immediate steps to secure your claim, and how to present evidence.

A **due-diligence checklist** for anyone buying land in Kenya.

Practical next steps .

## Documents you'll encounter -what they are & why each matters

Each entry below names the document, where it's held (typical), and why it's important.

### Title Deed / Certificate of Title

**What:** The registered legal proof of ownership (shows registered owner and land description). In registered land areas the title is conclusive evidence of ownership unless set aside by court.

**Where kept:** Registered at the Land Registry; original normally held by owner.

**Why it matters:** Primary proof of ownership — you MUST verify authenticity and registered owner before purchase. The Land Registration Act and Registry system govern this.

### Green Card (local registry history card)

**What:** A paper record held at the local Land Registry that contains transaction history, notes, and references about a particular parcel (ownership changes, encumbrances). Often used by clerks when checking history.

**Where kept:** Local land registry where the property is lodged.

**Why it matters:** Helps you trace historical transactions and detect fraud or unregistered encumbrances. Many practitioners still rely on the green card during searches.

### **White Card / Registry Presentation Book / File (Ardhi House / Central registry references)**

**What:** A central file or binder entry often kept in central registry (Ardhi House) or district registry containing copies or references to instruments and documents affecting the property.

**Where kept:** Central and district registries.

### **Mutation (Mutation Form / Transfer Instrument)**

**What:** Documentary evidence and entries made to show a change of ownership (e.g., transfer after sale). Historically referred as mutation forms; elements have been integrated into modern registry forms under the Land Registration Act.

**Why it matters:** Confirms the registry updated the ownership; absence or pending mutation is a red flag.

### **Registry Index Map (RIM) / Deed Plan / Cadastral Map**

**What:** A technical map showing the exact boundaries and location of the parcel on the cadastral system. The RIM is now the authoritative spatial reference in many registries.

**Where kept:** Survey of Kenya / registry.

**Why it matters:** Verifies physical boundaries, neighbouring parcels and whether the plot exists as described (prevents boundary fraud). RIMs are increasingly central under current registration practice.

### **Allotment Letter / Offer Letter (for allocated parcels)**

**What:** Letter from the allocating authority (county or national) offering a parcel to the applicant — often used for unalienated or public land allocations.

**Why it matters:** Shows origin of the claim to the parcel and conditions of grant; must be matched to registration.

### **Sale Agreement / Transfer Instrument**

**What:** The contract between seller and buyer (sale agreement) and the transfer instrument lodged for registration.

**Why it matters:** Shows terms, price, and parties; transfer instrument (when registered) causes the registry to record the new owner. Always check that the transfer has been registered.

### **Letter of Offer / Consent / Spousal Consent (where required)**

**What:** Documents showing required consents (e.g., land control consent in agricultural cases, spousal consent where required).

**Why it matters:** Missing statutory consents can invalidate transactions (Land Control Act & others).

### **Title Search / Search Certificate / Search Report**

**What:** A report issued by the Land Registry showing the registered owner, encumbrances (charges, caveats), and entries in the register.

**Why it matters:** Single most important live check before transfer — reveals mortgages, caveats, or charges that affect your risk. (See fees below.)

### **Tax / Rates Clearance / Stamp Duty Receipts**

**What:** Proof of payment of stamp duty, land rates or taxes where applicable.

**Why it matters:** Outstanding government charges or unpaid rates can complicate registration or sale.

### **County/Local Authority Records (planning approvals, maps)**

**What:** Approvals, zoning, or approvals for subdivisions from county planning departments.

**Why it matters:** Ensures intended use (residential, commercial) and compliance with zoning/physical planning.

### **Community Land Registers / Community Deeds (where relevant)**

**What:** For community land, registration and records differ (managed via Community Land Registrar and community institutions).

