

STRATA TITLE APPLICATION

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A strata title is the type of land title issued for stratified properties which include high-rise properties such as condominiums, apartments, and landed properties that are gated and guarded. It is the document that states the ownership of a strata property and gives owners the control of the individual units of stratified properties. Different from the individual title, strata title issued to units of the property that come with common facilities such as swimming pools, car parks, and clubhouses which are shared by all the residents. Under the Strata Title Act, the developer of the property is required to apply for strata titles on behalf of the purchasers. Any building having two or more storeys on alienated land held as one lot under a final title (whether Registry or Land Office title) shall be capable of being subdivided into parcels, and any building having only one storey on the same land shall also be capable of being subdivided into parcels to be held under strata titles or into accessory parcels.

The approval of the strata title subdivision demands the followings:

- a) The subdivision of any building has been certified by a land surveyor—
 - that the building or buildings are situated wholly within the boundaries of the lot
 - that, discounting any eave, awning, and any balcony not forming part of a proposed parcel, which project over a road reserve, the building or buildings are so situated
- b) In the case of any building for the erection of which planning permission was required—
 - it has been certified by an architect registered or by a professional engineer registered that the building was constructed in accordance with the plans and specifications by reference to which that permission was given
- c) The subdivision would not contravene any restriction in interest to which the land comprised in that lot is for the time being subject
- d) A situation unopposed to any written law in force
- e) No item of land revenue is outstanding in respect of the land

- f) Each of the proposed parcels must have adequate means of access not passing through another parcel and adequate means of internal communication not passing through the common property
- g) Where the land on which the building stand is held for a term of years, there must be at least 21 years remains
- h) The land on which the building stand is not subject to any charge or lien
- i) Where the land is held under a qualified title, the final title to the land must have been registered
- j) The building to be subdivided has been certified by the local authority to be fit for occupation or use

Under the Strata Title Act, the application for the strata title can be started from the moment the construction has completed its superstructure stage. When the building superstructure is completed, within 3 months from the issuance of CCC, Licensed Land Surveyor need to prepare and submit all proposed strata plan to the Director of Survey (JUPEM) to apply for Certificate of Proposed Strata Plan (CPSP). Meaning to say at the stage upon the completion of the building works that is necessary for the measurement of all parcels including any accessory parcels and common property needed to be shown on the strata plan. Upon the issuance of CPSP, the developer must apply for strata titles within one month.

Fees

Throughout the subdivision procedure, there are a variety of charges needed. The fees consist of, but are not restricted to:

- a) Fees for strata title application
- b) Fees for plans
- c) First-year quit rent payable
- d) Fees for parcel schedule preparation
- e) Fees for share unit rights
- f) Fees for building certification

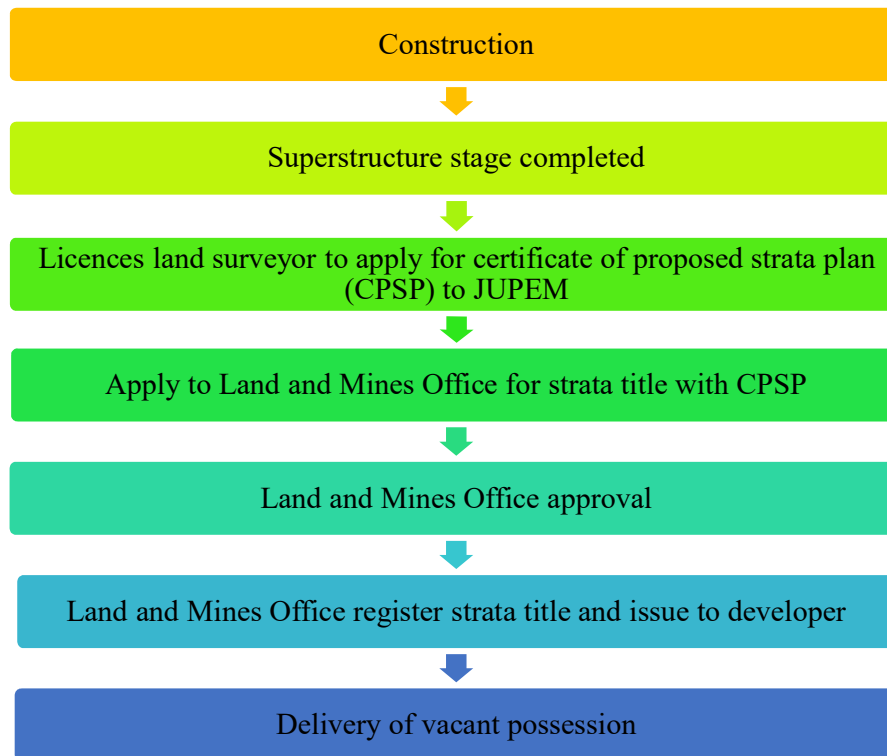


Figure 1: Flow Chart for Strata Title Application

Documents Required for Strata title application:

For CPSP application:

- a) Certified copy of the final title
- b) Copy of CPSP application fee receipt
- c) Proposed strata plan
- d) Endorsed building plan
- e) Copy of sale and purchase agreement
- f) Reference no. of parcel schedule that had filed to the COB
- g) Copy of SIFUS

For individual strata title application:

- a) Parcel schedule
- b) CPSP
- c) Authorized letter from every person or body having a registered interest in the land

- d) Certified copy of the final title
- e) Certified copy of CCC/CFO
- f) Copy of quit rent receipt for the current year
- g) Copy of sale and purchase agreement
- h) Reference no. of parcel schedule that had filed to the COB
- i) Copy of SIFUS
- j) Schedule of Bumi lots distribution

For company application of strata title, the additional documents required as follow:

- a) Company resolution
- b) Memorandum and articles of the company
- c) List of Board of Directors
- d) Statement of share distribution

The procedure of strata title subdivision is based on well documented and easily comprehensible legislation of the Strata Title Act, National Land Code and the State Land Rules. The total duration of an application of CPSP and strata title varies from 6 to 12 months. It may be worth considering professional guidance and support in working with a variety of rules and specifications of regional local authorities and to expedite the process of application.

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Reference

1. Choong, S. (2020). What is a Strata Title and Why is it important for homeowners?. Retrieved on 1st April 2020 from https://www.iproperty.com.my/guides/strata-title-malaysia-what-and-why-is-it-important-for-homeowners/?utm_source=google&utm_medium=cpc&utm_objective=session&gclid=Cj0KCQjwsYb0BRCOARIsAHbLPhGJOnY8mkBGTDMx8bwo10JamVYmjoUSiUyxk60T6-qxXGa5kFnuPJJaAlvLEALw_wcB