



## HOW TO GO ABOUT BUYING A PROPERTY IN TANZANIA.

Another end of the year, a year full of roller coaster, fun, happiness, misery and all sorts of feelings, but all in all we end up thanking God for his mighty blessings throughout the year.

Lately for past few years there have been several cases between land owners and the buyers, why as days goes this matter is becoming a serious issue? Is it the lack of knowledge of the transfer of the land or some fraud is committed in between?

### WHAT YOU SHOULD KNOW

When you want to buy a real property whether it is a building or property, there are two important aspects that a person needs to consider the physical aspect and paper aspect. Meaning the physical aspect is what you actually see in the property eg the building and all its necessary things, garden and etc. the paper aspect is what is written in the papers that belong to the property. In a transaction of real property documentation is very important, this is a part where most problems and frauds occur.

### HOW REAL PROPERTY TRANSACTION HAPPENS

When you have found your dream property and you are ready to purchase it is important to consult three important professionals, i) a registered conveyance lawyer who will help you with the transaction and make sure that nothing goes wrong and no fraud is committed, ii) a person who is a professional surveyor whether is from the government or a private surveyor who will be conducting a survey of the land to know what the boundaries of the land, river crossing the land if any, nearby schools, hospitals, markets etc, iii) an officer from the land registry to conduct official search in case of any encumbrances.

Now you have seen the property and it is time to negotiate and finally pay for the land so that it can be transferred to your name the following steps:

1. first as a buyer you need to get a copy of a title deed from the owner and sign a non disclosure agreement.
2. Do your own assessment by checking the name in the title deed if it resembles the owner's name.
3. Conduct an official search at the Land Registry to get more information about the interested property such as;
  - see if the interest land has any encumbrances e.g if the property has been used to get a mortgage,
  - to know the real owner of the property,
  - the size of the land and to know when was the title issued



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After the official search if the property has no problem you will be issued the official search certificate to show the details above mentioned.

4. Next step is to do a survey so that you know the boundaries of your property, neighbors, any rivers passing the property, nearby schools, hospitals, markets etc. here is where you need a surveyor to make sure you get the accurate features of the property which you are interest with. After being issued with the survey map go back to the place where the property is located compare the physical aspect and the document you have if satisfied you can proceed with next step.
5. This is hiring a professional value that will access the value of the property and give you the accurate worth of the land.

After these performing this stage do not jump straight to the sign of the sale agreement, here is where most people make mistakes. Check for due diligence with the seller; if the transaction can be performed example; if a company owns land check if the company in its article of association if it allows to sell the property and if the company is up to date with its annual returns. If the company has not fulfilled these obligations then the transaction will not be able to take place. Hence it is important to go through everything before paying for the property.

When paying for the property make sure the deposit for the offer is paid to the seller lawyer, do not pay it straight to the owner. If you have a conveyance advocate give the cheque to your advocate so that he or she can give to the seller’s lawyer and it should be written that certain amount was paid to him and transaction would be completed when sale agreement has been signed by the parties. When you are satisfied and you have got all the documents and there is no problem with the property then you can proceed with the transfer.

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