



**Confiscated**  
Officers from the Kajang Municipal Council's Commissioner of Buildings unit and Urban Wellbeing, Housing and Local Government Ministry seizing items from a defaulter during a raid at an apartment in Bangi.

# Strata Act seizures

**EXCLUSIVE**

The Star, 5/9/2017  
B.1+4

Hardcore defaulters on condo or apartment maintenance payments may have their units raided and the movable items inside – such as TVs, appliances and smartphones – seized by the authorities. The Strata Management Act 2013 gives more power to building management bodies to take action on errant owners, with the backing of local councils and the Urban Wellbeing, Housing and Local Government Ministry. And the seizures have begun! >See reports on Page 4 by YUEN MEIKENG



# Knock, knock, we are coming for you

Come out with maintenance fees or out goes your furniture, TV, rice cookers ...

By YUEN MEIKENG  
meikeng@thestar.com.my

The Star  
5/9/2017  
B4

**PETALING JAYA:** Knock, knock, who's there?

The answer could be the authorities, here to seize your belongings if you are a condo owner who defaulted on maintenance fees.

The Government is intensifying enforcement efforts against condominium and apartment owners who fail to pay up. And it means business.

In fact, the seizures have already begun.

For the first time under the Strata Management Act 2013, five units at an apartment in Bangi, Selangor, were raided in May because of their owners' failure to settle fees totalling thousands of ringgit.

Movable items like flat-screen TVs, smartphones and even appliances like rice cookers and gas tanks were seized by the apartment's management body, the Kajang Municipal Council's Commissioner of Buildings (COB) unit, and the Urban Wellbeing, Housing and Local Government Ministry.

The items were later auctioned off to settle outstanding fees or reclaimed by the owners who finally paid up.

Such action will be stepped up to get more defaulters to toe the line.

"Similar enforcement efforts, including seizures, will be extended to various locations nationwide," the ministry's urban service division senior principal assistant secretary Mohd Syaifulrizal Mohd Bakar told *The Star*.

In fact, five other raids were conducted so far this year by the ministry, together with the respective local councils' COB.

Mohd Syaifulrizal said there was no minimum amount of outstanding fees needed for such seizures to be conducted.

"As long as the joint management body (JMB) or management corporation (MC) of a condo or apartment has served a written notice to demand payment from the unit owner, and it is unpaid after 14 days, enforcement can take place.

"The JMB or MC can serve a warrant to the defaulters with the help of the COB and ministry," he said.

Aside from seizing items, other actions that the JMB and MC can take include filing a summons in court against defaulters and filing a claim in the Strata Management Tribunal formed under the Act.

The Act, which came into effect in July 2015, gives more bite to management bodies in taking action against errant unit owners.

Calling it more comprehensive than the repealed Building and Common Property (Maintenance and Management) Act, Mohd Syaifulrizal said the new law had also led to a slight improvement in property management standards.

"The ministry wants more JMBs and MCs to practise better quality management and maintenance to foster a harmonious and healthy living community," Mohd Syaifulrizal said.



**Default payment:** A filepic of officers from the Kajang Municipal Council's COB unit and Urban Wellbeing, Housing and Local Government Ministry seizing items from defaulters during a raid at an apartment in Bangi.

## Support for tougher action on errant high-rise owners

**PETALING JAYA:** The tough action against errant apartment owners has been lauded by unit owners and management bodies who believe this will reduce the number of defaulters.

Building Managers Association of Malaysia committee member Richard Chan said the seizure of movable items was a step in the right direction.

"However, there are cases where the units are empty because the owners don't live there. So there are no items to seize.

"Perhaps it would be better to empower the authorities to seize and auction the property or unit itself," he suggested, adding that this would be an even stronger approach to get owners to settle their debts.

However, he said, management bodies may still seek recourse from the Strata Management Tribunal which has been able to settle disputes quickly and efficiently.

"The mentality of residents needs to be changed. A stronger sense of responsibility is needed to maintain shared buildings and facilities.

"If you don't have the right mindset, don't live in stratified buildings," Chan said.

A condominium's management body committee member, who wishes to be known only as Ming, said the seizures were "the last resort" against hardcore defaulters after all avenues of collection had been exhausted, including sending letters and deactivating access to common facilities.

"It can even happen after such unit owners fail to pay up after a second hearing of claims at the tribunal.

"I hope the Urban Wellbeing, Housing and Local Government Ministry will publicise more of these raids to raise awareness and reinforce the need to pay maintenance charges promptly," said the retiree, who lives in a condominium in Kuala Lumpur.

She said her condo's MC normally sent reminder letters and made follow-up calls to the delinquent owners, followed by deactivation of their security access card to the lift.

"This first level of inconvenience usually prompts the owner to pay up immediately," she said.

If those staying in the units are tenants, they would be forced to complain to their landlord or the owner.

"If such recovery measures fail, then the MC will file claims against the owner at the tribunal," Ming added.

A condominium resident, who wished to be known only as Aaron, welcomed the enforcement efforts.

"It will definitely be more effective in getting more people to pay up," said the 32-year-old engineer.

He said the failure of others to pay fees made it difficult to maintain the shared space and services for the benefit of all residents.

"But to be fair, there should be reasonable notice given before any seizure takes place," he added.

## Condo owners want JMB to do better

By NATASHA JOIBI  
natajoibi@thestar.com.my

**PETALING JAYA:** Property owners have called on joint management bodies (JMB) of their residences to effectively utilise the maintenance fees for proper upkeep of the places.

Condominium owner Nina Raz, 31, has been paying RM334 monthly for the maintenance of her home in Section 13, Shah Alam.

Despite paying hundreds in maintenance fees, she claimed that the quality of services and upkeep of her building still left much to be desired.

"Our building is poorly maintained although we pay costly maintenance fees.

"Before raiding the units of repeat defaulters, JMB needs to ensure that the residences are in tip-top condition.

"Make sure the cleaners follow their schedules accordingly and that the security guards do their jobs," she said.

Nina, a writer by profession, claimed that she had twice been denied access to her own residence due to the JMB's failure to update its payment records.

A retiree, who wanted to be known only as

**Our building is poorly maintained although we pay costly maintenance fees.**

Nina Raz

Joe, said he expected more transparency and better communication from the JMB or management office, considering that he is paying nearly RM300 monthly in maintenance fees for his condo in Petaling Jaya.

"For example, the management decided to do away with the intercom system for visitors without communicating this to us. Now when we have visitors, we need to go downstairs to buzz them in and out of the building ourselves.

"We also had a car park lift that was out of order for a year. Residents in two blocks were affected. There was no information, no circulars on what went wrong with the lift," he said.