



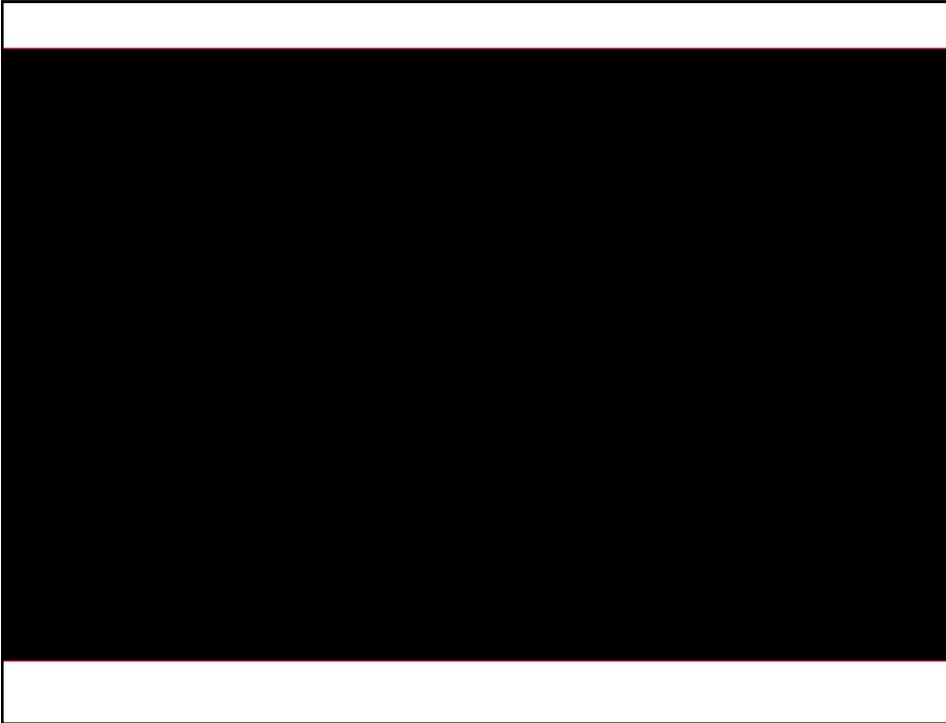
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Why Strata Title is important?

- ✓ About 15000 strata development areas occupied by approximately 6 million citizens.
- ✓ strata legislations affect > 25 % of the population in Peninsular Malaysia. (the population of Peninsular Malaysia is about 22.53 million)



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UNDERSTANDING THE BASICS

Buildings capable of being subdivided

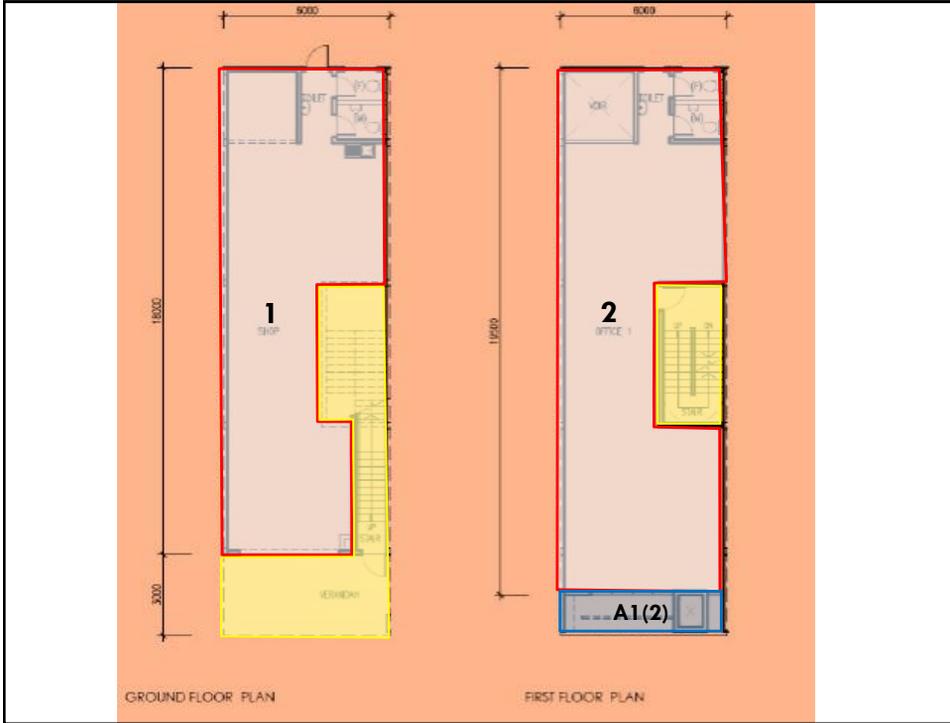
6. (1) *Any building having two or more storeys on alienated land held as one lot under final title (whether Registry or Land Office title) shall be capable of being subdivided into parcels; and any land on the same lot shall also be capable of being subdivided into parcels each of which under a strata title or into a accessory parcel.*



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SEMINAR DAN BENGKEL HAKMILIK STRATA -16&18 FEBRUARI 2019

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UNDERSTANDING THE BASICS

Buildings capable of being subdivided

6. (1) Any building having two or more storeys on alienated land held as one lot under final title (whether Registry or Land Office title) shall be capable of being subdivided into parcels; and any land on the same lot shall also be capable of being subdivided into parcels each of which under a strata title or into an accessory parcel.

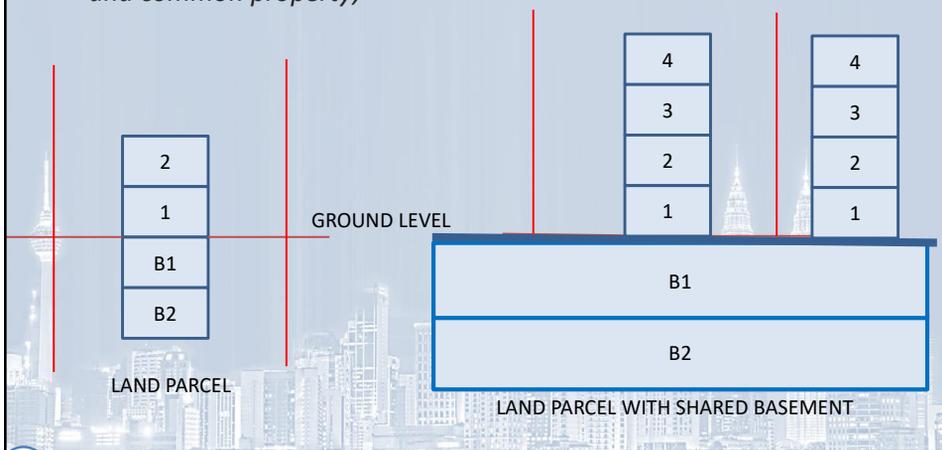
(1A) Any alienated land having two or more buildings held as one lot under final title (whether Registry or Land Office title) shall be capable of being subdivided into land parcels each of which is to be held under strata title or as an accessory parcel.

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“land parcel” means a unit delineated within the lot in which is comprised a building of not more than four storeys (*excluding shared basement*) which is held under a strata title; which may have shared basement, comprises accessory parcels and common property;



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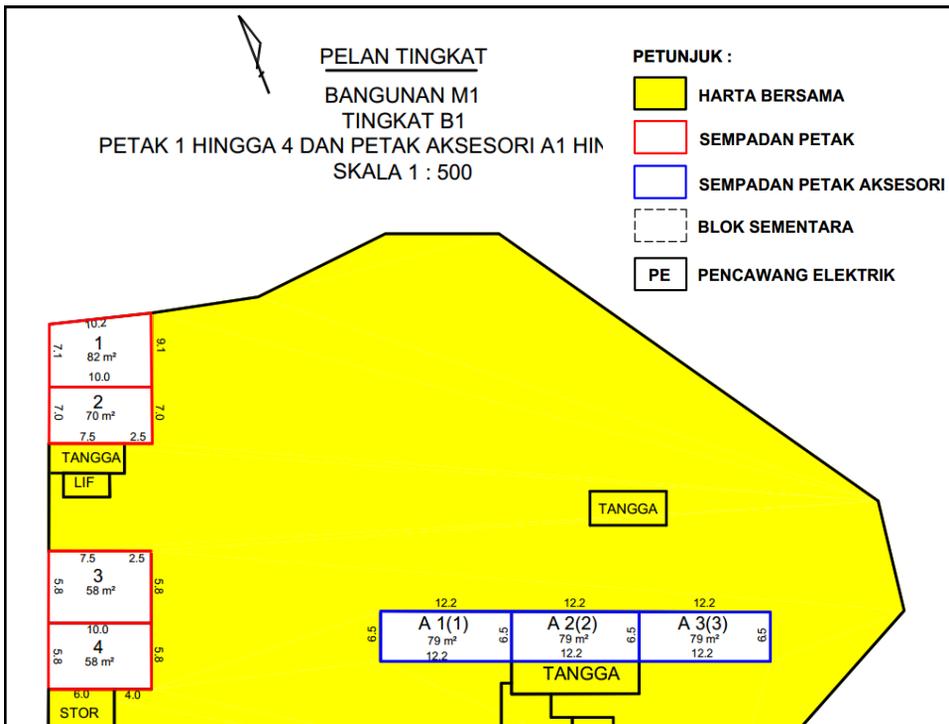
“parcel”, in relation to a subdivided building, means one of the individual units comprised therein, which (except in the case of an accessory parcel) is held under separate strata title, and in relation to a subdivided land means one of the individual units of land parcel;

