

Registrar of Real Property Handbook

DIFC

Contents

| DIFC - LEGAL DISCLAIMER |
|--|
| DIFC Services |
| Location |
| Contact Details |
| Working Hours |
| DIFC Portal |
| General guidelines |
| Identification documents for individuals and legal entities |
| FREEHOLD TRANSFER |
| Application for Registration of a Transfer of DIFC Property |
| Transfer of freehold between individual to a company, A company to individuals or between 2 companies where the beneficial owners are the same10 |
| Transfer of shares of a Corporate Landlord11 |
| LEASES |
| Lease Registration |
| Release of Security Deposit15 |
| Lease variation16 |
| Lease assignment17 |
| Term commencement notification18 |
| Self-Occupy19 |
| Lease Termination |
| Update landlord details21 |
| MORTGAGES |
| Mortgage Registration22 |
| Discharge of Mortgage24 |
| Variation of Mortgage25 |
| Update bank details |
| Official search certificate |
| Re-issue title deed |
| Caveats |
| Caveat Registration |
| Caveat Discharge |



DIFC - LEGAL DISCLAIMER

This Client Handbook ("Handbook") has been prepared by the DIFC Registrar of Real Property ("RORP") to guide and facilitate users on the procedures for the registration of interests and rights relating to real properties located within the Dubai International Financial Centre ("DIFC"). Such real properties shall be referred to as "DIFC Property" within the remainder of this Handbook. The Handbook may be amended from time to time by the RoRP and it does not constitute legal advice nor an exclusive reference to all requirements stated in the DIFC Real Property Laws and Regulations, or any other laws.

For any legal clarification please refer to the DIFC Real Property Law and Regulations and other relevant laws of the DIFC ("DIFC Laws") made available on the <u>DIFC website</u> or seek independent legal advice. In the event that there are any inconsistencies between this Handbook and the DIFC Laws, the DIFC Laws shall prevail.

DIFC Services

DIFC Services handles the day-to-day operation of the RoRP and processes all applications related to real property registrations of interest or rights:

Location:

Dubai International Financial Centre Sheikh Zayed Road Gate District 4, Ground Floor DIFC Services

Contact Details: Telephone: +971 4 362 2222 Email: rorp@difc.ae

Working Hours:

8:00 AM - 3:00 PM (Monday to Friday) Our office is closed on Saturday and Sunday and on public holidays announced by the UAE. No appointments will be scheduled during Friday prayer from 12:00 PM to 2:00 PM

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Page 3 of 30



DIFC Portal

The DIFC portal is a system developed by DIFC Authority to extend and facilitate the services of the DIFC Registrar of Real Property. All submissions must be made on the DIFC Portal. To sign up to the portal, please <u>click here.</u>

Access to the DIFC Portal

To obtain access to the DIFC portal, please follow the steps below:

- Visit the following link: <u>https://portal.difc.ae/signin</u>
- Navigate to the panel on the right side and click on 'Register'.
- Select "Register a lease or freehold transfer" from given picklist, then click on next. This option will redirect you to the page for registering a portal user for Property Services.
- Select the type of user from provided picklist: Depending on the selection, the form and requirements will be displayed.
- If the user selected is a tenant or others, the request will be auto approved, it will not require review and approval. Once the registration process is completed, the portal user will receive an email notification to set their password by clicking on the link received in the email.
- If an agent, bank, building management company or a developer is selected, it will require review to obtain approval to access the DIFC portal. Upon completing the registration, the user must complete his/her profile once logged into the portal. The portal will also require a passport copy with a validity of at least one month. The passport copy can be either uploaded or scanned using the passport digital verification option.

Returned Requests

Whilst reviewing the application, should DIFC Services require further information, the application will be returned requesting for further information or re-uploading of certain documents. Below please find the steps for returned requests:

- 1. If a service request is submitted with missing information or documents, an email notification will be sent to the portal user with clear comments from DIFC Services.
- 2. The email provides a link to the 'pending actions' screen page on the portal, which will specify the steps required for completing the action. Alternatively, the user can log-in to the DIFC client portal to view the "Pending Actions" list. There are 3 types of returned requests:
 - a. Request for more information: If a request is returned for more information, the reviewer will request for additional information. Client must provide the information required under the 'customer comments' section then click on Save.
 - b. Request for re-upload: If a request is returned for re-upload of a document, go to the 'Pending Actions' page and click on 'Upload documents. Upload the correct file then click on 'Save'.
 - c. Request for edit: The form will be enabled, and the portal user will be requested to edit the request and re-submit.
- **3.** Upon submitting the required information or re-uploading the documents, the request will be sent to DIFC Services team for their review.



General guidelines

- 1. All Instruments and supporting documents should be submitted only in English.
- 2. Payment can only be accepted by one of the following methods:
 - Wire Transfer
 - Manager's Cheque from a bank registered in the UAE
 - Credit Card

| Payment Method | Conditions | |
|-------------------------------|--|--|
| Manager Cheques (AED Only) | All manager cheques from banks in the UAE should be in AED and made payable to "Dubai International Financial Centre Authority". Manager Cheques drawn on offshore banks will not be accepted. | |
| Credit Card (AED Only) | We accept all major Credit Cards including Amex, MasterCard and Visa. | |
| | The full payment is to be made in either AED or USD and the remitting party bears all bank charges. Our USD conversion rate is USD 1 equals AED 3.6725. | |
| | To top up your portal balance, please use this account (AED only). You can also make the payment via wire transfer to the below bank account: | |
| | DIFC Investments Ltd Collection Account Emirates NBD- Deira Branch Account No. 101-1434147-605- AED Swift Code: EBILAEAD IBAN NoAE280260001011434147605 | |
| Wire Transfer | Account Name: DIFC INVESTMENTS LTD - COLLECTION ACCOUNT | |
| | For Freehold Transfer Fee in Arab Emirates Dirham (AED), please use the account details below: | |
| | Payable To: Dubai International Financial Center Bank Name: HSBC Bank Middle East Bank Account Number: 021-349428-003 IBAN Number: AE970200000021349428003 SWIFT Code: BBME-AEAD Bank Address: HSBC Bank, Dubai - Main Office PO Box: 66 UAE | |
| | For Freehold Transfer Fee in US Dollars (USD), please use the account details below: | |
| | Payable To: Dubai International Financial Center Bank Name: HSBC Bank Middle East | |



| Bank Account Number: 021-349428-104 |
|--|
| IBAN Number: AE86020000021349428104 |
| SWIFT Code: BBME-AEAD |
| Bank Address: HSBC Bank, Dubai - Main Office |
| PO Box: 66 UAE |
| |

- 3. In case the buyer or seller has appointed a third party to carry out any registration of an Instrument relating to DIFC Property registrations via a Power of Attorney (PoA), the following must be ensured:
 - If the PoA is issued in the UAE, the PoA must carry the seal or be attested by the Dubai Courts or Ministry of Justice, depending on the issuing Emirate original document might be requested to be presented for verification. The Passport Copy or ID of the authorised person must be provided as well.
 - If the PoA is issued outside the UAE, the PoA and legal translation (If not in English or Arabic) should be attested by the UAE Ministry of Foreign Affairs original documents might be requested to be presented for verification. The passport copy or ID of the authorised person must be provided on the application as well.
- 4. All charges are subject to AED 20 Knowledge and Innovation fees per transaction.

