

**Abu Dhabi Administrative Decision No. 248/2015**  
**On the Issuance of the Implementing Regulation of the Registration of the**  
**Real Estate Appraisers Pursuant to Abu Dhabi Law No 3/2015 Concerning**  
**the Regulation of the Real Estate Sector in the Emirate of Abu Dhabi**

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### **The Chairman of the Department of Municipal Affairs,**

Pursuant to the perusal of Abu Dhabi Law No. 1/1974 on the Reorganisation of the Government Apparatus in the Emirate of Abu Dhabi and its amendments;

Abu Dhabi Law No. 3/2005 on the regulation of the real estate registration in the Emirate of Abu Dhabi,

Abu Dhabi Law No. 19/2005 on real estate ownership and its amendments;

Abu Dhabi Law No. 9/2007 on the establishment of the Department of Municipal Affairs;

Abu Dhabi Law No. 3/2015 concerning the regulation of the Real Estate Sector in the Emirate of Abu Dhabi; and

Based on the proposal made to the Executive Council and its approval by said Council,

Issued the following Decision:

### **Article 1 - Definitions**

In application of the provisions of the present Regulation, the following terms and expressions shall have the meanings assigned thereto unless the context requires otherwise:

Emirate: Emirate of Abu Dhabi.

Department: Department of Municipal Affairs.

Municipality: Municipality of Abu Dhabi City, Al Ain City Municipality, Western Area Municipality and any Municipality that would be established in the Emirate in the future.

Law: Law no. (3) of 2015 concerning the regulation of the Real Estate Sector in the Emirate of Abu Dhabi.

Licensees: Persons who work in the real estate sector and who are licensed by the Department. Those persons are: the developer, the broker, the broker's employee, the auctioneer, the owners' association manager, the appraiser and the surveyor.

Licence: Authorisation issued by the Department to permit the licensees to exercise their activities in accordance with the provisions of the Law and the Implementing Regulation.

Person: Natural or juridical person.

Director General: Director General of the concerned municipality.

Office: Real Estate Registration Office at the Municipality.

Director of the Office: Director of the Real Estate Registration Office.

Real Estate Appraiser: Person who takes charge, in return for remuneration, of appraising and estimating the value of a real estate or any other property rights on said real estate and giving opinion thereon.

Real Estate Appraisal: Specialised activity exercised by the Real Estate Appraiser to set a value for the real estate on a specified date through a written report.

Real Estate Development Register: Paper or electronic Register for keeping all data and documents related to the real estate development projects.

Real Estate Appraisal Standard: Real estate valuation standards that are approved by the Department, constitute technical reference for the real estate appraisers/valuators, which are intended for helping the real estate appraiser provide trusted appraisals and full reports containing the necessary data and requirements that are based on scientific principles, to reach the highest degree of accuracy and transparency of real estate appraisal in the Emirate.

### **Article 2 - Real Estate Appraisers Register**

1- A special register, annexed to the Real Estate Development Register, called Real Estate Appraisers Register shall be established for the registration of the persons licensed to exercise the real estate appraiser profession in the Emirate. Every change or modification that occurs to the data related to said persons and all information including disciplinary penalties imposed on them shall be written down in said Register.

2- Whoever obtains the required licence, registers his name in the Register mentioned in Clause (1) of the present Article and obtains the practitioner card for the real estate profession from the Municipality shall be considered a Real Estate Appraiser.

3- No one may practice the real estate profession in the Emirate or present a report to this effect to any private or public authority, unless they are licensed and registered in the Register mentioned in Clause (1) of the present Article.

### **Article 3 - Duties and Powers of the Real Estate Registration Office**

In addition to the administration duties and powers, the Office shall have the following duties and powers:

1- Setting the principles required for the regulation of work of the real estate appraisers and the control of their abidance by the provisions of the present Regulation.

2- Proposing the conditions of licensing Real Estate Appraisal Committees and submitting them to the Department. The Office may propose amending said conditions in the future as required.

3- Registering the real estate appraisers in the concerned register and issuing the practitioner card.

4- Issuing a bulletin containing the names of its accredited real estate appraisers.

- 5- Examining the complaints submitted to the Office against the real estate appraisers and taking the appropriate decision on said complaints.
- 6- Supervising the training programs and the tests required for raising the efficiency of real estate appraisers.
- 7- Proposing the amendments required for the real estate legislations related to real estate appraisal and submitting them to the director general to take decisions thereon as he deems appropriate.
- 8- Proposing the real estate evaluation standards and the modifications to be made thereto according to the requirements of the real estate sector in the Emirate.
- 9- Setting special system for keeping the registers required for the Office's work.
- 10- Setting the code of conduct of the real estate appraisal profession and proposing the required amendments to be made thereto.

