

THE KENYA PROPERTY DEVELOPERS ASSOCIATION

APPLICATION FOR MEMBERSHIP

How did you hear about KPDA? _____

What are your expectations from your membership with us?

Company Name: _____

Physical Address: _____

Postal Address: _____

Telephone Number: _____ Mobile Number: _____

Email Address: _____

Website: _____

Branch Office (s): _____

Nature of Business (please tick where appropriate)

- Property Developer
- Real Estate Agents/Managers
- Professional Firms/Advisory Service Providers (lawyers, urban planners, architects, quantity surveyors, contractor firms, project managers etc)
- Industry Suppliers (manufacturers, building and construction material/service providers)
- Government Agencies and Parastatals
- Institutional Investors/Managers (organizations that invest in real estate)
- Financial Institutions
- Others (please specify)

Names of Company Director (s):

1. _____
2. _____
3. _____

**For additional Directors, please provide the secretariat with their names.*

CONTACT PERSON TO KPDA:

Full Names: _____

Position/Designation: _____

Office Telephone: _____ Mobile Number: _____

Email Address: _____

DEVELOPMENTS

Please provide us with the following information regarding your company's development(s):

**For additional developments, please provide the secretariat with the data.*

NO.	NAME OF DEVELOPMENT	LOCATION/COUNTY OF DEVELOPMENT	NO. OF RESIDENTIAL DEVELOPMENTS	NO. OF COMMERCIAL DEVELOPMENTS
1.				
2.				
3.				

NO.	NAME OF DEVELOPMENT	LOCATION/COUNTY OF DEVELOPMENT	NO. OF RESIDENTIAL DEVELOPMENTS	NO. OF COMMERCIAL DEVELOPMENTS
4.				
5.				

MEMBERSHIP CATEGORIES

***Please tick against your preferred category of interest. All prices below are INCLUSIVE of VAT**

	CORPORATE MEMBERSHIP	ASSOCIATE MEMBERSHIP	PREMIUM MEMBERSHIP
Registration Fee	Kshs. 13, 920	Kshs. 13, 920	Kshs. 29, 000
Annual Subscription	Kshs. 29, 000	Kshs. 29, 000	Kshs. 69, 600
TOTAL FEE	Kshs. 42, 920	Kshs. 42, 920	Kshs. 98, 600

MEMBERSHIP QUALIFICATION

The procedure for application for membership shall be as follows:

- Applicants must provide a copy of their company certificate of registration and PIN certificate upon submission of a completed form and remittance of applicable initiation and stipulated subscriptions fees.
- The Membership and Outreach Committee shall approve all applications if no objections are raised. Any applications submitted that are rejected will have their fees reimbursed in full.
- All applicants must provide a proposer and seconder to allow for the approval of the application. Proposers and seconders must be KPDA members in good standing.
- By signing and submitting this application and paying the required initiation fee and annual subscription for membership, the above applicant agrees to:
 - Familiarise and conduct oneself in accordance with the aims and Code of Ethics of KPDA. A copy of the KPDA Code of Ethics shall be shared with the member.
 - Become familiar with and abide by the KPDA Articles of Association and KPDA Code of Ethics
 - Please make cheques payable to the Kenya Property Developers Association or KPDA.
 - Bank deposits may be made to the account below:

NIC Bank

Branch: Junction

Account Name: KPDA or Kenya Property Developers Association

Account Number: 1000237163

APPLICANT DECLARATION: I have carefully read and understood the application for membership in accordance with the terms of the Articles of Association of the Kenya Property Developers Association. I understand that KPDA may invite inquiries and comments on my membership. I understand that any such information obtained will be held in strict confidence.

FULL NAME: _____

SIGNATURE: _____ **DATE:** _____

PROPOSER/SECONDER DECLARATION

PROPOSED BY: _____

(KPDA Company/Member Name)

FULL NAME: _____ **DESIGNATION:** _____

SIGNATURE: _____ **DATE:** _____

We _____ as KPDA Members in Good Standing hereby propose _____ as a duly registered company to be approved for consideration members of the Kenya Property Developers Association and will abide by and exemplify the KPDA Code of Conduct and the KPDA Articles of Association.