Identification documents for individuals and legal entities

The following identification documents will be required for Registrations relating to a DIFC Property:

Individuals:

- Clear passport copy (if the passport doesn't have a signature specimen, then an ID with a clear signature specimen will be required).
- If the buyer is holding other nationalities the same needs to be declared at the time of submitting the lodgement for freehold registration on the DIFC portal.

Legal Entities established within the UAE:

- Certificate of Incorporation or the commercial license notarised by the issuing authority.
- Copy of the articles of association notarised by the license issuing authority.
- Passport copies of the shareholders (Not applicable to public companies).
- Recent dated Board Resolution approving the transaction and appointing the signatories and point of contacts to carry out the transaction and subsequent Registration of the same with the RoRP.
- Passport copy of the appointed authorised signatories.
- Attested recent dated Certificate of Incumbency providing details about the current shareholders in the entity and their shares.
- All the documents provided should not be older than 6 months.

Legal Entities established outside the UAE:

- Certificate of Incorporation or the commercial license attested by the UAE Ministry of Foreign Affairs.
- Copy of the articles of association attested by the UAE Ministry of Foreign Affairs.
- Passport copies of the shareholders (Not applicable to public companies).

| Document Control No. |
|----------------------|
| DIFC-PS-HB-01 |
| Rev.11 |





- Recent dated Board Resolution approving the transaction and appointing the signatories and point of contacts to carry out the transaction and subsequent Registration of the same with the RORP attested by the UAE Ministry of Foreign Affairs.
- Passport copy of the appointed authorised signatories.
- Attested recent dated Certificate of incumbency providing details about the current shareholders in the entity and their shares.
- All the documents provided should not be older than 6 months.

Note: If the seller or the buyer is an entity which is owned by another entity, we will require all entities (shareholders) identification documents up to the ultimate beneficial owners.



FREEHOLD TRANSFER

Application for Registration of a Transfer of DIFC Property

This section sets out the main requirements for the Registration of a Transfer of DIFC Property. A Transfer of a Freehold Interest in Property must be registered with the RoRP within **30 days** of entering into the Sale and Purchase Agreement for the transaction where there is no mortgage registered against the Property and within **50 days** for transfers where there is a mortgage registered for the seller. Failure to register within the time frame will result in fines as prescribed in DIFC Laws and Regulations. Furthermore, a buyer must provide Registry Services with the evidence of payments made to the seller in relation to the purchase of DIFC Property.

Lodging a request to Register a Transfer of a Freehold Interest in Property can <u>only</u> be submitted through the DIFC portal following the steps below:

- Log-in to the DIFC portal, click on "Request", then apply for a request or search for a request by typing a key word under "Apply for a Request".
- Click on "Register Freehold Transfer".
- Submit the request with all the required details.

Before filling the form, please note the below:

- The service request submitted on the DIFC portal is for the initial review and booking the appointment to finalise the registration. The Freehold Transfer Registration will be completed upon submission of the Freehold Transfer Fee, and all the remaining fees.
- Transfer of a Freehold Interest must be registered along with the payment of the Freehold Transfer Fee within 30 or 50 days (as appliable) from the date of entering into the Sale and Purchase Agreement.
- If the transfer involves a unit which is mortgaged, the discharge of mortgage can be done before or along with the submission of the service request to register the Freehold Transfer.
- All the documents uploaded on the service request must be clear and with a high resolution. Failure to submit clear scanned copies will result in rejecting the request.
- If the payment made to the seller is made by a third party that is not the buyer, the details of the third party will be required including source of income details.
- If payment for the 5 per cent transfer fee is made by a third party that is not the seller or buyer, the details of the third part must be provided including source of income details.
- The RoRP may request for additional documents as and when required.

| Documents to be uploaded | | |
|--|---|--|
| Documents Required from the Seller | | |
| Off Plan Property | Completed Property | |
| Copy of No Objection Certificate issued by the developer. Identification Documents referred to above. | Copy of the Title Deed. No Objection Certificate - Body Corporate Identification Documents referred to above. | |
| Documents Required from the Buyer | | |

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Page 8 of 30



- Identification Documents referred to above.
- If the buyer is from a High-Risk or Very High-Risk Nationality or Jurisdiction. They must provide proof of their source of income, which can be one of the following:
 - Salary: Salary certificate, 6-month bank statement, and personal profile details.
 - Inheritance: Proof of inheritance, 6-month bank statement, and personal profile details.
 - Property Ownership: Title deed, 6-month bank statement, and personal profile details.
 - Investments: Proof of investment, 6-month bank statement, and personal profile details.
 - Other: A brief description of the income source, supporting documents, 6-month bank statement, and personal profile details.

Other Documents to be uploaded

- Buyer passport copy in case of individual buyer.
- Copy of signed Sales and Purchase Agreement. Copy of Court Order If agreement type is court order.
- Copy of signed Transfer Instrument.
- Copy of proof of payment between seller and buyer, if the payment is via bank transfer or bank deposit, details of the source funds/income/wealth from the buyer needs to be disclosed along with supporting documents.
- Copy of the proof of payment for the DIFC registration fee (5 per cent of total purchase value) made to the DIFC Registrar of Real Property.
- If the unit has an active registered mortgage which is being discharged, a copy of the mortgage clearance letter and Mortgage Discharge documents please see below for further details.
- If the buyer is purchasing the unit with a mortgage and the mortgagee is registering it's security on the date of the Transfer appointment, a copy of the loan/ facility agreement is required together with the Mortgage Registration documents please see below for further details.
- If an Attorney appointed via a PoA is acting on behalf of the buyer or the seller, please refer to the requirements above regarding PoA specifications.
- If the seller is an entity that is under liquidation, an approval from the appointed liquidator is required.
- Signed Instrument for caveat registration, if the buyer is a minor, to be signed by the Gurdian Declaration letter, signed by the guardian.
- Legal Guardianship Agreement.
- Signed instrument for discharge of caveat. If there is a caveat present and registered for the same buyer under the unit.
- If a third-party pays the 5 per cent registration fee exceeding AED 55,000. The third party must also provide proof of their income source as outlined above.
- if a third-party makes the buyer-to-seller payment (poof of payment). The third party must also provide proof of their income source as outlined above.

