

**Decree No. (26) of 2013 Concerning  
RENT DISPUTES SETTLEMENT CENTER  
IN THE EMIRATE OF DUBAI**

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**We, Mohammed bin Rashid Al Maktoum, Ruler of Dubai,**

Having reviewed:

Federal Law No. (5) of 1985 Issuing the Civil Transaction Law of UAE, as amended;

Federal law No. (11) of 1992 Issuing the Civil Procedure Law, as amended;

Law No. (6) of 1992 establishing the Judicial Council, as amended;

Law No. (2) of 2003 Regulating the Lease of Property in the Emirate of Dubai;

Law No. (3) of 2003 Establishing the Executive Council of the Emirate of Dubai;

Law No. (7) of 2006 Concerning Real Property Registration in the Emirate of Dubai;

Human Resources Management Law No. (27) of 2006, as amended;

Law No. (26) of 2007 Regulating the Relationship between Landlords and Tenants in the Emirate of Dubai, as amended;

Law No. (15) of 2009 Concerning the Hearing of Rental Disputes Within the Free Zone;

Emiri Decree No. (2) of 1993 Concerning the formation of a Special Judicial Committee to Settle Disputes Between Landlords and Tenants, as amended;

Regulation No. (3) of 2006 Specifying the Areas where Non-UAE Nationals May Own Real Properties in Dubai; and

Local Order No. (1) of 2004 Concerning the Fees of the Rent Committee in the Emirate of Dubai,

**Decreed as follows:**

## **NAME OF THE DECREE**

### **Article (1)**

This decree is called "**Decree Concerning Rent Disputes Settlement Center in the Emirate of Dubai No. (26) of 2013**".

### **Definitions:**

#### **Article (2)**

The following words and expressions shall bear the meanings assigned thereto respectively wherever they appear in this Decree unless the context indicates otherwise:

Emirate:	Emirate of Dubai
The Ruler:	HH the Ruler of Dubai
The Executive Council:	The Executive Council of the Emirate
The Council:	The Judicial Council
Department:	Land Department
Center:	Rent Disputes Settlement Center in Dubai
Committee:	Judicial committee formed in the first instance or appeal departments at the Center.
Rent Dispute:	A dispute arising between a landlord and a tenant relating to leasing immovable properties.

### **Goals of the Decree**

#### **Article (3)**

This Decree aims at finding a judicial system specialized in hearing rental disputes, developing the procedures of adjudicating this kind of disputes through a fast and simple mechanism in order to achieve social and economic stability for all those concerned with property leasing and related sectors in order to support the sustainable development of the Emirate.

## **Scope of Application**

### **Article (4)**

- A- The provisions of this decree shall apply to the Special Judicial Committee for Disputes Settlement between Landlords and Tenants formed pursuant to Decree No. (2) of 1993 referred to hereinabove.
- B- The title "The Special Judicial Committee for Disputes Settlement between Landlords and Tenants" shall be replaced by the title "Rental Disputes Settlement Center in Dubai".

## **Headquarters of the Center**

### **Article (5)**

The headquarters of the center shall be at the department. Other offices may be opened in the Emirate.

## **Competences of the Center**

### **Article (6)**

- A- The Center shall exclusively carry out the following competences:
- 1- Settlement of all rental disputes arising between property landlords and tenants in the Emirate or inside the free zones including counterclaims arising from such disputes and the requests to take temporary or summary procedures submitted by any party to the lease contract,
  - 2- Deciding on the appeals filed against the decisions and judgments that may be appealed in accordance with the provisions of this Decree, and the regulations and resolutions issued thereunder.
  - 3- Enforcement of decisions and judgments issued by the Center on the rental disputes falling within its mandate.
- B- The center shall not hear the following rental disputes:
- 1- Rental disputes arising inside the free zones that have special judicial committees or courts competent to settle rental disputes arising within their boundaries.
  - 2- Rental disputes arising from finance lease contracts.

- 3- Disputes arising from long term lease contracts in which are subject to the provisions of law No. (7) of 2006 referred to hereinabove.

## **The Organization Structure of the Center**

### **Article (7)**

**A-** The organization structure of the Center consists of two sectors, a judicial sector and an administrative sector.

**B-** The judicial sector consists of the following organizational departments and units:

- 1- Reconciliation Department
- 2- First Instance Department
- 3- Appeal Department

Judgments Execution Department.

**C-** The administrative sector of the Center consists of a number of structural units mandated to provide technical and administrative support for the judicial sector.

## **Chairman of the Center**

### **Article (8)**

The center shall be headed by a judge, of a grade not less than an appeal judge, who shall be appointed by a decree to be issued by the Ruler. This judge shall supervise the judicial sector works of the center. He shall, in particular:

- 1- Supervise the distribution of cases in first instance and appeal departments;
- 2- Propose the regulations and resolutions that will regulate work at the judicial sector at the Center, including charges and fees of services provided by the Center,
- 3- Coordinate with all judicial and governmental authorities in all matters pertaining to the center's work in the judicial sector.

