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DIGITAL



Stratified vs **Non-stratified** Homes

Do you know the difference? What are the pros and cons of investing and/ or living in one of these? Turn to **Pages 6 to 9** to find out more.

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Managing Director/Editor-in-chief Au Foong Yee

EDITORIAL Assistant Editor Tan Ai Leng Deputy Chief Copy Editor James Chong Senior Writer Rachel Chew Writers Natalie Khoo, Chelsey Poh Senior Designer Jun Kit

For New Launches/Events/ Press Releases/News Tips email: editor@edgeprop.my Tel: (03) 7721 8211 Fax: (03) 7721 8280

ADVERTISING & MARKETING Associate Account Director, Advertising & Marketing Heidee Ahmad (019) 388 1880 Senior Account Managers Ian Leong (012) 359 1668 Cecilia Too (012) 319 7666 Marketing Support & Ad Traffic Madeline Tan (03) 7721 8218 email: marketing@edgeprop.my

BUSINESS DEVELOPMENT Manager Nimalen Parimalam (014) 324 3193

> AGENCY SALES Sales Manager Stannly Tan (012) 538 1687

PRODUCT DEVELOPMENT & CUSTOMER ADVISORY Associates Omar Nawawi (012) 537 1687

Nazrin Hakimin (017) 368 6061 For enquiries and listings email. support@edgeprop.my Tel: (03) 7733 9000

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Publisher and Group CEO Ho Kay Tat

EDITORIAL Editor-in-chief Azam Aris

CORPORATE Chief Operating Officer Lim Shiew Yuin

ADVERTISING & MARKETING Chief Commercial Officer Sharon Teh (012) 313 9056 General Manager Fong Lai Kuan (012) 386 2831 Senior Sales Manager Gregory Thu (012) 376 0614 Head of Marketing Support & Ad Traffic Lorraine Chan (03) 7721 8001 Thunderstorm and downpour until year-end

Frequent thunderstorms, heavy downpour and strong wind have started since early this month, and is expected to last until the end of December, especially along the west coast of the peninsula, which includes Selangor, Kuala Lumpur, Putrajaya, Negeri Sembilan and Melaka, according to Malaysian Meteorology Department (MetMalaysia) directorgeneral Jailan Simon last week.

On Nov 24, 2020, MetMalaysia further issued an orange level weather alert with heavy rain expected to occur over several states

Govt to study

possibility of

building foreign

workers' housing

The government will conduct a study

into the possibility of providing living

guarters for foreign workers to curb

Covid-19 transmissions at construction

sites, said Federal Territories Minister

Tan Sri Annuar Musa on Nov 21, 2020.

several other ministries and the Ma-

laysian Construction Industry Devel-

detected at the Pavilion Embassy con-

struction site during the second wave

and it is happening again. We now

have the Damanlela construction site

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opment Board.

He said the ministry is in talks with

"Previously, Covid-19 cases were

such as Kota Bharu, Kelantan, Pahang and the whole of Terengganu. Jailan warned that there will be strong northeasterly winds which could lead to waves up to 3.5m high in the waters of Kelantan, Terengganu and Pahang, potentially resulting in overflowing of the coastal areas.

In fact, in Perak, a total of 125ha of padi fields in Bagan Serai of the Kerian district have been inundated by flash floods following frequent heavy rain since the last two weeks, according to the state's media release on Nov 24, 2020.

cluster," he told a press conference after presenting donations to residents' associations of Kuala Lumpur under the Cakna 3.0 initiative.

Govt mulls CMCO extension until year-end

Minister in the Prime Minister's Department (Special Functions) Datuk Seri Mohd Redzuan Yusof said that the government will study the need to extend the conditional movement control order (CMCO) until the end of the year if Covid-19 cases continue to increase.

In the Dewan Raykat on Nov 23, 2020, Mohd Redzuan said that at the same time, preventive measures should be taken to reduce the number of cases to a minimum level or attain zero cases.

He added that the government is aware of the hardships faced by the people during this economic downturn due to Covid-19. Therefore, SOPs (standard operating procedures) are constantly updated and improved according to the needs of the people.

Mustapa: Govt to seek loans for multi-billion ringgit projects

The government plans to borrow loans to finance multi-billion ringgit infrastructure projects, Minister in the Prime Minister's Department (Economy) Datuk Seri Mustapa Mohamed told the Dewan Rakyat on Nov 23, 2020.

These projects include the Pan Borneo Highway, the Central Spine Road (CSR) or Kuala Krai-Kuala Pilah Highway, and the Gemas-Johor Bahru Railway Electrified Double-Tracking Project.

According to Mustapa, Putrajaya targets to complete these projects under the 12th Malaysia Plan (2021-2025).



Meanwhile, the water levels at three rivers in Kelantan have exceeded the alert level following continuous rain in several areas since Nov 23, 2020. The Kelantan Health Department is also concerned that the potential floods could affect the number of Covid-19 positive cases if there was a spike in the number of evacuees at temporary relief centres.



The Johor Bahru-Singapore Rapid Transit System (RTS) Link ground-breaking ceremony was held on Nov 22, 2020, kicking off construction works for the long-awaited infrastructure project.

The RTS Link between Malaysia and Singapore will be a railway service with two stations, one at Bukit Chagar in Johor Bahru, and the other at Woodlands North in Singapore. The link is targeted to begin operations by the end of 2026 and will provide an easy and efficient border crossing between Malaysia and Singapore.

MRT Corp CEO Datuk Mohd Zarif Hashim said the RTS will cost Malaysia RM3.7 billion, which includes the construction of a station at Bukit Chagar, depot at Wadi Hana, viaducts through the city centre of Johor Bahru and over the Straits of Johor to the Malaysia-Singapore boundary.

