



**SERIES 2 STRATA  
MANAGEMENT SEMINAR 2022**

# HOW TO DEAL WITH THE LATEST KEY ISSUES FACED BY DEVELOPERS, JOINT MANAGEMENT COMMITTEE, MANAGEMENT COMMITTEE AND PROPRIETORS

**13 MAY 2022**

**ROYALE CHULAN HOTEL KUALA LUMPUR**

This 1-day intensive seminar cum workshop is the second seminar in our Strata Management Seminar Series for 2022. The main focus of this edition would be to enable participants to learn how to deal with the latest key issues faced by developers, joint management committee, management committee and proprietors.

The **KEY TOPICS** include:

- How to effectively deal with the critical issues arising during the Defect Liability Period?
- What happens to a strata development if the Developer is wound up?
- Why different Rates of Charges and when to introduce them
- Latest legal decisions/issues involving the maintenance and management building and common property
- How to effectively introduce, amend and enforce additional by-laws

The speakers will also deal with the latest legal developments such as, the developers' duty to repair common property; the effect of contracting out from SMA 2013; lawfulness of the DMC where there is non-application of other written laws, contracts and deeds; can the developer lawfully rent out the car parks to third parties; who is responsible where there is illegal renovations; and the effect of delay in conducting AGMs.

## **WHO SHOULD ATTEND**

- Property Developers
- Members of the management committee
- Members of the joint management committee
- Legal Practitioners / Consultants
- Property Managers
- Local Authorities & Commissioners
- Property Owners
- Valuers, Appraisers and Estate Agents

Early Bird Registration by 6 May 2022

**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



B-5-8 Plaza Mont Kiara,  
Mont Kiara 50480, Kuala Lumpur  
Tel: +603-2726 2928 | Fax: +603-2726 2929

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**BOVAEP / LPPEH**

**5 CPD HOURS APPLIED**

8.00am - 9.00am Registration and Morning Coffee

9.00am - 9.45am **How to effectively deal with the critical issues arising during the Defect Liability Period?**

- What is defect liability period?
- What are the differences between patent and latent defects?
- Can a JMB / MC claim defects on common property?
- Can a JMB / MC claim defects on a parcel?
- How long can a purchaser claim defects from developer?
- What are the defect liability mechanism?
- How to effectively manage defect liability period?
- Can we deliver phased vacant possession and yet have a same commencement date of defect liability period?

**Speaker: Lai Chee Hoe**

9.45am - 10.15am **What happens to a strata development if the developer is wound up?**

- Does liquidator step into the shoe of a developer?
- Can a JMB recover charges from the liquidator?
- If the liquidator does not contribute to the charges, what can we do?
- Can a liquidator vote in a general meeting?
- What can a JMB / MC do if the developer is wound up?
- Can a JMB / MC claim outstanding charges from the liquidator?

**Speaker: Lai Chee Hoe**

10.15am - 10.30am Coffee Break

10.30am - 12.00pm **Why different rates of charges and when to introduce them**

- When to apply multiple rates - how do we do it during the three phases of management periods under developer, JMB and MC?
- Use of multiple rates of charges in an integrated mixed-use strata scheme by Joint Management Body (JMB) and Management Corporation (MC)
- How to apply multiple rates of charges on provisional blocks
- Do provisional blocks have to pay a uniformed charge?
- Can we use multiple rate of charges in a phased development involving different VP periods?
- Use of maintenance accounts
- Use of sinking fund accounts
- Uniform rates
- Exceptions
- Grounds to apply different rates of charges
- Can we raise a one-off charges?

**Speaker: Lai Chee Hoe**

12.00pm - 2.00pm Lunch & Friday Prayers

2.00pm - 3.30pm **Latest legal decisions/issues involving the maintenance and management building and common property**

- Developers Duty to repair Common Property - Duties under Schedule H and New Requirements under SMA 2013 - which prevails?
- Non-application of other written laws, contracts and deeds - is DMC lawful?
- Contracting out from SMA 2013 prohibited - its effect
- Allocated share units - Single Rate - when flat is not really flat
- Can one rely on section 60(3) of SMA 2013 as justifying a different rate of charges?
- Car parks as part of common property - whether the Developer may lawfully rent out the car parks to third parties
- Is Written Notice a prerequisite to a claim for the Charges?
- Illegal renovation - who is responsible?
- Theft in Condo - is JMB /MC responsible?
- Delay in having AGM - is the committee actions still valid?
- When is the MC a successor in title to the Purchasers

**Speaker: Dato' Pretam Singh Darshan Singh**

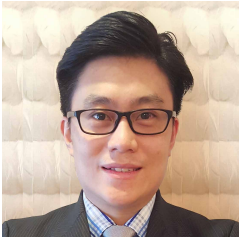
3.30pm - 4.00pm Tea break

4.00pm - 5.30pm **How to effectively introduce, amend and enforce additional by-laws**

- Introduction to Third Schedule
- Can a developer introduce by-laws?
- Can a JMB introduce additional by-laws?
- Can a MC introduce additional by-laws?
- What are the areas of by-laws you can amend or make additions to?
- Do the by-laws bind the tenant or occupier?
- Can a proprietor inspect the by-laws?
- What are the restrictions to introducing additional by-laws
- What can the JMB/MC do to effectively enforce the by-laws

**Speaker: Lai Chee Hoe**

5.30pm - 6.00pm Question & Answer



**Lai Chee Hoe**

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 CI Arb) and certified adjudicator.

He also sits in the focus committee to propose amendments to the Strata Management Act 2013 and the Strata Management (Maintenance & Management) Regulations 2015.



**Dato' Pretam Singh Darshan Singh**

Dato' Pretam is the founder of Pretam Singh, Nor & Co. and has previously been serving as the President of the Tribunal for Home Buyers' Claim. He is a lawyer by profession and was previously a Senior Federal Counsel, Deputy Public Prosecutor with the Attorney General's Chambers and the legal advisor to several Government Ministries and agencies including KPKT.

His practice is highly regarded and recognised by major developers, bankers, financial institutions and GLCs in property and land matters.

He is also the President of Property Real Estate Lawyers Association. He is a well sought-after public speaker both locally and internationally. He is a major contributor of articles on property related issues to the social and print media.

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13 MAY 2022 | ROYALE CHULAN HOTEL KUALA LUMPUR

STRATA MANAGEMENT SEMINAR SERIES 2 13 May 2022   Royale Chulan Hotel Kuala Lumpur	Early Bird Register & Pay by 6 May 2022	Normal Price Register & Pay after 6 May 2022
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

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Date