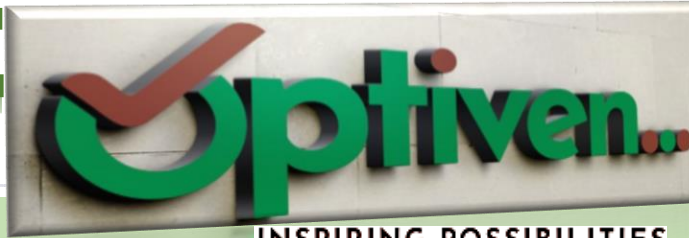


THE



POINT

TOP Issue 004/2022



#20DaysofEaster
LIGHTS UP APRIL
Customers Decide

For the Good of Earth
EARTH DAY
GoGreen Engage

Mugithi Reloaded
OPTIVEN+SAMIDOH
Europe Empowered

WORD FROM THE CEO | Engaging the Next Gear to Propel to the Next Level.



The time is moving at a faster pace each day as we rise and rise towards meeting our resolutions. Perhaps it is not all of us who are on course but for Kenya as a country, all seems set to move forward and fast. April has been a time for us to reflect on our individual and corporate plans towards meeting our overall goals as citizens and countrymen. I am especially looking forward to the outcomes of the forthcoming 9th edition of the Africities Summit that will be held in Kisumu in May 2022. It is an opportunity to look objectively at the realization of both the UN 2030 agenda, and the AU Agenda for the year 2063. Why this is important to us is because the world is moving to urban centers where in the next two decades we are looking at increasing populations moving to the cities.

At Optiven Real Estate, we have anticipated this challenge and are working to meet customer expectations with regard to providing them with homes. Our target is to settle at least 300,000 Kenyans in their homes by the year 2030. Since 2020, we have been doing this by engaging all gears to meet United Nations SDG Number 11 which touches on "sustainable cities and communities", and is one of 17 Sustainable Development Goals established by the United Nations General Assembly in 2015. The official mission of SDG 11 is to "Make cities inclusive, safe, resilient and sustainable". How is Optiven doing this? We are working on sustainable construction and community planning where we are providing green and safe spaces for families to live in. From greening of our projects to provision of environment charters and as well as working with the Optiven Group Foundation to fast track environment sustainability impact, we are on course to provide habitats that are future ready for our customers. It is these initiatives that continue to wow our customers and win us accolades such as the Real Estate of the Year and the most admired real estate company. We realize that the comfort of our customers will only be possible if we work with each other to make our communities better by embracing sustainability in all it's forms. It is because of this that on behalf of Optiven, I therefore welcome all the delegates to the Africities Summit and encourage our potential customers to come on board and join the Optiven customers already enjoying safe, green and futuristic cities within our projects.

George Wachiuri,
Chief Executive Officer
Optiven Group



OPTIVEN GIVES BACK 20K FOR EASTER | Customers Receive CashBack in Unique Campaign

The month of April 2022 was peculiar in its own way but nonetheless one that hosted an exciting campaign. Launching on the 1st of April 2022, the campaign targeted investors within the Optiven portfolio as well as new customers looking for opportunities to invest in the transformed projects. The campaign dubbed #20DaysOfEasterWithOptiven celebrated the joys of the Easter season while empowering customers to redeem their payments or buy new plots across the board. The new campaign provided an opportunity to deposit 799,000 shillings for any property, redeeming or new purchases, in return for a cash back payment of 20,000 shillings courtesy of Optiven Real Estate. Speaking shortly after the launch, George Wachiuri, the Chief Executive Officer, at the Optiven Group said, *“one of our key focus areas is focusing on meeting our customers needs and appreciating them for the trust that they have shown in Optiven. This particular campaign was aimed at boosting the customer through providing them with something extra to enjoy during the Easter season. It is the third in the series of campaigns that we have held this year, all aimed at providing opportunities while transforming the lives of our customers.”*

The success of the campaign which was initially launched to last for 20 days from the 1st of April 2022 to 20th of April 2022, saw it extended. The extension would cover the 10 days of April from the 21st of April 2022 to 30th of April 2022. The Head of Customer Experience at Optiven Group, Christine Kasaya says, *“this campaign was very considerate and our customers were given the opportunity to gather their investments so as to take advantage of the campaign and carry home the 20,000 shillings cash back. We are glad that we were able to meet our customers expectations many of whom are new and some of whom are referrals. As Optiven, we will continue to provide every opportunity as we work to make our customers happy.”*