In addition, the cost also covers the construction of a four-storey CIQ complex, which will be part of a transit-oriented development that will also feature a multi-modal transport hub and mixed property development.

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NEWS HIGHLIGHTS from www.EdgeProp.my





Sunway Malls signs up 200 new tenants

Even amidst a slump brought on by movement restrictions and a pandemic, Sunway Malls has signed on 200 new tenants, according to *The Edge Malaysia*'s report.

"Despite the industry hitting an inflection point, reeling from intensified shop consolidations and closures due to the current seismic pandemic challenges, Sunway Malls has bucked industry trends with the opening of 200 shops during this difficult period in 2020. In essence, this is equivalent to opening a full-sized mall with 100% occupancy," Sunway Malls & Theme Parks CEO H C Chan (*pictured*) told the weekly in an email interview.

The combined net lettable area of the 200 retailers is an estimated 700,000 sq ft, "which is larger than Sunway Putra Mall's 600,000 sq ft but smaller than The Gardens Mall's 843,000 sq ft", wrote the business publication.

UEM Sunrise's 3Q losses narrow A member of UEM Group

UEM Sunrise Bhd's net loss narrowed to RM28.87 million from RM93.36 q-o-q in the third quarter ended Sept 30, 2020 (3QFY20).

This was achieved on the back of a 94% jump in revenue to RM217.44 million, from RM111.96 million in 2QFY20, according to the Bursa announcement on Nov 24, 2020.

The property developer said the higher revenue was due to higher sales and construction activities during the Recovery Movement Control Order (RMCO) where restrictions were relaxed.

In a separate statement on the same date, UEM Sunrise said property sales picked up in 3QFY20 on the back of its high-rise developments mainly from Residensi AVA in Kiara Bay.

The developer has launched RM250 million worth of properties to date with plans to launch another RM700 million before the end of the year, the bulk of it from Residensi Allevia in Mont'Kiara, with a total gross development value of RM545 million.

Maybank extends repayment assistance application to June 2021

Maybank has extended the application period for loan or financing repayment assistance until June 30, 2021 to provide financial relief to individual and small and medium enterprise (SME) customers.

In a statement on Nov 23, 2020, Maybank said customers who require financial assistance can still contact the bank to discuss and work out the most suitable repayment assistance package to address their current circumstances.

The bank said with the pandemic prolonging, its priority is to ensure that customers continue to have access to the assistance they require to get them through this difficult period.

Maybank said that to date, it has processed over 90,000 repayment assistance applications received from customers and has approved all eligible applications processed.



Thailand extends state of emergency to mid-January 2021

Thailand will maintain its state of emergency over Covid-19 until the middle of January next year, in an effort to keep infections under control during the New Year holidays.

Government spokesperson Anucha Burapachaisri said the cabinet on Nov 23, 2020 approved a 45-day extension of the state of emergency from Dec 1 to Jan 15 – its eighth extension, as proposed by the Centre for Covid-19 Situation Administration.

"The extension is longer than the previous 30-day extension as it covers the New Year holidays... It is to keep the Covid-19 pandemic under control," he added.

Covid-19: Teratai now the nation's largest cluster

The Teratai cluster, which originated from Top Glove's factories in Klang, Selangor, has officially become the largest Covid-19 cluster, after 1,511 cases were reported on Tuesday (Nov 24), bringing the total number of cases in the cluster to 4,036. Previously, the largest cluster was in the Sri Petaling Tabligh cluster which had 3,375 cases.

Cases from the Teratai cluster pushed the number of new cases in Selangor on Tuesday to 1,623, which accounts for 74% of the total 2,188 new cases reported that day. This is the new high for both national and Selangor numbers.

Top Glove has temporarily closed its 28 factories in Klang. As at Wednesday (Nov 25), 6,506 individuals linked to the Teratai cluster had been screened, of which 4,063 registered positive, while 2,270 were negative cases and another 173 more were awaiting results.

Apart from the Teratai cluster, health director-general Tan Sri Dr Noor Hisham Abdullah also highlighted the four largest workplace clusters, namely the Damanlela construction site cluster in Kuala Lumpur, the Cergas cluster in Negeri Sembilan, the Hentian cluster in Selangor, and the Kaya cluster detected in Negeri Sembilan and Putrajaya.

On Wednesday, newly reported Covid-19 cases dropped to 970, while daily recoveries were at all-time high of 2,348 cases. Five new clusters were added on the day, bringing the total number of clusters to 339, of which 169 were active clusters.

New cases reported on Thursday (Nov 26) stood at 935. The total number of confirmed cases reached 60,752 as at Nov 26, with 11,348 active cases. The total number of deaths hit three, while 2,555 people were discharged.

According to Minister in the Prime Minister's Department (Special Functions) Datuk Seri Mohd Redzuan Yusof, the conditional movement control order (CMCO) in Selangor, Kuala Lumpur and Putrajaya might be extended if Covid-19 cases in these areas continue to climb. CMCO in the three areas is currently scheduled to end on Dec 6.



Number of daily



For Covid-19 screening or tests, contact the **Health Ministry's Crisis Preparedness and Response Centre (CPRC)**

Tel: 03-8881 0200, 03-8881 0600 and 03-8881 0700 from 8.30am to 5pm daily Or email: cprc@moh.gov.my

For more information, go to CPRC Telegram channel at **https://t.me/cprckkm** For queries on the Restricted Movement Control Order, call 03-8888 2010.



Decision on PLUS Highway concession still pending

Despite the Prime Minister's Office saying there would be no hike in toll rates on PLUS highways as the concessions would be extended for 20 years from 2038 to 2058, the Deputy Works Minister Eddin Syazlee Shith said in the Dewan Rakyat on Nov 23, 2020 that no decision had been made yet.

