Inheriting property in Dubai: wills, heirs, and what to arrange when you buy

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What happens to a property in Dubai if the owner dies? The heirs will receive it only after a court process in Dubai, and if there is no will registered in the UAE, the property will not necessarily be divided the way you wanted. The federal law for non-Muslim citizens and residents, which came into force on 1 February 2023, does not set a division according to Sharia by default. However, some law firms warn that courts in the UAE may apply it when there is no will, and the law applies to people who live in the UAE. For an investor who lives outside the UAE, a will registered in Dubai is the clear way to decide who will receive the property. Here I have put together what is important to know, and what is worth checking with a lawyer at the time of purchase.

In short

- Since 1 February 2023, a federal law (Federal Decree-Law No. 41 of 2022) has applied in the UAE, governing the inheritance of non-Muslims under civil rules. It applies to citizens and to foreigners who live in the UAE. For people who do not live there, the situation without a will is less clear.
- You can register a will in the UAE even if you do not live there: at the DIFC Courts Wills Service Centre, at the Dubai Courts, or at ADGM in Abu Dhabi.
- Whether inheriting the property is taxed depends on the law in your country of residence, and renting out or selling the property later may have to be reported and taxed there. Check this with an accountant.

In this guide

01 What applies today if there is no will

02 Where to register a will

03 Joint ownership: what happens to the share of the owner who dies

04 What the heirs actually need

05 A will in Dubai and a will in your country of residence: the two need to fit together

06 Your country of residence: tax on inheritance and on income

07 What we check together

01 What applies today if there is no will

Until 2023: the 2005 federal personal status law applied to everyone, and set a division according to Sharia. That is why many buyers still hear that "the property will be divided according to Sharia".

Since 1 February 2023: Federal Decree-Law No. 41 of 2022 on Civil Personal Status applies. It governs marriage, divorce, wills and inheritance for non-Muslim citizens, and for non-Muslim foreigners **who live in the UAE**. A person the law applies to can ask for the law of their home country to apply instead.

What the law says when there is no will: according to summaries by law firms of the inheritance provision of the law (Article 11), half of the estate in the UAE goes to the spouse, and the other half is divided among the children in equal shares, with no difference between sons and daughters. The heirs of a foreigner can ask for the law of the home country to apply, unless a registered will says otherwise.

Does this apply in Dubai? Yes. It is a federal law, and it applies in Dubai too. In addition, Dubai has its own law (Law No. 15 of 2017) governing the registration and execution of wills of non-Muslims at the Dubai Courts and at the DIFC Courts. Abu Dhabi has its own separate law for non-Muslims.

And if you do not live in the UAE? There is no clear-cut answer here. The law refers to foreigners who live in the UAE, and lawyers in Dubai disagree on how it applies to a property owner who lives abroad. According to the DIFC Wills Service Centre, when there is no will, the local laws of the emirate where the property is located apply. The law is also relatively new and has not yet been tested much in the courts. So a will registered in Dubai reduces the uncertainty. If one of the owners or spouses is Muslim, the picture can change, so check this with a lawyer.

02 Where to register a will

There are three main options for non-Muslims. This is a general comparison, not a recommendation of any particular option:

	DIFC Wills Service Centre	Dubai Courts (notary)	ADGM (Abu Dhabi)
What it is	A joint service of the Government of Dubai and the DIFC Courts	The Dubai Courts notary certifies wills of non-Muslims	The ADGM Courts notary registers wills of non-Muslims
Language	English	Check with a lawyer	Check with a lawyer
Do you need to live in the UAE?	No. You can also sign by video call	Check with a lawyer	Check with a lawyer
What it costs	According to Ancova, August 2026. Full will: AED 10,000 per person, AED 15,000 for a couple (mirror wills). Property-only will: AED 7,500 per person, AED 10,000 for a couple	I did not find a current official price	I did not find a current official price

The prices are registration fees only, without the fee of the lawyer who drafts the will. They come from an unofficial source, so check the current price on the DIFC booking page before you book an appointment.

