

HOW TO EXERCISE THE PROPER DUTIES, POWERS & LEGAL OBLIGATIONS OF DEVELOPERS, JOINT MANAGEMENT BODIES AND MANAGEMENT CORPORATIONS

28 JULY 2020

HOTEL ISTANA KUALA LUMPUR CITY CENTRE

This 1-day intensive seminar cum workshop is the second seminar in our Strata Management Seminar Series for 2020. The main focus of this edition would be to enable participants to learn how to exercise the proper duties, powers & legal obligations of developers, joint management bodies and management corporations.

The speaker will also deal with the latest legal developments, in particular, the recent Federal Court decision (in the *Menara Rajawali* case) that a JMB is not allowed to apply different rates of charges despite having different components and common facilities, and highlight what are the immediate measures that may be undertaken by a developer, JMB and MC.

The legislations that will be referred to are the Strata Management Act 2013; Strata Management (Maintenance and Management) Regulations 2015; Strata Management (Strata Management Tribunal) Regulations 2015 and Strata Management (Compounding of Offences) Regulations 2019.

WHO SHOULD ATTEND

- Property Developers
- Members of the joint management committee (JMC)
- Members of the management committee (MC)
- Legal Practitioners
- Property & Building Managers
- Property Management Consultants
- Local Authorities & Commissioners
- Valuers, Appraisers and Estate Agents
- Property Owners

Early Bird Registration by 20 July 2020

RM800/pax

***Limited seats available for this exclusive seminar**
Our seminars/workshop will strictly follow all the necessary SOPs and guidelines, especially those related to social distancing and hygiene

Organised By

LOGIC PLUS
Your Knowledge Partner

Logic Plus Events

B-5-8 Plaza Mont Kiara,
Mont Kiara, 50480, Kuala Lumpur
Tel: +603-27262928 | Fax: +603-27262929

Strategic Partners



Board of Valuers, Appraisers, Estate Agents
and Property Managers

5 CPD HOURS APPLIED

- 9.00am - 10.30am **Knowing the extent of Powers granted to a Developer during Preliminary Management Period**
- What is the extent of the powers of a Developer?
 - Are there any case laws which deal with the powers of Developer/JMB?
 - What happens if a Developer acts beyond the powers provided in the Act?
 - Can a developer enter into a contract of more than 1 year?
 - Can a developer enter into a long lease on a common property?
 - Can a developer employ directly to manage the development area?
 - Can a developer secure the services of a person or property manager to manage the development area?
 - Can a developer amend by-laws?
 - Can a developer collect charges by sq feet?
 - Can a developer apportion insurances and obtain reimbursements from each purchaser?
 - What if a developer did not provide an administration office?
- 10.30am - 11.00am Coffee Break
- 11.00am - 12.00pm **How to ensure the proper use of funds from the maintenance account and sinking funds**
- How many accounts can a developer open?
 - Can a developer open one account for each component?
 - What are the monies that should be paid into the maintenance accounts?
 - What about moneys derived from renting out the alfresco area?
 - What about moneys derived from advertisement boards?
 - Can a developer use the funds to organize events or purchase festival items?
 - Can a developer use the funds to provide meals at AGM?
 - What happens if the use of funds were not in accordance to the law?
- 12.00pm - 1.00pm Lunch Break
- 1.00pm - 2.30pm **What are the powers of a JMB / MC to apply different rates of charges?**
- Can a JMB / MC apply multiple rates?
 - What is the case of Muhamad Nazri Muhamad v JMB Menara Rajawali & Anor [HC] and [CA] all about?
 - How does it impact application of multiple rates?
 - What can the developer of a multiphase development do in light of Menara Rajawali's decision?
 - What can a JMB do in light of Menara Rajawali's decision?
 - Are there any alternative ways to circumvent Menara Rajawali's decision?
- 2.30pm -3.30pm **Establishment of a Management Corporation**
- When does a Management Corporation come into existence?
 - Who exercises the powers of the Management Corporation after it has come into existence?
 - What happens if a developer refuses to convene the 1st AGM of the MC?
 - When to convene the 1st AGM of the MC?
 - How to check whether the 25% threshold is fulfilled?
 - Can proprietors write to COB to lodge a complaint if AGM is not convened?
 - Who is to issue the Notice of Resolution Confirming charges, contribution to the sinking fund and rate of interest in Form 15?
- 3.30pm - 4.00pm Tea Break
- 4.00pm - 5.30pm **What are the powers of a Management Corporation**
- Can the Management Corporation enter into a long lease?
 - Can a Management Corporation impose a rate of more than 10% for sinking fund?
 - Can a Management corporation employ directly or must it secure services of a property manager to manage the development area?
 - Must there be a management service agreement entered into?
 - Can the Management Corporation borrow monies?
 - Can the Management Corporation accept charges in instalments?
 - Can the Management Corporation issue certificate in Form 19?
 - Can the Management Corporation set up proper procurement procedures and tender process?
 - Can the Management Corporation impose a fine?



