



THE FUTURE OF S.P.A. AJIBADE & CO.'S REAL ESTATE AND SUCCESSION PRACTICE IN ADAPTING TO THE CONSEQUENCES OF THE COVID-19 PANDEMIC (THE NEED FOR DIGITALISATION)

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By the end of 2020, it's estimated that 50% of the global workforce will fall in the millennial bracket. The next few years will also see the emergence of the baby boomer inheritance mountain, where large amounts of assets will move across generations. With a shift in the target demographic for private succession planning and real estate practice on the horizon, our firm has progressively embraced the digitalisation of our internal processes to ensure the needs of existing and new clients are met across the entire client relationship lifecycle.

The current client experience challenge

It's essential that we make available to our clients, frictionless and personalised interaction with us from the time of onboarding as this sets the tone of our relationship. Across the industries, however, especially regarding private wealth succession planning and transmission, the practice has been fraught with the constant need for personal interactions between us and our clients from when taking instructions to write a Will, execution and attestation of a Will, reading of a Will at the probate registry when death occurs, swearing of the executors at the probate court when the grant of probate is about to be issued etc.

With respect to our Real Estate practice, the current process of registering interest in property is for the most, burdensome, time inefficient and laden with personal interactions and whilst we have done our best to carry on business during the pandemic, it is almost

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impossible to process clients' transactions as a result of the restriction of movement and the complete closure of the Courts, Probate Registry and Lands Bureau.

The system of title registration and deed recording is still mostly paper-based because most of the processes are manual and the movement of physical files is the order of the day. Whilst it is possible to conduct an electronic title search, such searches can only be conducted at the access terminals located within the premises of the Lands Bureau.

In this area, we have done our best to isolate our clients from the rigors involved in following up with their transactions at the Probate Registries, Courts and Lands Bureaus by undertaking physical interactions with the staff and officials and providing regular updates to our client on the status of their assignments.

Embracing digital resources

Digital innovation and new technologies offer opportunities across both sectors. For example, transitioning regulatory and compliance workflows from manual to digital provides improved efficiency, cost savings and lower time to revenue, in addition to a more positive client experience. For our private wealth transfer clients, the Real Estate and Succession department has started to test-run a process of onboarding via video calls by the use of web based applications as well as customised questionnaires to suite our client's personal circumstances and this can also be filled by the client and returned to the firm electronically. After a Will has been drafted it can be executed and attested by witnesses, as required by law in the presence of the client in his/her respective location and subject to the direction of the legal representative or by attendance at the firm, where convenient. This process is a legal requirement which cannot be by-passed and can pose a challenge in the digitalisation process, except the laws are amended.

Digital innovation and new technologies offer opportunities for the real estate sector such as the introduction to the blockchain technology. A blockchain is a decentralized, distributed, and oftentimes public, digital ledger that is used to record transactions across many computers so that any record cannot be altered retroactively, without the alteration of all subsequent blocks. It is basically a record-keeping technology whereby digital information (the "block") is stored in a public database (the "chain").

With surveyors establishing initial and official boundaries of land, the blockchain would support subsequent personal and commercial use of the land. The first block on the chain (i.e. the surveyor's legitimate land measurement) would become the basis for indisputable ownership with future ownership rights based on this initial recording. With many practical applications for the technology already being implemented and explored, such as in Ghana,

it is no longer a question of "if" the real estate industry will catch on to the technology, it's a question of "when."

For both practice areas, digitalisation throughout the lifespan of a client's instruction is the final desired outcome of this current situation for old and new clients. Face-to-face meetings will be less frequent with the ability to provide documents remotely via online portals. Client interaction will also be limited to when information or data is required at appropriate times.

Advanced technologies and capabilities such as natural language processing (NLP) and machine learning (ML) will gradually reduce the middle and back office who will no longer need to deal with repetitive, manual processes such as printing, photocopies and physical dispatch of documentation. These technologies will allow us to extract the required information and text from scanned documents which can then be referenced against other data sources internally and externally.

The benefits and challenges of digitalisation

We will be able to fast track time to create more value, reduce costs, improve efficiency and focus on our clients' needs as we embrace new, innovative and highly automated technologies that can help improve our processes. It will also assist us in the development of new systems and new areas of practice to serve our clients better.

In addition, the use of blockchain is likely to lead to an improved trust and transparent system whilst making available, shared databases that are safe and resistant to manipulation and effectively ensuring an optimized, fast and economical process.

However, some challenges may be encountered such as the significant technology cost and Nigeria's grossly inadequate infrastructural base which may be incapable of catering for the anticipated technological development. In addition, there are also issues of cyber security, hacking, impersonation and other cybercrimes. However, the potential benefits outweigh the disadvantages. Furthermore, these disadvantages can be mitigated by ensuring the deployment of adequate IT security infrastructure to counter the expected challenges and therefore minimise our risks.

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