

HOW TO IMPLEMENT THE BEST PRACTICES AND PROCEDURES FOR THE HOUSING DEVELOPMENT SECTOR

**21 SEPTEMBER 2023
CONCORDE HOTEL KUALA LUMPUR**

This 1-day intensive seminar cum workshop is the second seminar in our Housing Development Seminar Series for 2023. It 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 speaker will also deal with the important issues such as: what does a developer have to do before delivery of vacant possession; who is to pay for quit rent, assessment, tax, charges imposed by appropriate authority before delivery of vacant possession; what is the principle and impact of the decision in the case of Ang Ming Lee; and what is the Homebuyer Tribunal, its jurisdiction and procedure.

The **KEY TOPICS** include:

- What is the best approach to deliver vacant possession?
- What are the post obligations after delivery of vacant possession?
- How to deal with Liquidated Damages for Late Delivery of Vacant Possession
- Homebuyer Tribunal - How to make a claim and get an award
- 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 15 September 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
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Strategic Partners



BOVAEP / LPPEH

5 CPD HOURS APPLIED

9.00am - 10.30am

What is the best approach to deliver vacant possession?

- What does a developer have to do before delivery of vacant possession?
- What is the difference between vacant possession and legal possession?
- What if a purchaser refuses to pick up keys?
- Does one have to deliver vacant possession with separate strata title issued?
- What if one does not have strata title issued at the time of delivery of vacant possession?
- Does one have to ensure electricity supply is ready for connection?
- What if a purchaser does not pay the deposit to the utility provider?
- Does one need to delivery vacant possession if balance of purchase price is not paid in full?

10.30am - 11.00am

Coffee Break

11.00am - 12.30pm

What are the post obligations after delivery of vacant possession?

- Who is to pay premium of insurance of the building before delivery of vacant possession?
- Who is to pay for quit rent, assessment, tax, charges imposed by appropriate authority before delivery of vacant possession?
- What about after delivery of vacant possession?
- When does the obligation to pay charges and sinking fund commence?
- What should be included in the Form of charges Statement?
- How does a developer determine the rate of charges?
- What if the parcel is smaller than the area shown in the Sale and purchase agreement?
- Can one annul the sale and purchase agreement if the area is smaller?

12.30pm - 1.30pm

Networking Lunch

1.30pm - 3.00pm

How to deal with Liquidated Damages for Late Delivery of Vacant Possession

- 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

3.00pm - 3.30pm

Tea Break

3.30pm - 5.00pm

Homebuyer Tribunal - How to make a claim and get an award

- What is Homebuyer Tribunal and its jurisdiction?
- Can you bring an action in a Homebuyer Tribunal? If not, who can?
- Who can attend at the hearing?
- What is the procedure in a Homebuyer Tribunal?
- How does an appeal work?
- Can a Homebuyer Tribunal make an order to pay compensation?
- What is the recent trend of cases



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

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.

He is empanelled with the Asian International Arbitration Centre (“AIAC”) as a Chartered Arbitrator (fellow of CIArb) and as a Certified Adjudicator. He is also an Associate of the Malaysian Institute of Chartered Secretaries and Administrator.

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

21 SEPTEMBER 2023 | CONCORDE HOTEL KUALA LUMPUR

HOUSING DEVELOPMENT SEMINAR SERIES 2 21 SEPTEMBER 2023 CONCORDE HOTEL KUALA LUMPUR	Early Bird Registration Payment by 15 September 2023	Normal / HRDC Registration
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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Participant Information

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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.

Signature

Date