# 218803 - He rented a floor in his building for an Islamic centre, and they hold Friday prayers there and cause inconvenience to others

## the question

I own 5 floors of Commercial Space in a city in India & rented out 3 floors, ground, 1st & 2nd floor as office space to Non Muslims & the other 3rd & 4th floor were vacant. A known person approached me to start an Islamic institute on a rented basis.

Third floor was suited for him to start an institute, being an institute Zuhr , Asr & Magrib were performed by the employees. I was happy to know. Later he requested for taraweeh prayers & I was very happy to grant him permission. Then he approached me to conduct Friday prayers. I had an apprehension that it will be an inconvenience to other tenants but he convinced me that it will not be a problem. The Jummah Sermon will be in English & all the educated class , few men & women will be there. Masha Allah after few months the place was full & Friday prayers has to be conducted in two jamaths. Now the problem I am facing is that the Pathway & stairs are blocked by slippers & shoes and second jamath people standing & waiting on the pathway & crowded. & the entrance is common for both men & women.

The 4th floor is vacant since 1 year prospective tenants come & see the place & like to rent it out after seeing the Friday crowd blocking and obstructing the common areas they refuse to rent my place.

The existing tenants also feel they are being disturbed & troubled.& This property is my main source of income. I have repeatedly requested the person who is running the center to organize & take care so that my existing tenants do not get any problem & disturbance from our people who are coming for prayers, being a small place no action is taken to organize & the tenants are getting disturbed.

Being an Islamic institute & Islamic activities are carried out. I am very much afraid of Allah swt to take any action by asking him to vacate the premises.

I request your kind advice & suggestion which I can suggest him so that I should not hurt him as well as the institute should function without any hindrance to others in future.

Your kind advice as soon as possible is requested.

**Detailed answer**

Praise be to Allah.

Firstly:

We congratulate you for the deep faith that you possess.

We offer you advice on two counts:

-1-

To the brothers who are running this Islamic centre:

This conduct on their part is not acceptable and they have to be fair to the owner of the building by paying attention to the following:

1.One of the great principles of Islam is that harm is to be avoided.

It was narrated from Abu Sa‘eed al-Khudri (may Allah be pleased with him) that the Prophet (blessings and peace of Allah be upon him) said: “There should be neither harming nor reciprocating harm.” Narrated by al-Haakim (2/57-58). He said: Its isnaad is saheeh according to the conditions of Muslim. It was also narrated by Ibn Maajah (2340) from the hadeeth of ‘Ubaadah ibn as-Saamit (may Allah be pleased with him).

A type of harm that must be avoided is causing trouble to others unlawfully.

What the hadith means is: a man should not cause harm to his brother, whether he initiates it or is responding in kind.

Al-Mugharrib fi Tarteeb al-Mu‘arrib [??] (8/2)

Holding Friday prayers in the manner mentioned by the questioner may lead to the rented offices being vacated and may be detrimental to his livelihood and that of his dependents.

2.It was narrated from Abu Hurrah ar-Raqaashi, from his paternal uncle, that the Messenger of Allah (blessings and peace of Allah be upon him) said: “V rily a man’s property is not permissible unless he gives it willingly.” Narrated by Imam Ahmad in his Musnad (34/299); classed as saheeh by al-Albaani in Irwa’ al-Ghaleel (5/279)

The scholars stated that taking a man’s wealth with the sword of shyness (by causing embarrassment or taking advantage of his shyness) is tantamount to consuming his wealth when he has not given it willingly, so it is regarded as a kind of usurping.

It says in al-Mawsoo‘ah al-Fiqhiyyah al-Kuwaitiyyah(18/263):

The Shaafa‘is and Hanbalis stated that taking another person’s property by means of shyness and embarrassment, such as asking someone else for wealth in front of others, so that he gives it to him only because he feels shy or embarrassed, or he gives him a gift out of shyness or embarrassment, when the recipient knows that the giver gave it to him out of shyness or embarrassment, does not mean that it becomes his property, and it is not permissible for him to dispose of it. That which is taken by means of shyness or embarrassment comes under the same ruling as that which is usurped, and the one who took it is obliged to return it or offer compensation for it. End quote.

The owner of the building has not given approval or consent for them to block the passageways or entrances which are meant for people to pass through, or to use them as a place for shoes, and what is preventing him from stopping them is shyness and feeling uncomfortable because of it being an Islamic centre and a place where people pray.

The brothers in charge of this centre have to pay attention to that, and they should fear Allah with regard to the owner of the building.

-2-

With regard to our advice to the owner of the building:

You should adhere to the agreement that was made between you and them with regard to the

operation of the centre which was agreed upon, until the end of the period agreed upon.

With regard to Friday prayer, it was not mentioned in the rental contract, so you have no obligation to give permission for it. But we do not advise you at all to cancel it. Rather we advise you to come to an agreement with them so that you can avoid the problems that you mentioned. All of you have to pay attention to the fact that you are living in a non-Muslim country, so you must be careful to avoid annoying and disturbing the people, so that you can give a good impression of Islamic manners and attitude, which will make it easier for you to call people to Allah. You have to cooperate in righteousness and piety, instead of letting this behaviour prevent people from making use of this Islamic centre or causing trouble for the owner of the building and other tenants. We ask Allah, may He be exalted, to put your affairs straight and to help you to do all that is good.

And Allah knows best.