“accessory parcel” means any parcel shown in a strata plan as an accessory parcel which is used or intended to be used in conjunction with a parcel;

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“common property” means so much of the lot as is not comprised in any parcel (including any accessory parcel), or any provisional block as shown in an approved strata plan;

“provisional block”

(a) in relation to a proposed strata plan, a block in respect of a building proposed to be, or in the course of being, erected, for which a separate provisional strata title is applied for;

(aa) in relation to a subdivided land, a block in respect of the proposed land parcels, for which a separate provisional strata title is applied for

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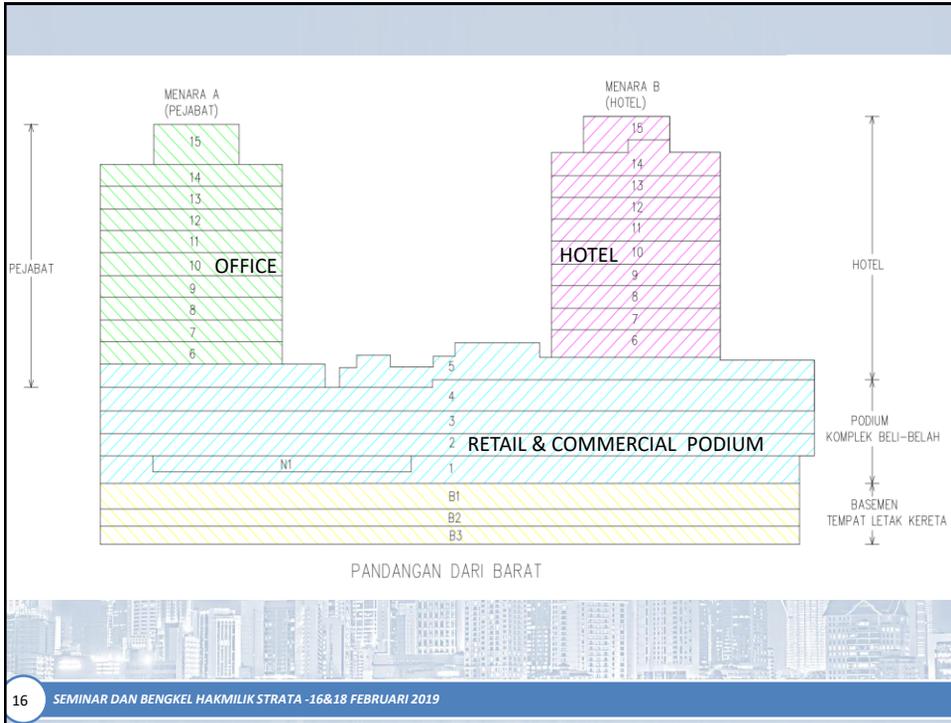
What is a stratified mixed-use development?

- ✓ **Development projects may be classified as "mixed-use" if they provide more than one use or purpose within a shared building or development area.**
- ✓ **Mixed-use projects may include any combination of residential, office, retail, medical, recreational, entertainment, hotel or commercial components.**
- ✓ **Stratified when the development is subdivided or intended to be subdivided into parcels with strata titles**

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EXAMPLE

KL GATEWAY

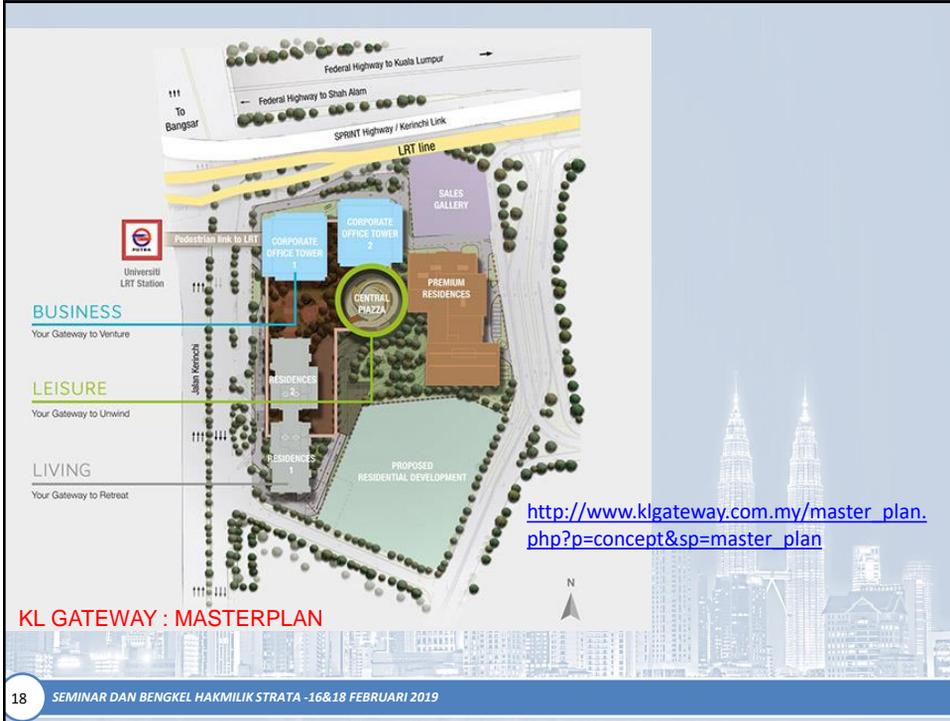
TYPE: mixed use, office, residential, commercial

AREA: G.F.A. 288,791 sqm + parking area; site area 29,056 sqm

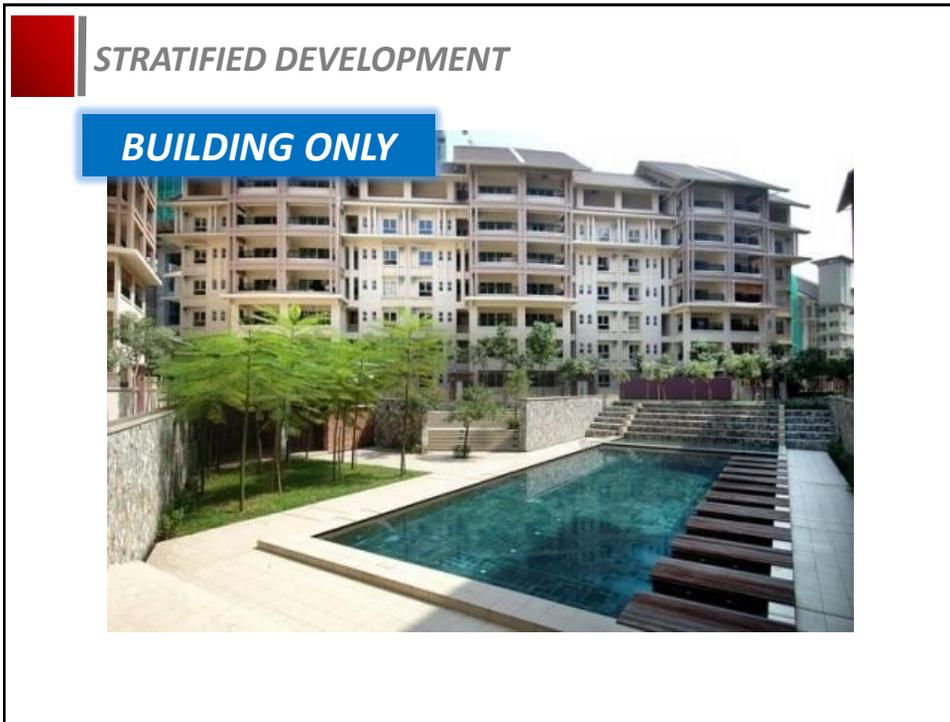
http://www.klgateway.com.my/development_concept.php?p=concept&sp=development_concept

