

# HOW TO DEAL WITH THE RECENT KEY ISSUES AFFECTING HOUSING DEVELOPMENTS

**25 APRIL 2024  
CONCORDE HOTEL KUALA LUMPUR**

This 1-day intensive seminar cum workshop is the first seminar in our Housing Development Seminar Series for 2024. 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: what are the legal obligations of a Developer under the pre-scribed SPA; what are the key duties in relation to defects under the Housing Development Act 1966; how to effectively achieve vacant possession simultaneously with strata title (VPST); where there is no VPST, does the Developer have the right to apply for an exemption; and what are Developer's duties in relation to Housing Development Accounts.

The **KEY TOPICS** include:

- How to effectively achieve vacant possession simultaneously with strata title (VPST)
- Vacant possession with strata title: Does Developer have the right to apply for an exemption?
- What are Developer's duties in relation to Housing Development Accounts?
- What are the legal obligations of a Developer under the pre-scribed SPA?
- How to deal with defects under the current Housing Development regime

## 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 19 April 2024

**RM850/pax**

\*Limited seats available for this exclusive seminar

Organised By



A-5-10, Empire Tower SS16/1,  
Subang Jaya, 47500 Subang Jaya, Selangor  
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Strategic Partners



**BOVAEP / LPPEH**

**5 CPD HOURS APPLIED**

9.00am - 10.30am

**WHAT ARE THE LEGAL OBLIGATIONS OF A DEVELOPER UNDER THE PRE-SCRIBED SPA?**

- What happens if the floor area is smaller than the one set out in the SPA?
- What if the Purchaser failed to obtain a loan?
- What if the Purchaser failed to accept the financial facility?
- Can a developer impose late payment charges on progressive fees?
- Can a developer terminate the SPA?
- Does a developer require to refund the purchase price to the Purchaser?
- Can a developer deliver vacant possession when the balance of purchase price is not paid in full?
- When does a developer need to issue strata titles?

**Speaker:** Lai Chee Hoe, Managing Partner, Chee Hoe & Associates

10.30am - 11.00am

Coffee Break

11.00am - 12.30pm

**HOW TO DEAL WITH DEFECTS UNDER THE CURRENT HOUSING DEVELOPMENT REGIME**

- What are the key duties in relation to defects under the 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 complaints?
- 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, Managing Partner, Chee Hoe & Associates

12.30pm - 1.30pm

Networking Lunch

1.30pm - 2.15pm

**HOW TO EFFECTIVELY ACHIEVE VACANT POSSESSION SIMULTANEOUSLY WITH STRATA TITLE (VPST)**

- Understanding the parallel process of housing development with strata title application
- What else can a developer do to enhance, fasten and smoothen the strata title application?
- What happens if under certain circumstances, a strata title cannot be produce to accompany vacant possession?

**Speaker:** Farhan Hassan, Deputy Land Administrator and Registrar, Putrajaya Federal Territories Land and Mine Directors Office

2.15pm - 3.00pm

**VACANT POSSESSION WITH STRATA TITLE: DOES THE DEVELOPER HAVE THE RIGHT TO APPLY FOR AN EXEMPTION?**

- What are the conditions required for applying the exemption?
- How long will be the duration of the exemption period?
- Is it necessary for the developer to obtain purchasers' permission before submitting an exemption application to Housing Controller?
- If the exemption has lapsed, is the developer obligated to pay LAD to purchasers in the absence of the issuance of strata title?

**Speaker:** Nur Amzari Bin Dato' Sri Azemi, Director, Housing Development Licensing Division at the National Housing Department, KPKT

3.00pm - 3.30pm

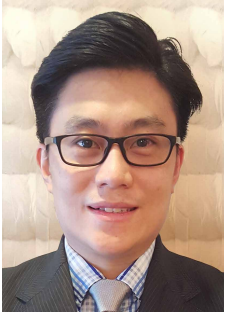
Tea Break

3.30pm - 5.00pm

**WHAT ARE DEVELOPER'S DUTIES IN RELATION TO HOUSING DEVELOPMENT ACCOUNTS?**

- What is a Housing Development Account?
- When does a developer require to open a HDA account?
- How much does a developer require to place a deposit?
- How soon must the purchaser financier pay the progressive payment to the Developer?
- What are the conditions of withdrawal of money from the HDA Account?
- When can a developer withdraw the surplus monies in the HDA Account?
- When can a developer withdraw all remaining monies in the HDA Account?
- Can the Controller use the monies in the HDA Account?