FOR OFFICIAL USE ONLY

RECEIVED BY SECRETARIAT: _____ **RECEIPT NO.:** _____ **DATE:** _____

MEMBERSHIP & OUTREACH COMMITTEE APPROVAL/SIGNATURE: _____

Kenya Property Developers Association
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Marcus Garvey Road at Argwings Kodhek. Kilimani Area
Nairobi, Kenya
Tel: +254 737 530 290/725 286 689



THE KENYA PROPERTY DEVELOPERS ASSOCIATION

CODE OF CONDUCT



'The time is always right to do what is right'

Martin Luther King 1929 - 1968, American leader of the civil rights movement and Nobel Peace Prize winner

KPDA Vision:

"Creating a value driven, sustainable and socially responsible real estate industry."

KPDA Mission Statement:

"To promote the involvement of the private sector in development through advocacy, education, research and ethical standards."

PREAMBLE

In an attempt to manage the Kenyan property development's ethical status, KPDA encourages all its members to avoid costs associated with negative ideals and instead gain the benefits of sound standards of behaviour. Therefore in order to actively promote the importance of virtues and the value of proactively managing ethics amongst its members, the Association emphasizes that sound business values should be viewed as a source of competitive advantage, and building moral capital should be every corporate's goal.

One of KPDA's core interests is to further an ethical business code in the property development industry in Kenya by consolidating and maintaining high business values in our member companies. Members are encouraged to promote ethos and integrity amongst themselves within the property development industry, as well as recognize that unscrupulous conduct by any of its members have adverse repercussions on the reputation, functioning and sustainability of the entire building industry.

KPDA members and their employee representatives are committed to promoting the highest level of professionalism, integrity, and ability available in the property development industry in all its forms. This demonstrates how members embrace the KPDA mandate to achieve and maintain uniformly high professional and ethical standards throughout the property development industry in Kenya.

The development of the property development industry will be enhanced when all stakeholders comply with the KPDA Code of Conduct which covers:

- ❖ Knowledge of and compliance with relevant laws, practice circulars and guidelines, and essential facts;
- ❖ Due diligence and compliance with law and statutory requirements;
- ❖ General duty to clients and public;
- ❖ Prohibition against bringing discredit or disrepute to the real estate industry;
- ❖ Duty to clients in relation to signing of documents;
- ❖ Obligations in respect of agreements;

- ❖ Obligation in conveying offers and counter offers;
- ❖ Interpretation or translation if necessary;
- ❖ Duties in respect of advertisements;
- ❖ Duty to avoid conflict of interests;
- ❖ Recommending professional advice where appropriate;
- ❖ Safeguarding confidential information

This Code of Conduct is designed to foster trust and mutual respect amongst those working in the real estate industry. It is not intended to discourage fair and healthy competition within the industry, but to increase the esteem of the employers, their employees and the individuals who have earned them. We consider industry relationships critical to the industry's success.

The Kenya Property Developers Association (hereinafter "KPDA") and each member have agreed to adhere to and enforce the following Code of Conduct:

COMPANY STANDARDS

EVERY MEMBER OF KPDA SHALL:

1. Be legally registered as a company and maintain current business, tax and regulatory permits required by law.
2. Uphold sound corporate governance in the administration of their business.
3. Operate from a permanent address with all the necessary facilities and equipment to conduct business in an efficient, thorough and timely manner.
4. Maintain detailed and authentic financial records, following generally accepted accounting principles and maintaining appropriate financial control policies and procedures.
5. Arrange a detailed annual audit by an established, registered and qualified accountant.
6. Observe all national laws and other regulations relevant to the projects s/he undertakes and take reasonable care not to knowingly engage with Customers, partners or financiers who conduct illegal or unethical business.

