

CIRCULAR TO MEMBERS

21 January 2022

Dear Members

Ref: 004/01/22

SEMINAR: LACUNA IN MIXED STRATA MANAGEMENT – *to do or not to do?*

We are pleased to inform members that we shall be co-organising the above seminar with Building Management Association of Malaysia (BMAM) in response to long outstanding existing voids in mixed strata management. Details are as follows:

Date: Thursday, 10 March 2022
Time: 9.00 am - 5.30 pm (Registration starts from 8.30am)
Venue: Avante Hotel, Bandar Utama, Petaling Jaya

The seminar will be particularly relevant for all strata building management personnel including shopping malls and other components in mixed development buildings.

The programme will take a look at many topical issues like:

- Maintenance Charges in Mixed-Use Strata Developments – to charge a single rate or multiple rates?
- Challenges in the Planning of Mixed Strata Buildings
- Challenges in the Managing of Mixed Strata Buildings
- The Dilemma of single rates or multi rates

Our very experienced and hands-on practitioners plus legal experts will share their perspectives and participants are encouraged to attend to get a clearer perspective of current strata management issues.



Welcome Remarks and Keynote Address
TAN SRI TEO CHIANG KOK
President, Building Management Association of Malaysia (BMAM) / President, Persatuan Pengurusan Kompleks Malaysia (PPK)



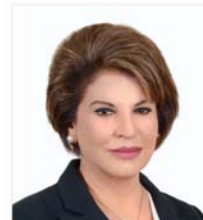
Maintenance Charges in mixed-Use strata developments – single rate or multiple rates?
SR. WONG KOK SOO
FRISM, FPEPS, FMIPFM, Managing Director
Burgess Rawson Management Sdn Bhd



Challenges in the Planning of Mixed Strata Buildings
MR RICHARD CHAN
Director Consultant
RCMC Sdn Bhd



Challenges in the Managing of Mixed Strata Buildings
EN ZUHAIRY MD ISA
Chairman
The Summit Subang USJ Management Corporation



Refurbishment for Strata Properties – to do or not to do?
DATIN HARWINDER KAUR
Advocate & Solicitor
AJ Ariffin, Yeo & Harpal



Part 1: DILEMMA, DILEMMA, DILEMMA - single rate or multi rate ?
Part 2: HOPEFULLY, HOPEFULLY, HOPEFULLY - reinventing management of mixed developments?
MS LEE KIM NOOR
Principal
KN Lee Associates

Persatuan Pengurusan Kompleks Malaysia (PPK)

Malaysia Shopping Malls Association

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Seminar fees are as follows and interested participants are requested to register at the following links:

Single Registration:

- PPK/BMAM Member: RM498.20 per pax
- Non Member: RM572.40 per pax

Kindly register at this link or scan the QR code below:

<https://forms.gle/4kHnX4frZiuL8oVm8>



Group Registrations for minimum 3 names from the same company:

- PPK/BMAM Member: RM445.20
- Non Member: RM519.40

Kindly register at this link or scan the QR code below:

<https://forms.gle/F8n8Q3GzwDHJ9iWT9>



Kindly note that we have applied for CPD hours from the Board of Valuers, Appraisers, Estate Agents and Property Managers (BOVAEP) for this seminar. Therefore, for those who require the above CPD hours to be credited to you, please ensure that you complete the section requiring your Registered Property Manager number in the said form(s) so that we can issue the e-certificate to you accordingly.

Further details are as indicated in the attached programme and we look forward to your registrations before the **closing date of Monday, 28 February 2022** and to take note of the following:

- Once you have registered for either of the above categories, it is deemed as confirmed so we shall invoice you accordingly and no cancellations will be allowed thereafter
- We reserve the right to admit only participants who have registered with us and not otherwise
- Upon arrival at the seminar venue, the organisers will supply one (1) covid-19 rapid antigen self-test kit per participant and participants will be required to carry out their own ORAL SELF TEST prior to registration. Admission to the seminar will only be allowed for those with negative results.
- Please ensure all payments are remitted online before the closing date abovementioned

In the meantime, please call PPK Secretariat at 03-7727 6232 if you require further details on registration etc. or email to secretariat@ppkm.org.my.

