

HOW TO DEAL WITH THE RECENT KEY ISSUES & DECISIONS AFFECTING HOUSING DEVELOPMENTS

7 JULY 2022

ROYALE CHULAN HOTEL KUALA LUMPUR

This 1-day intensive seminar cum workshop will deal with the challenges faced by the housing development industry, in particular, issues involving claims for liquidated damages from purchases for the late delivery of vacant possession and the application for extension of time (EOT) by developers.

The speakers will also deal with all the latest developments affecting housing developments by highlighting the recent key decisions involving issues such as: Can Developer split the agreements in relation to sale of bungalows lots? Are advertisement brochure and show room displays legally binding? Can purchasers claim for more than SPA? Is Deed of Mutual Covenant Lawful? Can you rely on the Covid-19 Act to reduce the claim for liquidated damages?

The **KEY TOPICS** include:

- When are you required to adopt a statutory prescribed SPA
- How to deal with Liquidated Damages for Late Delivery of Vacant Possession
- How can a Developer still apply for extension of time (EOT)
- Exemptions under the Covid-19 Act
- Recent landmark decisions affecting housing developments

WHO SHOULD ATTEND

- Property Developers
- Legal Practitioners / Consultants
- Project Managers
- Local Authorities & Commissioners
- Property Owners
- Valuers, Appraisers and Estate Agents
- Planners

Early Bird Registration by 1 July 2022

RM850/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

9.00am - 10.30am	<p>When are you required to adopt a statutory prescribed SPA</p> <ul style="list-style-type: none">• Relevant provisions of the Housing Development Act• When was this introduced?• When was the amendment made?• How many types of schedule SPA are there?• When to adopt the Schedule SPA?• Workshop: to look at the clauses in Schedule H <p>Speaker: Lai Chee Hoe</p>
10.30am - 11.00am	Coffee Break
11.00am - 12.30pm	<p>How to deal with Liquidated Damages for Late Delivery of Vacant Possession</p> <ul style="list-style-type: none">• Extension of Time (EOT)• What is the fixed period to complete a residential high-rise development?• What is the fixed period to complete a landed development?• Can we apply for more than 36 months?• Is the 36 months extension valid in law?• What is the principle behind the decision in the case of Ang Ming Lee• What impact does it have on residential development• Does it have impact on non-residential development?• Exemption period under the Covid-19 Act <p>Speaker: Lai Chee Hoe</p>
12.30pm - 1.30pm	Networking Lunch
1.30pm - 3.00pm	<p>How can a Developer still apply for extension of time (EOT)</p> <ul style="list-style-type: none">• How to distinguish the case in Ang Ming Lee• Can an EOT be still valid in law?• What are the key factors to look at?• Does the Controller still have power to grant an EOT?• Does the Minister have power to grant an EOT?• What to do when purchasers filed an action against the Developer for LAD starting from 36 month onwards?• What are the possible defences?• What are the cases we can refer to?• Can we file a 3rd party action against the Minister and Controller?• Recent cases on EOT• Exemption period under the Covid-19 Act <p>Speaker: Lai Chee Hoe</p>
3.00pm - 3.30pm	Tea Break
3.30pm - 5.00pm	<p>Recent decisions affecting Housing Developments - Is the industry ready for it?</p> <ul style="list-style-type: none">• Cardinal Principles Governing Interpretation of Housing Legislations.• Can Developer split the agreements in relation to sale of bungalows lots?• Legality of supplementary agreement to standard spa (SCHEDULE G AND H).• Is the advertisement brochure and show room displays legally binding in light of the recent Federal Court case of Danga Bay.• How to collect deposit lawfully (an analysis of FC decision of PJD Regency)• Is Deed of Mutual Covenant Lawful?• When purchaser can set off balance purchase price against LAD?• Can purchasers claim for more than SPA?• No changes thereto or deviations therefrom shall be made without the consent in writing of the Purchaser except such as may be required by the Appropriate Authority (a discussion on the recent FC decision of Masteron)• Conflict between HDA Account Regulation and Agreement - which prevails?• Are settlement Agreement Binding on Purchasers? <p>Speaker: Dato' Pretam Singh Darshan Singh</p>



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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HOUSING DEVELOPMENT SEMINAR 2022 7 JULY 2022 ROYALE CHULAN HOTEL KUALA LUMPUR	Early Bird Register & Pay by 1 July 2022	Normal Price Register & Pay after 1 July 2022
Registration Fee	<input type="checkbox"/> RM850/per pax	<input type="checkbox"/> RM950/per pax

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

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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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