**Why it matters:** Different process and protections apply for registered community land.

# **Who issues / certifies these documents (relevant authorities & roles)**

## **Registrar of Lands / District Land Registrar / Land Registries**

Main function: maintain the land register, issue or confirm title deeds, maintain presentation books, accept instruments for registration. District or regional registries handle local filings; the Registrar oversees registration operations.

## **State Department for Lands (Ministry of Lands & Physical Planning)**

Role: policy, land registration oversight, land valuation, setting registry procedures and service charters. The Ministry publishes service charters and fees.

## **Survey of Kenya / Surveyor-General**

Role: custody of cadastral maps, title plans, RIMs, and official surveys. Deed plans and RIMs are prepared/verified under Surveyor-General oversight.

## **National Land Commission (NLC)**

Role: land policy, recommendations, national land management (especially public & community land), dispute resolution recommendations. Relevant for public and community land issues.

## **County Governments (Physical Planning / Lands / Revenue Departments)**

Role: local land rates, planning approvals, and development control. For local planning checks you must visit the County offices.

## **Land Control Boards / Land Control Committees**

Role: Under the Land Control Act — consent for transactions in agricultural land (if the Act applies).

## **Courts**

Role: resolve competing claims, set aside fraudulent transfers, adjudicate boundary and ownership disputes.

# Approximate costs you'll face when checking a plot at the Ministry / Registry (typical / recent figures)

**Note:** fees change. I used the Ministry Service Charter and recent professional summaries. Always confirm on Ardhisasa / eCitizen or the local registry the day you act.

**Basic Land Search / Title Search (per parcel):** Approximately Ksh 500 – Ksh 2,000. The Ministry's service charter shows registry fees (title fees, opening fees) — check local registry for exact current price and whether it's payable via Ardhisasa/eCitizen.

**Opening of Land Register / Title Fees / Registration fee (for registration transactions):** e.g., the Ministry service charter lists items such as Title fees Ksh 2,500; Registration fee Ksh 1,000; Opening of land register Ksh 1,000 (these are registry administrative items — for registration). **(Use this as a guide; final amounts may differ by instrument & value.)**

**Search facilitation / agent / lawyer fees:** Ksh 1,000 – Ksh 10,000+ (depending on level of help, number of documents, and lawyer rates). Many buyers hire a lawyer for searches and to prepare transfer docs.

**Survey / Deed plan costs (if you commission a new survey):** Kshs tens of thousands to hundreds of thousands depending on complexity/size/location. (Surveyor fees vary widely.)

**Stamp duty & registration taxes on transfer:** Calculated on transaction value — not a flat fee. Stamp duty is a legal tax on transfers and must be paid for registration to proceed.

**Miscellaneous:** photocopying, transport, KRA PIN checks, county rates checks.

**Practical tip:** Expect to pay the official registry search fee plus a small facilitation fee if you use a lawyer/agent. Confirm the current official search fee on the Ministry website or Ardhisasa/eCitizen before traveling to the registry.

# Legal framework that governs land ownership (key laws & constitutional articles)

**Constitution of Kenya (2010)** — land chapters & articles (devolution of land functions, public & private land definitions, and rights). The constitution is the supreme law and underpins land policy.

**Land Act, 2012** — deals with administration and management of land, including public land, private land and community land, and links to County Governments' roles.

**Land Registration Act, 2012** — governs registration of titles, land registries, the register, registration procedure, and instruments. This is the primary law for title registration.

**Land Registration (General) Regulations (2017, amended 2023)** — provide detailed procedural and fee information for registration activities. Recent amendments include fee schedules and presentation book rules.

**Land Control Act (Cap. 302)** — controls alienation of agricultural land and requires consent for certain transactions.

**Registered Land Act (where applicable)** — older act still relevant in some jurisdictions and for certain transitional matters.

