

Law No. (2) of 2023
Concerning the
Mohammed bin Rashid Housing Establishment¹

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

After perusal of:

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

Law No. (4) of 2011 Concerning the Mohammed bin Rashid Housing Establishment;

Law No. (22) of 2015 Regulating Partnership between the Public Sector and the Private Sector in the Emirate of Dubai;

Decree No. (28) of 2015 Concerning Governance of the Councils/ Boards and Committees Affiliated to the Government of Dubai;

Law No. (1) of 2016 Concerning the Financial Regulations of the Government of Dubai, and its Implementing Bylaw and its amendments;

Law No. (8) of 2018 Concerning Management of the Government of Dubai Human Resources;

Decree No. (31) of 2016 Concerning the Mortgage of Granted Land in the Emirate of Dubai;

Decree No. (1) of 2019 Regulating the Establishment of Companies by Government Entities in the Emirate of Dubai;

Law No. (12) of 2020 Concerning Contracts and Warehouse Management in the Government of Dubai;

Decree No. (23) of 2020 Regulating the Sale by Heirs of Residential Real Property in the Emirate of Dubai; and

The Order of 1961 Establishing the Dubai Municipality,

Do hereby issue this Law.

©2024 The Supreme Legislation Committee in the Emirate of Dubai

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.*

Title of the Law
Article (1)

This Law will be cited as "Law No. (2) of 2023 Concerning the Mohammed bin Rashid Housing Establishment".

Definitions
Article (2)

The following words and expressions, wherever mentioned in this Law, will have the meaning indicated opposite each of them unless the context implies otherwise:

Emirate:	The Emirate of Dubai.
Ruler:	His Highness the Ruler of Dubai.
Government:	The Government of Dubai.
Executive Council:	The Executive Council of the Emirate of Dubai.
DM:	The Dubai Municipality.
MBRHE:	The Mohammed bin Rashid Housing Establishment.
Board of Directors:	The board of directors of the MBRHE.
CEO:	The chief executive officer of the MBRHE.
Housing Service:	A housing solution provided by the MBRHE to a Beneficiary in accordance with the provisions of this Law and its implementing bylaw, and the resolutions issued in pursuance thereof.
Beneficiary:	A UAE National who receives a Housing Service in accordance with the provisions of this Law and its implementing bylaw, and the resolutions issued in pursuance thereof.
UAE National:	Any UAE National holding a family book (<i>Khulasat Qaid</i>) issued in the Emirate.

Scope of Application

Article (3)

The provisions of this Law will apply to the Mohammed bin Rashid Housing Establishment, regulated pursuant to the above-mentioned Law No. (4) of 2011 as a public corporation having legal personality and the legal capacity required to undertake all acts and dispositions that ensure the achievement of its objectives.

Head Office of the MBRHE

Article (4)

The head office of the MBRHE will be located in the Emirate. Other branches of the MBRHE may be established within the Emirate pursuant to a resolution of the Board of Directors.

Objectives of the MBRHE

Article (5)

The MBRHE will have the following objectives:

1. to meet the present and future housing needs of Beneficiaries, and find the financing alternatives to provide for these needs;
2. to enhance family stability and secure the well-being of UAE Nationals in Dubai by providing them with suitable housing that aligns with their living conditions;
3. to provide suitable Housing Service options and alternatives in a manner that guarantees sustainable living conditions for Beneficiaries;
4. to develop streamlined and swift procedures that allow Beneficiaries to access the Housing Services; and
5. to maintain the characteristics and privileges offered by the residential compounds developed by the MBRHE.