**Speaker:** Lai Chee Hoe, Managing Partner, Chee Hoe & Associates



## Lai Chee Hoe

Certificate of Legal Practice (“CLP”) Book-prize winner for General Paper, author of “Strata Management Practice & Procedure” published by CLJ Publication 2019 edition, admitted and enrolled as an advocate and solicitor of the High Court of Malaya in 2005.

He sits in the focus committee amending the Strata Management Act 2013 and the Strata Management (Maintenance & Management) Regulations 2015; and updates strata management related cases regularly in [blog.burgielaw.com](http://blog.burgielaw.com)

He specialises in both civil, corporate and construction litigation in particular strata management and housing development disputes. He provides corporate advisory works and advises developers 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 bodies (JMB), management corporations (MC) and developers.

He is the counsel for Obata Ambak, Vignesh Naidu’s case which recently obtained leave to appeal to the Federal Court on 7 questions of law post Ang Ming Lee. He is also involved in the Gas Malaysia case where the Court of Appeal (and later confirmed by the Federal Court) opined that the responsibility to supply Gas ought not be handed over to the JMB / MC. He also acts for the Bar Council on various cases.



## Nur Amzari Bin Dato’ Sri Azemi

Mr Nur Amzari is the current Director of the Housing Development Licensing Division at the National Housing Department, KPKT. He entered the Malaysian public service in 2004 and has accumulated nearly 20 years of experience in diverse fields. He held the positions of Assistant Director at the Federal Land- Property Section, Assistant Director at the Enforcement and Federal Revenue Section, and Assistant Director at the Land Acquisition Section within the Department of Director General of Lands and Mines (JKPTG), Ministry of Natural Resources (NRE) from 2004 to 2010.

He served as the Director of JKPTG Melaka from February 2010 until March 2011 and served as the Deputy Director (Finance) in the Department of Survey and Mapping (JUPEM) from 2011 until 2016. He then served as the Senior Principal Assistant Secretary at the International and Strategic Secretariat Division, KPKT from 2016 to 2021 and as the Senior Principal Assistant Director at the Strata Management Division, National Housing Department from 2021 to 2022.

He earned a Bachelor of Law with Honors (LLB Hons) from the International Islamic University of Malaysia (IIUM) in 2004 and a Master of Laws (LL.M.) from the University Kebangsaan Malaysia (UKM) in 2023. He is also a member of Jabatan Perumahan Negara task force team working on amending the Housing Development (Licensing and Control) Act 1966.



## Farhan Hassan

Mr Farhan is currently the Deputy Land Administrator and Registrar under the Putrajaya Federal Territories Land and Mine Directors Office. He has been an administrative and diplomatic officer since 2008, and he has been highly involved with law/policy making, engagement with industrial players on strata title registration and businesses including those involving transit-oriented development. He was also part of the focus group discussion on the revision of the National Land Code and Strata Title Act 1985.

He earned a Bachelor of Consumer Studies in 2008 and a Master of Land Resource Management in 2020 from the University of Putra Malaysia. He also has wide experience in giving talks, sharing knowledge and advises on various topics involving strata development and title registration, land revenue and alternative approaches to arrear collection.

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25 APRIL 2024 | CONCORDE HOTEL KUALA LUMPUR

<b>HOUSING DEVELOPMENT SEMINAR SERIES 1</b> 25 APRIL 2024   CONCORDE HOTEL KUALA LUMPUR	Early Bird Registration <b>Payment by 19 April 2024</b>	Normal / HRDC Registration
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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 7 working days prior to the seminar date. No refunds will be given for cancellations received less than 7 working days prior to the seminar date.

Logic Plus reserves the right to change the date, venue, sub-topics and speaker(s) for the seminar(s) where necessary. Should we have to cancel or postpone the seminar, our responsibility is limited to a refund of any registration fee(s) already paid. Logic Plus is not responsible for travel, accommodation or other related/unrelated expenses which may have been incurred by delegate(s) attending this seminar.

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 Signature Date

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