Thank you.

Yours faithfully

PERSATUAN PENGURUSAN KOMPLEKS MALAYSIA (PPK)


TAN SRI DATO TEO CHIANG KOK
President

**SEMINAR: Lacuna in Mixed Strata Management
(to do or not to do ?)
Thursday, 10 March 2022
Venue: Avante Hotel, Bandar Utama, Petaling Jaya**

08.30 – 09.00am	Registration / Welcome coffee/tea
 <p>TAN SRI TEO CHIANG KOK President, Building Management Association of Malaysia (BMAM) / President, Persatuan Pengurusan Kompleks Malaysia (PPK)</p>	<p>Welcome Remarks and Keynote Address</p> <p>Tan Sri Dato CK Teo has been a distinguished stalwart in the property industry for 48 years and is a Director with Bandar Utama City Corporation, developer of the award-winning Bandar Utama township which is home to the very successful and award-winning 1Utama Shopping Centre. The Group’s businesses encompass property development, property investments, oil-palm plantations, financial services, electricity wholesaler & distributor, township multi-media network facility & service provider and private university college.</p> <p>An engineer by profession, Tan Sri Teo is very hands-on in shopping mall development, and has headed and remains closely involved in numerous key organisations in the property industry and various committees. He is actively involved in Persatuan Pengurusan Kompleks Malaysia (PPK) or Malaysia Shopping Malls Association, having been on the Board of Advisors of PPK Malaysia since 2002 and is currently the President since 2018 to date. He was the inaugural BMAM President from 2010 – 2014 and is the current President since 2018 to date.</p>
 <p>SR. WONG KOK SOO FRISM, FPEPS, FMIPFM, Managing Director Burgess Rawson Management Sdn Bhd</p>	<p>Maintenance Charges in Mixed-Use Strata Developments – single rate or multiple rates? (Part 1)</p> <p><i>Like pretty ladies, the mixed-use strata developments come in different shapes and sizes. Can one size dress fit all the pretty ladies? The same question applies to the rates of maintenance charges. The answer may be YES or NO depending on each specific strata development! There is real confusion and complication in the industry. Nevertheless, “within the problem, lies the solution” quote by Milton Katselas. Hence, the speaker will shed some light on this confused state of affairs in which the remedy will definitely require nothing less than a Paradigm Shift.</i></p> <p align="center">***</p>

	<p>Wong Kok Soo is the Managing Director of Burgess Rawson Management Sdn Bhd – a niche market professional property management and consultancy firm, having a property management stable of projects in the Klang Valley with special focus on integrated mixed-use strata developments. Wong is a fellow of the professional bodies: RISM, PEPS and MIPFM; and a former member of the Board of Valuers, Appraisers, Estate Agents and Property Managers (BOVAEP). He has been the property management technical advisor to PEPS and the National Association of House Buyers (HBA) since 2013.</p> <p>Wong is the recipient of awards by BOVAEP and RISM for his eminent contributions to the property management industry. He was actively involved in the drafting and working committees for the Malaysian Property Management Practice Standards; the Strata Management Act 2013 and regulations; the Standard Formulation of Allocated Share Units and Share Units. He has successfully formed the first Subsidiary Management Corporation in Malaysia at the One Mont' Kiara strata development, Kuala Lumpur. He is currently a renowned authority and speaker on these subjects.</p>
10.15 am	Coffee Break
10.30 – 11.15am	<p>Maintenance Charges in Mixed-Use Strata Developments – a single rate or multiple rates? (Part 2) by Sr. Wong Kok Soo</p>
<p>11.15 – 12.00noon</p>  <p>MR RICHARD CHAN Director Consultant RCMC Sdn Bhd</p>	<p>Challenges in the Planning of Mixed Strata Buildings</p> <p><i>There are always disputes between property consultants during the planning of mixed developments as different experts have their differing objectives and preferences. Richard will share some of these challenges and how to attempt at a happy solution for all parties.</i></p> <p>***</p> <p>Richard Chan is one of the pioneer leaders in the field of shopping centres and high-rise retail complex management industry. With more than 39 years of experience, he first joined the shopping centre industry in 1980 and has gone through the exercise from revamping an existing mall to it being the leading shopping centre in Petaling Jaya then. He has also taken the challenge to innovate and improve the shopping centre industry in Penang, overseeing four prime shopping centres. Richard then formed his own company to offer his knowledge, expertise and services to mall management and developers. In 2002, Richard was instrumental in the</p>