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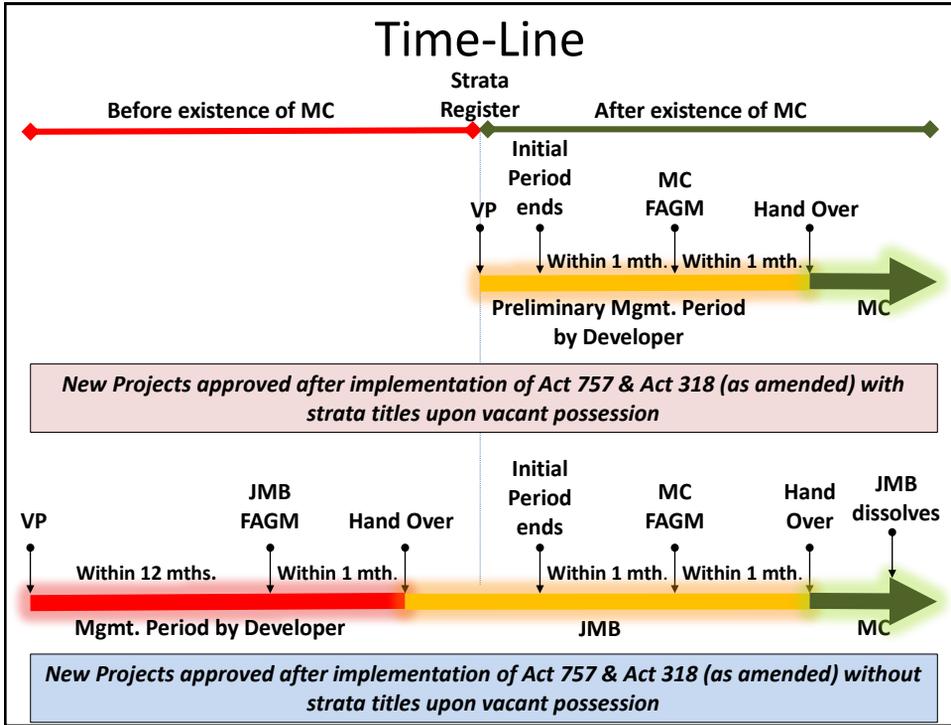
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STRATA TITLES ACT 1985 (AMENDMENT) 2013

Share Unit Entitlements [S.36]

- ✓ the voting rights of the proprietors
- ✓ the proportion payable by each proprietor of the contribution levied by the management corporation according to the Strata Management Act 2013

Termination of subdivision [S.57(4)(e)]

Distribution of profits on termination of subdivision based on open market capital values of parcels (previously based on share units)

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ALLOCATED SHARE UNITS

Formula for calculation of allocated share units:

- ✓ based on area of parcel
- ✓ Weightage factors
- ✓ accessory parcels contribute to allocated share units



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FORMULA FOR CALCULATION OF ALLOCATED SHARE UNITS

$$\text{SHARE UNIT OF A PARCEL} = (A \times F_1 \times F_2) + \sum_1^N (B \times F_3)$$

$$\text{SHARE UNIT OF A LAND PARCEL} = (A \times 0.8) + \sum_1^N (B \times F_3)$$

WHERE:

A = AREA OF PARCEL

B = AREA OF ACCESSORY PARCEL

F₁ = WEIGHTAGE FACTOR FOR THE TYPE OF PARCEL AS SPECIFIED IN TABLE A

F₂ = WEIGHTAGE FACTOR FOR THE TYPE OF PARCEL AS SPECIFIED IN TABLE B

F₃ = WEIGHTAGE FACTOR FOR THE TYPE OF PARCEL AS SPECIFIED IN TABLE C

SCHEDULE IV - STATE STRATA TITLES RULES

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TABLE A: WEIGHTAGE FACTORS (F₁) FOR TYPE OF PARCELS, REFLECTING THE FREQUENCY OF USAGE AND GENERAL MAINTENANCE

No.	Type of parcel	Without air-conditioning to common areas of corridors, lobbies and foyers		With air-conditioning to common areas of corridors, lobbies and foyers	
		F1 having benefit of common lift/escalator facility	F1 having no benefit of common lift/escalator facility	F1 having benefit of common lift/escalator facility	F1 having no benefit of common lift/escalator facility
1.	Apartment/Small Office Home Office (SOHO)	1.00	0.85	1.30	1.15
2.	Office/Institution (College) complex	1.00	0.85	1.30	1.15
3.	Retail complex	2.00	1.70	3.20	2.90
4.	Hotel/Medical centre complex	2.20	1.90	2.80	2.45
5.	Industrial complex	1.00	0.85	1.45	1.30
6.	Car park (whole floor parcel)	0.75	0.65	0.85	0.75
7.	Shop-houses, shop apartments & shop offices—				
	(a) Upper floor parcel	1.00	0.85	1.30	1.15
	(b) Ground floor parcel	0.85	0.85	1.15	1.15

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TABLE B: WEIGHTAGE FACTORS (F_2) FOR THE WHOLE FLOOR PARCEL & AREA $\geq 1000 \text{ m}^2$

No.	Parcel	F_2	Basis
1	Whole floor parcel excluding area of vertical transportation core (lifts or escalators) Also include parcel with an area of 1,000 sq.m. to 3,000 sq.m.	0.85	(a) To reflect an equivalent net lettable area after taking into account its large circulation area only. (b) In a retail complex, its circulation area is much larger but is offset by the letting of such parts to retail kiosks.
2	Whole floor parcel including area of vertical transportation core (lifts or escalators) Also include parcel with an area greater than 3,000 sq.m.	0.80	(a) To reflect an equivalent net lettable area after taking into account its large circulation area and vertical transportation core (lifts or escalators). (b) In a retail complex, its circulation area is much larger but is offset by the letting of such parts to retail kiosks.
3	Not whole floor parcel	1	Not applicable

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TABLE C: WEIGHTAGE FACTORS (F_3) FOR AN ACCESORRY PARCEL

No.	Accessory parcel	F_3	Basis
1	Outside building	0.25	To reflect a non-habitable open or enclosed area outside the building.
2	Within building	0.50	To reflect a non-habitable open or enclosed area within the building.

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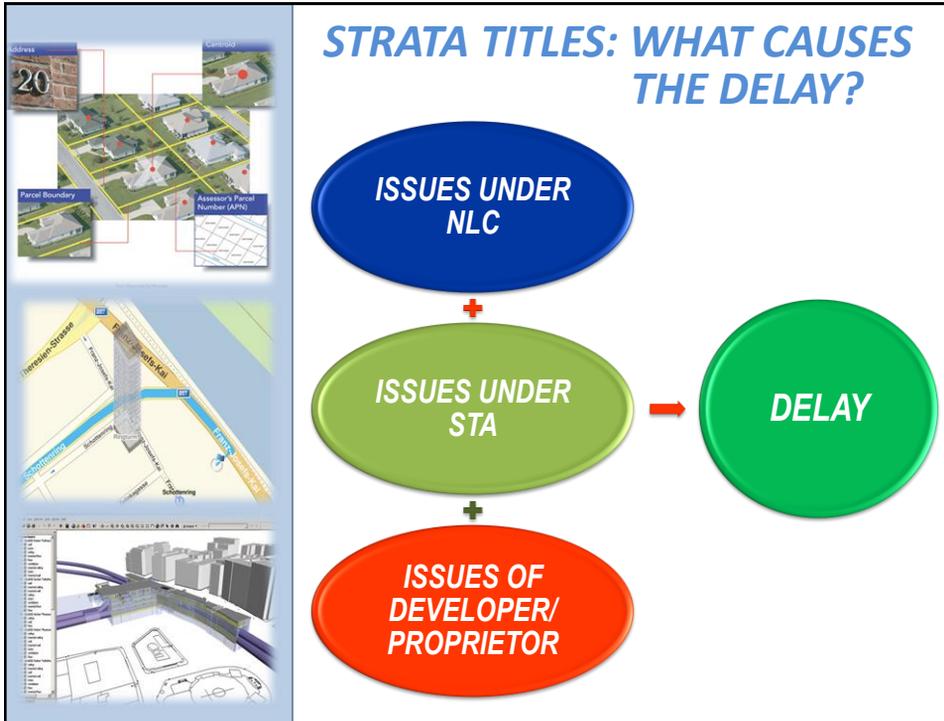
ALLOCATED SHARE UNITS	EXAMPLE
Parcel	: M3/3/52
Accessory Parcel	: A23 dan A45
Parcel Type	: Apartment
Usage & General maintenance	: with lift, Without air-conditioning
Area of Parcel	: 105 m ²
Area of Accessory Parcel	: 13 m ² (within building), 13 m ² (outside building)
Allocated share unit	: $(105 \times 1.0 \times 1.0) + (13 \times 0.50) + (13 \times 0.25)$ 105 + 6.5 + 3.25 114.75
	: 115 (rounded to nearest whole number)

