



WHO ARE THE OWNERS OF THESE PROPERTIES?

19 May 2017AD / 22 Syaaban 1438H

إِنَّ الْحَمْدَ لِلَّهِ، نَحْمَدُهُ وَنُسْتَعِينُهُ وَنَسْتَغْفِرُهُ وَنَتُوبُ إِلَيْهِ، وَنَعُوذُ بِاللَّهِ مِنْ شُرُورِ أَنْفُسِنَا وَمِنْ سَيِّئَاتِ
أَعْمَالِنَا، مَنْ يَهْدِ اللَّهُ فَهُوَ الْمُهْتَدِ وَمَنْ يَضِلَّ فَلَنْ تَجِدَ لَهُ وَلِيًّا مُرْشِدًا.
أَشْهَدُ أَنْ لَا إِلَهَ إِلَّا اللَّهُ وَحْدَهُ لَا شَرِيكَ لَهُ، وَأَشْهَدُ أَنَّ مُحَمَّدًا عَبْدُهُ وَرَسُولُهُ، اللَّهُمَّ صَلِّ وَسَلِّمْ
عَلَى نَبِيِّنَا مُحَمَّدٍ وَعَلَى آلِهِ وَصَحْبِهِ وَمَنْ دَعَا بِدَعْوَتِهِ إِلَى يَوْمِ الدِّينِ.
أَمَّا بَعْدُ، فَيَا عِبَادَ اللَّهِ، اتَّقُوا اللَّهَ، أَوْصِيكُمْ وَنَفْسِي بِتَقْوَى اللَّهِ وَطَاعَتِهِ لَعَلَّكُمْ تَفْلِحُونَ.
قَالَ اللَّهُ تَعَالَى: أَعُوذُ بِاللَّهِ مِنَ الشَّيْطَانِ الرَّجِيمِ

وَأَعْلَمُوا أَنَّمَا أَمْوَالُكُمْ وَأَوْلَادُكُمْ فِتْنَةٌ وَأَنَّ اللَّهَ عِنْدَهُ أَجْرٌ عَظِيمٌ ﴿٢٨﴾

Fellow Muslims blessed by Allah,

Let us strive to increase the level of our conviction in Allah SWT by diligently fulfilling all of Allah SWTs' commands and avoiding all that he has prohibited us from doing. May we gain calmness, blessings and prosperity not only in this world, but also in the hereafter.

The *mimbar* today shall deliver a sermon entitled, "**Who Are The Owners Of These Properties?**"

Fellow Muslims blessed by Allah,

Assets and properties are wealth and trust bestowed by Allah SWT. Each of us will be held accountable by Allah SWT for the management of such wealth: from where we obtain them, and how they are spent. When someone dies, all his wealth will change ownership and will be inherited by others. Allah SWT declared in Surah an-Nisa', verse 7:



لِّلرِّجَالِ نَصِيبٌ مِّمَّا تَرَكَ الْوَالِدَانِ وَالْأَقْرَبُونَ وَلِلنِّسَاءِ نَصِيبٌ مِّمَّا تَرَكَ الْوَالِدَانِ وَالْأَقْرَبُونَ مِمَّا قَلَّ مِنْهُ
أَوْ كَثُرَ نَصِيبًا مَّفْرُوضًا ﴿٧﴾

Which means: “For men is a share of what the parents and close relatives leave, and for women is a share of what the parents and close relatives leave, be it little or much - an obligatory share.”