Functions of the MBRHE

Article (6)

For the purpose of achieving its objectives, the MBRHE will, in coordination with the competent Government Entities in the Emirate where required, have the duties and powers to:

1. prepare and develop comprehensive strategies and general policies for the housing of UAE Nationals in the Emirate; submit these strategies and policies to the Executive Council for approval; and follow up their implementation;

2. develop and manage the plans, programmes, and initiatives aimed at developing the housing system for UAE Nationals in the Emirate, in accordance with the strategies and policies approved by the Executive Council;
3. regulate the processes for providing Beneficiaries with Housing Services, in accordance with the provisions of this Law and its implementing bylaw, and the resolutions issued in pursuance thereof;
4. consider and determine applications for Housing Services submitted by eligible Beneficiaries, in accordance with the provisions of this Law and its implementing bylaw, and the resolutions issued in pursuance thereof;
5. provide housing solutions and alternatives to Beneficiaries, including constructing residential units and compounds, allocating or renting them out to Beneficiaries and taking lease of residential units owned by third parties on behalf of Beneficiaries;
6. offer interest-free loans and grants to Beneficiaries for financing the construction or purchase of residential units; or for covering the costs of housing maintenance, extension, or reconstruction;
7. take necessary legal action against the Beneficiaries who fail to honour their obligations under this Law and its implementing bylaw, and the resolutions issued in pursuance thereof;
8. identify the needs and service facilities in the areas designated for the housing of UAE Nationals in the Emirate;
9. contribute to alleviating the financial burdens on Beneficiaries by waiving, reducing, or allowing the payment of the fees and charges prescribed for land and housing in the Emirate by instalments;
10. sell, purchase, and leasing out real property and movables to enable the MBRHE to perform its functions under this Law and its implementing bylaw, and the resolutions issued in pursuance thereof;
11. design and construct, by itself or through contracted corporations and companies, residential units and compounds to accommodate Beneficiaries; and design and implement the utility works related to these units and compounds;
12. establish companies either solely or in partnership with others; establish or participate in investment funds; and invest its assets and property to increase its capital and achieve its objectives, in accordance with the legislation in force in the Emirate;

13. manage, by itself or through corporations specialised in this field, such as financial and banking institutions, the financial, administrative, and technical operations related to Housing Services;
14. conclude Partnership Contracts with the Private Sector as required to provide Housing Services to the Beneficiaries;
15. link the electronic platform of the MBRHE to the electronic platforms of the concerned Government Entities to facilitate the submission of Housing Service applications and enhance the Beneficiary's experience in accessing Housing Services; and
16. exercise any other duties or powers required to achieve the MBRHE's objectives, as assigned to it by the Ruler or the Chairman of the Executive Council.

Outsourcing the MBRHE Functions

Article (7)

The MBRHE may, in accordance with applicable legislation, outsource any of its functions under this Law to any public or private entity pursuant to an agreement concluded with that entity for this purpose. This agreement will state its term and the rights and obligations of both parties.

Organisational Structure of the MBRHE

Article (8)

The organisational structure of the MBRHE will consist of the following organisational levels:

1. a Board of Directors; and
2. an executive body.

Board of Directors

Article (9)

The MBRHE will have a Board of Directors comprised of a Chairman, vice chairman, and a number of experienced, competent, and specialised Members appointed pursuant to a decree issued by the Ruler. Membership of the Board of Directors will be for a renewable term of three (3) Years.

Functions of the Board of Directors

Article (10)

- a. The Board of Directors is the highest authority responsible for overseeing the MBRHE. The Board of Directors will undertake general supervision of the achievement of the MBRHE's

objectives; the management of its affairs; and the implementation of its policies, plans, and programmes. In particular, the Board of Directors will have the duties and powers to:

1. approve the strategic plans and general policies of the MBRHE; submit these plans and policies to the Executive Council for final approval; and supervise their implementation;
2. approve, and follow up the implementation of, the operational initiatives, programmes, and plans required for the implementation of the strategies and general policies approved by the Executive Council;
3. approve the draft annual budget and Financial Statements of the MBRHE, and submit the same to the competent entities in the Emirate for final approval;
4. approve the organisational structure of the MBRHE and submit the same to the competent entities in the Emirate for final approval;
5. approve the resolutions and bylaws regulating the administrative, financial, and technical work of the MBRHE;
6. appoint auditors, determine their remuneration, and review their reports and notes;
7. review all matters related to the Housing Services provided by the MBRHE, make the necessary proposals for developing these services, and submit these proposals to the Executive Council for approval;
8. approve the investment plans and establish the companies, corporations, and funds that support the achievement of the objectives of the MBRHE, in accordance with the legislation in force in the Emirate;
9. approve, in accordance with the legislation in force in the Emirate, Partnership Projects with the Private Sector;
10. follow up the performance by the MBRHE's executive body of its functions;
11. form Committees and work teams, and determine their functions and terms of reference;
12. determine, upon the recommendation of the CEO, the applications for Housing Services related to humanitarian cases, subject to the relevant conditions, requirements, and criteria approved by the Board of Directors;
13. submit periodic reports on the performance of the MBRHE to the Executive Council to issue the relevant directives as it deems appropriate; and
14. exercise any other duties or powers relevant to the work of the Board of Directors, as assigned to it by the Ruler or the Chairman of the Executive Council.

- b. The Board of Directors may delegate any of its powers under sub-paragraphs (a)(2), (a)(5), (a)(7), and (a)(12) of this Article to any of its Members or to the CEO, provided that such delegation is specific and in writing.

Governance of the Board of Directors

Article (11)

The above-mentioned Decree No. (28) of 2015, or any superseding legislation, will apply to the Board of Directors in all matters related to the holding of its meetings; the legal quorum required for the validity of its meetings and for passing its resolutions and recommendations; the duties of its Chairman and Members; their performance evaluation; and all other matters related to the governance and regulation of its work.

Executive Body of the MBRHE

Article (12)

- a. The executive body of the MBRHE will be comprised of the CEO and a number of administrative, finance, and technical Employees.
- b. The executive body of the MBRHE will be responsible for performing its operational work, and for implementing the MBRHE's approved strategic plans, general policies, programmes, and initiatives; and for providing administrative and technical support to the Board of Directors.
- c. The above-mentioned Law No. (8) of 2018 and the resolutions issued in pursuance thereof will apply to the Employees of the executive body of the MBRHE.

Appointment and Functions of the CEO

Article (13)

- a. The CEO will be appointed by a resolution of the Chairman of the Executive Council.
- b. The CEO will be directly responsible to the Board of Directors for performing his functions under this Law, the resolutions issued in pursuance hereof, and other legislation in force in the Emirate. In particular, the CEO will have the duties and powers to:
 - 1. propose the strategic plans, general policies, and the operational plans, programmes, and initiatives of the MBRHE related to Housing Services; and submit the same to the Board of Directors for approval, as the case may be;
 - 2. follow up the implementation of the approved strategic plans, general policies, and the operational programmes and initiatives of the MBRHE; and the resolutions and recommendations passed by the Board of Directors;

3. prepare the annual budget and Financial Statements of the MBRHE, and submit the same to the Board of Directors for approval;
 4. propose the organisational structure of the MBRHE, and submit the same to the Board of Directors for approval;
 5. propose the resolutions and bylaws regulating the financial, administrative, and technical work of the MBRHE; and submit the same to the Board of Directors for approval;
 6. represent the MBRHE before third parties; and conclude the contracts, agreements, and memoranda of understanding to which the MBRHE is party with Government Entities and the Private Sector;
 7. determine the criteria for estimating the amounts of loans and financial grants provided by the MBRHE to Beneficiaries; and submit the same to the Board of Directors for approval;
 8. supervise daily performance by the executive body of the MBRHE of its functions, and submit the relevant performance reports to the Board of Directors to give the relevant directives as it deems appropriate;
 9. consider the applications for Housing Services related to humanitarian cases, and submit the appropriate recommendations in respect thereof to the Board of Directors for determination, subject to the approved conditions, requirements, and criteria;
 10. prepare annual reports on the activities and achievements of the MBRHE; and submit the same to the Board of Directors to give the relevant directives as it deems appropriate;
 11. approve the activities, events, and awareness campaigns related to Housing Services; and
 12. exercise any other duties or powers assigned or delegated to him by the Board of Directors.
- c. The CEO may delegate any of his powers under sub-paragraphs (b)(2), (b)(5), (b)(6), and (b)(8) of this Article to any of the MBRHE's Employees, provided that such delegation is specific and in writing.