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STRATA TITLE UPON VACANT POSSESSION: THE GAME CHANGER

Sr Chan Keat Lim

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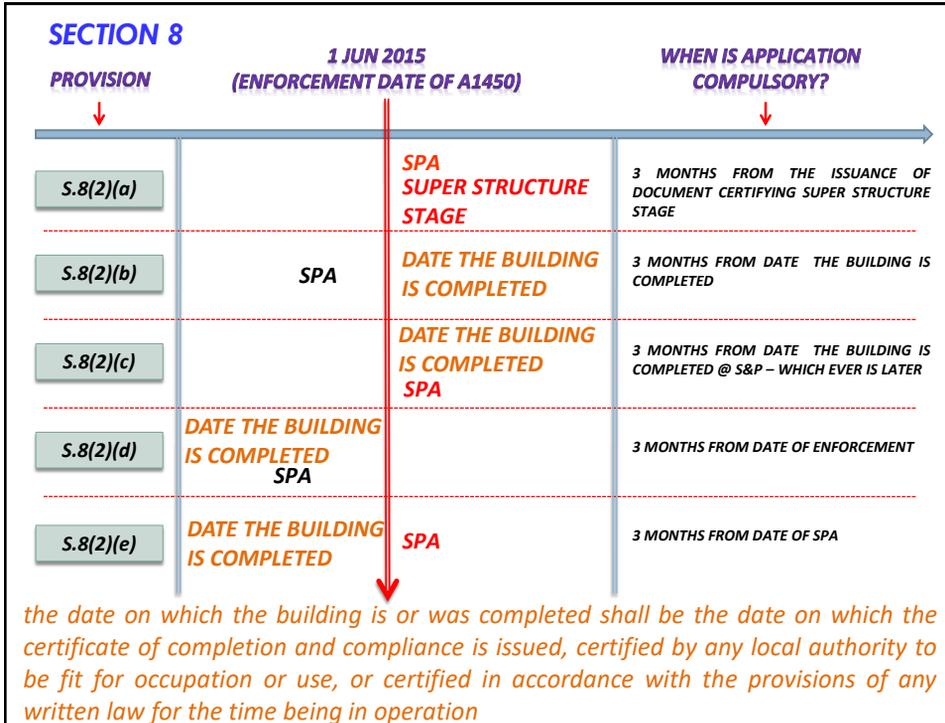
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SOLUTIONS

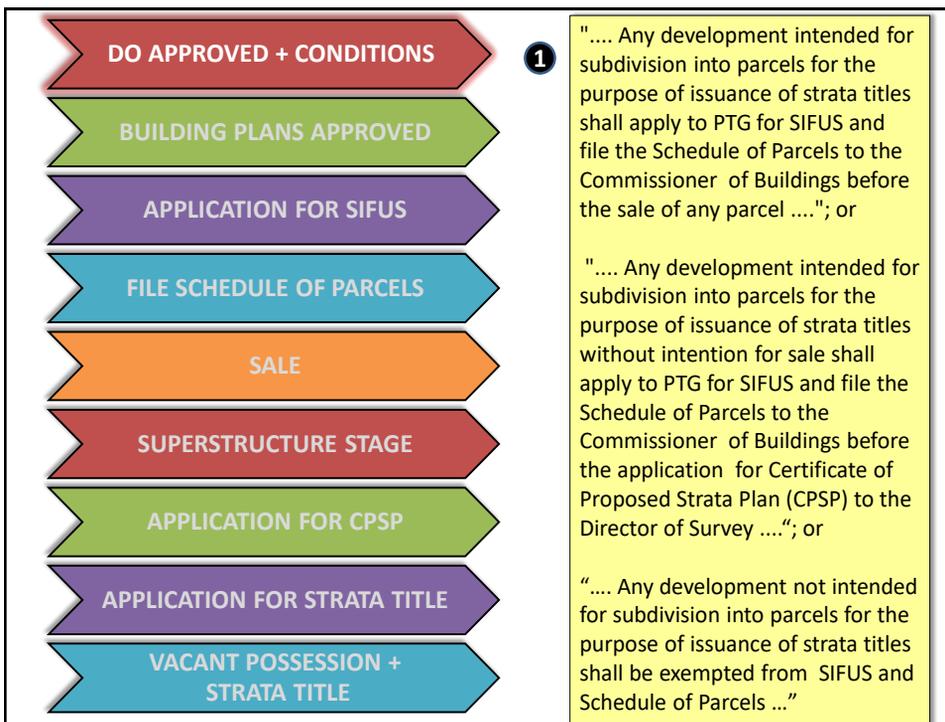
HARMONISATION OF RELATED LEGISLATIONS

- ✓ **Strata Management Act 2013 [Act 797]**
 - ❖ Schedule Of Parcels to be filed with the Commissioner before sale of any parcel
- ✓ **Amendments to Schedule H & J of the Housing Development (Control and Licensing) Regulations 2015**
 - ❖ Condition for Strata titles upon vacant possession
- ✓ **Strata Titles Act 1985 (Amendment) 2013 [Act A1450]**
 - ❖ Improve and expedite process

