Administrative Resolution No. (54) of 2023 Prescribing the Requirements and Procedures for Exchanging Housing Grants[1]

The Chief Executive Officer of the Mohammed bin Rashid Housing Establishment,

After perusal of:

Law No. (2) of 2023 Concerning the Mohammed bin Rashid Housing Establishment; and

Executive Council Resolution No. (1) of 2023 Issuing the Implementing Bylaw of Law No. (2) of 2023 Concerning the Mohammed bin Rashid Housing Establishment,

Does hereby issue this Resolution.

Definitions
Article (1)

The words and expressions mentioned in this Resolution will have the same meaning assigned to them in the above-mentioned Executive Council Resolution No. (1) of 2023. The following words and expressions, wherever mentioned in this Resolution, will have the meaning indicated opposite each of them unless the context implies otherwise:

Exchange:	The exchange, approved by the MBRHE, of Residential Land Grants or Move-in Ready Dwelling Grants between two Beneficiaries.
Emirati Platform:	The unified electronic system jointly used by the concerned entities in the Emirate, including the MBRHE, the DM, and the Land Department, to provide all services, including the Exchange service, to the citizens of the Emirate.

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[1] *Every effort has been made to produce an accurate and complete English version of this legislation. However, for the purpose of its interpretation and application, reference must be made to the original Arabic text. In case of conflict, the Arabic text will prevail.*

Scope of Application
Article (2)

The provisions of this Resolution apply to all requests for the Exchange of the Residential Land Grants or Move-in Ready Dwelling Grant awarded by the MBRHE.

Requirements for the Exchange of Residential Land Grants Article (3)

The approval of an application for the Exchange of a Beneficiary's Residential Land Grant will be subject to the following requirements:

1. Both Beneficiaries must be holders of family books (*Khulasat Qaid*) and passports issued from the Emirate.

2. Both Beneficiaries must have been awarded Residential Land Grants.

3. The residential land must not have been granted pursuant to special orders.

4. Both Beneficiaries must not have exchanged their Residential Land Grants through the DM or the MBRHE.

5. Both Beneficiaries must undertake in writing not to receive any financial benefit from each other as a result of the Exchange.

6. Both Beneficiaries must undertake in writing not to claim from the MBRHE, the DM, or any other Government Entity, any compensation or any amounts in respect of the difference in area of the residential land as a result of the Exchange.

7. The Beneficiaries must sign an Exchange agreement on the form prescribed by the MBRHE for this purpose.

8. The Granted Residential Land must not be subject to any legal restrictions or third-party rights that preclude the Exchange.

9. The Granted Residential Land must not have been subdivided and must be clear of any construction works.

Requirements for the Exchange of Move-in Ready Dwelling Grants
Article (4)

The approval of an application for the Exchange of a Beneficiary's Move-in Ready Dwelling Grant will be subject to the following requirements:

1. Both Beneficiaries must be holders of family books (*Khulasat Qaid*) and passports issued from the Emirate.

2. Both Beneficiaries must have been awarded Move-in Ready Dwelling Grants.

3. The Move-in Ready Dwelling Grants must not have been awarded pursuant to special orders.

4. Both Beneficiaries must not have exchanged their Move-in Ready Dwelling Grants through the DM or the MBRHE.

5. Both Beneficiaries must undertake in writing not to receive any financial benefit from each other as a result of the Exchange.

6. Both Beneficiaries must undertake in writing not to claim from the MBRHE, the DM, or any other Government Entity, any compensation or any amounts in respect of the difference in area of the Residential Land or the Move-in Ready Dwelling as a result of the Exchange.

7. Both Beneficiaries must sign an Exchange agreement on the form prescribed by the MBRHE for this purpose.

8. The Move-in Ready Dwelling subject of the Exchange must have been constructed by the MBRHE.

9. The Move-in Ready Dwelling must not be subject to any legal restrictions or third-party rights that preclude the Exchange.

10. There must be no construction violations in respect of the Move-in Ready Dwelling subject of the Exchange.

11. The Move-in Ready Dwelling must be suitable for the family of the Beneficiary, as per the relevant case study conducted by the MBRHE.

12. The spouse of the Beneficiary, or his spouses in case he is married to multiple spouses who are residing with him in the same Move-in Ready Dwelling, must consent to the Exchange.

13. Both Beneficiaries must undertake in writing to jointly pay the cost of conducting inspection to determine the maintenance required for the Move-in Ready Dwelling subject of the Exchange.

Procedures for Submitting Exchange Applications
Article (5)

The following procedures will be followed in submitting an Exchange application:

1. The Exchange application will be submitted through the Emirati Platform together with the required supporting documents.

2. The MBRHE will consider the Exchange application in coordination with the competent entity in the Emirate, and verify that it meets all relevant requirements and is accompanied by all required documents.

3. The MBRHE may conduct on-site visits to verify that the Exchange application meets all relevant requirements and is accompanied by all required documents.

4. Where the Residential Land or Move-in Ready Dwelling subject of the Exchange is available and all the Exchange requirements stipulated in this Resolution are fulfilled, the MBRHE will, in coordination with competent entities, issue its approval of the Exchange application through the Emirati Platform.

5. Where the Exchange application is rejected, the MBRHE will, in coordination with the competent entity in the Emirate, notify the applicant of the reasons for rejection through the Emirati Platform.

6. Where the Exchange application is approved, and unless both Beneficiaries agree that one of them will bear the service fees, both Beneficiaries will be instructed to pay the fees prescribed for the Exchange service, and the relevant new site plan will be issued through the Emirati Platform.

Issuing Implementing Instructions
Article (6)

The Chief Executive Officer of the Housing Sector of the MBRHE will issue the instructions required for the implementation of the provisions of this Resolution.

Repeals
Article (7)

Any provision in any other resolution is hereby repealed to the extent that it contradicts the provisions of this Resolution.

Commencement and Publication
Article (8)

This Resolution comes into force on the day on which it is issued, and will be published in the Official Gazette.

Omar Hamad Abu Shehab

Chief Executive Officer

Issued in Dubai on 8 June 2023

Corresponding to 19 Thu al-Qidah 1444 A.H.