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Document Control No. DIFC-PS-HB-01 Rev.11 Document Classification: External Document Updated on: Page 27 December 2024 9 of 30



RORP System Generated Forms:

Note: Please upload a scanned copy of all the forms and Instruments generated by the system upon finalizing the request. The Forms and Instruments must be signed and scanned with a high resolution. All Forms and Instruments should be provided in the service request to obtain approval and book the appointment for Transfer at Registry Services.

| Service Type | Service Fee |
|-------------------------------------|--|
| Transfer Fee | 5% over the total value of the DIFC Property (AED) |
| Registration of Transfer Instrument | 100 (USD) |
| Knowledge & Innovation Fees | 20 (AED) |

Note: Separate Knowledge & Innovation Fees are applicable to penalty charges for late registration, discharge of mortgage or withdrawal of caveat. Mortgage registration submitted as part of the freehold transfer request does not incur separate Knowledge & Innovation Fees.

Transfer of freehold between individual to a company, A company to individuals or between 2 companies where the beneficial owners are the same

This process of Transfer between a Company and its Shareholder(s) or between two companies that share the same beneficiaries who hold shares in the same proportions in each company, should be submitted manually and cannot be completed through the Client Portal. Please note that the same requirements apply to Completed and off plan Properties and note the following:

- Transfer Instrument
- Transferor's and Transferee's passports to be brought for verification (In case of Companies, we will require Company documents (Ref. pt.9).
- The Sales and Purchase Agreement can be substituted by a letter or resolution signed by the shareholder(s) confirming the transfer of the Freehold Interest between the parties.
- Original Title Deed to be returned if applicable. Electronic title deed will be issued once the application is approved.
- Transfer Fee of 5 per cent is not applicable.
- If the seller is an entity that is under liquidation, an approval from the appointed liquidator is required.
- NOC from the Body corporate for completed Property.
- If the buyer is an individual from high risk or sanctioned country, they will be requested to provide a recent 3 month bank statement and provide details on the source and origin of funds, in case the buyer is legal entity will be requested to provide audited financials for the past 2 years and provide details on the source and origin of funds.

| Service Type | Service Fee |
|-------------------------------------|-------------|
| Transfer from / to shareholders | 273 (USD) |
| Registration of Transfer Instrument | 100 (USD) |
| Knowledge & Innovation Fees | 20 (AED) |

| Document Control No. | Document Classification: | Document Updated on: | Page |
|----------------------|--------------------------|----------------------|----------|
| DIFC-PS-HB-01 | External | 27 December 2024 | 10 of 30 |
| Rev.11 | | | |



Transfer of shares of a Corporate Landlord

This section sets out the requirements when a company that owns property in the DIFC sells or transfers its shares between existing or new shareholders. This transfer should be submitted manually and cannot be completed through the client portal.

- Transfer Instrument
- Attested Certificate of incumbency or Share Certificate providing details about the current shareholders of the entity and their shares.
- SPA or MOU that show execution of share transfer.
- Passport copies of the shareholders in case of new shareholders.
- Undertaking letter with the company letter head signed and stamped by shareholder.
- NOC from the bank if the property is mortgaged.

Note: Above requirements might vary, and further documents might be required based on a request of the RoRP.

| Service Type | Service Fee |
|-------------------------------------|---|
| Transfer of shares | Freehold transfer fee payments will be based on the new shareholder structure and when the change took place. |
| Registration of Transfer Instrument | 100 (USD) |
| Knowledge & Innovation fees | 20 (AED) |

Note: Separate Knowledge & Innovation Fees are applicable to penalty charges for late registration.

Freehold Transfer for Inheritance

This process is applicable for the transfer of unit(s) from a deceased owner to his/her heirs. The request should be submitted on the DIFC portal following the steps below:

To submit this request:

- Log in to the DIFC portal and search for the "SR Number" by using the key word "Inheritance". Fill the form and upload all the required documents.
- Pay the required fees and submit the request.
- Upon submission, DIFC services will review the request. If further details are required, the request will be returned to the portal user.
- Once approved, the approval email will be sent to the user with the updated title deed.

| Document Control No. | Document Classification: | Document Updated on: | Page |
|----------------------|--------------------------|----------------------|----------|
| DIFC-PS-HB-01 | External | 27 December 2024 | 11 of 30 |
| Rev.11 | | | |

DIFC

| Required documents | | |
|---|--|--|
| Off Plan Property | Completed Property | |
| No Objection Certificate – Developer Certificate of off-plan register Identification Documents referred to above. | No Objection Certificate - Body Corporate Title deed Identification Documents referred to above. | |
| Other Documents to be uploaded | | |
| Upload a death certificate of the deceased owner. If the death certificate is not from UAE, upload a copy attested by UAE Ministry of Foreign Affairs. Upload a clear copy of the court order. The court order must be shared with DIFC courts before filling with the DIFC Decision of Depending. | | |
| Upload a death certificate of the deceased owner. If the death certificate is not from UAE, upload a copy attested by UAE Ministry of Foreign Affairs. A clear and valid passport copy. Upload a document confirming inheritance, legally translated in English and attested by | | |
| relevant. Transfer instrument - Completed property by order of court. Court order for Guardianship. This is required if the heir is a minor. | | |

| Service Type | Service Fee |
|---|-------------|
| Transfer of a unit from a deceased owner to | 273 (USD) |
| his/her heirs | |
| Knowledge & Innovation Fees | 20 (AED) |

| Document Control No. | Document Classification: | Document Updated on: | Page |
|----------------------|--------------------------|----------------------|----------|
| DIFC-PS-HB-01 | External | 27 December 2024 | 12 of 30 |
| Rev.11 | | | |

DIFC 🗇

LEASES

Lease Registration

Lease Registration is required for DIFC Property that is leased for a term exceeding **6 months** and an application for registration can only be submitted via the DIFC Portal. The Lease must be registered within **30 days** from the date of the Lease agreement. Failure to register the Lease within the agreed time frame will result in the penalty of **USD 1,000**.

Submission process:

Before filling the form, please note the below:

- Commercial units such as offices and retail shops can only be leased by Companies or Partnerships registered in the DIFC or are under formation at the time of Lease Registration.
- Residential units can be leased by individuals or companies. A template of the DIFC residential Lease will be generated by the DIFC portal upon filling the request. Kindly note that the template of the DIFC residential lease is advisory only and can be enhanced by the landlord and the tenant, provided such enhancements and additional terms do not contravene the Leasing Law and the Leasing Regulations.
- Companies leasing residential units will be asked to provide occupant details.
- A Lease must be registered within **30 days** of the date of entering into the Lease Agreement.
- All the documents uploaded on the service request must be clear. Failure to submit clear scanned copies will result in the application being rejected.
- DIFC Registrar of Real Property requires an instrument to be signed by both the landlord and the tenant. The instrument will be pre-filled and generated by the portal upon filling the request and the user will have the option of signing it and uploading it or having it signed electronically.
- The lodgement will not be considered complete until the instrument is fully signed by both parties.

