

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

6 APRIL 2023
CONCORDE HOTEL KUALA LUMPUR

This 1-day intensive seminar cum workshop is the first seminar in our Housing Development Seminar Series for 2023. It will lay the way forward by equipping participants with the knowledge and solutions to deal with the recent challenges faced by housing development industry.

The speakers will deal with the important issues such as: when does a developer adopt the prescribed SPA; what are the developer's duties on defects; what constitutes an effective deed of mutual covenant (DMC) for developers; and issues involving "housing advertisements" - to what extent are they legally binding on the developer.

The **KEY TOPICS** include:

- When does a Developer adopt the prescribed SPA?
- Housing Advertisements - Are they legally binding on the Developer?
- What are the Developer's duties on defects?
- What constitutes an effective deed of mutual covenant (DMC) for Developers
- 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 31 March 2023

RM850/pax

*Limited seats available for this exclusive seminar

Organised By



A-5-10, Empire Tower SS16/1,
Subang Jaya, 47500 Subang Jaya, Selangor
Tel: +603-2726 2928 | Fax: +603-2726 2929

Strategic Partners



BOVAEP / LPPEH

5 CPD HOURS APPLIED

- 9.00am - 10.30am **When does a Developer adopt the prescribed SPA?**
- When do we use Schedule G, H, I and J
 - What are the important provisions in a Schedule H
 - Workshop: to look at the clauses in Schedule H
 - Does Schedule H apply to a phased development?
 - When is a developer required to deliver vacant possession (VP)
 - How does one calculate liquidated ascertain damages for late vacant possession?
- Speaker: Lai Chee Hoe**
- 10.30am - 11.00am Coffee Break
- 11.00am - 12.30pm **Housing Advertisements - Are they legally binding on the Developer?**
- Can a developer advertise without obtaining AP?
 - Registration exercise - Is it binding ?
 - Show units - Is it an advertisement?
 - Is the advertisement brochure legally binding?
 - Particulars to be included in advertisements
 - Particulars NOT to be included in advertisements
 - Completion date in advertisement and SPA differs - Which prevails?
 - Is Regulation 5 and 6 valid after the FC case of Ang Meng Lee?
 - Can purchaser take breach of advertisement cases to Tribunal?
- Speaker: Dato' Pretam Singh Darshan Singh**
- 12.30pm - 1.30pm Networking Lunch
- 1.30pm - 3.00pm **What are the Developer's duties on defects?**
- What are the key duties in relation to defects under Housing Development Act 1966?
 - What are the defect liability mechanism by virtue of the SPA?
 - Who is entitled to lodge a complaint on defects under the SPA?
 - How many days does the developer have to respond to the defects complaint?
 - Does the developer need to repair defects after the defect liability period?
 - What amounts to defects?
 - What are the differences between patent and latent defects?
 - How to effectively manage defects?
- Speaker: Lai Chee Hoe**
- 3.00pm - 3.30pm Tea Break
- 3.30pm - 5.00pm **What constitutes an effective deed of mutual covenant (DMC) for Developers**
- What is a deed of mutual covenant (DMC)?
 - Are DMCs still relevant in light of the Strata Management Act 2013
 - What are the important provisions in the deed of mutual covenant (DMC)?
 - Can the deed of mutual covenant (DMC) bind a non-purchaser?
 - What if the deed of mutual covenant (DMC) contradicts with the prescribed by-laws?
 - Can the powers granted in the deed of mutual covenant (DMC) be transferred to the Joint Management Body (JMB)?
- Speaker: Lai Chee Hoe**



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 SERIES 1 6 APRIL 2023 CONCORDE HOTEL KUALA LUMPUR	Early Bird Promo Payment by 31 March 2023	Normal Price Payment after 31 March 2023
Registration Fee	<input type="checkbox"/> RM850/per pax	<input type="checkbox"/> RM990/per pax

*Group discount: 3 pax & above enjoys 5% discount | Terms & Conditions apply

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Date