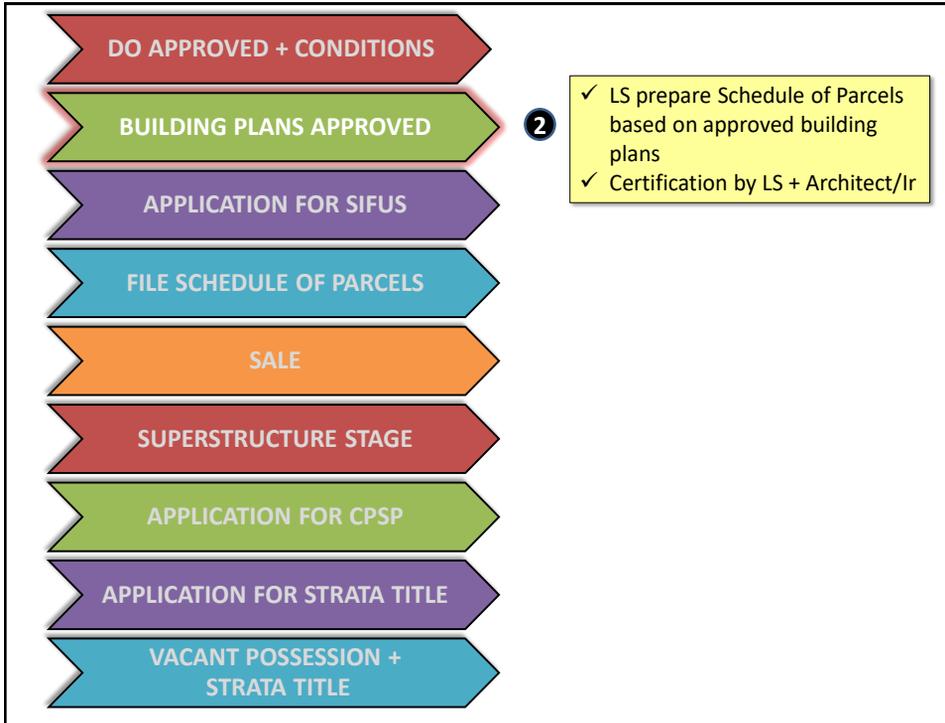
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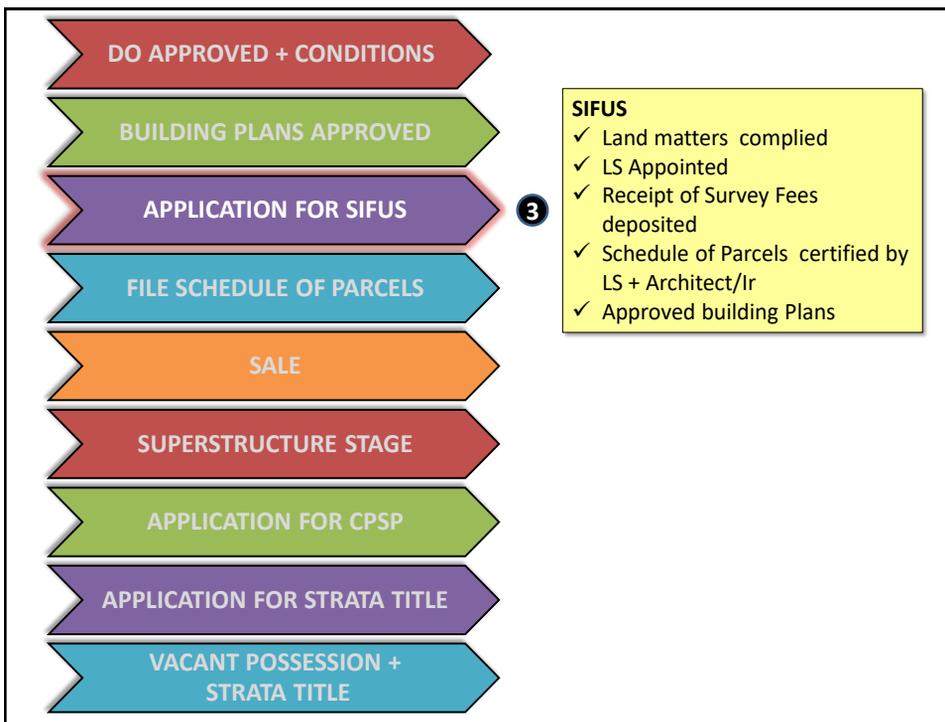
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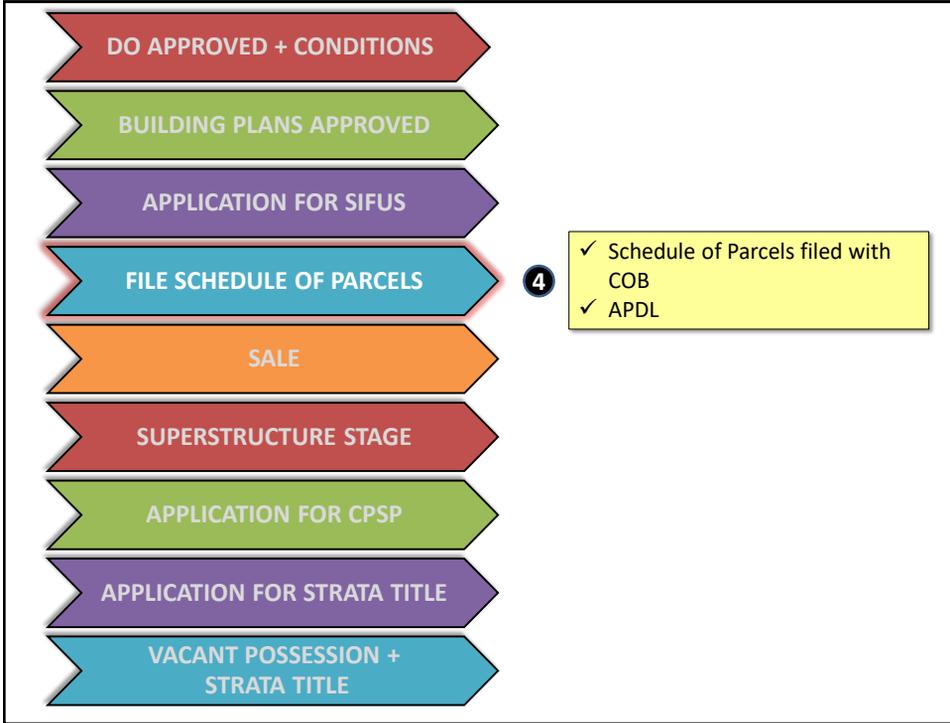
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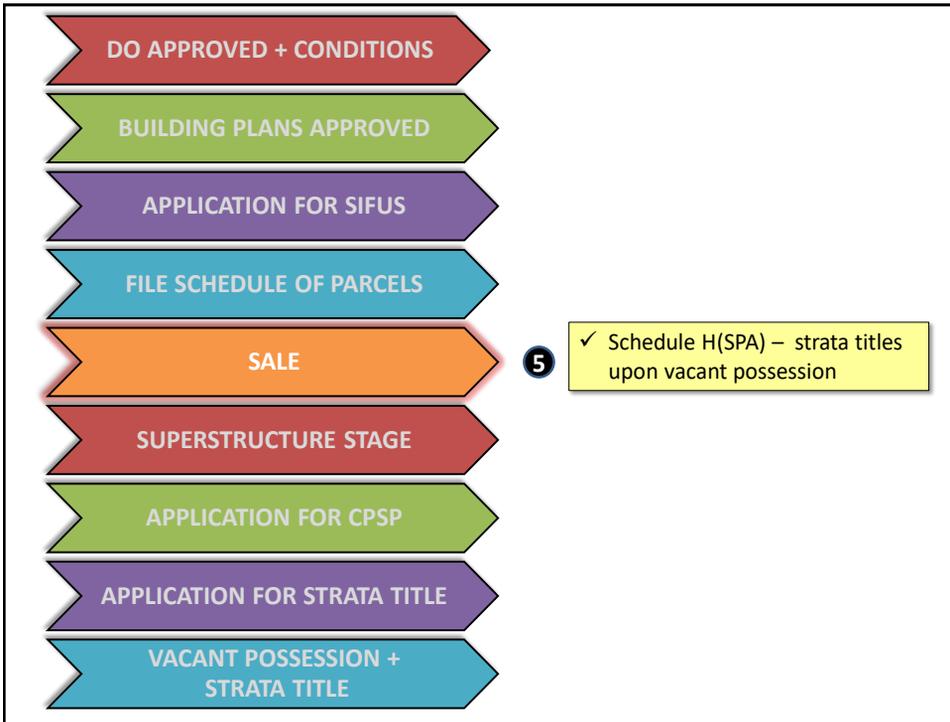
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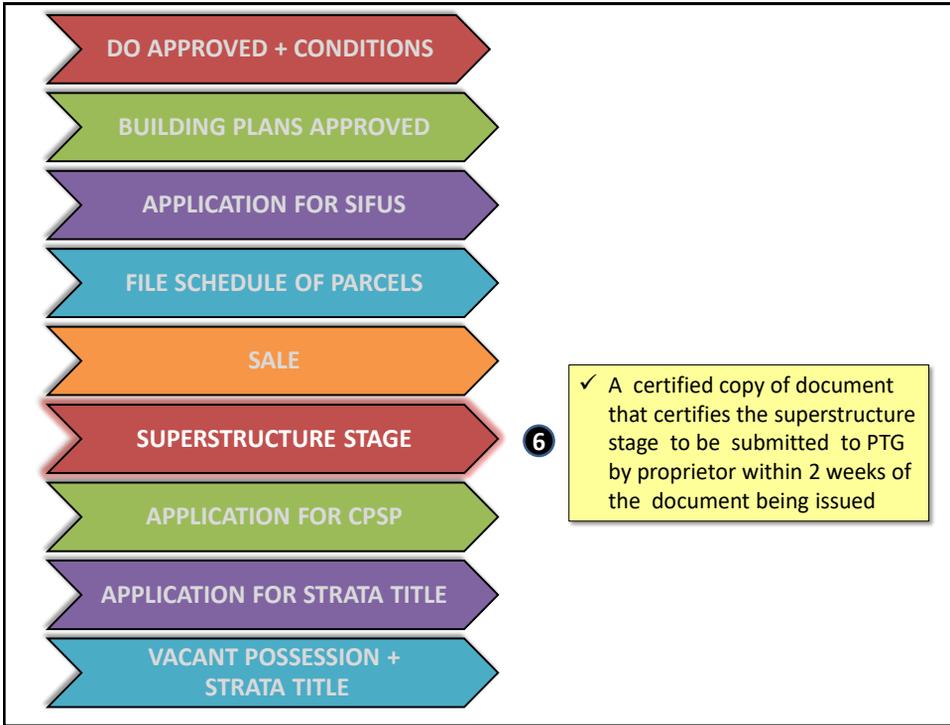
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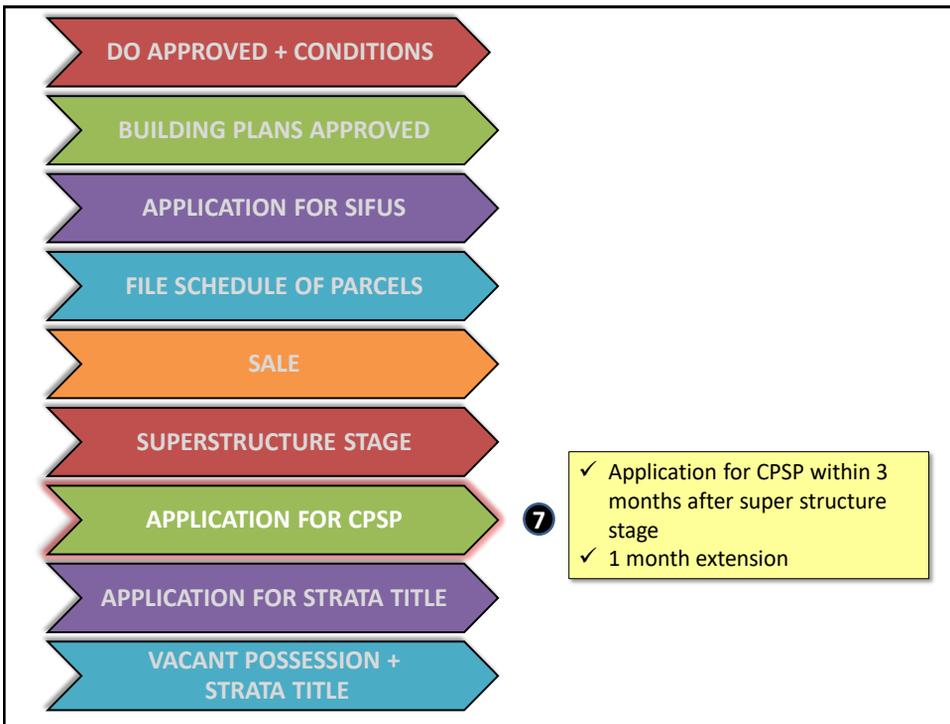
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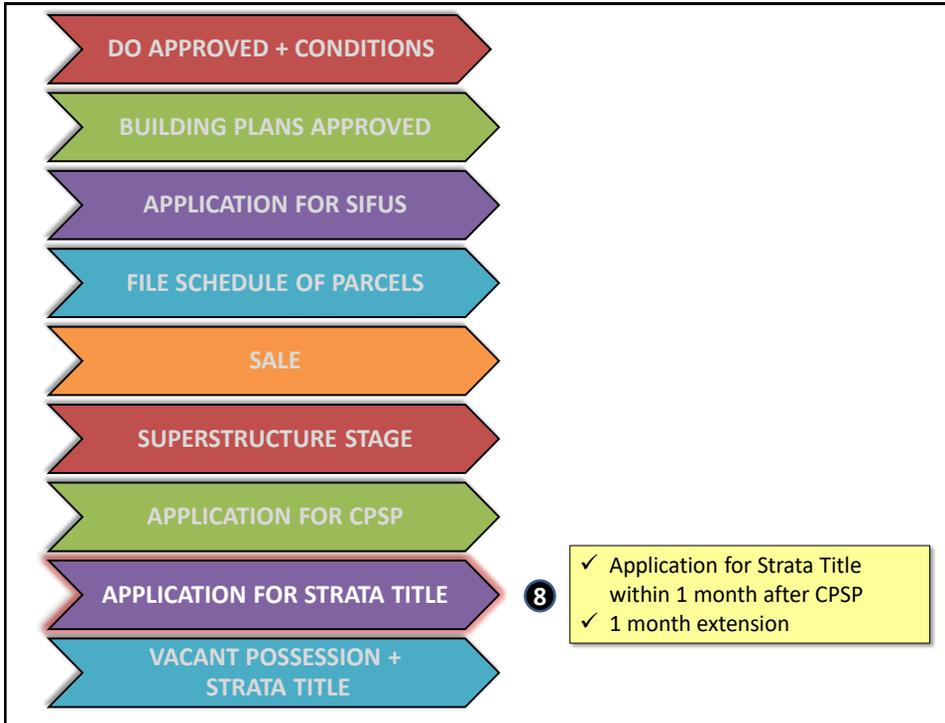
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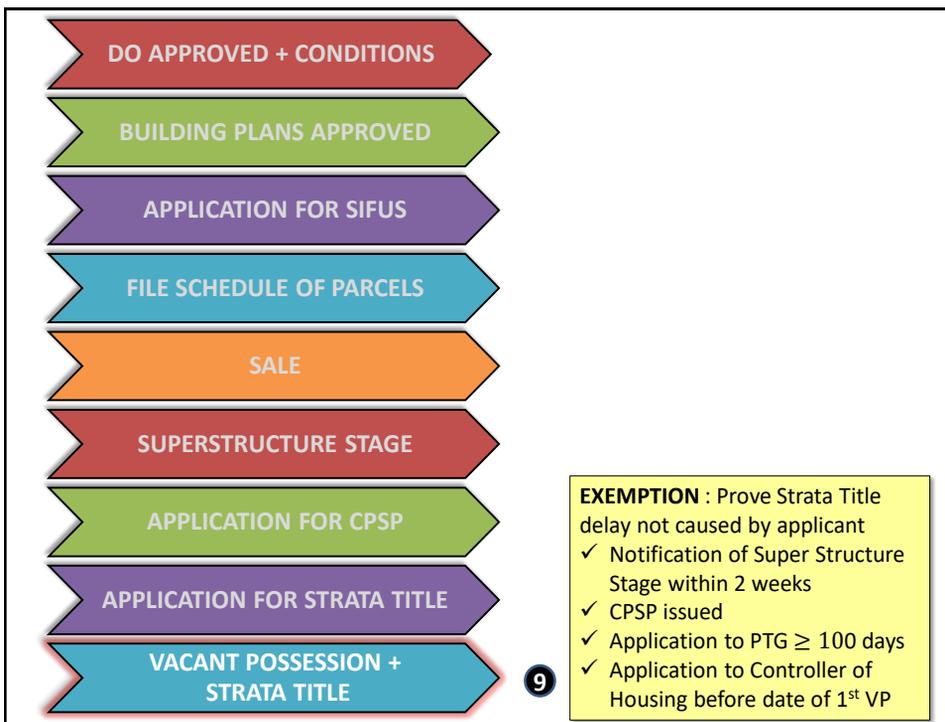
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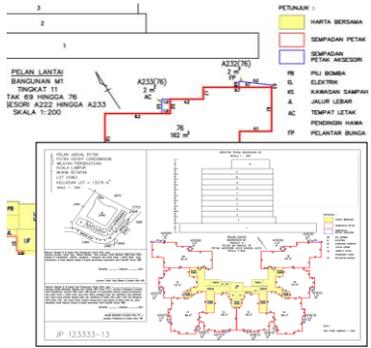
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STRATA MANAGEMENT ACT 2013