To invest in the Optiven Projects available within our portfolio, log on to www.optiven.co.ke

Optiven...
PLOTS FOR SALE

20
DAYS OF EASTER WITH OPTIVEN
PAY 779K ONE OFF AND GET 20K CASHBACK!

AMANI RIDGE
THE PLACE OF PEACE - KIAMBU

www.optiven.co.ke **0790 300 300** SMS PLOT TO 23555

NA WEWE HADI MWISHO!

Due to public demand
#20DaysOfEasterWithOptiven
has been extended for 10 days
ending 30th April 2022

20
DAYS OF EASTER WITH OPTIVEN
PAY 779K ONE OFF AND GET 20K CASHBACK!

1/8TH ACRE
PLOTS FOR SALE

0790 300 300
www.optiven.co.ke

20
DAYS OF EASTER WITH OPTIVEN
PAY 779K ONE OFF AND GET 20K CASHBACK!

#20DaysOfEasterWithOptiven

OPTIVEN & SAMIDOH PARTNERS ON EUROPE TOUR | Customers Receive Title Deeds

Leading real estate company Optiven has partnered with Samidoh for a one of a kind tour of Europe. The tour that kicked off on 8th April 2022 in Switzerland, through the European cities of France, Belgium and Germany. The tour which was sponsored by Optiven was aimed at working with the Mugithi artistes Samidoh, Kajei Salim and Waweru Uyu to gather Kenyans in Europe and at the same time deliver title deeds to the investors who had bought different projects with Optiven. The engagement came just weeks after the official signing of the partnership which was done at the Optiven Group Head Office on Absa Towers, 14th floor on 23rd March 2022. The tour was then preceded by a road show that took off from Nairobi, snaking it's way through Karatina and the nearby towns before making it's way to Nanyuki where Optiven has one of it's largest projects in Laikipia County.

Speaking shortly after the signing ceremony, Mr. George Wachiuri, Chief Executive Officer at Optiven Group said, *"the move is part of the Optiven strategy to focus on the customer needs and work with stakeholders to ensure that we keep our promises to those that have trusted our brand."* And the customers continue to experience the magic associated with Optiven where the promise of home ownership becomes alive by receiving their title deeds.

The team that represented Optiven Real Estate during the Europe tour took time to also encourage Kenyans living in the diaspora to invest back in the country. James Mugo, Regional Manager for Congo and Stanislaus Kilonzo, Senior Sales Executive at Optiven Real Estate were at hand to hold different forums in the cities of Frankfurt, Hamburg, Berlin, Antwerp, Zurich and Paris among many others. Speaking in Zurich, Mugo said, *"we are grateful that our customers found us as Optiven to be worthy partners for their investments in real estate back in Kenya. The delivery of their title deeds is realization of their trust in the brand and keeping our promise to deliver what we preach."*



HOW CAN DIASPORA INVEST?

Diaspora investors are one of the most special group of investors in the real estate sector. At the top of their need is to invest in a trustworthy company. What does it take to invest with Optiven Real Estate?

a) *Legacy. The company has been in business for over 20+ years during which time it has built a formidable brand name.*

b) *Honesty. The company has been lauded for it's open policy and provision of what it promises in line with transformed properties.*

c) *Flexibility. The company leads by considering the needs of it's customers, mainly through the provision of flexible and comfortable installment payments.*

d) *Recognition. The company has since 2014 been recognized for its performance in different spheres including branding, inclusivity, diversity, philanthropy, customer service, and sustainability among others.*

e) *Consideration. The company is keen to sell only properties that are legitimate and which have valid documentation including mother titles.*

LEFT: Mr. Kajei Salim (left), Mr. Waweru Uyu (center) & Mr. Samuel Muchoki aka Samidoh (right) when they visited Garden of Joy by Optiven, ahead of the Europe tour in April 2022.