Financial Resources of the MBRHE

Article (14)

The financial resources of the MBRHE will consist of:

1. the financial appropriations allocated to the MBRHE in the General Budget of the Government;
2. the movable and immovable property allocated to the MBRHE by the Government;

3. proceeds from the fees collected by the MBRHE for the services it provides, as determined pursuant to the relevant resolution of the Chairman of the Executive Council;
4. the revenue generated from the activities conducted by the MBRHE, returns on the investment of its assets and property, profits of the companies and funds it owns or in which it holds shares, and the returns on the projects it implements; and
5. the grants, gifts, donations, endowment proceeds, and any other resources approved by the Board of Directors.

Financial Year of the MBRHE Article (15)

- a. In managing its accounts and records, the MBRHE will apply the rules and principles of government accounting.
- b. The Financial Year of the MBRHE will commence on 1 January and will end on 31 December of each Year.

Accessing Housing Services Article (16)

- a. The conditions and requirements for accessing Housing Services and their types and values, and the categories of eligible Beneficiaries, will be determined pursuant to the implementing bylaw of this Law.
- b. The Ruler or the Chairman of the Executive Council may exempt an individual from meeting all or any of the requirements for accessing Housing Services, or fully or partially exempt a Beneficiary from repayment of a loan granted to him by the MBRHE.

Withdrawal of Housing Services Article (17)

- a. Without prejudice to its right to claim any financial liabilities owed to it by a Beneficiary, the MBRHE may, pursuant to a resolution of the Board of Directors, withdraw a Housing Service from the Beneficiary in any of the following cases:
 1. providing false or misleading information to obtain the Housing Service;
 2. using the Housing Service for other than its intended purposes;

3. failing by the Beneficiary to meet his obligations under the lease agreement concluded with the MBRHE to rent any of its residential units, including the failure to pay rent; or
 4. in any other case determined by the implementing bylaw of this Law.
- b. Without prejudice to his right to file a grievance in accordance with Article (22) of this Law, the Beneficiary, whose Housing Service is withdrawn in accordance with paragraph (a) of this Article, must relinquish all benefits of the service and hand over any associated assets to the MBRHE within thirty (30) days from the date on which the withdrawal decision is issued. The service withdrawal decision will be deemed a writ of execution to be executed by the execution judge of the competent court. The decision of the execution judge in this respect will be final and will not be subject to any form of appeal or challenge.
 - c. A Beneficiary whose Housing Service is withdrawn in accordance with this Article will forfeit his eligibility for other Housing Services for a period of two (2) years from the date of execution of the withdrawal decision. This will not apply to the humanitarian cases approved by the Board of Directors.
 - d. A Housing Service will be withdrawn in accordance with the procedures and rules determined pursuant to the relevant resolution of the Board of Directors.

Maturity of Loans **Article (18)**

- a. The amount of a loan granted to a Beneficiary, or any outstanding balance thereof, will become immediately payable if the Beneficiary fails to pay twelve (12) consecutive or non-consecutive instalments. Where no amicable settlement is reached with the Beneficiary, the MBRHE may, pursuant to the relevant resolution issued by the Board of Directors, proceed with execution against his property to recover the outstanding amounts of his loan or overdue instalments.
- b. The resolution of Board of Directors issued in accordance with paragraph (a) of this Article will be deemed a writ of execution to be executed by the execution judge of the competent court. The decision of the execution judge in this respect will be final and will not be subject to any form of appeal or challenge.
- c. The implementing bylaw of this Law will determine the cases, conditions, and rules governing the waiver or deferral of loans for Beneficiaries, or the rescheduling of loan instalments.