Allah SWT has set a duty to manage estates and inheritances justly. However, there are often arguments and squabbles in relation to property rights among heirs, which eventually leads to enmity and discord. We have to ask ourselves: is that the outcome that we dreamt of from our inheritance? *Nauzubillah min zalik...*

Fellow Muslims blessed by Allah,

According to the Department of the Director General of Lands and Mines, through the Estate Distribution Section, since the country gained independence until today there are RM60 billion worth of properties still unclaimed by the heirs of those deceased, and the number continues to grow. Among the factors that has caused these assets to be seemingly disregarded are:

First: The attitude of taking things for granted and procrastinating

Some beneficiaries, or heirs, are indifferent about the affairs of the estate or inheritance. They view it lightly and allow the property to be unmanaged. Added to that, there is the skewed view of a handful of people in the society who do not see the need to quickly manage the properties or inheritance of the deceased, as it is regarded disrespectful to be discussing about the distribution of properties and inheritance so soon after the death of a loved one.

Second: Disputes among the Heirs

And then there is the issue of property tussle among heirs. There are those who are not satisfied with the amount of property distributed to them, and thus blame the unfairness



of the Islamic Inheritance System, known as *faraid*. In addition, there are also claimants to the property coming from family members, such as siblings of the deceased, adopted children, and others, which add to the chaos of the situation.

Third: Confusion among Heirs

Some of the beneficiaries are confused with regards to the proper agency or department which can handle issues regarding distribution and division of property and inheritance. Is it *Amanah Raya*, the Small Estate Distribution Unit, the Syariah Court or the High Court? The confusion arises due to the fact that all of the institutions mentioned are related to the distribution of inheritance, and the public often do not understand the authority of each institution.

Fellow Muslims blessed by Allah,

Good planning is essential for the smooth management of property and inheritance, be it before or after death. Therefore, here is a brief guide on how to overcome a possible property tussle:

First: Understand the Fairness of the Faraid System

It is time for all Muslims to understand the fairness of the Islamic inheritance system. Do not take the easy way out and blame the *faraid* system, which is alleged to be irrelevant and unfair. The fairness of *Faraid* has been described by Allah SWT in Surah an-Nisa ', verse 11:

يُوصِيكُمُ اللَّهُ فِي أَوْلَادِكُمْ لِلذَّكَرِ مِثْلُ حَظِّ الْأُنثَيَيْنِ ۚ فَإِن كُنَّ نِسَاءً فَوْقَ اثْنَتَيْنِ فَلَهُنَّ ثُلُثَا مَا تَرَكَ

Which means: “Allah (thus) directs you as regards your Children's (Inheritance): to the male, a portion equal to that of two females: if only daughters, two or more, their share is two-thirds of the inheritance left behind by the deceased.”



In a hadith recorded by Imam Muslim *rahimahullah* and based on a narration by Ibn Abbas RA, Rasulullah SAW was reported to have said:

إِقْسَمُوا الْمَالَ بَيْنَ أَهْلِ الْفَرَائِضِ عَلَى كِتَابِ اللَّهِ تَعَالَى.

Which means: "Divide the estate among the heirs according to the provisions set by the *al-Quran*."

Second: Will Execution

Property owners have to prepare a last will and testament before death. Allah SWT stated in Surah al-Baqarah, verse 180:

كُتِبَ عَلَيْكُمْ إِذَا حَضَرَ أَحَدَكُمُ الْمَوْتُ إِنْ تَرَكَ خَيْرًا الْوَصِيَّةَ لِلْوَالِدَيْنِ وَالْأَقْرَبِينَ بِالْمَعْرُوفِ
حَقًّا عَلَى الْمُتَّقِينَ ﴿١٨٠﴾

Which means: "Prescribed for you when death approaches [any] one of you if he leaves wealth [is that he should make] a bequest for the parents and near relatives according to what is acceptable - a duty upon the righteous."

The execution of a will and testament will provide the right to non-beneficiaries to receive the inheritance, and be able to guarantee better management of the property of the deceased.

Third: The Execution of Hibah (Distribution of Property While Alive)

Hibah is distribution of property when the owner is still alive. The property owner can decide who will get his property and the amount to be distributed, with certain conditions. This practice of *Hibah* is strongly encouraged as it will prevent disputes in the division of property later. In a hadith recorded by Imam al-Bukhari *rahimahullah*, based on a narration from Abu Hurairah RA, Rasulullah SAW was reported to have said:



تَهَادُوا تَحَابُوا

Which means: "Be providers amongst you, as it will accord love between you."

