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ONE of the key amendments proposed to introduce to the Strata Management Act 2013 (SMA 2013) and the Strata Management Regulations 2015 (SMR 2015) is the integration of technological advancements for the benefit of Joint Management Bodies (JMBs), Management Corporations (MCs) and strata owners.

It is time to establish a unified platform to oversee compliance with legal obligations and centralise all strata-related information. This initiative would enhance efficiency and transparency while providing greater convenience to the Commissioner of Buildings (COBs) across Peninsular Malaysia in carrying out their administrative duties. Moreover, with a centralised data system, the Government would be able to formulate more effective policies based on accurate reports and reliable data analysis.

The eStrata platform would include the following features and services:

(a) **Integration with the Housing Integrated Management System (HIMS)** to extract relevant information solely for the purpose of strata scheme maintenance and management, including:

- Parcel owner details
- Unsold parcels
- Earliest date of vacant possession
- Parcels retained by developers
- Commencement date of defect liability period

(b) **COB oversight** of documents and information to be handed over:

- From the Developer to the JMB/MC
- From the JMB to the MC

(c) **Monitoring capabilities for COBs**, including lodgment of:

- Resolutions
- Minutes of meetings
- Audited accounts

(d) **Centralised document storage** for developers, JMBs and MCs to maintain all relevant

information in a common folder.

(e) **Document upload** and notifications, allowing Developers, JMBs and MCs to upload essential documents and notices for easy access.

(f) **Parcel owner access**, enabling strata owners to retrieve selected documents as permitted by law.

(g) **Certification of documents**, ensuring authenticity and legal compliance.

Lodgment of forms

With the introduction of a single platform, we hope that complaints regarding misplaced or missing documents will become a thing of the past.

We propose that most forms outlined in the Second Schedule of the SMR 2015 be lodged within this platform, particularly Forms 4, 7 and 15, to enable the COB to ensure compliance or take action against any parties failing to fulfil their statutory obligations.

Additionally, we envision the eStrata Platform as the primary system for strata owners to lodge and store all relevant documents related to general meetings, whether annual (AGM) or extraordinary (EGM). These documents include:

- (a) AGM/EGM notices
- (b) All resolutions to be tabled
- (c) Proxy forms
- (d) Company representative forms
- (e) Nomination forms
- (f) Requisition for private motion forms
- (g) Extracts of resolutions
- (h) Minutes of meetings

Maintaining a complete and centralised repository of general meeting documents will enhance accountability, improve efficiency and ensure consistency—even

if different JMBs, MCs, or property management companies oversee operations in subsequent years.

The lodgment of the proxy, company representative, private motion and nomination forms on this platform will also streamline processes and reduce disputes arising from the inability to submit forms on time—especially when management offices are closed on non-working days.

Method of service

One of the most critical changes needed is the method of service for official notices and orders. Currently, most notices and orders are served via registered post to the last known business, parcel, or residential address. While this method benefits from the legal presumption of service under Section 144 of the SMA 2013, in practice, many recipients report that general meeting packs either arrive late or never reach them at all.

We are now exploring an expanded service method, allowing notices and orders to be delivered via email—specifically, the email address registered with the Developer, JMB, or MC. Additionally, we are still deliberating on whether to permit notices to be served via other electronic means, such as Facebook Messenger, Instagram, Telegram and other digital platforms.

Switching to email notifications alone would already result in significant cost savings for JMBs and MCs, particularly for general meetings where large document appendices are required—for instance, when introducing resolutions to designate exclusive common property or implement differentiated ser-

vice charge rates.

Virtual meetings

A temporary guideline was introduced during the COVID-19 lockdown to allow virtual meetings. However, after the lockdown, the guidelines in allowing virtual general meetings and committee meetings were revoked.

We now propose reintroducing a framework that permits both virtual general meetings and committee meetings without requiring physical attendance at a meeting venue. These meetings may utilise any remote communication technology, with common platforms in strata schemes being Zoom, Microsoft Teams and Google Meet.

Virtual meetings can be categorised into two types:

- **Hybrid meetings** – A combination of in-person attendees and participants joining remotely via an online platform.
- **Wholly virtual meetings** – Conducted exclusively online without a physical venue.

Although the Securities Commission has recently disallowed wholly virtual general meetings, we lean towards allowing both hybrid and full virtual meetings. However, wholly virtual meetings will require specific pre-requisites since interaction among parcel owners and neighbours is essential for fostering harmony and goodwill. A lack of personal engagement in fully virtual meetings may lead to abuse by committee members.

Similarly, we are considering allowing committee meetings to be conducted as either hybrid or fully virtual.

If implemented, we will amend the requirements for:

- Quorum

- Vote counting
- Identity verification
- Methods of voting
- Pre-requisites for conducting virtual meetings

e-Voting

Currently, e-voting is not permitted under the existing regulations. During Covid-19, when e-voting was temporarily allowed, numerous complaints were received regarding:

- Platform instability
- Lack of vote verification compared to physical meetings

We aim to explore whether e-voting should be used exclusively or in combination with physical vote counting. Additionally, we propose a mechanism to securely store and verify e-voting results in case of disputes.

Other considerations

While promoting flexibility, we acknowledge challenges, such as:

- Limited internet connectivity in rural strata schemes
- Senior citizens who may struggle with digital platforms
- Hybrid meeting limitations, including:

- (i) Poor camera placement
- (ii) Room layout issues
- (iii) Intermittent connections that could disrupt proceedings

By addressing these concerns, we aim to introduce a balanced and inclusive approach to virtual meetings and e-voting while ensuring fairness, transparency and accessibility for all stakeholders.

If you have any specific subject matter you feel strongly about which requires amendment, kindly email to info@cheehoe.com OR izzah@kpkt.gov.my.

Enhancing strata management through digital transformation

