

2nd STRATA MANAGEMENT SEMINAR 2018

29 August 2018
Armada Hotel Petaling Jaya

SEMINAR OVERVIEW

Strata Management Act ("SMA") 2013, Strata Management Regulation (Maintenance & Management) Regulation ("SMR") 2015 and Strata Management (Strata Management Tribunal) Regulations 2015 came into force on June 2015. More than three years later, there are still many challenges and problems in its implementation due to many unforeseen issues, consequences and legal obligations, especially relating to issues involving the Subsidiary Management Corporation (SMC).

This 1-day intensive seminar will deal with the many issues faced by developers, purchasers, management bodies, property managers and the COB in the implementation and compliance of the provisions of the Chapter 4 of the Strata Management Act 2013 and section 17A Strata Titles Act 1985. The speakers will focus on the new areas of development involving the Subsidiary Management Corporation (SMC), the requirements of Special Plan for Limited Common Property and the related legal aspects.

There will be in-depth discussions on what is involved in the formation, maintenance and management of buildings and common property/limited common property, problems and issues arising during developer's management period and preliminary management period. Both Sr Wong and Sr Chuang will share their experiences in implementing the first real SMC in Malaysia.

The key topics that will be covered include:

- **Formation of Subsidiary Management Corporation (SMC)**
- **Understanding the Special Plan for Limited Common Property, and identifying the parcels and share units under each SMC.**
- **Apportionment of balance funds to SMCs and MC**
- **Overview of the relevant SMC provisions in Strata Management Act 2013 & the Strata Titles Act 1985**
- **Current issues and problems in the implementation of the Strata Management Act 2013 & the Regulations made thereunder**
- **Understanding what is involved in maintenance and management of building and common property and limited common property**
- **Challenging questions and practical issues faced by Joint Management Body and Management Corporation**

WHO SHOULD ATTEND

- Legal Practitioners
- Management Committee
- Managing Agents
- In-house counsels
- Valuers and Appraisers
- Local Authorities
- Joint Management Committee
- Office bearers of JMC and/or MC
- Property Developers
- Property Surveyors
- Property Managers

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PROGRAMME

8:30am – 9:00 am Registration of participants

9.00am – 10.30am

Formation of Subsidiary Management Corporation (SMC) | By Sr Wong Kok Soo

- What are the benefits of forming SMC?
- To what extent can SMCs help to mitigate inequitable share units.
- When to form SMC?
- What are the provisions to form SMC?
- What are the hurdles towards the formation of SMCs?
- The process of creating Limited Common Properties and formation of SMCs in an integrated strata scheme.
- The due process of a comprehensive resolution and its voting by poll.
- The certificate of receipt of comprehensive resolution by COB.
- The certificate of SMC by the Director of Land and Mines.
- The requisite 1st AGM of SMC and EGM of MC.
- Composition of Subsidiary Management Committee and Management Committee
- General meetings and committee meetings of MC and SMC.
- Accounts of the MC and SMC.
- Billings of Charges and sinking fund contributions by MC and SMC.
- Credit control and debt recovery by MC and SMC.

10.30am- 11.00am

Coffee Break

11.00am – 12.30pm

Special Plan for Limited Common Property (LCP) of SMC | By Sr Chuang Kuang Han

- Who can be authorized to prepare and submit the Special Plan?
- Who are the other consultants whose inputs are important to the Special Plan?
- What is Special Plan for LCP of SMC?
- What are the considerations and issues in the determination of LCP?
- What are the boundaries, differentiations and colour codes for the LCPs of SMCs and the common property of MC?
- Can the external building façade and wall be made part of the LCP for a SMC?
- Are description of LCPs necessary for those parts that cannot be shown in the Special Plan?
- What is a Schedule of Summary for LCPs in Special Plan?
- What are the Schedule of Parcels for LCPs in Special Plan?
- How to deal with options in the numbers of SMCs for a Special Plan?
- Samples of Special Plan for LCP of SMC.

12.30pm – 1.30pm

Networking Lunch

1.30pm – 2.30pm

Understanding the legal issues involved in maintenance and management of building and common property | By Lai Chee Hoe

- Overview of the Strata Management Act 2013 & the Regulations
- What are the general duties of the JMB / MC?
- What is the difference between maintenance account and sinking fund account?
- Can we raise a one-off charges?
- What are the developers' duties?
- Can we apply multiple rates? If yes how do we do it during the 3 phases of management periods under developer, JMB and MC?
- Must developer pay the full charges based on the quantum provisional share units for the provisional block?
- Are deed of mutual covenants and easement enforceable and binding on JMB/MC if they are not passed by resolutions in AGM/EGM as by-laws?