Eddin said that Putrajaya would look at the agreements in detail as they involve "sensitive issues including toll rates".

To recap, PLUS also said in January it was willing to review the concession agreements should the government wish to take over its toll highways and implement an 18% reduction in toll charges on private vehicles plying PLUS-owned highways as early as Feb 1 this year.

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COVER STORY

Living in NON-STRATIFIED residential properties

Taman Tun Dr Ismail, commonly known as TTDI, is a self-contained upper middle-class township located on the western fringe of Kuala Lumpur, which borders the state of Selangor.

What is a non-stratified home?

- They are developed in a format not governed by the Strata Title Act 2013 (STA 2013) and the Strata Management Act 2013 (SMA 2013).
- They have separate titles that accord the ownership of the land plots and the buildings erected upon them to individuals who buy them.
- Ownership is predominantly regulated under the National Land Code 1965 and the common law.
- The enjoyment of the property is also subject to the regulations of the local and state authorities.

ples of non-stratified properties de the housing estates in Taman Dr Ismail, Bandar Utama and ara Damansara.

BY NATALIE KHOO

ith the increase of stratified properties in the country, there is no lack of information and discussions and don'ts, the upside and

downside, the cost to even how to resolve differences among the residents.

In contrast, non-stratified living is not usually under the spotlight, giving the impression it is more hassle-free. But do you know there are restrictions to living in non-stratified properties too?

Here, we debunk the myth that living in non-stratified properties means you can do "whatever you want".

Difference between stratified and nonstratified properties

developed in a format not governed by the Strata Title Act 2013 (STA 2013) and the Strata Management Act 2013 (SMA 2013).

Typically, these properties have separate titles that accord the ownerships of the land plots and the buildings erected upon them to individuals who buy them.

"There is no common property to be enjoyed and maintained through the mandatory collection of service charges and sinking fund regulated by the said Acts. In addition to the differences identified above, the key difference is in the to participate in the management of the common property in a strata development," Tan tells they must comply to as residents. EdgeProp.my.

Freedom for all?

Since these properties are not governed by the Acts, does this mean the homeowners are free to do anything they like? Well, the answer is a big no.

Chur Associates' Tan says the ownership of on it – ranging from the dos non-strata properties is predominantly regulated under the National Land Code 1965 and the common law. This means that the enjoyment of the property is also subject to the regulations of the local and state authorities.

Henry Butcher (Mont Kiara) executive director Low Hon Keong says that for non-stratified properties, there are various stakeholders and their respective laws include:

- Trust corporation: Trust Companies Act 1949 (revised 1973);
- Property management company: The Companies Act 2016 (Act 777);
- Residents' association: The Societies Act, 1966 (Act 335).

Different stakeholders are also governed by their own respective statutory bodies and associations According to Chur Associates founder and manag- such as the Residents' Association (RA), Registrar of ing partner Chris Tan, non-stratified properties are Companies (ROC) and Registrar of Societies (ROS).

"Usually, these statutory bodies engage with local authorities beforehand [such as Kuala Lumpur City Hall], in order to have consent agreements that will legally recognise the non-stratified properties as gated-and-guarded communities and its constitutions," says Low.

One of the biggest misconceptions Low has encountered is that some homebuyers of non-stratified properties think they have ultimate control and authority to modify their own properties.

Although their properties are based on individual land titles, it is important to note that homeowners statutory obligations for strata property owners cannot simply modify their own properties as there are certain rules under their RAs' constitutions that

CONTINUES NEXT PAGE →

One of the biggest misconceptions for non-strata property homebuyers and investors is that there is no need to pay monthly service charges and contributions to the sinking fund. — Tan





← FROM PREVIOUS PAGE

enforced by the RA in respect of the following – to maintain uniformity within the development, to preserve the original concept as well as overall sentiment of the community and to ensure safety features are not compromised," Low highlights.

COVER STORY

Myth no. 1: No cost of maintaining common **facilities**

Low adds that for stratified homeowners, the payment to upkeep the property and its surroundings is usually termed as "service charges" whereas for non-stratified homeowners, it is commonly called "maintenance fees".

Nonetheless, both of these terms refer to the owners' monthly commitment which they pay in order to maintain their facilities, security and other aspects of their properties.

"It is common knowledge that for stratified properties, the service charges are usually calculated using share units which are based on the size of

Developers who sell such concepts should also be aware of the need to prepare the right documentation and infrastructure so that the handing over to the RA can be

done properly. — Adzman

"Furthermore, these constitutions are usually their parcels and accessory parcels. However, for non-stratified properties, there is no share unit involved as such calculations are usually based on the property type within the development," says Low.

He cites an example where for a community with semidee and bungalow units, the bungalow units will be charged higher fees due to the larger portions of land which the properties sit on.

"It is very important to note that the major expenditure for the maintenance fees are usually for security expenses as security companies play important roles in protecting the enclave of gated-and-guarded communities. Additionally, most homebuyers place security and safety as one of their highest priorities when it comes to choosing properties," Low points out.

Myth no. 2: No need to pay maintenance fees?

Meanwhile, Chur Associate's Tan says that one of the biggest misconceptions for non-strata property homebuyers and investors is that there is no need to pay monthly service charges and contributions to the sinking fund for their properties. "However, payments of quit rent and assess-

ment to the authorities are a form of maintenance charges too for the services provided.

"Nevertheless, the increased popularity of gated-and-guarded community living could actually be because non-strata properties' obligations (including payments and contributions) are regulated by way of contract rather than under a specific law like the SMA 2013," says Tan.

The Malaysian Institute of Property and Facility Managers (MIPFM) president Adzman Shah concurs with Tan, observing that these homebuyers would also assume that no maintenance charge is to be paid since the local council should be taking care of the common areas i.e. roads, drains, hard and soft landscaping, street lights, etc.