To submit this request:

- Log in to the DIFC portal and search for the "SR Number" by using the key word "Lease Registration".
- Fill the form and upload all the required documents.
- Pay the required fees including the security deposit fees (if applicable) and submit the request.
- If the client opted for signing the instrument electronically, the request will only be considered submitted upon completion of signing.
- Upon submission, DIFC services will review the request. If further details are required, the request will be returned to the portal user.
- Once approved, the approval email will be sent to the user with the Lease registration certificate.

Required documents

• A copy of the Lease agreement duly signed by the landlord and tenant.

| Document Control No. | Document Classification: | Document Updated on: | Page |
|----------------------|--------------------------|----------------------|----------|
| DIFC-PS-HB-01 | External | 27 December 2024 | 13 of 30 |
| Rev.11 | | | |



- A copy of the Title Deed
- Landlord documents: a copy of the landlord's passport in case of an individual landlord. A copy of the commercial license in case of a company landlord.
- Tenant documents: a copy of the tenant passport and Emirates ID (front and back side) in case of an individual tenant. A copy of the commercial license in case of a company tenant.
- In case a power of attorney is acting on behalf of the landlord or tenant, the following documents will be required:
- A copy of the power of attorney (PoA)
- A copy of the power of attorney holder identification documents according to what is mentioned in the PoA.
- A copy of the signed lease registration Instrument if the document is not signed electronically through the portal. This document will be generated by the portal.
- In case of a sub lease, a copy of the signed sublease consent will be required if not signed electronically through the portal. This document will be generated by the portal.
- If the unit is a residential unit and the lease agreement require a security deposit, the following
 documents will be required: a copy of the signed payment of security deposit form if not signed
 electronically through the portal. This document will be generated by the portal.
- If the unit is mortgaged and a mortgagee consent is required, then a Mortgage consent must be uploaded.

| Service Type | Service |
|--|-----------|
| More than 6 months and less than 5 years | 100 (USD) |
| Equal to or more than 5 years and less than 10 | 200 (USD) |
| years | |
| Equal to or more than 10 years | 300 (USD) |
| Knowledge & Innovation Fees | 20 (AED) |

Note: Separate Knowledge & Innovation fees will be applicable for late registration penalty.

| Document Control No. | Document Classification: | Document Updated on: | Page |
|----------------------|--------------------------|----------------------|----------|
| DIFC-PS-HB-01 | External | 27 December 2024 | 14 of 30 |
| Rev.11 | | | |



Release of Security Deposit

This service is used to apply for a refund of the security deposit paid for a registered residential lease in the DIFC. The refund can be requested either in full or in partial amount based on the agreement between both the landlord and the tenant upon expiry of the registered lease. The request must be submitted on the DIFC Portal.

Before filling the form, please note the below:

- All refunds will be processed in AED. All bank charges for wire transfer shall be borne by the client.
- Mode of refund for Security Deposit is limited to bank transfer.
- In a situation where there are joint tenants, the joint tenants will add the bank account details of the tenant receiving the payment in the form, thus stipulating which of the two tenants will receive the refund payment, the same process applies
- You be required to provide reference number "SR Number" of the lease registration certificate issued at the time of lease registration
- Spot exchange rate will be applied for currencies other than AED.

Required documents

- If the refund is requested in full, a copy of the Release form should be uploaded to the portal and duly signed by both the landlord and tenant. This form is generated by the portal.
- If the refund is requested in partial amount, Refund of part of the security deposit form must be uploaded and duly signed by both the landlord and the tenant. This form is generated by the portal.
- In case a power of attorney is acting on behalf of the landlord or tenant, the following documents will be required:
 - A copy of the power of attorney (PoA)
 - A copy of the power of attorney holder identification documents according to what is mentioned in the PoA.
- If the refund is made to a third party, the identification documents of the third party are required such as passport copy for individuals and license copy for companies

Application Process

- Log-in to the DIFC Portal.
- Click on "Request" then Apply for a request or Search for a request by typing a key word under "Apply for a Request".
- Provide lease registration reference no.
- Specify the type of the refund.
- Fill in the required fields You need to specify whether you wish to sign the instrument(s) electronically through the DIFC Portal or manually. If you opt for an electronic signature, the application will not be submitted until the document is signed by both the landlord and the tenant. Once it is signed, the application status will be changed to "Submitted.
- Fill in the required unit and stakeholders' details.
- Select refund receiving party and the amount to be received. The amount entered should not be more than the amount which was paid during registration.

| Document Control No. | Document Classification: | Document Updated on: | Page |
|----------------------|--------------------------|----------------------|----------|
| DIFC-PS-HB-01 | External | 27 December 2024 | 15 of 30 |
| Rev.11 | | | |



- if the landlord will receive full or portion of the security deposit, you need at least select one reason for retaining any portion of the Security Deposit.
- Provide refund bank account details.
- Provide security deposit details.
- Click on save and continue to move step 2.
- Upload all the required supporting documents. If the document is not generated, please click on the refresh button. You have the option to click on preview to review the generated document,
- Click on save and continue to move step 3.
- The system will direct you to the next page. Review the details entered. Please ensure all the information provided is accurate.
- Review and confirm request details.
- provide your consent to the declaration by clicking on the checkbox. Then, click on submit.
- Once the request is submitted, it will be reviewed by DIFC services, and the refund will be issued within 5 working days.

Lease variation

This request allows registration of variation to an existing lease. The variation can be submitted for amending the lease expiry date, the rental amount, the security deposit amount (applicable to residential leases only) and any other terms or conditions.

Required documents

- A copy of the lease agreement duly signed by the landlord and tenant.
- A copy of the Title Deed.
- In case a power of attorney is acting on behalf of the landlord or tenant, the following documents will be required:
 - A copy of the power of attorney (PoA)
 - A copy of the power of attorney holder identification documents according to what is mentioned in the PoA.
- A copy of the signed lease variation Instrument if the document is not signed electronically through the portal. This document will be generated by the portal.

