

In the name of God, the Most Gracious, the Most Merciful

Emiri Decree No. (14) of 2016

**Concerning Service Fees and Fines for Violations Applied
by the Ajman Real Estate Regulatory Agency**

We, Humaid bin Rashid Al Nuaimi, Member of the Supreme Council, Ruler of the Emirate of Ajman.

Having reviewed Emiri Decree No. (8) of 2008, concerning the regulation of joint ownership, real estate projects, and investment buildings, as amended by Emiri Decree No. (12) of 2008; and Emiri Decree No. (11) of 2011 issuing the Financial Law of the Government of Ajman and its executive regulations; and Emiri Decree No. (13) of 2013 concerning the reorganization of the Ajman Real Estate Regulatory Agency; and Emiri Decree No. (10) of 2014 concerning the establishment of the Central Administration for Legal Affairs of the Government of Ajman;

And based on the recommendations submitted to us by the Chairman of the Board of Directors of the Ajman Real Estate Regulatory Agency regarding the need to amend the service fees and fines for violations currently in force at the said Agency, as agreed upon between it and the Department of Finance of the Government of Ajman.

And after consultation with the Crown Prince of Ajman, Chairman of the Executive Council;

And for the public interest;

We have decided to issue the following Emiri Decree:

Article (1)

Name of the Decree and its Commencement

This Decree shall be named "Emiri Decree No. (14) of 2016, concerning Service Fees and Fines for Violations Applied by the Ajman Real Estate Regulatory Agency", and it shall come into force from the first day of January 2017.

Article (2)

Service Fees

The Ajman Real Estate Regulatory Agency shall collect the fees listed in Schedule No. (1) attached to this Emiri Decree in exchange for the services provided by the said Agency to the beneficiaries of those services.

Article (3)

Control of Violations and Imposition and Collection of Fines

The Ajman Real Estate Regulatory Agency, through its employees authorized with judicial seizure powers according to the established procedures in the state, shall be responsible for controlling and documenting the violations specifically listed in Schedule No. (2) attached to this Emiri Decree. The said Agency is entrusted with imposing the prescribed fine for each of those violations and transferring the amounts collected from those fines to the public treasury as part of the said Agency's revenues.

Article (4)

Status and Powers of the Agency's Inspectors

The Chairman of the Board of Directors of the Agency shall issue a decision identifying the Agency's employees who are granted the capacity of judicial seizure officers to control, document, and record acts and facts that constitute a violation in accordance with the provisions of this Emiri Decree, in coordination with the competent federal authorities, and in accordance with the provisions of the laws in force in the state and in the Emirate of Ajman.

Article (5)

Repeal of Previous Legislation

As of the effective date of this Emiri Decree, Article (30) and Article (31) of Emiri Decree No. (8) of 2008 shall be repealed. Any other text or provision contained in any local legislation currently in force in the Emirate that conflicts with or contradicts the provisions of this Emiri Decree shall also be repealed.

Article (6)

Publication and Circulation of the Decree

This Emiri Decree shall be published in the Official Gazette of the Emirate and circulated to all concerned parties to act accordingly, each within its jurisdiction.

Issued by us with our signature at our office in the Emiri Diwan in Ajman on this day, Thursday, the sixteenth of Rabi' al-Awwal, 1438 Hijri, corresponding to the fifteenth of December, 2016.

Humaid bin Rashid Al Nuaimi

Ruler of the Emirate of Ajman

Schedule No. (1)

List of Service Fees of the Real Estate Regulatory Agency - Government of Ajman

No.	Service Name	Fee in AED	Notes
1	Registering a real estate developer in the real estate projects register	25,000	
2	Renewing a real estate developer's registration in	20,000	Annually

