

Unjustified rent hikes? Municipality can help

If landlord increases rent illegally, approach Rent Dispute Committee



LEGAL VIEW Ashish Mehta

We have been staying in Abu Shagara, Sharjah, for the last four years. We started at Dh25,000 per annum for a two-bedroom apartment, including parking charges of Dh2,000. Every year, our landlord increased the parking charges by Dh1,000. At the end of three years, our rent was hiked to Dh28,000, and now we are paying Dh34,000. Soon, we are expecting the rent to be between Dh43,000 to Dh45,000.

If we go to Sharjah Municipality's Rent Dispute Committee, will we get some justice?

It may be noted that, in accordance with the notification of the Sharjah Municipality, a landlord may increase the rent of a leased property only after completion of three years from the date of the commencement of the tenancy/lease contract.

Thereafter, any further increase in rent may be effected at the end of two years. You may, therefore, try to prevail upon your landlord not to increase the rent this year, as he had already done so last year. Further, it is learnt that the Sharjah Municipality has a Rent Dispute Committee that acts as the forum for addressing all disputes relating to rental between landlords and tenants.

All disputes pertaining to rents of leased properties must be filed with the Rent Dispute Committee. In view of the above-mentioned conditions, it may be advised that if your

3

is the number of years from commencement of tenancy contract before rents can be hiked

landlord refuses to accept your request for a reprieve this year, or if there is no amicable settlement between you and your landlord on the issue of rent, you may consider approaching the Rent Dispute Committee of Sharjah Municipality.

If deported, you will need Mol's approval to return
I visited Dubai on a visit visa and overstayed for a couple of months. In the meantime, my tourist visa sponsor filed an absconding case against me. The sponsor demanded Dh7,000 to drop the case. I paid the money and collected the letter.

I then went to Al Aweer office of the Directorate General of Residency and Foreigners Affairs with the letter. An immigration officer told me the fine amount was Dh27,000, whereas I had just Dh18,000 in cash. The authorities jailed me and asked me to arrange for an air

ticket to fly back home. I was told I could pay the rest of the fine amount during my next visit. I left for my home country on June 5 this year. Since then, I have applied for visa many times, but the application is getting rejected.

I tried all possible ways to reach the department concerned, but in vain. I have been to the UAE embassy in my home country, but nobody helped me.

I also tried calling the police, immigration department and the airport immigration department, but have not received any help. Please tell me which legal channel to pursue so that I can resolve this issue.

Pursuant to your question, it is assumed that you were deported based on your overstay during your previous visit to the UAE. It may be advised that in the UAE, cases per-

taining to absconding may be filed by the sponsor in case the residence holder or person on tourist visa is absconding and overstaying in the country.

Article 28 of Federal Law no. 6 of 1973 concerning Immigration and Residence states, "An alien who has been deported may not return to the country except with special permission from the Minister of Interior."

Further, Article 29 of Federal Law no. 6 of 1973 Concerning Immigration and Residence states, "The Department of nationality and Immigration shall issue an order for deportation of an alien if he has no residence licence or if his residence licence has ... expired. Such an alien may return to the country if he fulfills the conditions for entry in accordance with the provisions of law."

However, it may be noted that as a ban is imposed on your entry into the UAE, you may first ascertain the reason for the ban, the duration of the ban and thereafter make an attempt to get the ban lifted.

Further it is recommended you may take the assistance of a legal practitioner in the UAE who may provide you further assistance.

KNOW THE LAW

Deportation order for aliens is issued by Department of Immigration if he has no residence licence or if his residence licence has expired.

Ashish Mehta is the founder and Managing Partner of Ashish Mehta & Associates. He is qualified to practise law in Dubai, the United Kingdom, Singapore and India. Full details of his firm on: www.amalawyers.com. Readers may e-mail their questions to: news@khaleejtimes.com or send them to Legal View, Khaleej Times, PO Box 11243, Dubai.