According to the DIFC Courts website, you can register a will if you are not a Muslim and have never been one, are at least 18 years old, and have assets in the UAE or minor children living there.

How it works at the DIFC, in broad terms:

1. **Draft the will:** you can do this yourself, through a will draftsman registered with them, or by using an online template. A will written in another country usually does not meet the DIFC rules and has to be drafted again.
2. **Choose the type of will:** a full will (all your assets in the UAE, including appointing a guardian for minor children), or a will for real estate only (up to five properties in the UAE). There are also types for bank accounts and for shares in companies.
3. **Appoint an executor:** a person who will carry out the will after your death.
4. **Book an appointment and pay** through the DIFC website.
5. **Sign:** at the appointment, in the office or by video, with two witnesses.
6. **For real estate,** also bring the Title Deed.

03 Joint ownership: what happens to the share of the owner who dies

Many buyers purchase with a spouse or a partner. The Title Deed in Dubai records each owner's share. **When one of the owners dies, their share does not pass automatically to the other owner.** It passes to their heirs through the same inheritance process. In other words, even a couple who bought together needs a will if they want the share of the one who dies to pass to the other spouse.

04 What the heirs actually need

Without a court order, the Land Department will not transfer the property. These are the usual stages:

1. **Death certificate:** a certificate issued outside the UAE needs attestation and translation before it is submitted in Dubai.
2. **The court process:** if there is a will registered at the DIFC, the executor applies to the Wills Service Centre with the death certificate, and the court issues a probate order. DIFC orders are enforced through the Dubai Courts. If there is no will, the heirs open proceedings at the Dubai Courts, which decide who the heirs are.
3. **Transfer at the Dubai Land Department (DLD):** at a DLD trustee office or at its main building, you submit the court letter asking to transfer the property to the heirs, the inheritance notice, and passport copies of heirs who do not live in the UAE. If there is a mortgage, you need approval from the bank. If the property is still under construction, you need approval from the developer.
4. **The Dubai Land Department fees:** according to the Dubai Land Department, AED 1,000 per property, AED 250 for the Title Deed, and small fees for the map and the service. Further fees may apply depending on the route, for example 1% of the property value when an heir exits the inheritance (takharuj), or 0.125% of the property value when the transfer is made under a will. After the transfer, a new Title Deed is issued in the heirs' names.

05 A will in Dubai and a will in your country of residence: the two need to fit together

If you have a will in your country of residence, the will in Dubai should not contradict it. The DIFC Wills Service Centre itself warns that a will made in another country may affect the will registered with it, and recommends getting legal advice. So it is worth having a lawyer in your country of residence and a lawyer in the UAE look at both wills, to make sure each will covers its own assets and that neither one cancels the other by mistake.

06 Your country of residence: tax on inheritance and on income

- **Whether inheriting the property is taxed depends on the law in your country of residence.** Check this with an accountant there.
- **Income from the property may also be taxed there.** An heir who rents out the property, or later sells it, may need to report the rental income and the gain from the sale in their country of residence (see "Do I need to report the property in my country of residence?").
- The calculation itself is done with an accountant. I am not an accountant or a lawyer, and the information here is general.

07 What we check together

Inheritance comes up in my guidance when an investor asks about it. If you want to arrange a will, I connect you with a lawyer. The will itself is drafted and registered by the lawyer, not by me.

The guidance: After the first consultation call I can give you a quote. It depends on the sale process and the services you need.

Frequently asked questions

If I don't have a will in Dubai, will the property be divided according to Sharia?

Not necessarily. Since 2023 a federal law has governed the inheritance of non-Muslims under civil rules, and not under Sharia by default. But some law firms warn that courts may apply it when there is no will, the law refers to foreigners who live in the UAE, and for people who live elsewhere the situation is less clear. If one of the owners or spouses is Muslim, the picture changes. A will registered in Dubai is the clear way to decide who will receive the property.