PART III DEALINGS IN BUILDING OR LAND INTENDED FOR SUBDIVISION INTO PARCELS

SCHEDULE OF PARCELS



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WHY INTRODUCE SCHEDULE OF PARCELS?

There is a need to introduce legislation to ensure:

- ✓ Design specifications conform to Strata Titles Act
- ✓ Parcels, accessory parcels and common properties are clearly defined
- ✓ Allocated share units are equitable
- ✓ Certification by consultants

WYSIWYG



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SCHEDULE OF PARCELS

- ✓ *shall not sell any parcel in a development area unless schedule of parcels has been filed with the commissioner*

“development area”—

- (a) *in relation to a **building or land intended for subdivision into parcels, means any land on which the building or land intended for subdivision into parcels is developed or is in the course of development or intended to be developed; and***



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SCHEDULE OF PARCELS

- ✓ *shall not sell any parcel in a development area unless schedule of parcels has been filed with the commissioner*
- ✓ *shows **proposed share units** of each parcel or proposed parcel and the total share units of all the parcels*
- ✓ *shows the **proposed quantum of provisional share units** for each provisional block*



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Table Of Proposed Share Units [S.6(1) & S.6(3)]
JADUAL STRATA

Bangunan M1 : JP 123451-01 hingga 123451-07

Menara	Tingkat	Petak	Keluasan (m ²)	Kegunaan	JP	Petak Aksesori	Keluasan (m ²)	Kegunaan	JP	Unit Syer
	B3	-	-	-	-	-	-	-	-	-
	B2	-	-	-	-	-	-	-	-	-
	B1	1	82	Perniagaan	123451-01	A1	79	Stor	123451-01	204
		2	70	Perniagaan	123451-01	A2	79	Stor	123451-01	180
		3	58	Perniagaan	123451-01	A3	79	Stor	123451-01	156
4		58	Perniagaan	123451-01	A4	19	TLK	123451-01	126	
A	1	5	140	Pangsapuri	123451-04	-	-	-	-	140
		6	140	Pangsapuri	123451-04	-	-	-	-	140
		7	140	Pangsapuri	123451-04	-	-	-	-	140
		8	140	Pangsapuri	123451-04	-	-	-	-	140
	2	9	86	Pangsapuri	123451-04	A10	19	TLK	123451-02	91
		10	85	Pangsapuri	123451-04	A11	19	TLK	123451-02	90
		11	85	Pangsapuri	123451-04	A12	19	TLK	123451-02	90
		12	86	Pangsapuri	123451-04	A13	19	TLK	123451-02	91
		13	85	Pangsapuri	123451-04	A14	19	TLK	123451-02	90
		14	85	Pangsapuri	123451-04	A15	19	TLK	123451-02	90
	3	15	192	Pangsapuri	123451-05	A16	19	TLK	123451-02	197
		16	185	Pangsapuri	123451-05	A17	19	TLK	123451-03	195
		17	192	Pangsapuri	123451-05	A18	19	TLK	123451-03	202
		18	185	Pangsapuri	123451-05	A19	19	TLK	123451-03	195
	4	19	385	Pangsapuri	123451-05	A20	19	TLK	123451-03	395
		20	445	Pangsapuri	123451-05	A21	19	TLK	123451-03	455
	5	21	73	Pangsapuri	123451-06	A22	19	TLK	123451-03	83
		22	73	Pangsapuri	123451-06	A23	19	TLK	123451-03	83
	6	23	73	Pangsapuri	123451-06	A24	19	TLK	123451-03	83
		24	73	Pangsapuri	123451-06	A25	19	TLK	123451-03	83
	7	25	73	Pangsapuri	123451-06	A26	19	TLK	123451-03	83
		26	73	Pangsapuri	123451-06	A27	19	TLK	123451-03	83
	JUMLAH	10	26	3354			23	617		3905

Ringkasan:
TLK = Tempat Letak Kereta

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JADUAL STRATA

Blok Sementara Bangunan P2 dan P3 : JP123451-10

Blok	Tingkat	Bilangan Petak	JP	Bilangan Petak Aksesori	JP	Unit Syer
P2	1	10	123451-10	-	-	764
	2	10	123451-10	-	-	764
	3	10	123451-10	-	-	906
	4	10	123451-10	-	-	906
JUMLAH	4	40		-	-	3340
P3	1	10	123451-10	-	-	764
	2	10	123451-10	-	-	764
	3	10	123451-10	-	-	906
	4	10	123451-10	-	-	906
JUMLAH	4	40		-	-	3340

RINGKASAN JADUAL STRATA

Bangunan	Bilangan Tingkat	Bilangan Petak	Bilangan Petak Aksesori	Unit Syer
M1	10	26	23	3905
M2	4	40	-	3340
P1(M1)	3	15	4	1315
P2	4	40	-	3340
P3	4	40	-	3340
JUMLAH		161	27	15240

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AMENDED SCHEDULE OF PARCELS

- ✓ shall also not sell any parcel or proposed parcel in any **provisional block** unless the developer has filed with the commissioner an **amended schedule of parcels**
- ✓ showing the **proposed allocation of the provisional share units** among the new parcels in the provisional block.