Lai Chee Hoe

Partner
Chee Hoe & Associates

A Certificate of Legal Practice (“CLP”) Book-prize winner, the founding partner of Chee Hoe & Associates, Mr Lai was admitted and enrolled as an advocate and solicitor of the High Court of Malaya in 2005. He was also the Chairperson of the Kuala Lumpur Bar Young Lawyers Committee. He acts for the Bar Council on various cases.

Mr Lai specialises in both civil and corporate litigation in particular strata management disputes. He also provides corporate advisory works and advises corporates on strata related pre-emptive actions. He argues complicated strata management issues in court regularly and is constantly sought after to provide trainings and talks. He acts for joint management committees (JMC), management corporations (MC) and developers. He is also the author of the book “Strata Management Practice & Procedure, 2019 Edition” published by CLJ Publication.

He also regularly updates Strata related cases on <https://blog.burgielaw.com/>. He was also the Chairperson of various Management Corporations in Kuala Lumpur and one of the development area he chaired, Solaris Dutamas recently won the best managed property in the mixed development category organised by the Edge.

He is also empanelled with the Asian International Arbitration Centre (“AIAC”) as a chartered arbitrator (fellow of CIArb) and certified adjudicator.

HOW TO EXERCISE THE PROPER DUTIES, POWERS & LEGAL OBLIGATIONS OF DEVELOPERS, JOINT MANAGEMENT BODIES AND MANAGEMENT CORPORATIONS

28 JULY 2020 | HOTEL ISTANA KUALA LUMPUR CITY CENTRE

STRATA SEMINAR SERIES 2 28 JULY 2020 HOTEL ISTANA KUALA LUMPUR CITY CENTRE	Early Bird Register & Pay by 20 July 2020	Normal Price Register & Pay after 20 July 2020
Registration Fee	<input type="checkbox"/> RM800/per pax	<input type="checkbox"/> RM900/per pax

*Group discount: 3 pax & above enjoys 5% discount | 5 pax & above enjoys 10% discount

Contact Details (Use only capital letters)

Full Name <small>(as in Passport / Identity Card)</small>		
Institution/Company	Designation	
Address		
Address 2		
City	Postcode	
Country	Mobile Contact	
Telephone	Fax	Email

Participant Information

1) Full Name <small>(as in Passport / Identity Card)</small>	
Institution/Company	Email
2) Full Name <small>(as in Passport / Identity Card)</small>	
Institution/Company	Email
3) Full Name <small>(as in Passport / Identity Card)</small>	
Institution/Company	Email

Method of Payment

Method of Payment

Please check one of the Boxes below for the method of payment.

Payment must be made in advance of the seminar. Payment can be made by cheque, bank draft or bank transfer.

I would like to pay by:

- Cheque
 Bank Draft
 Bank Transfer

Payment by cheque and bank draft must be made payable to:
"Logic Plus Events"

Payment by Bank Transfer must be made to:

Logic Plus Events
CIMB Bank Berhad
Account No: 8009412876

Please complete registration details and email/fax the registration form and proof of payment to:

E-Mail
 registration@logicplus.com.my

Telephone
 +603 2726 2928

Fax
 +603 2726 2929

Contact Person
 Mr Tan

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.

Signature

Date

Logic Plus Events

B-5-8 Plaza Mont Kiara, Mont Kiara, 50480, Kuala Lumpur
 Tel: +603-27262928 | Fax: +603-27262929