Fellow Muslims blessed by Allah,

Management and distribution of inheritance must be expedited. Neglect and delay in settlement of the inheritance will invite many disadvantages, such as exposing the heirs to the risk of unauthorized and improper use of the inheritance, as well as the tendency to misuse the rights of others. These are forbidden by Allah SWT, as stated in Surah al-Baqarah, verse 188:

وَلَا تَأْكُلُوا أَمْوَالَكُمْ بَيْنَكُمْ بِالْبَاطِلِ وَتُدْلُوا بِهَا إِلَى الْحُكَّامِ لِتَأْكُلُوا فَرِيقًا مِّنْ أَمْوَالِ النَّاسِ
بِالْإِثْمِ وَأَنْتُمْ تَعْلَمُونَ ﴿١٨٨﴾

Which means: "And do not consume one another's wealth unjustly or send it [in bribery] to the rulers in order that [they might aid] you [to] consume a portion of the wealth of the people in sin, while you know [it is unlawful]."

Fellow Muslims blessed by Allah,

To conclude, among the takeaways from the sermon today are as follows:

First: Wealth and property are entrusted to us by Allah SWT. Therefore, manage them fairly and wisely in accordance with Islamic teachings.

Second: Preserve relationships among heirs, and avert any dispute which could lead to loss or which could affect relationships.

Third: Make haste when claiming inheritance and be open in managing it.

Allah SWT declared in Surah Ali-Imran verse 186:



أَعُوذُ بِاللَّهِ مِنَ الشَّيْطَانِ الرَّجِيمِ

لَتُبْلَوُنَّ فِي أَمْوَالِكُمْ وَأَنْفُسِكُمْ وَلَتَسْمَعُنَّ مِنَ الَّذِينَ أُوتُوا الْكِتَابَ مِنْ قَبْلِكُمْ
وَمِنَ الَّذِينَ أَشْرَكُوا أَذًى كَثِيرًا وَإِنْ تَصْبِرُوا وَتَتَّقُوا فَإِنَّ ذَلِكَ مِنْ عَزْمِ الْأُمُورِ ﴿١٨٦﴾

Which means: “You shall certainly be tried and tested in your possessions and in your personal selves; and you shall certainly Hear much that will grieve you, from those who received the Book before you and from those who worship many gods. But if you persevere patiently, and guard against evil,-then that will be a determining factor in all affairs.”

بَارَكَ اللَّهُ لِي وَلَكُمْ بِالْقُرْآنِ الْعَظِيمِ، وَنَفَعَنِي وَإِيَّاكُمْ بِمَا فِيهِ مِنَ الْآيَاتِ وَالذِّكْرِ الْحَكِيمِ، وَتَقَبَّلَ مِنِّي وَمِنْكُمْ تِلَاوَتَهُ إِنَّهُ هُوَ السَّمِيعُ الْعَلِيمُ، أَقُولُ قَوْلِي هَذَا وَأَسْتَغْفِرُ اللَّهَ لِي وَلَكُمْ وَبِجَمِيعِ الْمُسْلِمِينَ وَالْمُسْلِمَاتِ وَالْمُؤْمِنِينَ وَالْمُؤْمِنَاتِ فَاسْتَغْفِرُوهُ فَيَا فَوْزَ الْمُسْتَغْفِرِينَ وَيَا نَجَاةَ التَّائِبِينَ.



SECOND SERMON

الْحَمْدُ لِلَّهِ وَبِالصَّالِحِينَ، وَالْعَاقِبَةُ لِلْمُتَّقِينَ، وَلَا عُدْوَانَ إِلَّا عَلَى الظَّالِمِينَ، وَالصَّلَاةُ
وَالسَّلَامُ عَلَى إِمَامِ الْمُرْسَلِينَ، وَقُدُورَةِ النَّاسِ أَجْمَعِينَ، وَعَلَى آلِهِ وَأَصْحَابِهِ وَمَنْ تَبِعَهُمْ
بِإِحْسَانٍ إِلَى يَوْمِ الدِّينِ.