No.	Service Name	Fee in AED	Notes
	the real estate projects register		
3	Registering a main real estate project in the real estate projects register	20,000	Paid annually for 5 years
4	Extending the registration of a main real estate project in the real estate projects register	40,000	Paid annually after the first five years
5	Registering a sub-real estate project in the real estate projects register	15,000	Paid annually for a period equal to the building permit
6	Extending the registration of a sub-real estate project in the real estate projects register	30,000	Paid annually upon each renewal of the building permit
7	Initial registration of a real estate unit for the first buyer in the pre-completion phase of a project	500	
8	Issuing a real estate unit ownership certificate for the first time after project completion	2,000	
9	Registering the transfer of ownership of a real estate unit (initial registration with completed payments or after issuing a real estate unit ownership certificate)	2% of the property value on the buyer	Actual value or according to the approved property valuation list at the Agency, whichever is higher

No.	Service Name	Fee in AED	Notes
	Registering the transfer of ownership of a real estate unit by inheritance	1% of the property value with a minimum of AED 1,000	According to the approved property valuation list at the Agency
11	Registering a mortgage on a real estate unit	0.25% of the mortgage value with a minimum of AED 1,000 per real estate unit	
12	Transferring a mortgage contract, whatever the mortgage transaction	0.25% of the mortgage value with a minimum of AED 1,000 per real estate unit	
13	Releasing a mortgage on a real estate unit	1,000	
14	Amending the repayment period in a real estate unit mortgage contract	1,000	
15	Amending the value of a real estate unit mortgage by increase	0.25% of the increase in the mortgage value with a minimum of AED 1,000	Based on the request of the mortgagor and mortgagee
16	Registering the transfer of ownership of a real estate unit by gift or its revocation	0.125% of the value of the gifted property with a minimum of AED 2,000	Must be between first-degree relatives (father, mother, husband, wife, son, daughter), otherwise it is considered a sale and sale fees apply

Schedule No. (1)

List of Service Fees of the Real Estate Regulatory Agency - Government of Ajman

No.	Service Name	Fee in AED	Notes
17	Issuing an initial registration certificate for a real estate unit after transaction on the unit (taking into account what is stated in item no. 8)	350	Sale - Inheritance - Mortgage - Mortgage transfer - Change in mortgage value - Mortgage release - Change in mortgage period - Gift - Charitable endowment)
18	Issuing a real estate unit ownership certificate after transaction on the unit	350	Sale - Inheritance - Mortgage - Mortgage transfer - Change in mortgage value - Mortgage release - Change in mortgage period - Gift - Charitable endowment)
19	Registering a real estate unit by will	2,000	
20	Issuing a replacement for a lost ownership certificate - initial registration certificate for a real estate unit	300	
21	Issuing a replacement for a damaged (ownership certificate - initial registration certificate) for a real estate unit	200	
22		150	As per customer request

No.	Service Name	Fee in AED	Notes
	Completing a transaction on an urgent basis		
23	Amending real estate unit data in the real estate register and issuing a certificate thereof	350	For each time an amendment is requested
24	Registering or terminating a long-term lease (Hekr) or usufruct contract in real estate development projects (lands and freehold projects) (Hekr)	1% of the contract value	
25	Amending a long-term lease (Hekr) or usufruct contract in real estate development projects (lands and freehold projects)	1,000	
26	Requesting a technical engineering report related to main real estate projects in cooperation with an external expert	AED 5,000 + expert fees	Expert fees must be paid in advance by the report applicant
27	Requesting a technical engineering report issued by the Agency for a real estate unit	2,000	
28	Requesting a technical engineering report issued by the Agency for a real estate project	5,000	

No.	Service Name	Fee in AED	Notes
29	Permit for organizing real estate exhibitions - freehold	1,000	For each participation request
30	Permit for holding a public auction for real estate - freehold	5,000	
		A- Ajman AED 300	
		B- Sharjah, Umm Al Quwain & Central Region AED 500	
31	Travel service for approving official documents outside the Agency's headquarters	C- Dubai & Ras Al Khaimah AED 1,000	
		D- Abu Dhabi, Al Ain & Fujairah AED 2,000	
		E- Western Region of Abu Dhabi Emirate AED 3,000	