TAKE 5 WITH MARTIN WAWERU | HR, Talent Development & Administration Manager

Optiven is one of the companies that has been singled out as one that is set to transform Africa <https://www.lseg.com/resources/companies-inspire-africa/companies-inspire-africa-2019/industry/optiven-group>. But this is not the only aspect that makes the brand stand out because Optiven is also the home of the most admired brand as at the year 2021 <https://www.optiven.co.ke/newsblogs/optiven-is-the-most-admired-real-estate-brand-according-to-topscore/>. This is in addition to being awarded in the best employer brand awards <https://www.optiven.co.ke/newsblogs/optiven-is-the-best-employer-in-east-africa/>. As the world celebrates the **World Health and Safety at Work Day 2022**, we speak to Martin Waweru the Group HR, Talent Development and Administration Manager at Optiven Group.



The emergence of Covid affected the work world more than any other sector of the economy. In the post Covid period, what has Optiven done differently as it stays the course?

We have taken the duty of staff safety very seriously by providing a more spacious and comfortable office to cater for appropriate distance. Through our benefits policy, we have included cover for COVID as a priority in the post-Covid period. We continue to provide opportunity to advocate for the basics to reduce infection opportunity by stationing sanitizing stations across the office. On the most part, we remain resilient and keen to ensure the safety of our staff.

Why is a day like the World Day for Safety and Health important for Optiven, given the fact that it is in real estate?

One of the key aspects of Optiven observing the World Day for Safety and Health is because we interact with the public by nature of our business. So such a day is important to give assurance to our internal and external stakeholders that as a brand, Optiven is keen to provide a safe place for you to invest and when you visit our offices, it is safe for you and your loved ones. In 2022, the main topic on this observation is that of participation and social dialogue in creating a positive safety and health culture. As Optiven we continue to fast-track both the positive environment and one of the most vibrant cultures in the corporate world touching on values, creativity and innovation.

How is Optiven prepared in matter prevention of occupational accidents and diseases in the workplace?

We have rolled out staff-centric trainings on a weekly basis. The idea being to provide opportunity for self-improvement and personal growth among our staff. Through weekly motivation we are keen on building a mentally balanced work force without which we will not be able to achieve our goals as a company and individually. We have also expanded our work force by bringing on board new staff to provide employment opportunities as is part of our greater mission and to offer an opportunity for the incoming staff to improve their lives.

How has organizational change and technical innovation emerged as occupational risks?

As in other corporates both organizational change and technical innovation have brought with them a high level of resistance. There has also been a lack of awareness or desire to support the change where staff feel insecure. This can become a major setback where there is a lack of mid-level and group leadership support.

What is it that makes Optiven stand out in matters of human resources?

At Optiven we have a strong culture of professionalism and innovation. Here we encourage our team to think out of the box and share their ideas to make the organization better. Honesty is a core value where we focus as a company in providing only what we can deliver. Our modus operandi is what has earned us awards for our HR at Optiven such as 2017/2018: Exceptional Human Resource (HR) Practices, in Top 100 Mid-Sized Companies. We are glad to have been rewarded for "Talent Management, Development and Innovation" by the East Africa Best Employer Brand Awards 2019. Plus being voted widely as the Most Admired Real Estate Company of the year 2021.

ADVERSE POSSESSION IN THE KENYAN LANDS CONTEXT| A Legal Opinion

The subject of Adverse Possession has been debated in various fora in Kenya stimulating profound interest within the public domain. In this article we seek to demystify the concept of adverse possession and advise our esteemed clients and partners on how to avoid claims of adverse possession.

What is Adverse Possession and How does it Affect Land Ownership in Kenya?

Adverse Possession has been defined as a method of acquiring title to real property(land) through actual, open, hostile and continuous occupation (notorious occupation) of the land at the exclusion of the true, registered owner for a period prescribed by Law. Here in Kenya, the period for notorious occupation is 12 years as Stipulated under the Limitation of Actions Act, Cap 22 of the Laws of Kenya. For one to Claim and acquire Title under Adverse Possession, they ought to establish and satisfy certain conditions under the Act which have been elaborated in case law.

Conditions for an Adverse Possession Claim

1. The Party claiming ownership ought to have occupied the premises for a minimum period of twelve Uninterrupted years The Limitation of Actions Act, Cap 22 of the Laws of Kenya prescribes a minimum period of 12years before one can make a claim to Court for ownership of land under adverse possession. This Position has been applied in different pronouncements of Courts adjudicating on Adverse Possession claims. In order to be entitled to land by adverse possession, the claimants must prove that they have been in exclusive possession of the land openly and as of right and without interruption for a period of twelve years. The 12-month period of occupation must have also been continuous, peaceful and uninterrupted.

