



LEGAL, FINANCING & PRACTICAL ISSUES AFFECTING HOUSING DEVELOPERS UNDER:-

1. *The Housing Development Act 2007 (amended as at 1st June 2015)*
2. *The Strata Titles Act 2007 & The Strata Management Act 2013 (ACT 757); and*
3. *Gated Developments Under Strata Titles*

**4TH MAY 2017
DORSETT
KUALA LUMPUR**

Conducted By Distinguished Speaker:

MR. TANG KEAN ONN, Advocate & Solicitor, LL.B Hons (UM), LL.M (UM)

1. The current application of the Strata Titles Act 2007 and the Housing Development Act 2007:

Re-define of "Housing Development" and "Housing Accommodation" under the new Act

- Legal and practical implication
- Commercial vs Residential properties
- Legal status of Service Apartments under the HAD

2. Application of the Strata Titles Act Meaning of opening of the "Strata Book." – Legal and practical importance

- a. Submission of Master Title for sub-division
- b. Effect of non-submission under the Third Schedule of the Sale and Purchase Agreement under Schedule H.
- c. Transfer of Ownership of strata titles under the Act:
 - The time period for the original proprietor and the purchaser must execute the Memorandum of Transfer
 - Criminal liabilities for failure to execute the Memorandum of Transfer
 - Importance of securing at least 1/4 of the titles transferred
 - Understanding the "initial management period" under the Strata Titles Act
 - Effect of "direct transfer" to sub-sale purchasers
- d. Convening the First Annual General Meeting of the purchasers

3. Management of Strata Development under The Housing Developers Act; The Strata Titles Act; and Strata Management Act 2013

- a. Meaning of "Common Areas"
 - b. Scope and duration of management under the HDA and The Strata Titles Act
 - c. Understanding the "initial management Period"
 - d. Collection and Recovery of service charges
 - e. Legal and practical problems affecting the management and the recovery of service charges in a "Gated Development."
 - f. Important differences between the management company and the Management Corporation (MC)
 - g. The legal status of the "Sinking Fund"
 - h. The convening of the First Annual General Meeting (AGM)
 - i. The legal and Practical issues arising under the STRATA MANAGEMENT ACT 2013
 - Appointment, qualification and registration of Property Managers
 - Appointment of the Joint Management Body (JMB)
 - Legal implication if the amount of service charges and the penalty of late payment as provided for under the Deed Of Mutual Covenant is inconsistent with the decision of the JMB
- 4. To what extent the Strata Titles Act is applicable to "Strata Bungalows" under a Gated Development in Malaysia**
- Understanding the legal and practical meaning of "strata"

- Understanding the compulsory adoption of the standard S&P - Schedule G & H
- Why is the development of "Strata Bungalows" a serious legal contradiction?
- Meaning of "The construction of Land & Building" under Schedule G
- Meaning of "The Construction of a Sub-Divided Building" under Schedule H.
- Understanding "Sub-Division of Land" and "Sub-Division of Building" under the National Land Code and the Housing Developers Act and the Strata Titles Act.
- The legal and practical problems affecting the frontage and set-back
- The legal status of roads once surrendered to the local authorities

5. Importance of the Issue Document Strata Title under the HDA

- a. Progressive Release under Item 4, Third Schedule (Schedule G): 2.5%
- b. Sub-sale
- c. Effect and consequences if the Developers are wound-up or have ceased to carry on business
- d. Assignment when developers have been wound-up or have ceased to carry on the business as the housing developer.

6. Collection and Recovery of Service/Maintenance charges

- Practical collection techniques
- Legal process

7. Jurisdiction of the Tribunal for house buyers under the Housing Developers Act

8. Duties and liabilities of architects, engineers and stakeholders (solicitors)

REGISTRATION FORM

REF: MAY17HDA

Early Birds: Registration by 18th April 2017: RM888.00 per person
 Group Discount (Two or more persons from same organization) – RM950.00 per person
 Regular Fee – RM1000.00 per person *(The above fees are inclusive of lunch / tea-breaks / valuable seminar materials & certificate)*
 Crossed Cheque/Bank Draft payable to GOODCONSULT SDN. BHD.
 Mailing Address: 36th Floor, Menara Maxis, Kuala Lumpur City Centre, 50088 Kuala Lumpur Contact Person: Ms. Erna /Cik Sharifah/Ms. Chai Tel: 03-2615 7278 Fax: 03-6204 5612 Email: goodconsultsb@gmail.com
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