## **Secretary General of the Center**

### **Article (9)**

The Center shall have a Secretary General who shall be appointed by a resolution of the Director General of the department. He is to supervise the works of the administrative sector of the Center and any other tasks assigned thereto by the Chairman of the Center.

## **Department of Reconciliation**

### **Article (10)**

- A- A department of reconciliation shall be established at the Center that shall conduct amicable settlement of rental disputes in accordance with the controls approved by the Chairman of the Center except the following:
  - 1- Temporary and summary orders, applications, actions.
  - 2- Actions filed prior to the entry into force of this Decree.
- B- Department of reconciliation consists of a number of law men and experts appointed by the Department;
- C- Rental disputes submitted to the department of reconciliation are heard and solved by a number of specialists under the supervision of a judge seconded for same to work with the Center;
- D- Department of reconciliation examines rental disputes presented there before by inviting the parties or their representatives; examining the relevant documents, instruments and evidence; suggesting reconciliation and offering compromises in order to reach an amicable settlement of the rental dispute;
- E- The legal periods prescribed for not hearing the action and also prescriptions stipulated in applicable laws shall be interrupted from the date of filing the rental dispute before the Reconciliation Department;
- F- The Department shall try to settle the rental dispute amicably within a maximum period of (15) fifteen days from the date of the parties' attendance before the department. Such period may be extended for a similar period(s) by a decision of the supervising judge;
- G- If reconciliation is achieved between rental dispute parties, this shall be documented by a reconciliation agreement signed by the parties and approved by the judge supervising the department of reconciliation. This agreement shall have the power of an executive instrument;
- H- Department of Reconciliation may seek the help of whomever it deems suitable of experts and specialized persons to provide their technical expertise in matters proposed before the Department. The decision to engage an expert shall define the mission assigned thereto, the period required for achieving such mission, the expert's fees and the party charged with such fees;
- I- Charges prescribed for the registration of action shall be collected on the registration of the rental dispute presented to the Department of Reconciliation

according to the charges set by the Center. Half of the charges shall be refunded in case an amicable settlement is reached between the parties.

### **Appointment of the Chairpersons and Members of Committees**

#### **Article (11)**

Chairpersons and members of committees of which first instance and appeal departments are formed shall be appointed by a resolution of the Chairman of the Council.

### **Taking Oath**

#### **Article (12)**

Committees' members who are not judges shall take the oath before they begin their duties before the Chairman of the Council with the following wording "I swear by Allah the Glorious that I will judge with justice, respect laws and perform my duty with complete honesty and dedication".

### **First Instance Department**

#### **Article (13)**

- A- First Instance Department consists of a sufficient number of committees; each of them consists of a chairman and two members of experience and competence in legal and real estate fields. These committees are concerned with deciding on rental disputes referred to in Article (6) of this Decree provided that the Chairman of each committee shall be a judge. The Chairman of the Council may appoint a legal expert as the head of any such committee.
- B- The Chairman of the Center may dedicate a committee(s) within the first instance department to hear a specific kind of rental disputes subject to the nature of the action, the location of the leased property unit or the nature of its use.

### **Appeal Department**

#### **Article (14)**

An appeal department consists of sufficient number of committees; each consisting of a Chairman and two members of experience and competence in the real estate field provided that the chairman of each committee is a judge. These committees shall be concerned with deciding on the appeals submitted against decisions and judgments issued by the First Instance Department. The judgments of the Appeal Department shall be final and unchallengeable by any means. They shall be executed according to the procedures and rules adopted by the Center.

## **Meetings of Committees**

### **Article (15)**

Meetings of committees shall be valid with the presence of all members thereof and they shall issue their resolutions and judgments unanimously or by majority in the name of the Ruler.

## **Deciding on Actions**

### **Article (16)**

The committees formed pursuant to the provisions of this decree shall decide on the rental actions referred thereto within a period not exceeding (30) thirty days from the date of referral of the action is filed. This period may be extended for other periods subject to the controls and procedures approved by the Chairman of the Council in this regard.

## **Appealing the Judgments of the First Instance Department**

### **Article (17)**

A- Judgments of the First Instance Department shall be appealed before the Appeal Department except for judgments issued in rental claims actions that are less than (AED 100,000) one hundred thousand Dirhams which shall be final and unchallengeable by any means.