2. The occupation of the property ought to have been non permissive and non-consensual The Claimant has the obligation to prove to Court that they encroached the property and continued to occupy the property for the twelve Uninterrupted years without the consent of the Owner of the Property. This shall not apply where the owner is a Lessor and the Claimant is the Tenant or Lessee as the occupation over the property is pegged on an established relationship.

3. The occupation ought to be open and Notorious The Claimant is required to demonstrate that the occupation of the property for the twelve continuous years was public to the extent of showing that the Claimant's possession is adverse to the registered owner. This initiated by a wrongful disposition on the land of the registered owner which is visible to all and is exclusive, hostile and continuous beyond the twelve-year period.

Initiation of the Process of Adverse Possession.

An Adverse Possession Claim is initiated at the High Court of Kenya with territorial jurisdiction over the property. Territorial jurisdiction shall be the competence of the respective Court, depending on the location of the Property, to hear and determine the claim or any other claim presented before it.

The Claim under adverse possession is initiated through an Originating Summon under the Civil Procedure Act and the Limitation of Actions Act.

How to avoid Adverse possession claims

Adverse possession is a means of acquiring land without making any considerations or payments towards the acquisition. This process and its results cause anguish to the True and Registered Owners who have to relinquish their rights to the Property without consideration or gain. It is therefore extremely vital for land owners to take the following precautionary measures to prevent loss of land:

1. Secure your property by erecting a fence and barriers. This will prevent squatters and trespassers from accessing the property which may ultimately lead to their qualification for adverse possession claims;

2. Putting up signs on unoccupied property prohibiting encroachment and trespassing on the land. Not only does this act as a deterrence against potential squatters, it also serves as proof of notice against any trespassers. The occupation shall therefore be interrupted.

3. Regular Monitoring of the property. Ensure that you regularly visit all your properties and establish that there are no forms of encroachment. You need to have an adequate understanding of the size of your properties and be aware of all the developments on it.

4. Prompt addressing of encroachments. If you discover a trespassing or a likely encroachment on your property, we highly recommend that you address it immediately through notices of eviction, or demand for rent emanating from such occupation. Any delays may result in claims being made against your title.

5. Use Tenancy/ Lease Agreements. Out of compassion, one may allow their relatives or persons in dire need for shelter to occupy one of their various

properties. Such arrangements are often done without written agreements. Ultimately, the 'Tenants' make their claims for adverse possession, usurping the Registered Owner's right in the property.

Such challenges may also be brought about with leases or long-term tenancies that are not agreed upon in writing. We highly encourage property owners to have agreements that confer certain rights in the Properties being let out. In the even the Tenant/ Lessee initiates an adverse Possession Claim, the rightful owner shall present the signed agreement to court thus refuting and rebutting the Claimant's position.

Conclusion

The Subject of Adverse possession has been mooted since the dispensation of the Constitution of Kenya, 2010. The debate revolves around the Right to

Property as guaranteed under Article 40 of the Constitution of Kenya, 2010.

Such debates have been advanced by Judges who have questioned the rationale behind individuals claiming title to land through adverse possession yet they have not paid consideration towards its purchase. Justice Ouko, for instance finds no justification in encouraging acquisition of land through adverse possession. However, he rightfully finds out that a claim under adverse possession and a resultant Court's award of title is not inconsistent with the provisions of the Constitution.

We encourage our clients and partners to exercise precaution and take the necessary preventive measure to protect their hard earned and acquired property.

Disclaimer: The content of this document is intended to be of general use only. For specific legal advice on Optiven Limited Real Estate Investments please do not hesitate to contact us through the contact details contained below. Email: info@optiven.co.ke | Telephone: 0790300300 | www.optiven.co.ke

OPTIVEN DIASPORA GETS NEW AMBASSADORS| Brand Push Globally in 2022

Margaret Kimani has also been appointed as an Ambassador of the Optiven brand. She joined the Optiven Group CEO George Wachiuri on 23rd April 2022 for the signing of the agreement to represent the brand. A celebrated author herself, she singled out the book by Mr. George Wachiuri titles Soaring Like an Eagle of being a key influence in her life as she empowers investors across the globe. Mr. Wachiuri welcomed Ms. Kimani to the partnership noting that her coming on board is part of the growth of the Optiven brand especially within the diaspora.

