
The English translations of the RERA legislation contained herein are currently in draft form and are provided for reference only.

Resolution No. (1) of 2019

On Inspection and Investigation of Real Estate Regulatory Activities

Definitions

Article (1)

Complainant or the complaint: Any natural or legal person who submits a complaint or communication against any Licensed Person by the Real Estate Regulatory Authority (RERA).

Inspector: A RERA employee or specialist from another governmental entity appointed as per RERA's CEO's decision to carry out the inspection work; to ensure the implementation of the provisions of the law and the resolutions issued thereof.

Investigator: The employee to be appointed or the committee formed by a decision by RERA's CEO to initiate the investigation proceedings.

Offender: Any natural or legal person who carries out any activity stipulated in the law in violation of its provisions or the resolutions issued thereof.

Direct Inspection

Article (2)

The inspectors who are delegated by the RERA's CEO from among the employees of RERA or specialists from other entities to carry out the inspection work to verify the implementation of the provisions of the law and its resolutions issued thereof, have the following authorities:

1. Entry of places related to the specialty of RERA for inspection and access to files, records and books related to the work of RERA.
2. Listening to the statements of all those suspected in relation to the subject of the investigation from the employees in the places referred to in item (1) of this article.

Direct Investigation

Article (3)

RERA shall have the right to initiate investigation of any violation of the provisions of the Law and its resolutions issued thereof and its guidelines, whether through its own initiative or on the basis of receiving serious complaints. It may conduct an investigation if it has serious evidence that it believes that the violation is about to occur and that the investigator will initiate the investigation in accordance with the mechanism set out in this resolution.

Article (4)

The Investigator shall have the following authorities:

1. Investigation of information and documents available to all or submitted to RERA by the complainant.
2. Hearing the statement of the complainant or any person with information about the offense.
3. Enter the premises of the violator related to the specialty of RERA for inspection and access to files and records whether hard or soft copies related to their work to verify the implementation of the provisions of the law and its resolutions issued thereof.
4. Hearing the testimony of any employee of the violator

5. The investigator may request the violator or any natural or legal person involved in the offense to submit all documents, data and clarifications, including confidential information, if necessary to complete the investigation.

Notifying the Violator

Article (5)

RERA shall notify the violator or his legal representative of the violation and identify all the data and information related thereto, in particular the following:

1. Type of violation
2. The commercial registration certificate
3. Date of notification of the violation
4. Determine the requirements of RERA and the deadline granted for their execution
5. The date of submission of the violator's response

Article (6)

The violator must, immediately upon receipt of the notice, implement the requirements of RERA mentioned in the notification.

The violator may submit to RERA a written request to extend the time limit granted to him to remove the violation and implement the requirements of RERA for an excuse acceptable to RERA. RERA has the right to accept or reject the application.

The violator may also respond to the notification of the violation within five days from the date of receipt of the notice, including proof, evidence, information and any other information required by RERA from the violator mentioned in the notification.

Article (7)

In case RERA receives the response from the violator, RERA may notify the violator in writing within 7 days from the date of receipt of the response as follows:

1. Cancellation of notification of the violation

2. Schedule a hearing session to present the defense of the violator within a period not exceeding 15 days from the date of receipt of the notification.
3. In the event that the violator is unable to attend the hearing, he may submit his defense in writing within a period not exceeding 15 days from the date of notification.

Urgent Cases

Article (8)

In case the matter is considered urgent in accordance with Article (12) of the Law, the following procedures and appointments shall be applied:

- 1- RERA shall notify the violator and summon him to attend before RERA two working days prior to the hearing of the investigation to respond to the complaint against him.
2. The violator or his legal representative must come to RERA on the date specified in the notice to submit all his defenses.
3. In the case of proven violation, the violator is obliged to suspend the violation and remove its effects immediately or within a period of time determined by RERA. In the event of failure to comply with this matter, RERA may take legal measures to implement the penalties stipulated in the law and in this resolution.
4. In the event that the violator is unable to attend the hearing, he may submit his defense in writing within a period not exceeding two working days from the date of the hearing session.

Measures that RERA may take

Article (9)

After the completion of the investigation, the case is presented to RERA for it to take the necessary actions it deems appropriate in this regard.

Article (10)

RERA may publish a statement regarding the violation that has been proven to take place by the violator in a local or international newspaper, social media or websites, in proportion to the seriousness of the violation, provided that it is not published until after the date of appeal of RERA's decision to prove the violation, as the case may be.

Grievance from decisions

Article (11)

The violator may appeal to RERA's CEO of the decisions issued within 30 days from the date of receiving the decision. It shall be considered an irrevocable rejection of 30 days without the decision of the appeal.

Article (12)

The RERA's CEO shall implement the provisions of this resolution and shall be effective from the day following the date of its publication in the Official Gazette.

Chairman of the Real Estate Regulatory Authority

Salman bin Abdullah bin Hamad Al Khalifa