	<p>professional development, training and certification of Mall Managers, Marketing Managers and Operation Managers for PPK Malaysia (Malaysia Shopping Malls Association). He has also conducted training courses for various organisations and have been invited as a speaker to many seminars and conferences. Since 2018, Richard has officially been appointed a Registered Property Manager and has been called to serve as Board Member (2019 – 2021) with the Board of Valuers, Appraisers, Estate Agents and Property Managers Malaysia.</p>
<p>12.00 – 12.45pm</p>  <p>EN ZUHAIRY MD ISA Chairman The Summit Subang USJ Management Corporation</p>	<p>Challenges in the Managing of Mixed Strata Buildings</p> <p><i>This paper looks into the roles of the MC, the Management Committee and Property Managers in managing mixed strata buildings which are getting more complex and warrant close cooperation by all, including the strata owners. Strata properties in Malaysia are getting popular especially in the urban areas. As the population density in urban centres are expected to grow continuously, more and more mixed developments now exist where developers claim that people can live, work and shop/play, all within the same building complex. Hence, a mixed development would have residential blocks, office towers, a retail mall or shops, car parks and a hotel all rolled into one. The number of strata properties are expected to rise continuously which help to promote the mixed developments to be developed under a strata scheme. Strata developments are supposed to operate as a democracy, where unit owners collectively decide how to best manage the property that they share via the Management Corporation (MC). At the end of the day, everything comes down to strong relationships, and mutual trust and respect for each other. The MC serves to represent all the strata unit owners, where its members are voted in by all other unit owners who attend the Annual General Meeting (AGM).</i></p> <p>***</p> <p>Encik Zuhairy bin Md Isa is the Deputy CEO of AmREIT Managers Sdn Bhd and currently responsible for the investment strategies and property portfolio planning of AmFIRST REIT.</p> <p>He currently holds the Capital Markets Services Representative’s License under the Capital Markets and Services Act 2007 since April 2014 and a Registered Property Manager with the Board of Valuers, Appraisers, Estate Agents and Property Managers of Malaysia.</p> <p>Encik Zuhairy has more than fifteen (15) years of related working experience throughout Malaysia as well as</p>

	<p>Indonesia. He had served as a director for the subsidiaries involved in logistics in Malaysia and property development in Indonesia, namely MIEL Logistics Sdn Bhd and PT Miel Nusantara Development.</p> <p>He is the present and past Chairman of The Summit Subang USJ Management Corporation representing AmFIRST REIT, spearheading the management and operations of the integrated strata development. He was the Vice Chairman of the MRMA for 2014 and 2015.</p> <p>He graduated from the University of Newcastle Upon-Tyne, United Kingdom with Postgraduate Diploma in Town Planning.</p>
<p>12.45 – 1.00 pm</p>  <p>MODERATOR: IR LEE WENG ONN Deputy President BMAM</p>	<p>Q & A Session</p> <p>Ir. Lee is a civil/structural engineer and the director of a C&S consulting engineering practice located in Subang Jaya.</p> <p>He graduated with a BE (civil) with 1st class honours in 1980 and a ME in 1981, both from the University of Auckland, N.Z.</p> <p>He has worked for 2½ years as a structural engineer with the HDB, Singapore from 1981.</p> <p>He has served in the Council of the Institution of Engineers, Malaysia, from 1994 to 2016, as Council member, Hon. Treasurer, Hon. Secretary and Vice President.</p> <p>He was also a Board Member of the Board of Engineers, Malaysia, from 2000 to 2003 and the Board of Town Planners, Malaysia from 2002 to 2004.</p> <p>He is currently the Deputy President of BMAM.</p>
<p>1.00 – 2.00pm</p>	<p>LUNCH</p>

02.00 – 03.00pm



DATIN HARWINDER KAUR
Advocate & Solicitor
AJ Ariffin, Yeo & Harpal

Refurbishment for Strata Properties – to do or not to do?