Lilian Rotich, a renowned musician in Kenya is among the new ambassadors signed to represent the Optiven brand in April. And on 23rd of April 2022, Lilian took up the important role of being an Optiven ambassador which means that whenever she goes across the Globe, she will have Optiven in her heart. Speaking shortly after the signing ceremony, George Wachiuri, CEO at Optiven Group said, "we thank Lilian for supporting the Optiven movement and indeed supporting the Optiven vision of being the champions of social economic transformation." As a philanthropist, Lilian will also push for the sales of books authored by George Wachiuri, proceeds of which go to support the Optiven Group Foundation at 100%.



ABOVE: Mr. George Wachiuri, CEO, Optiven Group (left) when he hosted Margaret Kimani, Optiven Ambassador on 23/4/2022



ABOVE: Mr. George Wachiuri, CEO, Optiven Group (left) when he hosted Lilian Rotich, Optiven Ambassador on 23/4/2022

NEWS UPDATE 5 ON OPTIVEN PORT FOLIO | Highlights on Mega Mugithi to Nanyuki.



ABOVE: Musician Samuel Muchoki aka Samidoh in grey when he led the Optiven Team to Karatina during a two-day Mugithi that started in Nairobi to Nanyuki on 30th March 2022. At the background is Christine Kasaya, Manager for Customer Experience and Muchiri Muchoki Manager for Media at Optiven Real Estate. The event was in preparation of the Europe Tour in April 2022 which is sponsored by Optiven Real Estate.



ABOVE: The Caravan on the Optiven Road Show from Nairobi to Nanyuki leaves Skuta heading to Nyeri on 30th March 2022.



LEFT: Pauline Mbula, Senior Sales Executive engages customers at Karatina market on 30th March 2022. This was the launch pad for the diaspora mugithi trip in April 2022.



ABOVE: A poster for the event inviting the public to join the Mugithi Team at the different towns in Karatina, Nyeri and Naro Moru

NEWS UPDATE 5 ON OPTIVEN PORT FOLIO | **Diaspora Empowered by Optiven**



ABOVE: Stanslaus Kilonzo, Senior Property Advisor at Optiven Real Estate reaches out to investors in Geneva, Switzerland on 14/4/2022



ABOVE: A customer signs her purchase agreement in Berlin on 25th April 2022 to begin her property ownership journey with Optiven.



ABOVE: A customer receives his title deed in Berlin from James Mugo, Regional Manager for Congo, on 25th April 2022. The team is in Europe to deliver title deeds to customers.



ABOVE: Optiven Group's CEO Mr. George Wachiuri (left) hands over the Ambassadorial Symbol to Margaret Kimani (center), as Optiven Head of Legal, Ethel Kipoto (right) looks on 25th April 2022.



LEFT: Joe Kimani based in Paris France receives a title deed from James Mugo, Regional Manager for Congo, on 23rd April 2022.



RIGHT: Annemary Kimani Senior Property Advisor at Optiven Real Estate (left) hands over a title deed to a customer on 19th April 2022. On the far right is Margaret Kariuki of Documentation.

OPTIVEN EMPOWERING AT EVENTS IN APRIL | Connecting Opportunites to Clients



ABOVE RIGHT: Sophie Buliro and Ruth Muthoni, both Senior Sales Executives at Optiven Real Estate, empower potential customers at Kenyatta National Hospital on 21/4/2022 during an activation at the facility.



ABOVE LEFT: Cecily Muchiri, Mary Wanjiru and George Muteti prepare to empower investors at the Rift Valley Institute of Science and Technology on 22/4/2022.



ABOVE: Members of the Optiven Conversion Team, Hannah, Pauline and Paul were at the 16th Reproductive Health Symposium held on 20th April 2022 at the Nairobi Hospital Anderson Conference Center.



ABOVE: Diaspora Affairs Manager, Angela Marindich and Senior Sales Executive Fidelis Kariuki were empowering the board members of Mkombozi Sacco at the International Rescue Committee offices on 23rd April 2022.