أَشْهَدُ أَنْ لَا إِلَهَ إِلَّا اللَّهُ وَحْدَهُ لَا شَرِيكَ لَهُ، الْمَلِكُ الْحَقُّ الْمُبِينُ، وَأَشْهَدُ أَنَّ سَيِّدَنَا
مُحَمَّدًا عَبْدُهُ وَرَسُولُهُ، صَادِقُ الْوَعْدِ الْأَمِينِ.

أَمَّا بَعْدُ، فَيَا عِبَادَ اللَّهِ، اتَّقُوا اللَّهَ وَكُونُوا مَعَ الصَّادِقِينَ، وَحَافِظُوا عَلَى الطَّاعَةِ وَحُضُورِ
الْجُمُعَةِ مَعَ الْمُصَلِّينَ.

The *Mimbar* would like to request for the congregation who are here today to use the donation boxes provided around the mosque to donate from their pockets, so that we can continue organising activities that would utilise the benefit of this House of Allah SWT. May such donations be counted by Allah SWT as part of the charity given by us throughout our life.

وَأَعْلَمُوا أَنَّ اللَّهَ سُبْحَانَهُ وَتَعَالَى أَمْرُهُ بِأَمْرٍ بَدَأَ فِيهِ بِنَفْسِهِ وَثَنِي بِمَلَائِكَتِهِ الْمُقَرَّبِينَ. فَقَالَ
اللَّهُ تَعَالَى مُخْبِرًا وَأَمْرًا بِالْمُؤْمِنِينَ :

إِنَّ اللَّهَ وَمَلَائِكَتَهُ يُصَلُّونَ عَلَى النَّبِيِّ يَا أَيُّهَا الَّذِينَ ءَامَنُوا صَلُّوا عَلَيْهِ وَسَلِّمُوا تَسْلِيمًا



اللَّهُمَّ صَلِّ عَلَى سَيِّدِنَا مُحَمَّدٍ وَعَلَى آلِ سَيِّدِنَا مُحَمَّدٍ كَمَا صَلَّيْتَ عَلَى سَيِّدِنَا إِبْرَاهِيمَ وَعَلَى آلِ سَيِّدِنَا إِبْرَاهِيمَ وَبَارِكْ عَلَى سَيِّدِنَا مُحَمَّدٍ وَعَلَى آلِ سَيِّدِنَا مُحَمَّدٍ كَمَا بَارَكْتَ عَلَى سَيِّدِنَا إِبْرَاهِيمَ وَعَلَى آلِ سَيِّدِنَا إِبْرَاهِيمَ فِي الْعَالَمِينَ إِنَّكَ حَمِيدٌ مُجِيدٌ.

وَارْضَ اللَّهُمَّ عَنِ الْأَرْبَعَةِ الْخُلَفَاءِ الرَّاشِدِينَ سَادَاتِنَا أَبِي بَكْرٍ وَعُمَرَ وَعُثْمَانَ وَعَلِيٍّ، وَعَنْ أَزْوَاجِ نَبِيِّنَا الْمُطَهَّرَاتِ وَعَنْ أَهْلِ بَيْتِهِ وَقَرَابَتِهِ وَسَائِرِ الصَّحَابَةِ وَالتَّابِعِينَ وَمَنْ تَبِعَهُمْ بِإِحْسَانٍ إِلَى يَوْمِ الدِّينِ. وَارْضَ عَنَّا بِرَحْمَتِكَ يَا أَرْحَمَ الرَّاحِمِينَ.

