

System of Ownership Units Estates and Their Sorting
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Article (1)

The words and meaning in this system means:

1- Land: Is the plot of land upon which to construct a building and established its service utility as planned by the appointed engineer with a building licence.

2- The estate unit: is the home or the floor or apartment/ flat or garage, or shop or any part of the systematic/ regular building which can be differentiated/ located and conduct title deeds upon it and dispense with it independently from the other parts of the building.

3- Proprietor: who owns an independent unit regardless of whether it is one or more.

4- Maintenance and repair: Is the necessary duty to maintain and preserve the property whether it is for an independent unit or whether it includes in joint ownership such as the lift, stairway or the garden.

5- Joint parts: The ground upon which the building is constructed, the garden, alleys, building structure, roof, entrances and stairways and all parts of which are prepared for collective usage joined or partitioned such as parking lots, alley ways and lifts, if there is no conflict of interest.

Article (2)

1- Each owner can build on his plot of land within the context of regulations and instruction a construction of one floor or more which he can divide out into independent estates units in accordance with the design that is endorsed in the plan and licence and can dispense in all or some of these units considering each unit is independent of the other.

2- The estate units of each building is numbered serially so that no number is repeated in two estate building of the same construction.

3- The shape and extent of the land, its length, building and measurements must be compatible to the endorsed plan.

4- The contents of the deeds must be compatible to land descriptions, its border lines, shape, the descriptive character of the estate unit, its border lines, and graphic shape. Should these descriptions conflict with the reality, the concerned

authorities should redeem the title deeds data in accordance with current procedures. A title can issued for each unit.

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a- Two persons or more should participate in construction of a building, they shall all be considered as partners in the building including the land and the building. A joint ownership in all of its floors, estate units and appendices in capital shares and expenses unless a different agreement exists in the contract.

b- The contract should include the names of material shares owners and the names of each share owner of the property owners, the description of the land upon which the building would be constructed, the number of the title deed, its date and place of issuance, partners obligations and their other rights.

Article (3)

The partners should divide their shares in joint building with each one of them with an estate unit or more should they fail to agree on sharing they must resort to the resort to the due process of law.

Article (4)

1- The proprietors of estate units in a single building are partners in the joint parts unless there is conflict of interest.

2- The side barriers and walls between two joined units in a joint building are possible if there is no conflict of interest between the owners and no one has the right to use his share in such away as to cause harm to others.

3- Those joint parts whose ownership is confined to some proprietors are jointly owned between them unless the conflict of interest arises.

4- Each owner's share in the jointly owned building is indivisible and a part of the land building and joined the estate unit completely in all forms unless there arises a conflict of interests.

5- The share of each owner in the jointly owned parts is a percentage of the part he owns alone.

Article (5)

1- Each owner in a jointly owned estate unit or more participates in the costs of the maintenance and repairs of the jointly owned parts each according to his share of property.

2- Following agreement by the proprietors Society each proprietor should

improve at his expense those joint parts or a part of it without alterations and without causing harm to other interests.

3- The owner of a unit should carry out maintenance on his independent unit although he may not be using it, but keep others from the harms way or from the jointly owned parts.

4- No owner of an estate unit may forfeit his share of the jointly owned parts to refrain from participation in the costs of maintaining and repairing.

5- The ground floor owner should carry out ordinary maintenance to prevent harm of upper floor and their subsequent collapse, the upper floor owners should see to it that no harm should come to the lower floors and should carry out maintenance and repairs to prevent this from happening.

6- If it was necessary to carry out some works to preserve the jointly owned building or for maximum benefit in the joint parts or for its repairs and maintenance in any unit of the building, its proprietor or proprietors association should not oppose the aggrieved party on the condition that the condition of the unit should be restored at his expense after necessary repairs have been carried out.

Article (6)

According to this system each owner should not use his right in an excessive way that could cause harm to his neighbor who should refrain from engaging in the well known attitude of tit for that recrimination which is unavoidable. Instead the afflicted neighbors should demand the removal of subject matter that had caused harm to him putting into consideration the moral, traditional and nature of the building, the position of each estate in each estate in relation to the other and the purpose for which each unit was set up.

Article (7)

The transfer of ownership procedures are carried out before the concerned authorities in authentication of contracts, affidavits and the issuance of title deeds dealing with the transfer in accordance with existing procedures putting into consideration its current rules in the system.

Article (8)

1- If the public interest requires the appropriation of the ownership of the building whether for part of it or whole or joint garden and joint alleys, each owner is compensated according to the proportion he owns in the building.

2- if the appropriated part is sorted from the building the compensation would be for the owner of the appropriate a part.

Article (9)

1- If there is a joint ownership of an estate divided into estate units of more than ten and its owners exceed five, the owners should form an association amongst them for the benefit of the estate. They could form an association if the number of these units are ten or less if the owners are five or less.

2- All the owners enjoy the status of moral personalities with independent financial independence. It is to be registered in the Ministry of Labor and social affairs.

3- The resources of the owners association emanate from:-

- a- Owners subscriptions.
- b- Money obtained from owners for fulfillment of the association needs.
- c- Loans.
- d- Donations and alums.
- e- Investment returns from those parts that had been invested.

Article (10)

The owner's association elects on one of its members as chairman of the association to chair their meetings and follow up the resolutions. He is elected by a majority stipulated in article (12). Its duration is three years and is renewable.

Article (11)

The owners association should approve by $\frac{3}{4}$ a regulation to guarantee the proper use of the joint estate.

Article (12)

If no regulation for administration exists or lack of its stipulation on some matters, the administration of the joint parts would be with the owners association and its resolutions are binding on condition that it calls all on who matter by a registered letter to a meeting and the resolutions are adopted by the majority of owners in accordance with their shares value.

Article (13)

The owners association by the majority of votes stipulated in article 12 must take permission to conduct any repairs or installations which would enhance the value of the estate or a part of it. This would be at the expense of the owner who requires it in accordance with conditions of the association such as imposing

compensations and other obligations in favor of the partners.

Article (14)

1- The owners association should have a manager to implement its resolutions. The manager is appointed by a majority of votes stipulated in article 12. The Manager should conduct himself in such a way as to preserve all parts of the joint building repairing and maintaining them and keeping guard over them. He has the right to make demands to implement the needs if no regulation in the association's book is against it.

2- The Manager represents the owners association in courts and before other bodies. He can take the owners to court.

Article (15)

1- The Wages of the manager are fixed to the resolution appointing him.

2- The manager can be relieved of his post by the majority indicated in article (12).

Article (16)

1- If the building is destroyed by fire or any thing else, the partners should oblige to renew it in accordance with a majority resolution of the owners association as stipulated by article 12 if there is no conflict of interest.

2- If the building is torn down, the owners association will decide what it deems fit, in case of dispute they will be referred to the due process of law.

Article (17)

The rural and councils affairs Minister will issue the executive regulation and the necessary resolutions to implement the (system).

Article (18)

This system cancels all the laws in conflict with it.

Article (19)

This system should be published in the official gazette and it is effective 90 days from the date of its publication.

(1) 20 May 2001.