B- Judgments issued by the First Instance Department, which are less than the amount referred to in Para (A) of this article, may be appealed in any of the following cases:

- 1- If an eviction judgment is issued;
- 2- If a judgment is issued in violation of the jurisdiction rules;
- 3- If a judgment is issued with something not requested by the parties, or with more than what they requested or it disregarded some requests;
- 4- If a judgment is issued against a person who has not been properly represented in the action or there was a nullity in the service thereupon;
- 5- If a judgment is based on papers or documents which were declared to be forgeries after the judgment was issued or a judgment of their forgery was issued or the judgment was based on a testimony that was judged as a false testimony after the judgment was issued; and
- 6- If a party to the lease hides data or documents from the First Instance Department that would have changed the judgment on the action.



## **Time to Appeal Judgments**

### **Article (18)**

- A- The time to appeal judgments issued by the First Instance Department shall be (15) fifteen days from the day following the issuance of the judgment. If the convicted person was not present in all the sessions and doesn't provide a defense briefing, the time to appeal will start on the date of serving the judgment thereupon.
- B- In order for the appeal against the judgment of the First Instance Department concerning financial claims actions to be accepted, the adjudged person shall deposit half the amount judged at the Center until the appeal is decided. However, the Chairman of the Center may decide to accept an appeal without depositing such amount or after collecting a percentage thereof.

## **Applicable Sources**

### **Article (19)**

Committees shall decide on the rental disputes and appeals presented thereto based on:

- 1- Statutes applicable in the Emirate;
- 2- Islamic Sharia;
- 3- Principles of natural justice, rules of rightness and fairness; and
- 4- Traditions except what violates the laws, public order or public morals.

## **Work Procedures of the Center**

### **Article (20)**

Chairman of the Council shall issue the system of procedures and rules that shall be followed by the Center in all matters relating to the registration of actions, requests, judgments and execution of judgments at the First Instance Department, the Appeal Department, the Reconciliation Department or the Execution Department. Until that system is issued, the Center may take guidance from the provisions stipulated in Rules of Procedure applicable in judicial committees and pertaining to deciding on disputes between landlords and tenants.

## **Execution of Judicial Judgments**

### **Article (21)**

All final judgments issued by first instance and appeal departments shall be executed by the Execution Department affiliated to the Center. The Chairman of the Center may use the Execution Department of Dubai Courts to execute the judgments issued by the Center.

## **Appealing Decisions and Judgments issued before Decree Goes into Force**

### **Article (22)**

Without prejudice to the provisions of Article (17) hereof, decisions and judgments which were not executed on the validity date of this Decree may be appealed within (30) thirty days from the validity date of this decree.

## **Charges**

### **Article (23)**

- A- The Center shall collect the charges determined by a resolution of the Chairman of the Executive Council for the registration of actions and requests presented thereto and all the other services provided by the center.
- B- Charges stipulated in the local Order No. (1) of 2004 referred to above shall remain in force until the resolution of the Executive Council referred to in Paragraph (A) of this article is issued.

## **Remuneration of the Committees Members**

### **Article (24)**

The Chairman of the Council shall issue a regulation concerning the remuneration that may be disbursed to chairpersons and members of committees.

## **Automation and the Use of Technology**

### **Article (25)**

Works at the center shall be automated at both the judicial and administrative sectors in a way that ensures simplicity of procedures and speedy adjudication on rental disputes.

## **Supporting the Center**

### **Article (26)**

The Department shall meet all the Centre's needs to enable it to perform the competences assigned thereto pursuant to this Decree including provision of headquarters, financial, administrative and technical support.

## **Financial Resources of the Center**

### **Article (27)**

Financial resources of the Center consist of the following:

- 1- Support decided for the Center in the Department's budget,
- 2- Charges and service fees charged by the Center for actions, requests, transactions and services provided thereby.

## **Transitional Provisions**

### **Article (28)**

- A- The Center shall hear and decide upon all actions and requests filed with the judicial committee authorized to settle disputes between landlords and tenants at the time of coming into force of this Decree unless they are held for a judgment.
- B- All employees of the judicial committee to settle disputes between landlords and tenants shall be transferred to the Department on the validity date of this Decree without prejudice to their acquired rights and the Law or Human Resources Management of Dubai Government No. (27) of 2006 as amended shall apply to them.

## **Repeals**

### **Article (29)**

- A- This Decree shall substitute law No. (15) of 2009 pertaining to hearing rental disputes inside the free zones and Decree No. (2) of 1993 pertaining to the judicial committee to settle disputes between landlords and tenants.
- B- Any text in any other legislation that contradicts with the provisions of this Decree shall be repealed.

## **Executive Resolutions Issuance**

### **Article (30)**

The Chairman of the Council shall issue the resolutions that are necessary to implement the provisions of this Decree.

## **Publication and Validity**

### **Article (31)**

This Decree shall be published in the Official Gazette and shall go into effect sixty days after its publication date.

**Mohammed bin Rashid Al Maktoum,  
Ruler of Dubai**

Issued on: 18 September 2013AD  
Corresponding to: 13 Dhul Qa'dah  
1434H