Disposition of Housing Services

Article (19)

No Beneficiary may dispose of any granted dwelling or land plot in any manner that involves the transfer of ownership without obtaining the approval of the Ruler. Any disposition of such dwellings or land plots by heirs will be governed by the provisions of the above-mentioned Decree No. (23) of 2020.

Violations and Administrative Penalties

Article (20)

The Chairman of the Executive Council will issue a resolution specifying the acts that constitute violations of this Law and its implementing bylaw, and the corresponding penalties and measures to be imposed on violators.

Law Enforcement

Article (21)

The MBRHE's Employees and the staff of any of the MBRHE contracted entities nominated pursuant to a resolution of the CEO will have the capacity of law enforcement officers to record the acts committed in breach of the provisions of this Law and its implementing bylaw. For this purpose, they may issue the necessary violation reports, and, where necessary, seek the assistance of police personnel.

Grievances

Article (22)

Any affected party may submit a written grievance to the CEO against the decisions, procedures, and measures taken against him under this Law and its implementing bylaw, and the resolutions issued in pursuance thereof, within thirty (30) days of being notified of the contested decision, procedure, or measure. The grievance will be determined, within thirty (30) days from the date of its submission, by a committee formed by the CEO for this purpose, and the decision issued in respect of the grievance will be final.

Allocation and Registration of Land Plots

Article (23)

- a. Upon completion of the survey and planning procedures by the DM for the areas designated for the construction of residential units and compounds, the vacant residential and commercial land plots located within these areas will be allocated to, and registered in the land planning

and surveying system adopted by the DM in the name of, the MBRHE. The MBRHE will then develop, construct, utilise, or exploit these plots as per their respective prescribed land use.

- b. No residential, service, or commercial land plot located within the areas designated for the construction of residential units and compounds of the MBRHE may be disposed of, redesigned, or used for other than their intended purposes without first coordinating with the MBRHE.

Seeking Assistance from Government Entities Article (24)

For the purposes of enabling it to perform its functions under this Law and its implementing bylaw, and the resolutions issued in pursuance thereof, the MBRHE may seek assistance from Government Entities in the Emirate, including police personnel. These entities must, whenever requested, provide such assistance to the MBRHE.

Exemption from Liability Article (25)

The Government will not be held liable to third parties for any debts or obligations claimed from the MBRHE in respect of the performance of its functions under this Law and its implementing bylaw, and the resolutions issued in pursuance thereof. The MBRHE will be solely liable to third parties for such debts or obligations.

Supersession and Repeals Article (26)

- a. This Law supersedes the above-mentioned Law No. (4) of 2011.
- b. Any provision in any other legislation is hereby repealed to the extent that it contradicts the provisions of this Law.
- c. The resolutions and bylaws issued in implementation of the above-mentioned Law No. (4) of 2011 will continue in force to the extent that they do not contradict this Law, until new superseding resolutions and bylaws are issued.

Issuing the Implementing Bylaws and Resolutions Article (27)

- a. The Chairman of the Executive Council will issue the implementing bylaw of this Law.

- b. Except for the resolutions which the Chairman of the Executive Council is exclusively authorised to issue under this Law, the Chairman of the Board of Directors will issue the resolutions required for implementing the provisions of this Law, subject to approval of these resolutions by the Board of Directors. These resolutions will be published in the Official Gazette.

Publication and Commencement
Article (28)

This Law will be published in the Official Gazette and will come into force on the day on which it is published.

Mohammed bin Rashid Al Maktoum
Ruler of Dubai

Issued in Dubai on 6 February 2023
Corresponding to 15 Rajab 1444 A.H.