"They, however, forget that the provision of security service, maintenance of power fencing (if any), CCTV system, the management office operations, maintenance and repair, boom gate and access card system, visitor management system, and power and water supply for the guardhouse cost money and therefore involve collection of funds from the owners," he adds.

who buy them

CONTINUES NEXT PAGE →

Pros and cons of living in a non-strata property

PROS

- Flexibility on community activities
- Flexibility on renovation regulations
- No obligation in managing and maintaining the common property
- No house rules to be observed other than the law and regulations by the authorities

CONS

- Limited enforcement of rules - not clearly stated in the constitution
- Homeowners must ensure their subsequent buyers must be bound with the RA membership in order to be governed by the constitution of the RA as well as to enjoy the facilities of the community
- No enjoyment of extra common property and common facilities
- Management and underwriting of all maintenance and repair costs of own property to be fully borne by self







FROM PREVIOUS PAGE Myth no. 3: There's no governing laws

Unlike strata properties, the RAs and property management companies do not have the SMA 2013 and Strata Tribunal Court to refer or go to should disputes arise. How then, should one tackle any dispute which arises from the community?

Tan says that RAs are subject to the regulations of the ROS, a separate legal regime that has a high governance level.

"Disputes can be referred to the ROS or even the civil courts. In addition, property management is a regulated profession under the The Board of Valuers, Appraisers, Estate Agents and Property Managers (BOVAEP). Hence, the conduct of the property management companies is a valid subject of complaint to the Board. For any contractual disputes, you can always file a claim in the civil courts," Tan explains.

Meanwhile, MIPFM's Adzman raises an important point for consideration – RAs should engage experienced property management companies to manage such schemes so that when disputes arise, it will be easier to resolve the issues.

"The personnel need to have good public relation skills and some legal understanding on how to enforce house rules and handle collection of maintenance charges. It is also important to get proper legal advice in relation to undertaking the responsibilities in managing and maintaining the scheme," says Adzman.

Before you sign on the dotted line

Pretty much made up your mind on buying a non-strata landed property?

Henry Butcher's Low notes that it would be good for homebuyers to further study and have a clear understanding of what it takes to stay in a non-stratified community. "This is to ensure they share the same value and sentiment in that neighbourhood," says Low.

On this, Low has listed down five things that homebuyers should take note of.

Things to note before signing on the dotted line

THE MANAGEMENT OF THE

COMMUNITY – is it to be managed solely by the residents' association (RA) or an appointed property management company

- MAINTENANCE FEE note that such a fee is part of your commitment as well as contribution to the community
- CONSTITUTION OF THE RA seek a better understanding of the rulings
- AUDITED ACCOUNTS OF THE
- **RA** seek a clearer understanding of the financial position of your community

GENERAL SECURITY IN THAT COMMUNITY – find out whether the community places priority for

the community places priority for the residents' safety by investing in a good CCTV system and a strong security team



Although their properties are based on individual land titles, it is important to note that homeowners cannot simply modify their own properties as there are certain rules under their RAs' constitutions that they must comply to as residents. — Low

Spere

← FROM PREVIOUS PAGE

Every man *must not* be for himself

Safety and security are top concerns for most homeowners in these times due to rising crime rates, stresses Henry Butcher's Low.

"Looking at our current situation in the Klang Valley and other states, I believe it is really important for homeowners to be supportive and give full cooperation towards their respective RAs when it comes to complying to rules and regulations of the community in order to nurture community living spirit," he states.

Some owners may ignore the rules and regulations. Such an attitude would greatly jeopardise the community in the long run, especially when it comes to enforcing a ruling that involves security and safety.

When there is no proper enforcement by the RA as well as lack of compliance amongst residents, it will be a ticking time bomb before there is a breach of security within the community.

"I understand that it can be an inconvenience at times but it is really crucial for all residents to be responsible and compliant to the regulations in order to ensure safety for all residents as well as uplifting the community spirit," Low stresses.

Meanwhile, MIPFM's Adzman emphasises that RAs should work closely with the developer to ensure all the necessary conditions have been incorporated in the Deed of Mutual Covenant from the start.

"Developers who sell such concepts should also be aware of the need to prepare the right documentation and infrastructure so that the handing over to the RA can be done properly," he says.

Chur Associate's Tan highlights that community living today has become very sophisticated to address the different lifestyles in integrating commercial and non-commercial activities and it can be done in strata and non-strata formats.

"Buyers and investors must know clearly what they are buying themselves into to set and manage their expectations accordingly," he concludes.

One of the biggest misconceptions for non-strata property homebuyers and investors is that there is no need to pay monthly service charges and contributions to the sinking fund for their properties.



Challenges faced living in non-stratified properties



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The Cove @ **Horizon Hills** appoints inhouse security personnel to oversee and support the outsourced security guards.



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Outstanding non-strata properties

BY CHELSEY POH

here are many negative perceptions on non-stratified communities, such as dilapidated common facilities and lax security. However, this is a misconception as there are non-stratified developments that have continued to shine over the years. Without doubt, it is their excellent conditions - a result of sustainable and best-in-class development and upkeep - that contribute

significantly to their strong capital values. Where are these outstanding non-stratified developments in Malaysia?

Some of them have been unearthed in the past EdgeProp Malaysia's Best Managed and Sustainable Property Awards (BMSPA) as winners.

The profiles of the past winners are testaments that old can be gold. Check out some of the past winners in the box below.