DUTIES TO CUSTOMERS

EVERY MEMBER OF KPDA SHALL:

1. Discharge all duties to the Customer with honesty, integrity and impartiality.
2. Perform all services in a conscientious, efficient and safe manner and accept only business that the KPDA Member reasonably believes it can perform competently, diligently and in the time required.
3. Observe all legal requirements pertaining to the transfer, development and sale of the property.
4. Engage only qualified and registered professionals in the development process and perform reasonable due diligence to ensure the same are registered, insured and of good repute.
5. Ensure that where any payments are legitimately due to the Customer or professionals involved in the contract, the same are made as promptly as possible
6. Exercise due care when handling monies on behalf of the Customer
7. Protect the privacy and confidentiality of the Customer and only disclose non-public information regarding the Customer if:
 - a) Authorized by the Customer to do so;
 - b) Such disclosure is in furtherance of the transaction with the Customer; or
 - c) Such disclosure is required by law or is necessary to prevent a crime or imminent and serious bodily harm to the Customer, the KPDA Member or a third party.
8. Refrain from fraudulent practices, including but not limited to:
 - a) Forgery or alteration of any document;
 - b) False, fictitious or misleading entries or reports;
 - c) Misappropriation of a third party's money or other property; and

- d) False or misleading statements to those investigating irregularities or other misconduct.
9. Refrain from knowingly paying or receiving a bribe or kickback or conferring any benefit intended to influence the conduct of any public or quasi-public official or any political figure.
10. Disclose to the Customer any existing or potential conflict of interest and refrain from making any secret or inappropriate profit or commission from the transaction with the Customer.
11. Not discriminate against or harass any Customer and/or professional on the basis of tribe, race, religion, color, sex, nationality, handicap or family status.
12. Participate in continuing education activities to constantly improve the quality, affordability, innovation and safety of development projects undertaken or products produced or services rendered.
13. Take reasonable steps to conserve the environment in all projects undertaken and make reasonable efforts to foster congenial community relations.
14. Do all in his or her power to provide the Customer with competitive prices and terms so as to make the goal of affordable housing to all Kenyans a reality.

DUTIES TO FELLOW MEMBERS

EVERY MEMBER OF KPDA SHALL:

1. Deal truthfully with other Members and refrain from making any claim known or suspected to be false.
2. Act with utmost good faith in all dealings with fellow Members.
3. Not engage in activities that constitute an illegality in law when dealing with fellow Members.
4. Co-operate with other Members as far as is possible in initiatives to bring down development costs (including but not limited to through formation of joint ventures and sharing of infrastructural costs).
5. Alert KPDA and other Members to public officials, professionals and developers that perform sub-standard work or promote unethical practices.
6. Not malign the name of any other Member in a bid to market oneself as better or otherwise make false or misleading statements about competitors, their businesses or their business practices but instead co-operate with them and work as a team with a common agenda.
7. Support KPDA and other Members in reasoned efforts initiated in good faith to oppose and confront fraud, corruption and harassment of fellow Members.
8. Where charged with unethical practice or requested to co-operate in any other way by KPDA or any government, legal or other investigative body, promptly co-operate and not seek to disrupt or obstruct such process.
9. Participate actively as a KPDA Member and as a stakeholder in the building industry to promote the principles of this Code of Conduct and to support the development of the property development industry.
10. Generally desist from engaging in any practice or take any action inconsistent with the goals and objectives of KPDA.

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Off Argwings Kodhek, Kilimani Area
P. O. Box 76154 - 00508 Nairobi, Kenya
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Email: ceo@kpda.or.ke
Website: www.kpda.or.ke



KENYA PROPERTY DEVELOPERS ASSOCIATION CODE OF CONDUCT

Adherence and Commitment Letter

As a company involved in the property development business in Kenya, and in my capacity as the CEO/Director/Managing Director of _____
(Please write name of company), I hereby express my company's voluntary will and commitment to adhere to the KPDA Code of Conduct.

I understand that we (as a company) are obligated to read through the Code of Conduct and to comply with the principles and policies outlined in the Code of Conduct, including any amendments made by KPDA.

In order to demonstrate our commitment to this Code of Conduct we shall endeavor to do the following:

1. Maintain high company standards and observe all Kenyan laws;
2. Observe our duties to Customers;
3. Observe our duties to fellow Members.

This letter will be signed once upon a member joining KPDA and shall be witnessed by a member of the KPDA Secretariat Staff.

CONSENT BY APPLICANT

NAME OF COMPANY/ORGANIZATION: _____

FULL NAMES: _____

DESIGNATION: _____

SIGNATURE: _____ **DATE:** _____

WITNESSED BY (KPDA)

FULL NAMES: _____

DESIGNATION: _____

SIGNATURE: _____ **DATE:** _____