

Tenants can complain about noisy kids in their building



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LEGAL VIEW

Q I am a mother of three children aged between five and 12. We stay in a small two-bedroom apartment in Bur Dubai. My neighbour is constantly complaining that my kids are making noise and he cannot work. The schools are now closed and kids are forced to stay indoors as I prefer not to send them outside or to play schools as I don't feel safe. Last week, my neighbour threatened to call the police. What can I do?

A As a mother, you are responsible for the discipline of your children.

This is in accordance with Article 15(2) of the Federal Law No. 3 of 2016 on Child Rights (the 'Child Rights Law') or the 'Wadeema's Law', which states: "The child's custodian shall assume the responsibilities and obligations entrusted on him/her in raising, caring, guiding and developing the child in the best way."

It is recommended that you advise your children not to make noise as your neighbour is getting disturbed.

Further, if you are not able to control your children, you may approach the local authorities concerning children affairs. The authorities concerned will raise your children's awareness about their obligations towards society.

This is in accordance with Article 2 (5) and (6) of the Child Rights Law, which states: "The competent authorities and the concerned entities shall:

> Raise awareness among children on their rights, obligations and duties in a society in which justice, equality, tolerance and moderation prevail.

> Raise the child's sense of morality, particularly the respect of his/her parents and family and social surroundings."

Furthermore, it is the right of your

Know the law



Your neighbour has the right to have peaceful possession of the rented apartment. He/she may approach the nearest police station to complain about any nuisance.

neighbour to have peaceful possession of the rented apartment.

Therefore, he may file a complaint against you and your children with the landlord/owner of your building as it is the responsibility of the landlord/owner of the building to provide peaceful possession of the rented premises.

This is in accordance with Article 770 of Federal Law No. 5 of 1985 on the issuance of the Civil Transactions Law (the 'Civil Transactions Law').

Based on your neighbour's complaint to the landlord, you may be requested to control your children's actions.

If your children continue to make noise,

the neighbour and your landlord may approach the nearest police station in Dubai and file a complaint on grounds of public nuisance.

The police may visit you and may caution you.

Thereafter, if your children continue to make noise and disturb the neighbour despite the caution from the Dubai Police, they may transfer the said matter to the competent authority.

If a complaint is registered against you at the police station, based on the investigation by the competent authority, it may order your family to vacate the rented premises if it is proven on grounds of disturbing peaceful cohabitation of your neighbour.

This is in accordance with Article 796 of the Civil Transactions Law. Alternatively, your neighbour and the owner of your building may also file a written complaint with the Dubai Municipality against you and your children.

The Dubai Municipality may impose a fine on you if it is proven that your children make noise and it disturbs the neighbour.

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