Winner	Location	Category	Award	Year of winning
Valencia	Sungai Buloh, Selangor	Non-strata residential	Gold	2017
Duta Nusantara	Jalan Sri Hartamas 1, Kuala Lumpur	Non-strata residential	Silver	2017
Duta Tropika	Jalan Dutamas 1, Kuala Lumpur	Non-strata residential	Bronze	2017
RiverView Kemensah	Taman Melawati, Kuala Lumpur	Non-strata residential	Special Mention	2017
Jade Hills	Kajang, Selangor	10-years-and- above non-strata residential	Gold	2019
Aman Sari 18	Puchong, Selangor	10-years-and- above non-strata residential	Bronze	2019
The Cove @ Horizon Hills	lskandar Puteri, Johor	Below-10-years non-strata residential	Gold	2020

Valencia maintains a high



What are the attributes of an **excellently**managed and sustainable property? Here are some of the key features.

Strong maintenance fee collection

Sufficient funds are crucial for the quality upkeep and management of facilities and amenities in any project. Ensuring a high collection rate is key as a filled kitty will go a long way in both upgrading and maintaining amenities such as roads and security features.

However, sustainable financial planning is even more crucial for the project's quality upkeep in the long term.

On the flipside, being unreasonably frugal about continued investment into the building and its amenities is also a recipe for disaster for the project's maintenance.

Quality community living and mmunications

Harmonious living is central to any successful community-living development, big or small. This is built on trust developed among the residents and the property managers.

Hence the importance of effective communications and transparent decision-making processes, says Au Foong Yee, chief judge of EdgeProp Malaysia's BMSPA. Au is also editor-in-chief and managing director of EdgeProp Malaysia.

'Successful community living is about being cordial to your neighbours. It is about being respectful to one other within the community.

"And this starts with the relationship with your property managers," says Au. CONTINUES NEXT PAGE →

FEATURE

FROM PREVIOUS PAGE



Is your property manager responsible? Is he or she pro-active? Pre-emptive?

If the answer is no, why is he or she still around?

"Professional property management is crucial to your property investment. Appointing a less-than-desirable property manager could make a big dent to your property investment.

"Check their track records. Ask questions such as: Are they always striving to upskill for your benefit? What is so outstanding about their services?" Au advises.

Good ecurity A secure and safe liv-

ing environment is the backbone to any development that is well designed and managed with excellence.

The needs will vary not only with the size of the project but its design and functionality.

"How do you balance the cost and effectiveness of the security system employed? Are you over-providing or under-providing for security in the project?

"Ultimately and most importantly, is the spending cost-effective and sustainable? What else could you do? These are the attributes we look for in a winner," Au elaborates.

Sustainable design and building

A building or project that is designed and built for sustainability lays the groundwork for its sustainable maintenance.

"Unless you are prepared to pay considerable sums in monthly maintenance fees, avoid projects that offer you bells and whistles in terms of design and amenities.

"Even then, ever wonder if your neighbours would be as conscientious as you in making the monthly payments?" Au asks.

"I must stress there is nothing wrong with opting for a wide range of amenities in any project. However, one must be fully aware of what that means in terms of its sustainable upkeep." she adds.





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Duta Tropika has an automated maintenance schedule mechanism for regular checks in and around the enclave.



manager is vital

RiverView Kemensah's residents' association believes that a

good relationship between the residents and their property

Management work and upgrading plans have been carried out efficiently at Duta Nusantara, thanks to the effort of the property manager as well as support from the residents' association.



Thoughtful design with sustainable maintenance in mind is one of the reasons for Jade Hills' win.

EdgeProp.my Virtual Fireside Chat



How to avoid TENANTS from **HELL**?

Rogue tenants are a landlord's worst nightmare. Not only do they destroy your investment but often, they also leave you in trauma. What must you do to avoid becoming a victim?



WHEN Monday, 7 December @ 8.30pm **WHERE EdgeProp**

Malaysia's FB Page





HOSTED BY Au Foong Yee Editor-in-Chief & Managing Director,

EdgeProp Malavsia

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FOREIGN NEWS

EP 13 EdgeProp.my

S'pore freehold shophouse at Bukit Pasoh on sale for S\$10.5 mil

BY TIMOTHY TAY **EDGEPROP SINGAPORE**

Bukit Pasoh Road is up for sale with a guide price of S\$10.5 million (RM32 million).

The freehold property has a land area of 1,363 sq ft, and a total floor area of about 2,800 sq ft. This means that the guide price translates to S\$3,750 psf on the total floor area. PropNex Realty is the sole marketing agent for this property.

Located in the Bukit Pasoh Conservation Area, the shophouse is close to Pinnacle @ Duxton, and the tenants of neighbouring shophouses include three-starred Michelin restaurant Zen and private members club Straits Clan. Upcoming developments in the vicinity include the 774-unit One Pearl Bank, and Chinatown Plaza which is being redeveloped into a mixed-use development with a 300-room hotel. The nearby Outram MRT Interchange will include will close on Dec 17.

an extension to the upcoming Thomson-East Coast Line.

The 2¹/₂-storey shophouse at 6 SINGAPORE: A shophouse at 6 Bukit Pasoh will be sold with existing tenancy. The ground floor is leased to artisanal cafe Baker's Bench Bakery, and the upper floors are occupied by established Fin-Tech payment solutions firm Lyte Ventures. The shophouse comes with staircase access from the front and could be repositioned for F&B use on the upper floors.

"This is one of the lowest quantum freehold or 999-year leasehold CBD shophouses. Ultra-high-networth Individuals and family offices could consider this low quantum prime shophouse as a compelling investment for capital appreciation," says Loyalle Chin, associate division director at PropNex Realty.

Recent shophouse transactions in the CBD includes the sale of 77 Amoy Street for S\$29.8 million, 28 Duxton Hill for S\$15.75 million, and 43 Craig Road for \$10.65 million.