# How to act in the presence of a legal dispute — immediate evidence & steps to protect your claim

If you suspect or discover a dispute or fraud (e.g., conflicting title, caveat, forgery, multiple claims), act fast and follow these steps:

## **Immediate documents / evidence to gather (priority):**

**Certified copy of the Title Deed** (from Land Registry).

**Title Search / Search Certificate** showing current registered owner and encumbrances (from the Registry).

**Green Card / Presentation Book entries / RIM extracts** for the parcel.

**Sale agreement, transfer instrument, allotment letters, consent letters** — all transactional papers.

**Deed plan/ survey records** that show boundaries.

**Payment receipts** (stamp duty, rates, transfer payments) proving transactions.

**IDs and PINs of parties** involved (KRA PIN, national ID), correspondence, and witness statements.

**Any court orders / caveats** lodged against the property.

## **Immediate steps to secure your position:**

**Lodge a caveat** at the Land Registry (if allowed in the registry type) to note your interest and warn potential transferees — consult a lawyer for the correct caveat form.

**Obtain certified search and copies** of all registry files (green card, presentation book entries) so you have an official record.

**Notify your lawyer** — get legal advice fast about whether to seek injunctive relief from the courts to stop transfers.

**Preserve evidence of payment/agreements** — bank statements, receipts, witness affidavits.

**If forgery suspected:** obtain an urgent court order and ask the Registrar to flag the file. Courts can order suspension of registration or set aside fraudulent transactions.

## **How to present your legal claim so it's hard to challenge:**

Use **official certified registry extracts** (not photocopies).

Keep **original transaction documents** and receipts.

Maintain a **clear chain of title** with consistent names, ID numbers and KRA PINs.

Discrepancies in names or missing spousal consent are common attack points — address these proactively.

Commission an independent **survey** to match the deed plan/RIM to the physical ground — this is often decisive in boundary disputes.

# Due-diligence checklist -what to do BEFORE you buy (step-by-step)

**Verify identity of seller** — copy of national ID and KRA PIN; check names match registry.

**Obtain Title Search / Certified Search** from the Land Registry for the parcel (get a current search certificate). Check for mortgages, charges, caveats.

**Check the Green Card / Presentation Book** at the local registry — inspect the parcel history and instruments lodged.

**Inspect the Title Deed** (original) — compare owner name and serials with search certificate. Beware fake titles — consult a lawyer experienced in land transactions.

**Confirm the RIM / Deed Plan** with Survey of Kenya (or registry copy) — ensure boundaries match physical markers. Commission a fresh survey if unsure.

**Check for planning / zoning approvals** at the County planning office (intended use).

**Confirm land rates & taxes** are up to date at the County offices.

**Check for outstanding litigation** — search court records or ask registry for notes of caveats/charges.

**Obtain spousal/land control consent** where required (Land Control Act).

**Have a lawyer draft/inspect sale agreement** and handle transfer paperwork, stamp duty calculations and registration.

**Pay via traceable methods** — bank transfer, receipts — avoid cash without proper receipts.

**After transfer:** obtain certified title deed in your name (or certified copy plus registration confirmation). Keep originals safe and add digital backups.



# Practical next steps recommended (forward-thinking & tactical)

**Start with an online search:** use Ardhisa / eCitizen / Ministry portals to order the Title Search — cheaper and faster in many registries. (Confirm current fee on the portal.)

**Hire a lawyer** who does land conveyancing in the county where the land sits — they will: obtain searches, draft transfer, verify RIM, check planning and draft transfer instruments.

**If the property is large or contentious, hire a surveyor** to physically check boundaries vs RIM before paying.

**Keep a digital folder** (PDF scans of all certificates, receipts, survey plans, and IDs) so you can share instantly with counsel or the registry when needed.

## Important caveats & accuracy notes

Fee numbers and exact registry charges have **changed recently** (2023–2025 amendments and ministry fee notices). I pulled several recent sources (Ministry service charter and recent law/regulation summaries). Always **confirm the current fee** on the Ministry service charter or Ardhisa/eCitizen before you go to pay.

Some terms (green card vs white card vs RIM) are used differently in practice in different counties/registries — always check the local registry practice.