#### **Article 4 - Card and Registration Number of the Real Estate Appraiser**

- 1- Under the provisions of the present Regulation, the Office shall issue the real estate appraiser card which authorizes its holder to practice the real estate appraisal profession.
- 2- The real estate appraiser card contains the appraiser's name and the authority to which he reports in addition to the appraiser's registration number in the Real Estate Appraisers Register. The appraiser shall have his name associated with his registration number in all the correspondences and reports issued thereby.

#### **Article 5 - Renewal of licences and Registration in the Register**

Without prejudice to the licensing conditions, the renewal of licence, registration of the real estate appraiser and the re-registration thereof in the concerned register require the following:

- 1- The real estate appraiser shall provide a certificate proving that he has attended training sessions, in case such certificated is requested by the Department.
- 2- The real estate appraiser shall not have been subject to any of the disciplinary penalties specified in Article (10) of the present Regulation.

#### **Article 6 - Real Estate Appraisal Training**

- 1- The application for attending Real Estate Appraisal Training, for the purposes of licensing and registration in the Register in order to practice the real estate appraisal profession, shall be submitted to the Office upon the fulfilment of the following conditions:
  - a- The required documents mentioned in the prescribed registration instructions shall be attached.
  - b- A no objection certificate shall be provided by a licensed and registered real estate appraiser to indicate that the latter approves that the applicant receives the training.
- 2- The real estate appraiser who in is charge of training the new appraisers shall submit to Office each 3 months, to show the extent of perseverance and assiduity of the trainee.
- 3- The real estate appraiser who is in charge of training the appraisers shall bear all the responsibility for the reports prepared by said appraisers and shall sign them formally.

#### **Article 7 - Duties of the Real Estate Appraiser**

- 1- If the real estate appraiser develops a health condition that prevents him from performing his duties based on a report issued by a competent medical authority, he shall notify the Office of the matter.
- 2- The real estate appraiser shall perform real estate appraisal works only on behalf of the authority for which he works or by which he is assigned.
- 3- Before commencing real estate appraisal works, the real estate appraiser shall receive from the party requesting appraisal a written assignment request showing the task entrusted to him and the purpose sought from the real estate appraisal.
- 4- The real estate appraiser shall abstain from performing any real estate appraisal task if he finds out that such task requires special expertise or knowledge that are not met by him to perform it efficiently.
- 5- After receiving all data and information needed thereby, the real estate appraiser shall perform the task entrusted to him with high professional efficiency.
- 6- The real estate appraiser shall fulfil the requirements of the real estate appraisal standards, the code of conduct, code of professional ethics as well as the technical and administrative instructions related to the profession issued by the Department.
- 7- The real estate appraiser shall comply with the international scientific methods set forth in the real estate valuation policy applicable in the Emirate to determine the value of the real estate.
- 8- The real estate appraisal tasks and duties shall be based on a written contract wherein the names of the contracting parties and the description of the real estate to be appraised shall be specified.

### **Article 8 - Mechanism of Action of the Real Estate Appraiser**

- 1- When the real estate appraiser has recourse to external services to carry out his task, he shall make sure that the parties who are assisting him have the required skills and he shall obtain the approval of the employer to this effect and mention any party who has assisted him upon drafting the final assessment report.
- 2- The real estate appraiser shall prepare a paper and electronic work file for each real estate appraisal task carried out thereby and upon completion of said task the file shall contain valid copies in addition to all written reports, correspondences and memorandums for the purposes of the required real estate appraisal.
- 3- The real estate appraiser shall keep the records of the reports and files related to the real estates appraised thereby during the last five years.
- 4- Should the work of the real estate appraiser require entering to the real estate subject-matter of appraisal, he shall give prior notice to the owner of the real estate, his agent or its occupant. For that purpose, he shall have the right to enter the real estate within the working hours with any of his assistants.

### **Article 9 - Preparing Reports and Registers**

- 1- The real estate appraiser shall undertake to draw up the requested report according to the form adopted by the Department and the Office in this regard and in a timely manner, taking into account the form, basic requirements and data concerning the real estate and the right related thereto, which shall be contained in said report, and shall deliver same to the concerned party with a soft copy thereof to be submitted to the Department.
- 2- The Chairman of the Department or any delegate thereof my commission any employee of the Department or the Municipality to inspect the records mentioned in Article (8) of the present Regulation to verify that the real estate appraiser has abided by the provisions and instructions issued by virtue of the present Regulation.
- 3- Every real estate appraiser who is licensed and registered in the concerned register shall be granted the competences required for the use of his electronic transactions register in case it is set by the Office for the purpose of identification of characteristics of each real estate appraiser operation carried out thereby.

