



What is the ruling on what is referred to as "naql al qadam"

Fatwa no. 5157:

Q: What is your opinion (may Allah be merciful with you) on receiving or paying money for renting out a shop, a flat, or a fair bearing in mind that this money is different to the sum which is written in the contract. Rather, the concerned sum is regarded as a vacating rate. The point is that some people view the foregoing as devouring the properties of others unjustly. It may be worth mentioning that such a practice is widespread in today's markets and that the sum involved in it differs according to the importance of the place, its expected revenue, and the demand on it. Provide us with your beneficial answer please. May Allah be merciful with you.

(Part No : 15, Page No: 89)

A: In case a person hires a house, a flat, or a fair for a certain period; it is permissible for them to rent it out to another person for the rest of the concerned period. This can be done for little or much money provided that no injustice is involved. However, in case a person's hiring period has already expired, it is impermissible for them to rent out the concerned house, flat, or fair unless they get permission of the owner thereof. Otherwise, the received rent is considered Haram (prohibited) regardless of it being little or much. This is because after the expiry of the period of rent, the house becomes the absolute right of its owner and thus any person benefiting from it without the consent of the owner is tantamount to assaulting the rights of the latter which is forbidden and considered devouring others' properties unjustly. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

Permanent Committee for Scholarly Research and Ifta'

Member	Member	Deputy Chairman	The Chairman
`Abdullah ibn Qa`ud	`Abdullah ibn Ghudayyan	`Abdul-Razzaq `Afify	`Abdul-`Aziz ibn `Abdullah ibn Baz