Schedule No. (1)

List of Service Fees of the Real Estate Regulatory Agency - Government of Ajman

No.	Service Name	Fee in AED	Notes
32	Request for approval or renewal of approval for an account trustee	AED 75,000 annually	To approve a number of qualified banks to operate escrow accounts and make these banks available to real estate developers and owners' associations
33	Request for approval of a financial auditor	5,000	To approve a number of financial auditors to work in financial auditing and make this list available for real estate developers to deal with
34	Request for approval of survey companies	5,000	To approve a number of real estate survey companies, qualifying them to work in this specialty and making this list available for real estate developers to deal with
35	Administrative supervision services for owners' associations	AED 400	Per real estate unit annually
36	Initial approval for a company to practice administrative supervision of owners' associations	5,000	
37		500	

No.	Service Name	Fee in AED	Notes
	Initial approval for a permit for advertising content related to real estate development projects and units		In coordination with the Department of Economic Development
38	Request for issuing a statement about a registered real estate unit from an authorized person	100	
39	Issuing a no-objection certificate for disposition of land within freehold lands	5,000	Per plot of land, the certificate is issued addressed to the Department of Lands and Properties
40	Attesting a true copy of a real estate unit ownership certificate	100	
41	Registering a family endowment (Waqf Dhurri), amending it, or revoking it	1,000	
42	Registering partition or withdrawal among partners	1% of the value of the share being withdrawn or partitioned	To be borne by the applicant
43	Noting a lien in the records, amending the notation, or removing the notation based on a court ruling	1,000	

Schedule No. (2)

List of Violations and Fines at the Real Estate Regulatory Agency - Government of Ajman

No.	Violation Name	Fine Amount in AED	Notes
1	Practicing real estate development activity in the Emirate without a license from the Ajman Real Estate Regulatory Agency	150,000	
2	Offering or selling units in a real estate project or investment building, or advertising or promoting them by any means, and in any form of advertisement, in violation of the conditions of the approval issued by the Ajman Real Estate Regulatory Agency	100,000	Coordination with the Department of Economic Development is required regarding the application of these violations
3	Offering or selling units in a fictitious real estate project or fictitious investment building	100,000	
4	Submitting incorrect documents or data to the Ajman Real Estate Regulatory Agency	100,000	
5	Embezzling, dissipating, or using funds deposited in the escrow or guarantee account of a real estate development project without right. Or withdrawing or depositing funds in the guarantee account without the approval of the Ajman Real Estate Regulatory Agency	200,000	

No.	Violation Name	Fine Amount in AED	Notes
6	The account trustee conducting a withdrawal or deposit operation for the guarantee account without the approval of the Ajman Real Estate Regulatory Agency or in violation of the terms of the guarantee account agreement	200,000	
7	The real estate developer violating or continuing to breach any of their undertakings submitted to the Agency or the license conditions	200,000	
8	The real estate developer assigning the real estate project, in whole or in part, to any other real estate developer without the approval of the Ajman Real Estate Regulatory Agency	100,000	
9	A real estate developer dealing with a real estate broker without the latter being approved by the Department of Lands and Properties in Ajman.	100,000	With notification to the Department of Lands and Properties
10	Making substantial modifications to the licensed real estate project or investment building without obtaining prior permission from the Ajman Real Estate Regulatory Agency	100,000	
11	Changing the contractor or consultant of the real estate project or investment building	50,000	

No.	Violation Name	Fine Amount in AED	Notes
	without obtaining prior approval from the Ajman Real Estate Regulatory Agency		
12	The consultant certifying false documents related to the real estate project with knowledge thereof	100,000	
13	An auditor deliberately issuing a false report on the result of their review of the real estate developer's financial position or the data certified by them regarding the real estate project or investment building	100,000	
14	Failure to deposit the amounts received from the buyer into the guarantee account	500,000	
15	Violating the conditions and any written instructions from the Real Estate Regulatory Agency related to freehold properties	10,000	