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JADUAL STRATA									
Bangunan M3 : JP 123451-15 hingga 123451-16									
Tingkat	Petak	Keluasan (m ²)	Kegunaan	JP	Petak Aksesori	Keluasan (m ²)	Kegunaan	JP	Unit Syer
1	67	98	Pangsapuri	123451-14	-	-	-	-	98
	68	62	Pangsapuri	123451-14	-	-	-	-	62
	69	62	Pangsapuri	123451-14	-	-	-	-	62
	70	62	Pangsapuri	123451-14	-	-	-	-	62
	71	98	Pangsapuri	123451-14	-	-	-	-	98
	72	98	Pangsapuri	123451-14	-	-	-	-	98
	73	62	Pangsapuri	123451-14	-	-	-	-	62
	74	62	Pangsapuri	123451-14	-	-	-	-	62
	75	62	Pangsapuri	123451-14	-	-	-	-	62
2	76	98	Pangsapuri	123451-14	-	-	-	-	98
	77	98	Pangsapuri	123451-14	-	-	-	-	98
	78	62	Pangsapuri	123451-14	-	-	-	-	62
	79	62	Pangsapuri	123451-14	-	-	-	-	62
	80	62	Pangsapuri	123451-14	-	-	-	-	62
	81	98	Pangsapuri	123451-14	-	-	-	-	98
	82	98	Pangsapuri	123451-14	-	-	-	-	98
	83	62	Pangsapuri	123451-14	-	-	-	-	62
	84	62	Pangsapuri	123451-14	-	-	-	-	62
	85	62	Pangsapuri	123451-14	-	-	-	-	62
	86	98	Pangsapuri	123451-14	-	-	-	-	98

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3	87	117	Pangsapuri	123451-15	-	-	-	-	117
	88	73	Pangsapuri	123451-15	-	-	-	-	73
	89	73	Pangsapuri	123451-15	-	-	-	-	73
	90	73	Pangsapuri	123451-15	-	-	-	-	73
	91	117	Pangsapuri	123451-15	-	-	-	-	117
	92	117	Pangsapuri	123451-15	-	-	-	-	117
	93	73	Pangsapuri	123451-15	-	-	-	-	73
	94	73	Pangsapuri	123451-15	-	-	-	-	73
	95	73	Pangsapuri	123451-15	-	-	-	-	73
4	96	117	Pangsapuri	123451-15	-	-	-	-	117
	97	117	Pangsapuri	123451-15	-	-	-	-	117
	98	73	Pangsapuri	123451-15	-	-	-	-	73
	99	73	Pangsapuri	123451-15	-	-	-	-	73
	100	73	Pangsapuri	123451-15	-	-	-	-	73
	101	117	Pangsapuri	123451-15	-	-	-	-	117
	102	117	Pangsapuri	123451-15	-	-	-	-	117
	103	73	Pangsapuri	123451-15	-	-	-	-	73
	104	73	Pangsapuri	123451-15	-	-	-	-	73
105	73	Pangsapuri	123451-15	-	-	-	-	73	
106	117	Pangsapuri	123451-15	-	-	-	-	117	
JUMLAH	40	3340			-	-		3340	

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SCHEDULE OF PARCELS AMENDED SCHEDULE OF PARCELS

- ✓ comprise a location plan, storey plan and delineation plan as specified in **section 8A** of the Strata Titles Act 1985
- ✓ show a legend of all parcels, all common properties and all accessory parcels, and in the case of accessory parcels, specify in the legend the **parcels they are made appurtenant to**



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SCHEDULE OF PARCELS AMENDED SCHEDULE OF PARCELS

- ✓ **contain a certificate by the developer's licensed land surveyor** that the buildings or land parcels are capable of being subdivided
- ✓ **contain a certificate by the developer's architect or engineer** that the buildings or land parcels to be constructed in accordance with the approved plans and specifications are capable of being subdivided



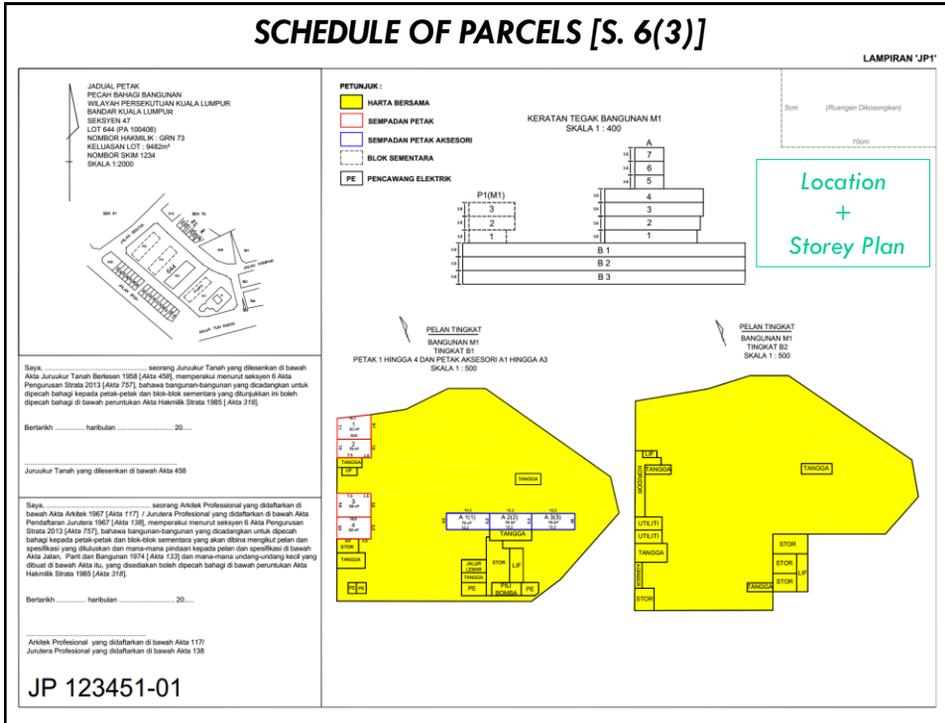
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SCHEDULE OF PARCELS AMENDED SCHEDULE OF PARCELS

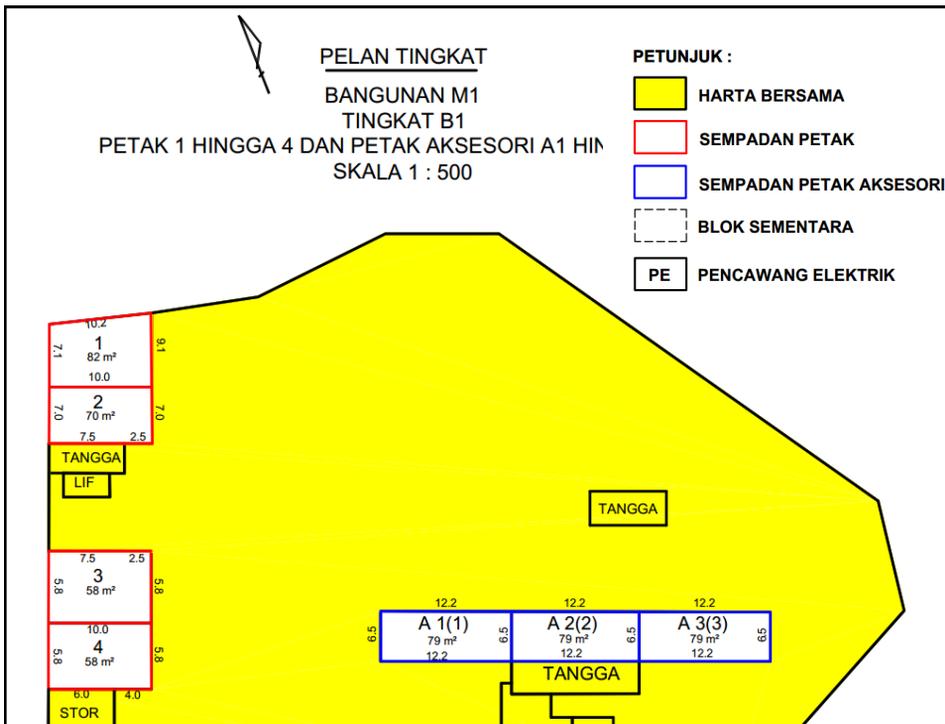
- ✓ **proposed share units shall be deemed to be the allocated share units** until approved by the Director
- ✓ **exhibited at all times** in a conspicuous position in any office and branch office of the developer and at such place where sale of a parcel is conducted
- ✓ **submitted to the Director** in any application for subdivision of building or land



