

Administrative Decision No. (97) of 2012
Concerning the Method of Registration of Lease Contracts in the Emirate of
Abu Dhabi

Chairman of the Department of Municipal Affairs:

Having reviewed:

- Law No. (1) of 1974 concerning the reorganization of the Governmental Body in the Emirate of Abu Dhabi and its amendments;
- Law No. (3) of 2005 concerning the regulation of the real estate registration in the Emirate of Abu Dhabi;
- Law No. (19) of 2005 concerning real estate ownership as amended by Law No. (2) of 2007;
- Law No. (20) of 2006 concerning the lease of premises and the regulation of landlord-tenant relationship in the Emirate of Abu Dhabi and its amendments;
- Law No. (10) of 2006 concerning the municipality and municipal council of the Western Region in the Emirate of Abu Dhabi;
- Law No. (9) of 2007 concerning the establishment of the Department Municipal Affairs;
- Law No. (10) of 2007 concerning the municipality and municipal Council of Abu Dhabi City in the Emirate of Abu Dhabi;
- Law No. (11) of 2007 concerning the municipality and municipal Council of Al-Ain in the Emirate of Abu Dhabi;
- Resolution No. (4) of 2011 concerning the rules and procedures of the Registration of Lease Contracts in the Emirate of Abu Dhabi
- And based on what is dictated by both work and public interest .

Decided:

Article (1)

Definitions

Emirate	Emirate of Abu Dhabi
Department	Department of Municipal Affairs
Resolution	Chairman of the Executive Council Resolution No. (4) of 2011 concerning the rules and procedures of the Registration of Lease Contracts in the Emirate of Abu Dhabi.

Municipality	Abu Dhabi City Municipality, Al Ain City Municipality or the Western Region Municipality and any Municipality that may be established in the future in the Emirate
Relevant section	Lease contract registration section at Abu Dhabi municipality.
Competent committees	Rent Dispute Settlement Committee, Committee of Appeal and Cassation Committee formed pursuant to Law No. (20) of 2006 concerning the lease of premises and the regulation of the landlord-tenant relationship in the Emirate of Abu Dhabi and its amendments.
Lease contract	A contract with a duration not exceeding four years, concluded pursuant to the provisions of the aforesaid Law No. (20) of 2006.
Register of Lease Contracts	The register prepared by the Concerned Municipality pursuant to the provisions of Article (2) of this resolution.
Landlord	The owner of the real property or his legal representative.
Tenant	Every natural or legal person bound by a lease contract with the landlord.

Article (2)

Register Preparation

The municipality shall maintain a record called "The Register of Lease Contracts" which contains the data of the real estate used for residential, commercial, or industrial purposes, the occupants' data for leased residential real estate only, in addition to the landlord and tenant's data subject to the following:

1. Accuracy and validity of the information related to the real estate, landlord, tenant, occupants, and lease contract and to report on any change in data after contract registration.
2. 2- Matching the real estate data with the approved database at the relevant section.

Article (3)**Manual of Procedures**

The Municipality will also prepare a unified manual on procedures required for registration and can amend it when it deems necessary.

Article (4)**Registration of Lease Contracts**

Only Lease Contracts registered pursuant to the provisions of Resolution No. 4 of 2011 shall be considered by the Competent Entities.

Article (5)**Lease Amendment**

Any amendment to the registered lease contract shall be annotated (marked) in the register of lease contracts subject to the following:

- 1- No amendment shall be made to the conditions and details of the lease contracts recorded in the Register of Lease Contracts without the consent of both parties to the contract and their presence in person, by their representatives, or by a court ruling.
- 2- The decisions of summary courts shall be treated as judicial rulings and must be referred to the Committee for Exceptional Cases to oversee its implementation.
- 3- In case of a request to amend the information in the Register by virtue of a court ruling, the ruling must be appended with the writ of execution appended.
- 4- Proven material errors in the Register sheets may be rectified on its own initiative or at the request of stakeholders. After registration, no correction shall be made without notifying stakeholders.

Article (6)**Suspension of Transactions for Violating Landlords**

The concerned section of the municipality may suspend the landlord's transactions pertaining to new leases for violating real estate in any of the following cases:

1. Failure to register the real estate data in the automated system for registering lease contracts according to the plan approved by the concerned municipality.
2. Failure to register the lease contracts within the time limit specified in Article (5) of the Resolution.
3. Failure to register lease contracts at the municipality in case of renewal or amendment.

Article (7)**Committee of Exceptional Cases**

1. A committee shall be formed, by a decision of the general manager of the municipality and headed by the head of lease contract notarization section, to review exceptional cases resulting from the implementation of the said resolution.
2. The professional degree of the committee members shall not be less than the third degree.
3. The committee conducts an investigation about the case presented and makes its recommendations by majority. In case of tied vote, the head's side shall have the casting vote.

The recommendations of the exceptional cases committee shall be endorsed by the general manager of the municipality, and he has the right to amend or reject the recommendations, and its decisions shall be deemed final after the endorsement of the general manager.

Article (8)**Coordination Mechanism with Government Departments and Competent Entities**

The municipality shall coordinate with all relevant entities to ensure the implementation of the provisions of this resolution as follows:

1. Conclude memoranda of understanding with all competent entities from government departments and other competent entities, whose transactions require the attachment of a lease contract.
2. Rejection of non-registered lease contracts.
3. Provide the competent authorities with clarifications on the standard form of the contract, its provisions, and how the contract should be before and after registration.
4. The municipality shall train all entities that will be authorized to use the automated system for registering lease contracts.
5. The municipality shall activate the means of publishing and advertising in order to spread awareness about the rules of lease contract registration system on the emirate level.

Article (9)**Registration Fees**

The municipality shall collect registration fees of lease contracts according to the table appended to the resolution and subject to the following:

1. In case of replacement of the tenant in the same leased premises, the current contract shall be deemed terminated, and both parties shall conclude a new contract with new fees.
2. Registration fees for the real estate and its affiliated units should be made as one payment upon registration as follows:
 - a. AED 1000 per building on one lot of land and AED 5 per lease unit therein.
 - b. AED 1000 per all villas built on one lot of land and AED 5 per lease unit.
3. The prevailing and valid lease contracts made before the issuance of this resolution shall be exempted from the registration fees where their fees are to be only collected upon renewal.

Article (10)

This decision shall be published in the Official Gazette and shall become effective from the date of its publication.

Majed Ali Al-Mansouri
Chairman of the Department of Municipal Affairs.

Issued by us

On: 24 June 2012.

Corresponding to: 4 Shaban 1433 Hijri.