Can I register a will in Dubai without living there?

Yes. The DIFC Wills Service Centre does not require residency, and you can also sign by video call, with two witnesses.

We bought the apartment together. If one of us dies, does their share pass to the other?

Not automatically. The share of the one who dies passes to their heirs, through an inheritance process. If you want it to pass to your spouse, you need a will.

Isn't my will in my country of residence enough?

It does not replace a court process in Dubai, and a will written abroad usually does not meet the rules of the DIFC Wills Service Centre. What matters is that the two wills fit together, and that is

checked with lawyers in both countries.

Will the heirs pay inheritance tax in their country?

It depends on the law in their country of residence, so check it with an accountant there. If they rent out or sell the property, they may need to report it and pay tax on the income.

How much does it cost to register a will at the DIFC?

According to Ancova, August 2026, a full will costs AED 10,000 per person and AED 15,000 for a couple, and a will for real estate only costs AED 7,500 per person and AED 10,000 for a couple. This does not include the lawyer's fee. Check the current price on the DIFC booking page before the appointment.

Sources

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- Before that, Federal Law No. 28 of 2005 and Sharia as the default: Withers, 07.10.2024; Mondaq, 2023, "What are the key changes for non-Muslims" (checked 13.10.2026).
- Without a will: half to the spouse, half to the children in equal shares, and the right of a foreigner's heirs to ask for the law of the home country (Article 11): Mondaq, Awatif Mohammad Shoqi, 16.10.2024; Mondaq, 2023, "2023 Changes to Inheritance Law". Equality between men and women in dividing the estate (Article 4): also Gulf News, 22.12.2022 (checked 13.10.2026).
- Dubai Law No. 15 of 2017, will registries at the Dubai Courts and at the DIFC: DIFC Wills Service Centre, FAQ; Mondaq, 16.10.2024; Mondaq, 15.07.2026 (checked 13.10.2026).
- Abu Dhabi has a separate law (Law No. 14 of 2021): Withers, 07.10.2024; BSA, 09.10.2024 (a civil family court for non-Muslims in Abu Dhabi) (checked 13.10.2026).
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- DIFC: two witnesses and an executor: DIFC, FAQ; Mondaq, 16.10.2024 (Law 15/2017: two witnesses and an executor are mandatory) (checked 13.10.2026).

- DIFC fees, full will AED 10,000 / 15,000: DIFC, Practice Direction 5 of 2017 (official source, 05.10.2017); Ancova, 07.08.2026 (according to the DIFC fee schedule, retrieved 05.08.2026). **Real estate will 7,500 / 10,000:** Ancova only, a single unofficial source (checked 13.10.2026).
- A will made abroad does not meet the DIFC rules and may affect a registered will, and coordination with wills abroad: DIFC, FAQ; Withers, 07.10.2024 (checked 13.10.2026).
- Joint ownership, the share does not pass automatically to the other owner: Betterhomes, 15.03.2026 (in their FAQ); Oliva, updated 04.2026 (checked 13.10.2026).
- Transfer at the Land Department: documents, fees, a letter from the court: Land Department, Inheritance title transfer (official source); FAM Properties; Property Finder, Heirs ownership registration. A DIFC order is enforced through the Dubai Courts: DIFC, FAQ (checked 13.10.2026).
- A death certificate from abroad needs attestation and translation: FAM Properties; Real Estate Club Dubai, 2026 (checked 13.10.2026).
- Reporting rental income and a sale in your country of residence: already on this site, in question 9 of the FAQ and its sources (checked 13.10.2026).

Do you have a question about inheriting property in Dubai?

If you want to arrange a will, I connect you with a lawyer.

Send a WhatsApp message →

The information is general and correct as of the update date. It is not legal advice or tax advice. For a will and inheritance planning you need a lawyer licensed in the UAE, and a lawyer in your country of residence.