

# Give 3 months notice if not renewing tenancy contract



## LEGAL VIEW Ashish Mehta

***I have been staying in a rented apartment for around last 12 months and do not want to renew the tenancy for another year. I have notified the landlord by giving one month notice of my intention but the landlord insists a notice period of three months. Further, the landlord is asking me to paint the apartment. Surely that comes under wear and tear of living in a rented apartment? What does the law say exactly as I have been reading contradictory reports?***

Pursuant to your questions, we assume that the rented apartment where you are staying is situated in the Emirate of Dubai. All tenancy contracts in the emirate fall under the ambit of the Law no. 26 of 2007, Regulating the Relationship between Landlords and Tenants in the Emirate of Dubai. Subsequently some provisions of the said law have been amended by Law No. 33 of 2008.

Article 14 of the law states: "Where either of the two parties to the lease contract do not wish to renew the contract or wish to amend any of its terms, such party must notify the other party of such intent no less than ninety days before the date on which the lease contract expires, unless otherwise agreed by the parties."

Moreover, Article 14 of amendment states: "Unless otherwise

agreed by the parties, if either party to the Tenancy Contract wishes to amend any of its terms in accordance with Article 13 of this law, that party must notify the other party of same no less than ninety days prior to the date on which the tenancy contract expires."

In the event your tenancy contract states that you need to provide a three months of notice period not to renew the tenancy contract, then Article 14 of Law No. 33 of 2008 should be applicable.

You are bound to return the apartment to the landlord in the same condition as provided by the landlord at the time of renting it to you, other than normal wear and tear. This is in accordance with Article 21 of Law No. 26 of 2006 regulating the Relationship between Landlords and Tenants in the Emirate of Dubai,

### Know the law

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which states: "Upon the expiry of the term of the Lease Contract, the tenant must surrender possession of the real property to the landlord in the same condition in which the tenant received it at the time of entering into the lease contract except for ordinary wear and tear or for damage due to reasons beyond the tenant's control. In the event of a dispute between the two parties, the matter must be referred to the Tribunal to issue an award in this regard."

### Abortion is illegal

***I have been married for two years and we are from the same GCC country. We moved to Abu Dhabi recently and do not have any children. Now I am pregnant but I wish to terminate my pregnancy as I am unhappy in my marriage. I am regularly subjected to abuse – both physically and emotionally – by my husband. I wanted to know can I terminate the pregnancy. It is my last resort but I feel it will be an unsafe environment to raise a child in. Please advise.*** It is a criminal offence if one is aborting a child and anyone is assisting the abortion of a child.

A pregnancy can only be terminated at any stage if it is dangerous to the life of the pregnant woman and or to the child. Pregnancy may be aborted if the child could not survive after birth provided the pregnancy is not more than 120 days. Further, pregnancy may be aborted pursuant to a court order.

Anyone aborts pregnancy and

### Know the law

Whoever wilfully aborts a pregnant woman by giving her drugs or by applying any other means which lead to abortion, shall be punished by imprisonment for a period not exceeding five years. Punishment by imprisonment for a period not exceeding seven years shall be inflicted if the crime is committed without her consent.



conspires for the said act of abortion of pregnancy shall be charged with criminal offence in accordance with Article 340 of the Federal Law No. 3 of 1987 regarding issuance of penal Code which states: "Whoever wilfully aborts a pregnant woman by giving her drugs or by applying any other means which lead to abortion, shall be punished by imprisonment for a period not exceeding five years. Punishment by imprisonment for a period not exceeding seven years shall be inflicted if the crime is committed without her consent."

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