Application Process

- Log-in to the DIFC Portal.
- Click on "Request" then Apply for a request or Search for a request by typing a key word under "Apply for a Request".
- Navigate to Leases, click on the relevant service request.
- Provide lease registration reference no.
- Provide the purpose of lease variation and add the variation details.
- Click on save and continue to move to step 2.
- Upload all the required supporting documents. If the document is not generated, please click on the refresh button. You have the option to click on preview to review the generated document,
- Click on save and continue to move to step 3.

| Document Control No. | Document Classification: | Document Updated on: | Page |
|----------------------|--------------------------|----------------------|----------|
| DIFC-PS-HB-01 | External | 27 December 2024 | 16 of 30 |
| Rev.11 | | | |



- The system will direct you to the next page. Review the details entered. Please ensure all the information provided is accurate.
- Review and confirm request details.
- provide your consent to the declaration by clicking on the checkbox. Then, click on submit.
- Summary of the cost will be shown along with the option to pay via wallet or with credit card. Upon receipt of the service request, Registry Services will review the request. In case of any pending requirements or information, the service request will be returned for more information or for re-upload. In case of any edit in the services request, it will be returned for Edit
- Once the Lease request is approved, a Lease Registration Certificate is issued electronically, an email notification is sent to the portal user, landlord and tenant.

Service Fee

- USD 100
- If the variation is made to the expiry date of the lease where the lease term has additional fees as per the below, then the difference will be charged:
- Lease term more than six months and less than five years: USD 100
- Lease term equal to or more than five years and less than 10 years: USD 200
- Lease term equal to or more than 10 years: USD 300
- The fees will include Knowledge & Innovation fees of AED 20.

Lease assignment

This request must be submitted to register a transfer of an active lease from the current tenant to a new tenant.

| Required documents |
|--|
| A copy of the lease agreement signed by the landlord, tenant and assignee. |
| New Tenant documents: a copy of the tenant passport and Emirates ID (front and back side) in case of an individual tenant. A copy of the commercial license in case of a company tenant. |
| In case a power of attorney is acting on behalf of the landlord or tenant, the following documents will be required: |
| A copy of the power of attorney (PoA) |
| A copy of the power of attorney holder identification documents according to what is mentioned in the PoA. |
| A copy of the signed lease assignment Instrument if the document is not signed electronically through the portal. This document will be generated by the portal. |
| • |
| Application Process |

- Log-in to the DIFC Portal.
- Click on "Request" then Apply for a request or Search for a request by typing a key word under "Apply for a Request".
- Navigate to Leases, click on the relevant service request.
- Provide last approved lease registration reference.

| Document Control No. | Document Classification: | Document Updated on: | Page |
|----------------------|--------------------------|----------------------|----------|
| DIFC-PS-HB-01 | External | 27 December 2024 | 17 of 30 |
| Rev.11 | | | |



- Fill in the required fields and upload the required documents You need to specify whether you wish to sign the instrument(s) electronically through the DIFC Portal or manually. If you opt for an electronic signature, the application will not be submitted until the document is signed by both the landlord and the tenant. Once it is signed, the application status will be changed to "Submitted.
- Click on save and continue to move to step 2.
- Upload all the required supporting documents. If the document is not generated, please click on the refresh button. You have the option to click on preview to review the generated document.
- Click on save and continue to move to step 3.
- The system will direct you to the next page. Review the details entered. Please ensure all the information provided is accurate.
- Review and confirm request details.
- provide your consent to the declaration by clicking on the checkbox. Then, click on submit.
- Summary of the cost will be shown along with the option to pay via wallet or with credit card. Upon receipt of the service request, Registry Services will review the request. In case of any pending requirements or information, the service request will be returned for more information or for re-upload. In case of any edit in the services request, it will be returned for Edit
- Once the Lease request is approved, a Lease Registration Certificate is issued electronically, an email notification is sent to the portal user, landlord and tenant.

Service Fee

- USD 100
- Knowledge & Innovation fees of AED 20

Term commencement notification

This request must be submitted to notify the registrar of the term commencement date of a lease, where the Lease is off plan or does not specify a term commencement date at the time the lease was registered with the DIFC Registrar of Real Property. The request must be submitted once lease commencement date is determined and specified in accordance with signed tenancy agreement between the landlord and tenant

| Require | d documents |
|---|---|
| • | A copy of signed term commencement date notification form signed by both the landlord and the tenant. This document is generated by the DIFC portal. |
| Applicat | tion Process |
| • | Log-in to the DIFC Portal. |
| • | Click on "Request" then Apply for a request or Search for a request by typing a key word under "Apply for a Request". |
| • | Navigate to Leases, click on the relevant service request. |
| • | Provide lease registration reference no. |
| • | Fill in the required fields and upload the required documents You need to specify whether you wish to sign the instrument(s) electronically through the DIFC Portal or manually. If you |
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 Document Control No.
 Document Classification:
 Document Updated on:
 Page

 DIFC-PS-HB-01
 External
 27 December 2024
 18 of 30

 Rev.11
 Comparison
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 Comparison
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opt for an electronic signature, the application will not be submitted until the document is signed by both the landlord and the tenant. Once it is signed, the application status will be changed to "Submitted.

- Click on save and continue to move to step 2.
- Upload all the required supporting documents. If the document is not generated, please click on the refresh button. You have the option to click on preview to review the generated document.
- Click on save and continue to move to step 3.
- The system will direct you to the next page. Review the details entered. Please ensure all the information provided is accurate.
- Review and confirm request details.
- Provide your consent to the declaration by clicking on the checkbox. Then, click on submit.
- Once the Lease request is approved, a Lease Registration Certificate is issued electronically, an email notification is sent to the portal user, landlord and tenant.

Service Fee

N/A

Self-Occupy

This process is applicable if a company wishes to operate from a unit owned by the company itself or its sole shareholder. Please note the requirements below:

- Letter confirmation from the landlord confirming he/she is the sole shareholder or owner of the property. The letter needs to be addressed to Registrar of Real Property.
- Copy of the landlord's passport in case of an individual. Copy of the commercial license in case of a company landlord.
- A title Deed or Transfer Instrument must be issued for the unit to process self occupy.

Lease Termination

This request must be submitted in case of a Mutual Termination of a lease or Termination of a Lease Pursuant to Court Order.

Before filling the service request, please note the conditions below:

- The Lease must be registered with the RORP to be terminated.
- The Lease term must be current.
- You will be required to provide reference number "SR Number" of the lease registration certificate issued at the time of lease registration
- All the documents uploaded on the service request must be clear. Failure to submit clear scanned copies will result in rejecting the request.