OPTIVEN EMPOWERING AT EVENTS IN APRIL | Connecting Opportunites to Clients



ABOVE LEFT: Senior Sales Manager, Eunice Muthoni (left) hosts Tabitha James, Lead Presenter at Kigoo TV (center) at the Optiven Group Head office to discuss partnership. With them is Lead for Corporate Affairs at Optiven Group, Kate Khasoa-Kole on 27th April 2022.



ABOVE RIGHT: Senior Sales Manager, Faith Murigu (right) presents a gift and title deed for Love Gardens by Optiven to Robert Ondichu (left), Diaspora Customer from the USA on 27th April 2022 at the Optiven Offices on Absa Towers.



ABOVE LEFT: Head of Sales at Optiven Real Estate, Rachael Nduge (left) signs a partnership agreement with Influencer Gerald Bitok (center) at the Optiven Group offices on Absa Towers on 27th April 2022. Looking on is Head of Legal and Partnerships at Optiven Group, Ethel Mudhochi (right).



ABOVE RIGHT: Dennis Wambua of Team Elephants empowers at the Finnovek East Africa Summit on 20/4/2022 at Villa Rosa Kempinski



HAPPY WORLD DAY FOR SAFETY & HEALTH | Optiven is Safe for Your Investments

THEME 2022 | *Act together to build a positive safety and health culture*



WHAT IS THE WORLD DAY FOR SAFETY? The annual World Day for Safety and Health at Work on 28 April promotes the prevention of occupational accidents and diseases globally. The World Day for Safety and Health at Work 2022 focuses on enhancing social dialogue towards a culture of safety and health. The theme for this year is : Act together to build a positive safety and health culture. At Optiven, we welcome you to our culture that encompasses professionalism, customer obsession, and innovation.

Karibu Optiven. Visit us at Absa Towers, call or whatsapp us today on 0790300300. Optiven, inspiring possibilities.



HOW TO HEAL OUR PLANET | Nuggets for Sustainable Living on Earth Day.

Today, the world over, planet enthusiasts celebrate Earth Day. This year marks the 42nd anniversary since the conception of the day. The 2022 theme is invest in our planet earth. The planet is facing different issues which need to be dealt with in order to save our resources including water, land, food, and oxygen. Both the survival and existence of mankind is dependent on the state of the planet. <https://www.optiven.co.ke/newsblogs/optiven-celebrates-earth-day-with-greening-in-kiambu/>



One of the biggest challenges of the 21st century for the planet continues to be climate change, a concern that needs the intervention of all of us. This should be our concern if the report by the intergovernmental panel on climate change is anything to go by. The third instalment of the sixth assessment report indicates that there is an urgent need to cut emission of harmful gases to manage the adverse weather we are experiencing. Under the GoGreen Initiative, leading real estate company Optiven has taken steps to enhance the quality of life on it's projects by planting trees and embracing renewable energy.

<https://www.optiven.co.ke/newsblogs/let-us-adopt-renewable-energy-for-our-real-estate-developments/>

The next big challenge is plastics and the pollution that comes with it's inefficient disposal. The challenge with

plastic is that it is not biodegradable and can only be recycled to a certain extent. While Kenya through the National Environment Management Authority banned the use of thin unrecyclable , plastics in the year 2017, it is sad to note that more of that plastic is finding it's way into oceans and land, creating an eyesore and environmental hazards for all. The Optiven Foundation has in the past worked with communities at the grassroot level to advocate for better sustainability and care of the environment. Chairman of the Optiven Foundation George Wachiuri says, "Through holding public barazas, engaging with communities in public cleanups and sharing key information on matters environment, the Optiven Foundation hopes that their action will create a movement of environment sustainability revolutionaries within the communities." <https://www.optiven.co.ke/newsblogs/let-us-adopt-renewable-energy-for-our-real-estate-developments/>

And there are more and more challenges. But what can we do to make our planet better? How can we operationalize this year's theme of the Earth Day observation which is Invest in Our Planet?

1. Eat plants
2. Don't drive but cycle
3. Walk often
4. Adapt green policies
5. Use paper or glass but ditch plastic
6. Eat locally sourced food
7. Practice recycling
8. Dispose your waste responsibility
9. Use renewable energy
10. Embrace going green

Happy Earth Day.



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