2.30pm – 3.30pm

Legal issues arising from Subsidiary Management Corporation (SMC) | By Lai Chee Hoe

- Duties and powers of SMC.
- Maintenance account and sinking fund account of SMC.
- Can a strata scheme be totally made up of SMCs where the MC is left without any parcel under its care?
- Can 2 or more parcels form a SMC if they are under the same proprietor?

3.30pm - 4.00pm

Tea Break

4.30pm – 5.30pm

Panel Discussion

- Current issues and problems in the formation of SMCs in an integrated mixed-use strata scheme.
- Challenges in the implementation of the Strata Management Act 2013 & the Regulations.

ABOUT THE SPEAKERS

Sr WONG KOK SOO



Wong Kok Soo is the Group Managing Director of Burgess Rawson, Malaysia – a niche market professional property management and consultancy firm, having a property management stable of projects in the Klang Valley with special focus on integrated mixed-use strata development areas. Wong is a fellow and member of professional bodies: RISM, PEPS, MIPFM, MIEA and MIPEAC. Apart from being the property management consultant to the National Association of House Buyers (HBA), he is also called to serve in the regulatory Board of Valuers, Appraisers, Estate Agents and Property Managers (BOVAEP).

Wong is the recipient of awards by the Board of Valuers, Appraisers, Estate Agents and Property Managers Malaysia and the Royal Institution of Surveyors Malaysia for his eminent contributions to the progress of the property management industry. He was actively involved in the drafting and working committees for the Malaysian Property Management Practice Standards; the Strata Management Act 2013 and regulations; the Standard Formulation of Allocated Share Units and Share Units; S.O.P. for formation of Subsidiary Management Corporations. He is currently a renowned authority and speaker on these subjects.

Sr CHUANG KUANG HAN



Chuang Kuang Han is the principal of Jurukur Pinang, a consultant land surveying firm based in Penang. He has Bachelor degree in Surveying Engineering from University of New Brunswick, Canada with over 20 years' experience in land surveying. His areas of interest and expertise are consultancy in housing development involving survey and land matters, strata title and OSC 3.0 submission. In Penang, he is committee member and past chairman of Royal Institution of Surveyors Malaysia (Northern Branch), member of MPPP and MPSP SPEAD committee. At the ministry level, he is current member of KPKT Focus Group Dealing with

Construction Permit on OSC 3.0 and NRE Jabatan Ketua Pengarah Tanah & Galian Special Task Force on Redevelopment of Stratified Development as well as past members of KPKT drafting committee on Strata Management Act 2013, KPKT-CIDB Construction Industry Transformation Program on OSC 3.0 and Persatuan Jurukur Tanah Bertauliah (PEJUTA) Strata Committee.

LAI CHEE HOE



Lai Chee Hoe specialises in strata management litigation, acted in many strata disputes in courts. He also appears in Strata Tribunal. He is the founding partner of Chee Hoe & Associates. Lai was awarded with a Fellowship for Arbitrator (FCI Arb) and is a Chartered Arbitrator and Certified Adjudicator within the Kuala Lumpur Regional Arbitration Centre (KLRC) panel. He appears in courts regularly and was also the Chairman of the Kuala Lumpur Bar Young Lawyers Committee. Lai acts for and against JMB/MC or developers and regularly writes and advises on strata-related and strata tribunal matters. He is currently the

Chairperson for several strata buildings in Kuala Lumpur and recently won the best managed property for Solaris Dutamas in the mixed development category organised by the Edge

REGISTRATION FORM

Registration Fee

EARLY BIRD	Register & pay BY 21 AUG 2018	NORMAL PRICE	Register & pay AFTER 21 AUG 2018
<input type="checkbox"/>	RM850/per pax	<input type="checkbox"/>	RM950/per pax

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Cancellations

If you are unable to attend, a substitute delegate is welcome at no extra cost. A complete set of seminar documentation / materials and a 50% refund will be given for cancellations received in writing not later than 5 working days prior to the seminar date. No refunds will be given for cancellations received less than 5 working days prior to the seminar date.

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CONTACT DETAILS

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