On expiry or mutual termination of a residential lease and where a security deposit has been paid to the RORP, the landlord and the tenant shall submit a release form to RORP, to confirm the amount of the security deposit to be refunded to the tenant and the agreed portion to be retained by the landlord (if any). Refund of Security Deposit can be submitted along with Mutual Termination through the DIFC Client Portal.

| Document Control No. | Document Classification: | Document Updated on: | Page |
|----------------------|--------------------------|----------------------|----------|
| DIFC-PS-HB-01 | External | 27 December 2024 | 19 of 30 |
| Rev.11 | | | |



In the event that the parties are not in agreement with the amount of the security deposit to be refunded to the tenant and/or retained by the landlord, the landlord or the tenant shall submit a dispute form to RORP, to notify the RORP of the existence of a dispute regarding the release of the security deposit. Such disputes can be referred to the SCLT (Small Claims Tribunal) by either landlord or tenant and the SCLT, which forms part of the Small Claims Tribunal, will provide expedited relief in respect of such disputes

Documents to be uploaded

- In case of Mutual Termination, upload Signed Instrument for Termination of Lease.
- In case of Lease Termination due to a court order, the following documents are required:
 Court Order Copy.
 - Signed Instrument for Termination of Lease Pursuant to Court Order.
- In case of release of a security deposit under a residential lease, upload Signed Release Form to refund/retain Security Deposit.

Application Process

- Log-in to the DIFC Portal.
- Click on "Request" then apply for a request or search for a request by typing a key word under "Apply for a Request".
- Navigate to Leases, click on the relevant service request.
- Provide lease registration reference number.
- Fill in the required fields and upload the required documents.
- If the lease agreement has an existing security deposit. You have to complete the process of refund within the termination request as part of this request.
- Click on save and continue.
- The system will direct you to the next page. Review the details entered. Please ensure all the information provided is accurate.
- Obtain the required signature on the Instrument and upload a scanned copy of the signed document to the portal or you have the option to sign the lease instrument electronically via DocuSign for electronic signature, submitted status will only show once instrument is fully signed.
- Review and confirm request details.
- Click on 'Declaration" checkbox to proceed with payment confirmation. And confirm the payment.
- Summary of the cost will be shown along with the option to pay via wallet or payment gateway by credit card.
- Make the payment, then click on submit. Upon receipt of the service request, Registry Services will review the request. In case of any pending requirements or information, the service request will be returned for more information or for re-upload. In case of any edit in the services request, it will be returned for edit
- Once the Lease request is approved. An email notification will be sent to both the landlord and tenant to confirm that the lease is terminated.

| Service Type | Service Fee |
|-----------------------------|-------------|
| Lease Termination | 100 (USD) |
| Knowledge & Innovation fees | 20 (AED) |

| Document Control No. | Document Classification: | Document Updated on: | Page |
|----------------------|--------------------------|----------------------|----------|
| DIFC-PS-HB-01 | External | 27 December 2024 | 20 of 30 |
| Rev.11 | | | |

Update landlord details

Request for updating the landlord details recorded with the DIFC Registrar of Real Property such as change of name, updated passport details, address and/ or contact details.

The request must be submitted by the registered landlord or an appointed power of attorney.

| Required docu | iments |
|---|--|
| If the la certifica corpora | ndlord's name has changed, evidence of change is required such as a copy of a ate issued by the embassy for individuals or certificate of name change for body ates. |
| If the up an NoC | nit is mortgaged, any amendments to details reflected on the title deed will require c from the Bank. |
| Application Pr | ocess |
| Log-in t | to the DIFC Portal. |
| Click or under " | n "Request" then apply for a request or search for a request by typing a key word Apply for a Request". |
| Navigation | te to Miscellaneous click on "Update landlord details". |
| If the potential they will | ortal user is the landlord, their details will be prepopulated, for other types of users, Il be required to provide all the details in the service request |
| Specify update | the landlord type whether it is individual or a company, select the details to be d: |
| Click o docume | n save and continue to move to step 2. Upload all the required supporting ents. |
| Click or Review Review | n save and continue to move to step 3. The system will direct you to the next page. the details entered. Please ensure all the information provided is accurate. and confirm request details. |
| Provide "Submi | your consent to the declaration by clicking on the checkbox. Then, click on t. |
| A sumr card. | nary of the cost will be shown along with the option to pay via wallet or with a credit |
| Upon realized any per information edit. | ecceipt of the service request, Registry Services will review the request. In case of inding requirements or information, the service request will be returned for more tion or for re-upload. In case of any edit in the service request, it will be returned for |
| Once the will be a second | ne request is approved and there is a change in the landlord's name, the title deed sent to the landlord's registered email |

| Service Type | Service Fee |
|-----------------------------|-------------|
| Update Landlord Details | 100 (USD) |
| Title Deed Replacement | 273 (USD) |
| Knowledge & Innovation fees | 20 (AED) |

| Document Control No. | Document Classification: | Document Updated on: | Page |
|----------------------|--------------------------|----------------------|----------|
| DIFC-PS-HB-01 | External | 27 December 2024 | 21 of 30 |
| Rev.11 | | | |



MORTGAGES

All mortgage related services must be submitted on the DIFC portal. All mortgages registered on the RoRP register should be provided by approved bank listed on the RoRP register. For more details on listing a bank or a financial institution as a mortgagee, please email us on <u>rorp@difc.ae</u>.

Mortgage Registration

This section sets out the requirements to register a mortgage on one or more lots located within the DIFC.

| Requir | ed documents |
|--------|---|
| ٠ | A copy of the financing (Islamic or Conventional) agreement duly signed by the mortgagee and the mortgagor. |
| • | Landlord documents: a copy of the landlord's passport in case of an individual landlord. A copy of the commercial license in case of a company landlord. |
| • | In case a third party is acting on behalf of the mortgagee or mortgagor, the following documents are required: |
| | A copy of the power of attorney (PoA) document |
| | • A copy of the delegated individual's identification documents according to the PoA. |
| • | A copy of the signed mortgage registration Instrument. |
| Applic | ation Process |
| • | Log-in to the DIFC portal. |
| • | Click on "Request" then go to Bank Services or search for the request by typing a key word such as mortgage under "Apply for a Request" on the home page. |
| ٠ | Click on "Mortgage registration". |
| • | If the logged in user is not a bank portal user, they the user must select the name of the mortgagee from the list of banks approved by the RoRP on the portal. |
| • | If the logged in user is a bank portal user, the name of the Mortgagee will be prepopulated automatically. |
| ٠ | Specify the type of mortgage from listed picklist values, either conventional or Islamic. |
| • | Provide mortgage amount, mortgage start date and end date as per the signed agreement. Add unit details, in case of multiple units, only units from the same building will be allowed to be added. |
| • | Select mortgage degree from listed picklist values: primary or secondary. To register a secondary mortgage, a primary mortgage should be registered. |
| • | If you are a portal user not from the bank, such as a landlord or real estate agent, you will need to add the bank Authorised Signatory from the display list. If the authorised signatory details are not added to the list, please connect with the bank to ensure they update their authorised signatories record with the Registrar of Real Property record. |
| • | You will have the option to select authorised signatories' details from the display list. The add button will allow you to add multiple authorised signatories. |
| • | Before request submission, the assigned appointed checker by the bank must review the request and confirm submission. This step is only applicable if the request is submitted by a bank |

| Document Control No. | Document Classification: | Document Updated on: | Page |
|----------------------|--------------------------|----------------------|----------|
| DIFC-PS-HB-01 | External | 27 December 2024 | 22 of 30 |
| Rev.11 | | | |