The tender for the shophouse



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PROPERTY CHAT

A clarion call for a new law to tackle neighbour from hell

BY **DATUK CHANG KIM LOONG** AND **PANG SAW PIN**

n this day and age, there is plenty of information, guides, articles, tools and checklists available online that can help you to shop for your perfect dream home. More often than not, you will be advised to conduct the necessary due diligence on the subject property and legal owner.

However, one aspect often neglected is to check the calibre of those living next door. In some cases, you would not even know who your neighbours are, especially when buying property in the primary market (direct from developer), and only come to suffer later when you find out your neighbour is a real pain.

Although no fault of your own, a bad neighbour can take a huge toll on your life. From rowdy mid-week or wee-hour parties to dogs that bark incessantly and cats' faeces at your doorstep, the excesses of inconsiderate neighbours are among the most annoying aspects in community living.

Our current ineffective legal framework

Legally speaking, the annoyance caused by your neighbour can be classified as nuisance, which is a branch or subset of the big tree of tort of law.

After exhausting all available diplomatic means and self-help remedies to counter such "hellish" neighbours, such as having peaceful talks with them, complaining to the local authority and lodging police reports, but to no avail, then the last resort would be to take legal action in the courts of law.

However, many will know this is not economically viable in most instances as legal fees are expensive and the process would be time consuming.

To fill this gap, in our humble view, there is a need for legislative intervention from the government to address this prevailing social issue of problematic neighbours.

We need a law that can, among other things, facilitate the resolution of community disputes in a speedy, inexpensive and effective way. As we seek to explore some possible features of our proposed new law, it may be instructive for us to refer to our permanent neighbour down south for its Community Disputes Resolution Act, 2015 (Singapore CDRA) as a starting guide.

Defining 'neighbour'

By taking the cue from the Singapore CDRA, there are a few salient features that our proposed new law should encompass.

For starters, it should only be confined to residential properties. (In the Singapore CDRA, the phrase "place of residence" is used throughout the legislation).

It is also instructive to note the word "neighbour" used in the Singapore CDRA refers to a person who lives in the same building as you or lives within a 100m radius of your place of residence, but does not include a person who lives in the same place of residence as you.



Interference (nuisance)

Generally, in order to establish the tort of nuisance, you must prove that the act or omission of the neighbour has caused unreasonable interference with his or her enjoyment or use of the place of residence. For better illustrations, the Singapore CDRA lists down 10 examples of interference by the neighbour (not exhaustive), namely:

- Causing excessive noise, smell, smoke, light or vibration
 Littering at or in the vicinity of your
- place of residence
- 3 Obstructing your place of residence4 Interfering with your movable
- property5 Conducting surveillance on you or your place of residence, where the surveillance is done at or in the
- vicinity of your place of residence6 Trespassing on your place of residence
- 7 Allowing his or her animal to trespass on your place of residence, to cause excessive noise or smell, or to defecate or urinate at or in the vicinity of your place of residence
- 8 Verbally vulgar, abusive and intimidating nature
- 9 Damaging common facilities and property
- **10** Causing mischief, distress and annoyance

These examples can serve as a guide to shed light on the prospective complainant when he or she is contemplating filing a claim in the tribunal for the interference caused by his or her neighbour.

It is important to note that it is ultimately up to the tribunal to decide whether or not a particular act is tantamount to nuisance or unreasonable interference based on the facts and circumstances of each case.

Tribunal – dispute resolution mechanism

Central to our proposed new law is the establishment of a quasi-court in the form of a tribunal, acting as an accessible and efficient platform for individuals to resolve their neighbour disputes.

A special tribunal ought to expedite the resolution of neighbour disputes, as the proceedings are less formal compared to the conventional courts of law, and more importantly, cost- efficient. As with any other tribunal, only the party to the proceedings can present his or her own case, without representation by any lawyer, unless otherwise ordered by the tribunal.

This special tribunal should be given powers to grant orders which could typically be made by the conventional courts, such as damages, specific performance, injunction, etc. Perhaps it may be a good idea to direct the parties involved to mandatorily attend mediation before the case is being heard by the judge, as mediation has a high success rate for a dispute of this nature.

It is foreseeable that there would be a limit on the monetary jurisdiction imposed on this special tribunal. In the Singapore CDRA, the maximum monetary order that its tribunal can grant is S\$20,000 (RM61,007). As such, more studies and research need to be carried out in establishing the monetary jurisdiction for this special tribunal. Further, all checklists, prescribed forms and documents necessary for the filing of a claim, as well as clear guidelines, processes, list of registration fees and 'frequently-ask-questions,' should be made available on a website, so as to render it accessible, more user-friendly and easily understood by the general public.

High time for such a law

Just like the proposed Residential Tenancy Act, it is high time that our lawmakers should give our proposal a serious thought in order to put an end to the woes caused by the neighbours from hell.

Perhaps the proposed law governing neighbourly behaviours should be merged with the Residential Tenancy Act to make it more complete. However, as with any law enactment process, we should not just adopt the law from other countries blindly without taking into account our own social, culture and economic circumstances.

representation by any lawyer, unless otherwise ordered by the tribunal. This special tribunal should be given powers to grant orders which could typically be made by the conventional courts, such as

> This article is jointly written by Pang Saw Pin, one of the legal advisors of the National House Buyers Association (HBA) and Datuk Chang Kim Loong, the honourary secretary-general of HBA, a voluntary non-government and not-forprofit organisation manned wholly by volunteers.