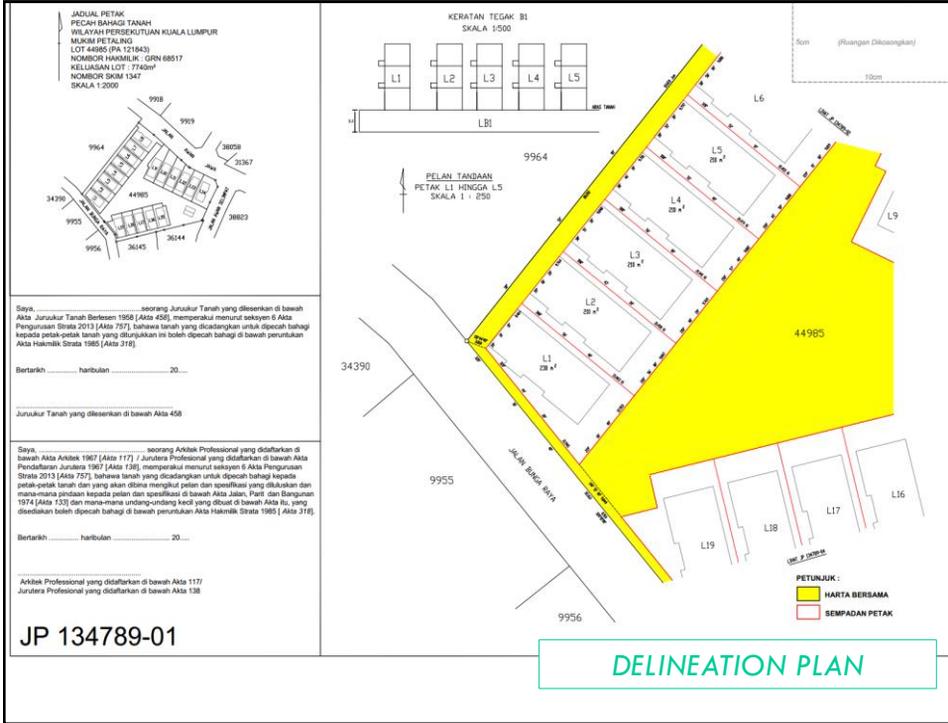
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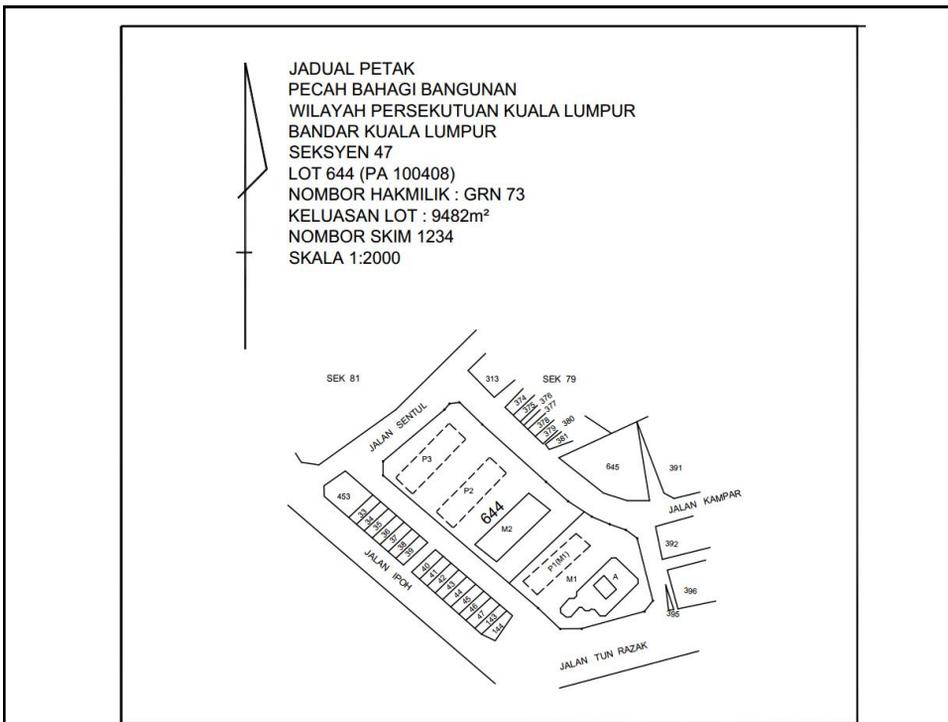
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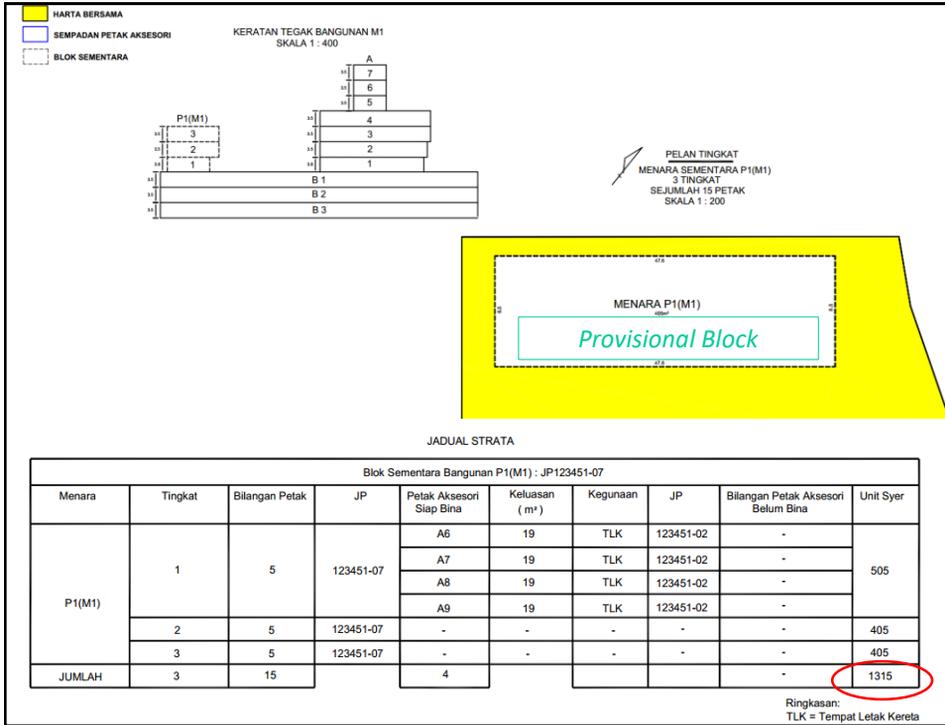
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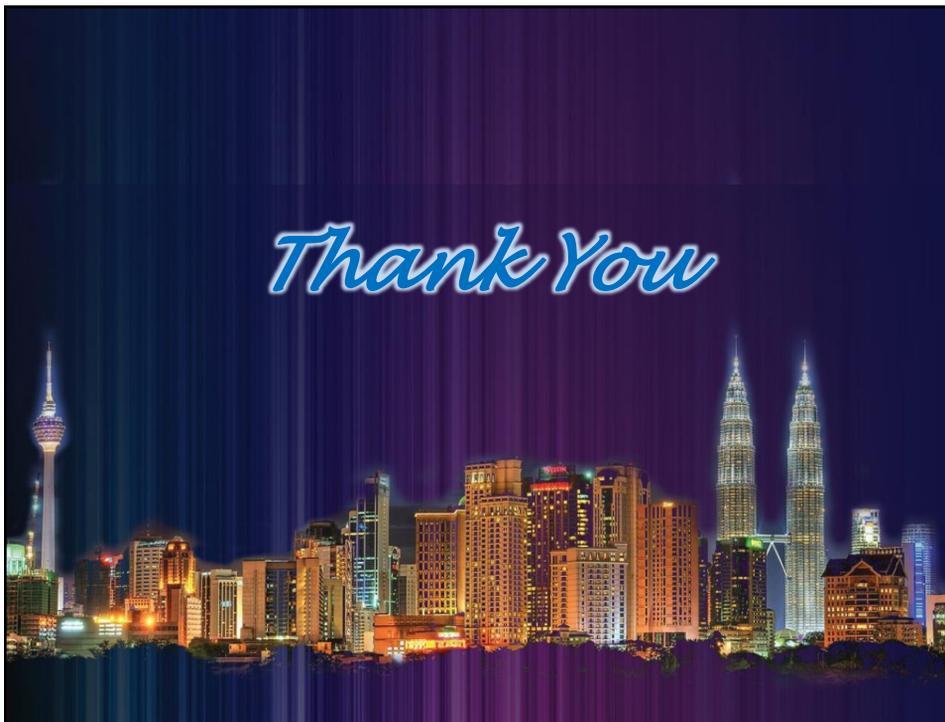
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