- Once all the required details are provided and documents are uploaded, click on "Save and Continue".
- The system will require the user to review the details entered before submitting the request.
- A summary of the cost will be shown along with the option to pay via wallet or with a credit card.
- Provide your consent to the declaration by clicking on the checkbox. Then, click on "Submit.
- Upon approval of the request, an email notification will be sent to the landlord's registered email and the registered bank attaching a copy of the Title Deed.
- In case the request is rejected, the amount will be refunded to the portal account and the user can re-use the amount for other requests or apply for a refund.

| Service Type | Service Fee (USD) |
|--|------------------------------|
| Registration of Mortgage (Conventional and | 0.25% of the mortgage amount |
| Islamic) | |
| Mortgage Lodgement fee | 100 |
| Knowledge & Innovation fees | 20 (AED) |

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 Document Control No.
 Document Classification:
 Document Updated on:
 Page

 DIFC-PS-HB-01
 External
 27 December 2024
 23 of 30

 Rev.11

DIFC

Discharge of Mortgage

This section sets out the requirements to discharge a mortgage registered on the RoRP register for a one or more lots.

| Requir | red documents |
|--------|--|
| • | Landlord documents: a copy of the landlord's passport in case of an individual landlord. A copy of the commercial license in case of a company landlord. |
| • | In case a third party is acting on behalf of the mortgagee or mortgagor, the following |
| | documents are required: |
| | A copy of the power of attorney (PoA) |
| | A copy of delegated individual identification documents as per the PoA. |
| • | Clearance Letter issued by the mortgagee and signed by its authorised signatory. |
| • | If the mortgage discharge is enforced by a court order, a copy of the court order is |
| | required. |
| • | Signed instrument for discharge of mortgage. |
| Applic | ation Process |
| • | Log-in to the DIFC Portal. |
| • | Click on "Request" then navigate to Bank Services or search for a request by typing a key |
| | word such as mortgage under "Apply for a Request". |
| • | Click on "Mortgage discharge". |
| • | Select type of discharge: Discharge with court order or Discharge without court order. |
| • | Add building name from the picklist, then select the unit number. Multiple units can be |
| | added. |
| • | If the logged user is the landlord or the bank, the mortgage details will be auto populated. |
| | Any other users will be required to add the details. |
| • | If you are a portal user not from the bank, such as a landlord or real estate agent, you will |
| | need to add the bank Authorised Signatory from the display list. If the authorised signatory |
| | details are not added to the list, please connect with the bank to ensure they update their |
| | authorised signatories record with the Registrar of Real Property record. |
| • | If you are a bank portal user, you will have the option to select authorised signatories? |
| | details from the display list. The add button will allow you to add multiple authorised |
| | signatories. |
| • | Before request submission, the assigned appointed checker by the bank must review the |
| | request and confirm submission. This step is only applicable if the request is submitted by |
| | a bank. |
| • | Once all the details and documents are provided as part of the request, click on "Save and |
| | Continue". A summary of the cost will be shown along with the option to pay via wallet or |
| | with a credit card. |
| • | Provide your consent to the declaration by clicking on the checkbox. Then, click on "Submit. |
| • | Upon approval of the request, an email notification will be sent to the landlord's registered |
| | email and the bank attaching a copy of new issued title deed. |
| • | In case the request is rejected, the amount will be refunded to the portal account and can |
| | be re-used to submit another request. The user can also request a refund. |
| | |

DIFC领

| Service Type | Service Fee |
|-----------------------------|-------------|
| Discharge of Mortgage | 100 (USD) |
| Knowledge & Innovation fees | 20 (AED) |

Variation of Mortgage

This section sets out the requirements to register any variation to the term of the mortgage or amount secured pursuant to a registered mortgage. This request can be submitted by either the mortgagee, the mortgagor or a third party authorised on act on their behalf.

| Require | d documents |
|--------------|--|
| • / | Amended mortgage agreement or variation to the mortgage agreement signed by both |
| | parties. |
| • \ | Variation of mortgage Instrument signed by both the mortgagee and mortgagor or their |
| 0 | official delegates. |
| • | n case a third party is acting on behalf of the mortgagee or mortgagor, the following |
| 0 | documents are required: |
| | A copy of the power of attorney (PoA). A copy of delegated individual identification desumants as par the DoA |
| Applicati | on Process |
| | on in to the DIEC Portal |
| | Log-In to the Dir C Portal. Click on "Dequest" then nevigate to Denk Services or search for a request by typing a key. |
| • | word such as mortgage under "Apply for a Request". |
| • (| Click on "Mortgage discharge". |
| • 3 | Select the details to be updated. |
| • / | Add building name from the picklist, then select the unit number. Multiple units can be |
| | added as per the mortgage agreement. |
| • | f the logged user is the landlord or the bank, mortgage details will be auto populated. Any |
| (| other users will be required to add the details. |
| | f you are a portal user not from the bank, such as a landlord or real estate agent, you will need to add the bank Authorised Signatory from the display list. If the authorised signatory details are not added to the list, please connect with the bank to ensure they update their authorised signatories record with the Registrar of Real Property record. |
| • | If you are a bank portal user, you will have the option to select authorised signatories' details from the display list. The add button will allow you to add multiple authorised signatories. |
| • | Before request submission, the assigned appointed checker by the bank must review the request and confirm submission. This step is only applicable if the request is submitted by a bank. |
| • (| Once all the details and documents are provided as part of the request, click Save and Continue. A summary of the cost will be shown along with the option to pay via wallet or with a credit card. |
| • • | Provide your consent to the declaration by clicking on the checkbox. Then, click on 'Submit. |
| • | Jpon approval of the request, an email notification will be sent to the landlord's registered email and the bank. In case if there is a change in mortgage expiry date, a new title deed will be attached to the email notification. |
| | |



• In case the request is rejected; the amount will be refunded to the portal account and can be re-used to submit another request. The user can also request a refund.

| Service Type | Service Fee |
|--|-------------|
| Variation of Mortgage | 100 (USD) |
| An increased mortgage would attract mortgage | 0.25% |
| registration fee | |
| Knowledge & Innovation fees | 20 (AED) |

Update bank details

This request is used to update the details of a registered bank in the records of the RoRP. The request can be submitted by the authorised users from the bank or financing institution.

