



THE REPUBLIC OF KENYA

LAWS OF KENYA

ESTATE AGENTS ACT

CHAPTER 533

Revised Edition 2019 [1985]

Published by the National Council for Law Reporting
with the Authority of the Attorney-General

www.kenyalaw.org

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THE ESTATE AGENTS REGISTRATION BOARD

CHAPTER 533

ESTATE AGENTS ACT

[Date of assent: 13th December, 1984.]

[Date of commencement: 9th April, 1985.]

An Act of Parliament to provide for the registration of persons who, by way of business, negotiate for or otherwise act in relation to the selling, purchasing or letting of land and buildings erected thereon; for the regulation and control of the professional conduct of such persons and for connected purposes

[Act No. 17 of 1984, L.N. 71/1985, Act No. 20 of 1989, Act No. 21 of 1990, Act No. 11 of 1992, Act No. 5 of 1996, Act No. 9 of 2000.]

PART I – PRELIMINARY

1. Short title

This Act may be cited as the Estate Agents Act.

2. Interpretation

(1) In this Act, unless the context otherwise requires—

“**Board**” means the Estate Agents Registration Board established by section 3;

“**Minister**” means the Minister for the time being responsible for matters relating to Land;

“**practice as an estate agent**” means the doing, in connection with the selling, mortgaging, charging, letting or management of immovable property or of any house, shop or other building forming part thereof, of any of the following acts—

- (a) bringing together, or taking steps to bring together, a prospective vendor, lessor or lender and a prospective purchaser, lessee or borrower; or
- (b) negotiating the terms of sale, mortgage, charge or letting as an intermediary between or on behalf of either of the principals;

“**register**” means the register kept under section 7;

“**registrar**” means the registrar of the Board appointed under section 6.

(2) For the purposes of this Act, a person shall be treated as being a practising estate agent if he or a partnership of which he is a member—

- (a) receives payment for acts done by way of practice as an estate agent by him, or by a partner of his, or by an employee of his or of the partnership or by any person acting on his behalf; or
- (b) holds himself or itself out as being prepared, in return for payment, to undertake the doing by any such person of acts by way of practice as an estate agent:

Provided that in this subsection “**payment**” shall not include payment limited to the reimbursement of expenses or payment of salary by an employer to an employee.