With her main area of litigation in property (housing & strata disputes) including contractual, commercial disputes and tortious claims, Datin Harwinder shares her wealth of legal experience with case studies on controversies in the refurbishment of strata properties, from the legal requirements to the sharing of costs etc.

Her presentation will include case studies where the management corporation (MC) managed to appeal against the court's decision for proprietors not to pay for refurbishments. Nevertheless, there were several proprietors who still refused to pay, resulting in the MC filing claims with Strata Management Tribunal (SMT) and Datin Harwinder will share further scenarios in this ongoing saga including another case where proprietors are seeking one flat uniform rate of maintenance.

Datin Harwinder is an Advocate and Solicitor with AJ Ariffin, Yeo & Harpal and was appointed as the President of the Strata Management Tribunal (SMT) on 1 July 2018 . Subsequently, her tenure as President was extended on 12 March 2021 for a further 3 years. As President of the SMT, she hears strata disputes and is well versed with the Strata Management Act and the Regulations made thereunder. In hearing such Strata disputes, the rules of court, 2012 are important. Her vast experience in conducting trials guided by the rules of procedure has greatly assisted her as President of the SMT.

03.00 – 03.45pm



MS LEE KIM NOOR
Principal
KN Lee Associates

DILEMMA, DILEMMA, DILEMMA - single rate or multi rate ? (Part 1)

Ms KN Lee will impart her invaluable and experience on the ground with key case studies and proposal for how to move forward practically.

The latest case law affirmatively confirmed the usage of a single rate but this has inadvertently resulted in problems faced on the ground and other matters involving weightage, practical and human issues. Do we move forward or move backward and what are the challenges ?

Ms KN Lee has been practicing law since she graduated with honours from University of Malaya and subsequently obtaining MBA from USM. Ms KN Lee is a regular and sought after speaker in various seminars on topic related

	<p>to property development and strata management. Her in depth knowledge and vast experience in property development & management in Malaysia has put her into the forefront of this dynamically evolving subject. She sits in various working groups for review of Malaysian law on property development and strata management especially the drafting and reviewing of the Building & Common Property (Maintenance & Management) Act, 2007 and Strata Management Act 2013. The legislation on property and strata management form the backbone of a series of seminars/lectures to various professionals involved in the Property Development and Management in Malaysia.</p>
03.45 pm	Tea Break
04.00 – 4.45pm	<p>HOPEFULLY, HOPEFULLY, HOPEFULLY - reinventing management of mixed developments? (Part 2) by Ms. Lee Kim Noor</p> <p><i>In Part 2, Ms Lee will share the new structure of mixed managements where one committee represents ALL or there is a specific allocation of committee members for each building component; also whether there is one property manager and, separate accounts etc. The presentation will also explore the usage of Table 1 and separate management based on schedule of parcel and consumption base management.</i></p>
04.45 – 05.30pm	<p>Panel Discussion / Q&A</p> <p>Panelists:</p> <ul style="list-style-type: none"> • Dato Seri Koe Peng Kang, Deputy President/COO, SP Setia Bhd • Sr Wong Kok Soo, Director of Property Management, Burgess Rawson Malaysia • Datin Harwinder Kaur, Advocate & Solicitor, AJ Ariffin, Yeo & Harpal • Ms Lee Kim Noor, Principal, KN Lee Associates • En Zuhairy Md Isa, Chairman, The Summit Subang USJ Management Corporation <p><u>MODERATOR:</u> Mr Richard Chan, Committee/Seminar Organising Chairman, Building Management Association of Malaysia (BMAM)</p>
05.30pm	Closing Remarks / End of seminar