The request must be submitted whenever changes are made to the bank details such as the address, name, contact details or authorised signatories.

| • | Updated license: If the change involves a new license or permit. |
|---------|---|
| • | Passport copies and Emirates ID of added authorised signatories. |
| Applica | tion Process |
| • | Log-in to the DIFC Portal. |
| • | Click on "Request" then navigate to Bank Services or search for a request by typing a key word such as mortgage under "Apply for a Request". |
| • | The portal user will have the option to update the below details: - Authorised signatories - Bank details |
| • | - Address details Once all the details and documents are provided as part of the request, click Save and Continue. A summary of the request will be shown, review and confirm request details Once the service request is submitted, Registry Services will review it. If there are any pending requirements or information, the service request will be returned for more information or for re-upload. In case any edits are needed, the service request will be returned for editing Upon approval of the request, an email notification will be sent to the bank's registered amail address |

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Document Control No. DIFC-PS-HB-01 Rev.11 Document Classification: External Document Updated on: 27 December 2024

Page 26 of 30



Official search certificate

This section sets out the requirements to obtain an Official Search Certificate for specific lot in DIFC. A person who is in the course of acquiring an interest in a property located in the DIFC or has another legitimate interest may apply to the RORP for an Official Search Certificate. An application for an official search can either be granted or rejected by the RORP based on whether the RORP is satisfied that a certificate is being requested for legitimate purposes.

Required documents

Identification proof of the party applying for the official search:

- Passport copies for individuals.
- Commercial License copy and authorised signatory's passport copy for business entities.

Application Process

- Log-in to the DIFC Portal.
- Click on "Request" then navigate to Miscellaneous or search for a request by typing a key word such as Search under "Apply for a Request".
- Click on "Official Search".
- Add building name from the picklist, then select the unit number.
- Provide the reasons for requesting an official search. The applicant must have a legitimate interest in the property to make such request.
- Once all the details and documents are provided as part of the request, click Save and Continue. A summary of the cost will be shown along with the option to pay via wallet or with a credit card.
- Provide your consent to the declaration by clicking on the checkbox. Then, click on "Submit.
- Upon approval of the request, an email will be triggered to the applicant's email address attaching the official search certificate.

| Service Type | Service Fee |
|-----------------------------|-------------|
| Official Search | 200 (USD) |
| Knowledge & Innovation fees | 20 (AED) |

DIFC

Re-issue title deed

This request can be used to apply for the issuance of a replacement of title deed. This request can be submitted by a Landlord or his/her authorised delegate.

| Required documents | | | |
|---------------------|---|--|--|
| • | If the replacement is required due to lost title deed, copy of Loss Certificate issued by Dubai police is required. | | |
| ٠ | If the replacement is required due to change in unit area or unit type, updated surveyed plan is required. | | |
| • | Landlord documents: a copy of the landlord's passport in case of an individual landlord. A copy of the commercial license in case of a company landlord. | | |
| ٠ | In case a third party is acting on behalf of the landlord, the following documents are required: | | |
| | A copy of the power of attorney (PoA) A copy of delegated individual identification documents as per the PoA. | | |
| • | Copy of the title deed (if available) | | |
| Application Process | | | |
| • | Log-in to the DIFC Portal. | | |
| • | Click on "Request" then navigate to Miscellaneous or search for a request by typing a key word such as Search under "Apply for a Request". | | |
| • | Click on "Re-issue title deed". | | |
| • | Select reason for requesting re-issue of the title deed from provided picklist. Add unit number. | | |
| • | If the logged in user is the landlord, landlord details on the request will be prepopulated. If the logged-in user is not the landlord, all the detail needs to be entered. | | |
| • | Once all the details and documents are provided as part of the request, click Save and Continue. A summary of the cost will be shown along with the option to pay via wallet or with a credit card. | | |
| • | Provide your consent to the declaration by clicking on the checkbox. Then, click on "Submit. | | |
| • | Upon approval of the request, an email will be triggered to the registered email of the landlord with the attaching the re-issued title deed. | | |
| • | In case the request is rejected: the amount will be refunded to the portal account and can | | |

 In case the request is rejected; the amount will be refunded to the portal account and can be re-used to submit another request. The user can also request a refund.

| Service Type | Service Fee |
|-----------------------------|-------------|
| Re-issue title deed | 273 (USD) |
| Knowledge & Innovation fees | 20 (AED) |

DIFC�

Caveats

Caveat Registration

This process is applicable to any individual who claims a real property interest or a real property right concerning a specific property, the applicant must clearly state the purpose of registering the caveat and provide the necessary supporting documents to substantiate their claim.

Required documents

- Signed Instrument for the Registration of a Caveat. This document is generated by the portal.
- Evidence of the rights or interests claimed.
- Identification documents for the caveator: passport copy in case of individuals, commercial license copy in case of a company.

Application Process

- Log-in to the DIFC Portal.
- Click on "Request" then navigate to Miscellaneous or search for a request by typing a key word such as Search under "Apply for a Request".
- Click on "Caveat registration".
- Provide caveat details by selecting the purpose of lodging the caveat.
- Select the preferred option to sign caveat registration instrument electronically or manually. In case of electronic signature, the instrument of caveat registration will be sent via DocuSign to the caveator and will not be considered submitted till it's signed.
- Once all the details and documents are provided as part of the request, click Save and Continue. A summary of the cost will be shown along with the option to pay via wallet or with a credit card.
- Provide your consent to the declaration by clicking on the checkbox. Then, click on "Submit.
- Upon approval of the request, an email will be triggered to the register landlord(s) and the caveator registered email attaching a copy of caveat letter.

| Service Type | Service Fee |
|-----------------------------|-------------|
| Caveat Registration | 100 (USD) |
| Knowledge & Innovation fees | 20 (AED) |

DIFC�

Caveat Discharge

This request is used to withdraw a recorded caveat on the RoRP register. The request must be submitted by the Caveator or his/her authorised delegate.

Required documents

- Signed Instrument for the Discharge of a Caveat. This document is generated by the DIFC portal.
- Identification documents for the caveator: passport copy in case of individuals, commercial license copy in case of a company.

Application Process

- Log-in to the DIFC Portal.
- Click on "Request" then navigate to Miscellaneous or search for a request by typing a key word such as Search under "Apply for a Request".
- Click on "Caveat discharge".
- Provide detailed justification for discharging the caveat.
- Select the preferred option to sign discharge of caveat instrument electronically or manually. If electronic signature is selected, the instrument will be sent via DocuSign to the caveator and will not be considered submitted till it's signed.
- Once all the details and documents are provided as part of the request, click Save and Continue. A summary of the cost will be shown along with the option to pay via wallet or with a credit card.
- Provide your consent to the declaration by clicking on the checkbox. Then, click on "Submit.
- Upon approval of the request, an email will be triggered to registered landlord(s) and the caveator registered email address.

| Service Type | Service Fee |
|-----------------------------|-------------|
| Caveat Discharge | 100 (USD) |
| Knowledge & Innovation fees | 20 (AED) |