

Building upkeep, flat repairs are landlord's responsibility



LEGAL VIEW
ASHISH MEHTA

Q: I have been residing in a rented one-bedroom apartment at International City in Dubai since January 2018. Soon after moving into the flat, I found continuous water leakage on the ceiling from the top floor. I conveyed this verbally to the real estate agent. Since there was no action taken by the landlord or the agent, I had to lodge a complaint in writing and notify the building management by e-mail and phone calls. Despite this, the problem has not been solved for the past eight months. Whenever I enquire, both the agent and the building management offer excuses. I have approached the Rental Disputes Centre and filed a complaint against the landlord, based on the advice from the Dubai Land Department. Besides, I have handed over the complaint confirmation to the agent. However, the repair work is yet to be taken up.

A: It should be noted that the maintenance of a building is the responsibility of the landlord. This is in accordance with Article 15 of Law No. 26 of 2007 regulating the relationship between landlords and tenants in the emirate of Dubai (the Dubai Rental Law), which states: "Unless otherwise agreed by the parties, the

landlord will, during the term of the lease contract, be responsible for the real property's maintenance works and for repairing any defect or damage that may affect the tenant's intended use of the rented building." Since, you have already made an official notification to the landlord through the Rental Dispute Centre to have the ceiling water leakage repaired, you may once again approach the centre and file a follow-up complaint. If the landlord still does not get it done after the demand, you may consult the centre to take appropriate actions against the landlord.

**Denied visa on medical grounds?
Here's what you must do**

Q: My brother was denied a resident visa as he could not qualify the medical fitness test — conducted by the UAE Health Ministry — due to a minor scratch detected in his X-ray report. Without any further medical examination, it was stated in the report that he had tuberculosis and a ban in entering the UAE was imposed on him by the General Directorate of Residency and Foreigners Affairs (GDRFA). Subsequently, he underwent detailed medical examination in India wherein it was found that there was no trace of tuberculosis and the scratch mark was not serious. It would go away gradually without medication. What is the legal procedure to remove the ban?

A: All individuals seeking a residence visa in the UAE are required to undergo a compul-

Know the law



All individuals seeking a residence visa in the UAE are required to undergo a compulsory medical examination where all reports of the test are carefully scrutinised by the Ministry of Health and Prevention

sory medical examination where all reports of the test are carefully scrutinised by the Ministry of Health and Prevention. In case a scar is found on the lungs of an applicant, the report is further examined for incidence of tuberculosis. Your brother must get all his medical records duly notarised and validated from the Ministry of External Affairs, India, and the UAE Embassy in India. Subsequently, the records need to be attested by the Ministry of Foreign Affairs in the UAE. These need to be filed at the Ministry of Health and Prevention, UAE. Once the Ministry of Health is satisfied with the fresh medical reports of your brother and if such reports from India meet the criteria of the Ministry of Health and Prevention, they may provide your brother a 'medically fit' report, based on which the GDRFA should consider the visa application of your brother favourably.

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.



Know the law

The landlord will, during the term of the lease contract, be responsible for the real property maintenance works and for repairing any defect or damage that may affect the tenant's intended use of the rented building