

## **LAWYER: AVOID DISPUTES DUE TO HOUSE DEFECTS “INSPECT YOUR HOUSE” AFTER NEW PROPERTY HANDOVER**

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KUALA LUMPUR: Lawyers urge new house buyers to check carefully whether there are any house defects and request developers to repair the defects before conducting any renovation works to avoid future disputes.

Lawyer of Xian & Co Law Office, Evelyn Eng, said, problems arise from buildings construction are very subjective, both owners and developers would have various reasons to accuse the other party of causing the house defects.

“Even in the court, it is difficult to prove who is right and who is wrong, it is very subjective.”

Managing Director of IPM Professional Services Sdn Bhd, Ir. Justin Lai gave an example, even though the renovations done by the owners do not involve roof parts, somehow the roof is leaking, developers could accuse that the leaking is somehow related to the renovation works conducted.

They made their statement during the press interview, after hosting a talk titled “Defected House - What is Your Right?” at the Malaysia Property Expo 2017 (MAPEX2017).

Ir. Justin Lai said, in general, the most common problems during a home inspection are wall cracking, uneven wall or floor surface, water leaking, malfunction windows, water pipe burst, water down pipe blocking, clogged sewer pipe, etc.



*Evelyn Eng (Left) and Ir. Justin Lai (Right) explained the rights of buyers about house defects.*

### **Obligation to Repair Defects within 24 months**

He pointed out that wall cracking are categorised to structural and non-structural cracks. Rule of thumbs for the crack measurement is if the crack exceeds 2 mm, it is probably structural damage.

“In this case, it is advisable to engage a structural engineer for evaluation. If the crack is less than 2 mm, you can just request developers to fix it.”

He urged new house owners to complete the house inspection and defect repairing process within 24 months after the vacant possession.

### **Alert whether the S&P Agreement Regulated by Law**

Evelyn Eng pointed out that not all the houses are regulated under the Housing Development (Control and Licensing) Act 1966, house buyers should alert if their agreements are regulated under the law.

She added, in general, the S&P Agreement signed for residential houses are regulated and protected under the Housing Development (Control and Licensing) Act 1966. However, the commercial and industrial properties and some service apartments are not regulated by the act.

She urged new house owners to notify developers about the defects, and developers will be given 30 days to repair them.

“After 30 days, if you didn’t get any responses from the developer, you should send a notification letter to the developer, notifying that you would find a contractor to fix the defects, then forward the quotation submitted by the contractor to the developer. After that, you (owner) should give the developer another 30 days to take action”

“After 60 days, if the developer didn’t fix the defects, you could engage a contractor to fix them.”

She said, at that time, owners can issue a written request to stakeholders to pay the expenses within 30 days.

She added that with this procedure, the court case between owners and developers due to defect repairing disputes had been decreased dramatically.

However, she mentioned that any kind of compensation for mental anguish could not be taken to court because courts need evidence.

### **Conviction, Goal and Planning, and Execution Three Steps to Investing Millions Ringgit Properties**

Bricksmen Group partner, YC Chan, shared three steps to become Millions Ringgit Property investors, which are conviction, goals and planning, and execution (investment).

He pointed out that conviction, mindset, action, and result are interrelated, and we must take the initiative to start investing.

“We should begin by imaging the end in mind; adjust and re-planning the goals that we want to achieve in our life.”

## Make Retirement Saving Plan

Next is goal setting and planning. He taught the crowd to make a proper retirement saving plan and make systematic planning of “buy – hold – sell” through property investment.

He also suggested property investors realign their investment. For example, they can consider changing those long-term lease houses with a monthly rental rate of RM 2,000 to short term rental such as Airbnb because the monthly rental rate of the latter option can achieve RM 2,500 to RM 4,200.

Besides, he stated that Malaysia has a high population growth rate and higher youth ratio in Malaysia; therefore, property demand is high.

“Now would be the golden opportunity for property investment.”

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[https://www.enanyang.my/news/20171015/%E3%80%90%E7%8B%AC%E5%AE%B6%E3%80%91%E5%BE%8B%E5%B8%88%E9%81%BF%E5%85%8D%E6%9C%89%E7%BC%BA%E9%99%B7%E5%BC%95%E4%BA%89%E8%AE%AE-%E6%8B%BF%E5%88%B0%E6%96%B0%E5%B1%85%E9%92%A5%E5%8C%99%E5%85%88/\)](https://www.enanyang.my/news/20171015/%E3%80%90%E7%8B%AC%E5%AE%B6%E3%80%91%E5%BE%8B%E5%B8%88%E9%81%BF%E5%85%8D%E6%9C%89%E7%BC%BA%E9%99%B7%E5%BC%95%E4%BA%89%E8%AE%AE-%E6%8B%BF%E5%88%B0%E6%96%B0%E5%B1%85%E9%92%A5%E5%8C%99%E5%85%88/))

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