### **Article 10 - Cancellation or Suspension of the Licence**

- 1- Without prejudice to Article 79 of the Law, the Department may cancel or suspend the licence of the real estate appraiser in the following cases:
  - a- In case of insolvency or bankruptcy of the real estate appraiser.
  - b- If he is convicted for an offence involving moral turpitude or dishonesty or if his conduct and reputation become bad.
  - c- If he no more fulfils any of the conditions set forth in the provisions of the Law and its Implementing Regulation and any regulations, decisions or instructions issued by virtue thereof.
  - d- If he commits any acts, practices or violations that makes him a person who is unfit to continue to act as a licensee in the field of real estate appraisal, or if becomes no more able to efficiently perform his duties.
  - e- If he violates any provision of the Law and its Implementing Regulation and the decisions issued in implementation of said Law or if he violates any code of ethics that applies to him.
- 2- Before cancelling or suspending the licence, the Department shall send a written notice to the real estate appraiser containing the reasons behind such procedure.
- 3- Subject to Clause (2) of the present Article, the real estate appraiser may reply to the abovementioned notice within 21 days.
- 4- Should the Department decide to cancel or suspend the licence, it shall take into consideration the reasons (if any) stated by the concerned party in the reply to the notice.
- 5- Instead of cancelling or suspending the licence, the Department may send a warning taking into account the professional register of the real estate appraiser.
- 6- The Department shall register the information related to the violations committed by the real estate appraiser and the disciplinary penalties in the Real Estate Development Register.
- 7- The real estate appraiser who is affected by the Department's decision of cancellation or suspension of the licence or the warning sent to him may challenge the Department's decision before the competent court within 60 days from the date of issuance of the Department's decision.

### **Article 11 - Notification with Respect to the Decisions Concerning the Real Estate Appraisers**

- 1- The Department shall notify the concerned parties including banks, financial institutions, the Ministry of Justice, the Judicial Department and other authorities concerned with the decisions issued with respect to real estate appraisers, including the disciplinary penalties issued against the real estate appraiser.
- 2- The Department or the Office shall notify the official authorities such as the Ministry of Interior, the Ministry of Labour, the Department of Economic Development, the Judicial Department/and the Expert's Department in case any person is caught while practicing the real estate appraiser profession without being licensed and registered in the concerned register, to take appropriate measures against such person.

## **Article 12 - Real Estate Appraisal Standards**

1- Based on the recommendation of the Office, the Department shall issue the instructions regulating the real estate appraisal standards, which are considered as the professional reference for all the real estate appraisers/valuators in the Emirate.

2- The real estate appraisal standards shall contain the rules and provisions to be observed by all the real estate appraisers /valuators to act based on scientific principles in order to reach the highest level of accuracy and transparency in the practice of their work, which leads to the promotion of the real estate market standing in the Emirate.

3- The real estate appraisal/valuation standards shall contribute positively to the fulfilment of the following:

a- Creating a trusted database for the prices of real estates that are considered as a historical documentation that may be referred to when needed for the purpose of finding information concerning a specific area.

b- Giving a true description of the prices of real estates in the Emirate to allow the real estate appraiser/valuator to gain a useful experience on the real estate market through knowing the true values of the real estates.

c- Applying an international real estate appraiser system that goes in line with the modern and agreed-upon standards according to the international practices, based on the International Valuation Standards Counsel (IVSC).

d- Promoting trust of the real estate appraisers/valuators which leads to avoiding random valuation, in a manner ensuring transparency in dealing with the market partners and guaranteeing their rights.

## **Article 13 - Rectification of Situations**

Without prejudice to Article (84) of the Law, the persons who practice real estate appraisal activity in the Emirate shall rectify their situations according to the provisions of the present Regulation.

## **Article 14**

The Department shall issue the decisions, instructions, directives and forms required for the execution of the provision of the present Regulation.

## **Article 15**

The present Decision shall be published in the Official Gazette and shall come into force from the date of enforcement of the provisions of the Law.

Issued in Abu Dhabi On 26/11/2015

Corresponding to 13 Muharram 1437 H

Saeed Ali Al Ghafali

**Chairman of the Department of Municipal Affairs**

The present Decision was published in the Official Gazette no. 10 dated 31/11/2015, p. 118.