HBA can be contacted at: Email: info@hba.org.my Website: www.hba.org.my Tel: +6012 334 5676 SPOTLIGHT

Properties for sale and rent

Commercial Residential FRIDAY NOVEMBER 27, 2020

Click/tap on each listing to visit the listing's page



RM950,000

Taman Pertama Mahandoi, Penampang, Sabah Type: Semidee house Tenure: Leasehold Built-up: 2,950 sq ft Land size: 3,150 sq ft Bedroom: 4 Bathroom: 4

Abby Tan (REN 20757) IQI REALTY SDN BHD (E (1) 1584/9) **\$**+6017 261 6216



RM3,050,000

Senai, Kulai, Johor Type: Factory Tenure: Freehold Built-up: 11,433 sq ft Land size: 29,500 sq ft

Apple Wong (REN 12700) VIGOR PROPERTIES (E (3) 1777) **\$**+6018 288 9222



RM650,000 **Bandar Putra, Kulai, Johor**

Type: Semidee house Tenure: Freehold Built-up: NA Land size: 3,200 sq ft Bedroom: 4 Bathroom: 3

Carol Tan (DEN 10660)

ORIENTAL REAL ESTATE SDN BHD (E (1) 1503/7) **\$**+6012 777 2677



Balik Pulau. Balik Pulau, Penang

Crystal Khor (REN 21334) IQI REALTY SDN BHD (E (1) 1584/3) **\$**+6016 416 8866



RM42,000/mth

Gelang Patah. Nusaiava. Johor Type: Factory Tenure: Freehold Built-up: 30,000 sq ft Land size: 217,800 sq ft

RM326,390.40 (RM1.60 psf)

When: July 2020

Puchong Utama, Puchong, Selangor

of Centricity Realty (+6012 608 8235)

Adeline Lee (REN 02761) IQI REALTY SDN BHD (E (1) 1584/6) **\$**+6016 715 2226

SOLD FOR

Noteworthy

• Net lettable area:

office space and

one single-storey

• 20 loading bays, 129 carpark bays and 110 motorcycle parking

• Comes with basic

fixtures and fittings such as basic fire

fighting system and

lightning protection

system, air-cond

system in the office

building, as well as

cargo and passenger

guardhouse, refuse

chamber and covered

• Facilities in

walkways

the compound:

One block of 4-storey

203,994 sq ft

bays



RM1,025,000

Presint 16. Putraiava. Selangor Type: Terraced House Tenure: Freehold Built-up: 3,800 sq ft Land size: 1,920 sq ft Bedroom: 6 Bathroom: 5

Ainul Mardiah (PEA 2686) MAXXAN REALTY (E (1) 1766) **\$**+6018 771 5220

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is a matured industrial area

with a mixture of traditional

According to Centricity

Realty real estate negotiator

e-commerce industry. They

are looking for a warehouse

with a corporate office and

spacious land to install the

sorting automation robotic

unit for its 20 loading bays

which enable the company

to handle the heavy parcel

sorting and delivering daily.

(a REIT company) as it has

secured a quality tenant

at a very good rental rate

for three years. The total

rental collection will be

above RM10 million. This is

a substantial income to the

"It is good for the landlord

US\$20 million (RM82 million).

The tenant also liked the

system that costs around

Kevin Low, the tenant is one of

the major players in Malaysia's

standalone factories and

industrial parks.



Perindustrian Puchong Utama landlord," Low concluded. According to EdgeProp Research, one transaction of Perindustrian Puchong Utama was recorded each in 2019 and 2020 so far at RM6 million or RM703 psf and RM6.2 million or RM733 psf respectively.

As of October, there were six industrial properties listed for sale in EdgeProp.my. The average asking price was RM8.07 million or RM416 psf.

Meanwhile, there were also six industrial properties listed for rent in EdgeProp.my with an average asking monthly rental of RM32,295 or RM1.83 psf.

Planning to buy or sell a home? With EdgeProp's FREE transacted price tool, you can check past transaction prices for any property by name or area and make an informed decision.



RM4,000/mth

Taman Perindustrian Puchong 1, Puchong, Selangor Type: Factory Tenure: Leasehold Built-up: NA Land size: 2,000 sq ft

Anderson Lim (REN 10023) REAPFIELD PROPERTIES (PUCHONG) SDN BHD (E (1) 0452/8) 📞 +60111 133 2123



RM7.000/mth

Empire Residence, Damansara Perdana, Selangor Type: Villa Tenure: Freehold Built-up: 5,200 sq ft Bedroom: 6 Bathroom: 5

Azreen Bin Khalid (REN 40873) NILAI HARTA CONSULTANT SDN BHD (VE (1) 0134/2)

\$ +60112 814 5900



RM431,000

Boulevard Serviced Apartment, Jalan Kuching, Kuala Lumpur Type: Apartment Tenure: Freehold Built-up: 1,010 sq ft Bedroom: 3 Bathroom: 2

Cicy Suciani (REN 18507) REAPFIELD PROPERTIES (SJ) SDN BHD (E (1) 0452/2)

\$+6019 295 8985



RM297.000

Type: Flat Tenure: Freehold Built-up: 850 sq ft Bedroom: 3 Bathroom: 2



RM660,000

\$+6016 878 4628

Taman Puchong Permai, Puchong, Selangor Type: Condominium Tenure: Leasehold Built-up: 2,750 sq ft Bedroom: 5

Bathroom: 5 **CY Yong** (REN 14711) GS REALTY SDN BHD (E (1) 1307)



RM2,000/mth

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Puteri Palma Condominium. Putrajaya, Selangor Type: Condominium Tenure: Freehold Built-up: 1,518 sq ft Bedroom: 3 Bathroom: 3

Darren Toh (REN 05189) KIM REALTY (E (3) 0211) **\$**+6012 397 7800



RM358,000

Taman Desa Jaya, Johor Bahru, Johor

Type: Terraced house Tenure: Freehold Built-up: 1,200 sq ft Land size: 1,540 sq ft Bedroom: 3 Bathroom: 2

Ewe Bee Leng (REN 21962) TIRAM REALTY (E (3) 0077) **\$**+6013 772 9043

250,000 listings at www.EdgeProp.my

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RM705.000

Villa Crystal @ Taman Sri Sinar. Segambut, Kuala Lumpur Type: Condominium Tenure: Freehold Built-up: 1,295 sq ft Bedroom: 3 Bathroom: 3

Fong Tan (REN 38422)

REAL ESTATE FINDERS (MY) SDN BHD (E (1) 1516) **\$**+6012 370 9874



RM1,000,000

Surian, Mutiara Damansara, Selangor Type: Condominium Tenure: Freehold

Built-up: 1,421 sq ft Bedroom: 4 Bathroom: 3

Laura Teh (REN 02734)

REAPFIELD PROPERTIES SDN BHD (E (1) 0452) **\$**+6019 221 9830

.....



