

## **325573 - Ruling on doing essential repairs to houses using zakaah money**

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### **the question**

Is it permissible to give the zakaah on gold to a poor woman to do some essential repairs to her house?

### **Detailed answer**

If someone needs to do some essential repairs to his house, and does not have enough money to do that, it is permissible to give him zakaah funds for this purpose, subject to two conditions:

- 1.. That the house actually needs those repairs, such as if there is the fear of a wall collapsing, or water leaking through the roof, and so on, and it is not solely for cosmetic purposes which one can do without.
- 2.. That the repairs should be appropriate to the situation of this poor person, without spending extravagantly.

The guideline in this case is that shelter is a basic need, and leaving the house without doing essential repairs when needed is undermining the basic benefit of the house in a way that may lead to the loss of that benefit altogether. Hence it is permissible to give zakaah to the poor person in order to make sure that this essential need is met properly and maintained.

Even though we stated that a house should not be built for the poor person with zakaah funds, as noted in the answer to question no. 111884, essential repairs are a different matter, because there is a real need for them, and because it will not consume as much of the zakaah funds as construction of a new house would.

Some of the scholars regard it as permissible to buy or build a house for a poor person with zakaah funds.

Imam Abu 'Ubayd al-Qaasim ibn Sallaam (may Allah have mercy on him) said: It was narrated from Ibn 'Abbaas that he did not see anything wrong with giving a man some of his zakaah so that he could go for Hajj or ransom himself from slavery.

Abu 'Ubayd said: And the minimum price for freeing a slave is more than two hundred dirhams.

Ibn 'Abbaas granted a concession stating that the entire amount for freeing one person may be taken from zakaah, even though one of the fuqaha' did not accept this view, and he did not regard it as makrooh because of the high cost; rather he regarded it as makrooh because after manumitting the slave, the one who does that will have the connection of wala' [and its advantages] with the former slave. But the views of the companions of the Messenger of Allah (blessings and peace of Allah be upon him) are more deserving of being followed.

All these reports indicate that with regard to the amount of zakaah that is given to those in need, it is not limited to a particular time such that the Muslims cannot give it at any other time, and that it may be given even if the recipient is not in debt. In fact it may be given to someone out of compassion, by way of seeking reward, if that is the motive of the giver, without showing favouritism or being influenced by whims and desires, such as the case of a man who sees a household of righteous Muslims who are poor and needy, and he has a great deal of wealth, and these people have no house to shelter them and meet their needs, so he uses the zakaah of his wealth to buy a house for them to protect them from the cold of winter and the heat of the sun; or they are naked and do not have sufficient clothing, so he buys them clothes sufficient to cover their 'awrah when praying and to protect them from heat and cold; or he sees a slave who has a bad master who is abusing and mistreating him, so he rescues him from slavery by buying him and then manumitting him; or he meets a wayfarer who is far from home and is cut off, so he gives him a mount so that he can reach his homeland and his family, either hiring it or buying it for him. In these

and similar situations, that cannot be addressed except by spending a great deal of money, where the giver does not want to do it as an act of general charity, so he does it using the zakaah on his wealth – if he does that, wouldn't he have fulfilled his duty and wouldn't his zakaah be valid?

Indeed it would, and he is a doer of good.

I am worried, in the case of scholars who disapprove of the action of such a person because he does not want to give it as something voluntary [rather he wants to give it as zakaah], that this may mean that such scholars are preventing him, by means of such a verdict, from carrying out the obligatory duty of zakaah, and thus the people's right to zakaah will be neglected and the poor will suffer.

End quote from *al-Amwaal* (p. 677).

And Allah knows best.