اللَّهُمَّ اغْفِرْ لِلْمُسْلِمِينَ وَالْمُسْلِمَاتِ وَالْمُؤْمِنِينَ وَالْمُؤْمِنَاتِ الْأَحْيَاءِ مِنْهُمْ وَالْأَمْوَاتِ. وَآيِدِ اللَّهُمَّ بِالتَّوْفِيقِ وَالهِدَايَةِ مُدَبِّرِ هَذِهِ الْبِلَادِ الْإِسْلَامِيَّةِ مَلِكَنَا كَبَاوَه دُولِي يَغْمَهَا مِلْيَا سَرِي قُدُوك بَكِينِدَا يَغ دَفَرْتَوَانِ الْكُوخِ ك-15 سُلْطَانِ مُحَمَّدِ ك-5.

اللَّهُمَّ أَطْلُ عُمُرَهُ مُصْلِحًا لِلْمُؤَظَّفِينَ وَالرَّعِيَّةِ وَالْبِلَادِ، وَبَلِّغْ مَقَاصِدَهُ لِطَرِيقِ الْهُدَى وَالرِّشَادِ. اللَّهُمَّ اجْعَلْ مَالِيزِيَا وَسَائِرَ بِلَادِ الْمُسْلِمِينَ طَيْبَةً آمِنَةً مُطْمَئِنَّةً رَّخِيَةً، يَا رُؤُوفُ بِالْعِبَادِ.

اللَّهُمَّ أَعِزِّ الْإِسْلَامَ وَالْمُسْلِمِينَ فِي كُلِّ مَكَانٍ وَحِينٍ، وَانصُرْ مَنْ نَصَرَ الدِّينَ، وَاخْذُلْ مَنْ خَذَلَ الْمُسْلِمِينَ، وَأَعْلِ كَلِمَتَكَ إِلَى يَوْمِ الدِّينِ، وَدَمِّرْ أَعْدَاءَكَ أَعْدَاءَ الدِّينِ.

O, Allah, You are The One Lord Who is the Most Gracious and the Most Merciful, we express our gratitude to You for all the gifts and blessings which you have bestowed upon us, provide to us and to our leaders direction and



guidance, strengthen the solidarity among us, unite our hearts for Your sake, ease all our affairs, multiply our beneficial knowledge, cultivate our souls with good morals, lead us to the route that You would approve, reinforce our faith while facing all forms of trials and tribulations from You, preserve the peace, harmony and safety of our country Malaysia and of our states and territories, namely the Federal Territories. Eschew us from any form of upheaval, disunity and chaos.

رَبَّنَا لَا تُزِغْ قُلُوبَنَا بَعْدَ إِذْ هَدَيْتَنَا وَهَبْ لَنَا مِنْ لَدُنْكَ رَحْمَةً إِنَّكَ أَنْتَ الْوَهَّابُ. رَبَّنَا
آتِنَا فِي الدُّنْيَا حَسَنَةً وَفِي الْآخِرَةِ حَسَنَةً وَقِنَا عَذَابَ النَّارِ.
عِبَادَ اللَّهِ،

إِنَّ اللَّهَ يَأْمُرُ بِالْعَدْلِ وَالْإِحْسَانِ وَإِيتَايَ ذِي الْقُرْبَىٰ وَيَنْهَىٰ عَنِ الْفَحْشَاءِ
وَالْمُنْكَرِ وَالْبَغْيِ يَعِظُكُمْ لَعَلَّكُمْ تَذَكَّرُونَ ﴿٩٠﴾
فَاذْكُرُوا اللَّهَ الْعَظِيمَ يَذْكُرْكُمْ، وَاشْكُرُوا لَهُ عَلَىٰ نِعَمِهِ يَزِدْكُمْ، وَاسْأَلُوهُ مِنْ فَضْلِهِ يُعْطِكُمْ
وَلَذِكْرُ اللَّهِ أَكْبَرُ، وَاللَّهُ يَعْلَمُ مَا تَصْنَعُونَ.