RM10,000,000

Pantai Molek, Persiaran Gurney, Penang

Type: Bungalow Tenure: Freehold Built-up: 6,000 sq ft Land size: 19,800 sq ft Bedroom: 10 Bathroom: 10

Marcus Chan (REN 17896)

RAINE & HORNE INTERNATIONAL ZAKI+ PARTNER SDN BHD (VE (1) 0067/2) \$ +6012 481 9859

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RM2,850,000

Jelutong Villas, Damansara Heights, Kuala Lumpur Type: Semidee house Tenure: Freehold Built-up: 3,800 sq ft Land size: 3,550 sq ft Bedroom: 4 Bathroom: 4

May Leong (E 2769) JUBILEE REALTY (E (3) 1853) **\$**+6012 779 0798



RM385,000

Desa Idaman, Puchong, Selangor Type: Condominium Tenure: Freehold Built-up: 956 sq ft Bedroom: 3 Bathroom: 2

RM16,000/mth (RM3.63 psf.mth) Two floors of a four-storey shoplot.

Concluded by: Simon Soon (REN 29033)

Jalan Sultan, Kuala Lumpur

When: July 2020

Jay Jamali (REN 37489) NAS REALTY (E (3) 1954) **\$**+6017 226 5737

RENTED FOR



RM44,383,640

Central Plaza @ Kepayan Ridge, Kota Kinabalu, Sabah Type: Commercial land Tenure: Leasehold Built-up: 158,515 sq ft

Jenny Wong (REN 31278) IQI REALTY SDN BHD (E (1) 1584/9) **\$**+6019 881 3803



been passed on to the second generation of the family. They have decided to rent a bigger

RM6.58 million or RM3,871 psf.

Based on EdgeProp Research, in 2018, one doublestorey shoplot on Jalan Sultan was transacted at RM1.87 million or RM771 psf, and another five-storey shoplot was sold for RM8.8 million or RM5,414 psf. There was no transaction recorded in 2019.

In 2020, only one shoplot on Jalan Petaling was sold for RM5.1 million or RM1,974 psf so far.



FRIDAY NOVEMBER 27, 2020

Residential

SPOTLIGHT

Commercial

RM6.950.000

Emerald Bay, Johor Bahru, Johor Type: Bungalow Tenure: Freehold Built-up: 5,380 sq ft Land size: 6,490 sq ft Bedroom: 5 Bathroom: 7

KL Tan (REN 14295)

TOPHILLS REALTY (M) SDN BHD (E (1) 1465) **\$**+6019 278 8930



RM4.500/mth

Jalan Sepakat OUG, Taman OUG, **Kuala Lumpur**

Type: Bungalow Tenure: Freehold Built-up: 2,000 sq ft Land size: 7,800 sq ft Bedroom: 5 Bathroom: 3

Mancy Ho (REN 18807) TOTAL REALTY SDN BHD (E (1) 1572)

\$ +6012 627 5508



RM3,600,000

Contours Melawati. Taman Melawati, Selangor Type: Villa Tenure: Freehold Built-up: 7,087 sq ft Land size: 4,799 sq ft Bedroom: 5 Bathroom: 5

Matt Tian (PEA 1354) PROPNEX REALTY SDN BHD (E (1) 1800/1) **\$**+6016 208 5108



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RM4.000/mth

Three28. Ampang. Kuala Lumpur Type: Condominium Tenure: Freehold Built-up: 1,184 sq ft Bedroom: 3 Bathroom: 3

Mav Loo (REN 33686) IQI REALTY SDN BHD (E (1) 1584) **\$**+6012 277 6820



RM4,580,000

\$+6012 202 3711

Damansara Endah. Damansara Heights, Kuala Lumpur Type: Bungalow Tenure: Freehold Built-up: 6,548 sq ft Land size: 9,008 sq ft Bedroom: 7 Bathroom: 6

Meifong Wong (REN 32252) REAPFIELD PROPERTIES (HQ) SDN BHD (E (1) 0452)



RM3,200,000

Tropicana Golf and Country Resort TR7, Tropicana, Selangor Type: Link bungalow Tenure: Freehold Built-up: 4,066 sq ft Land size: 7,896 sq ft Bedroom: 4 Bathroom: 4

Melissa Kee (REN 01652)

TECH REALTORS PROPERTIES SDN BHD (E (1) 1492) **\$**+6012 631 7270



Noteworthy

Merdeka Square and Kwai Chai Hong Served by LRT and MRT lines and bus routes, accessible by car via Jalan Pudu and Jalan Tun Sambathan

Jalan Sultan is part of Kuala Lumpur's Chinatown. The old but vibrant commercial street links to the famous Petaling Street (Jalan Petaling) and Jalan Tun Tan Cheng Lock that usually attract crowds of tourists and locals. A new tenant rented the

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lower two floors of this fourstorey shoplot along Jalan Sultan in July 2020 under a deal concluded by Simon Soon from Tech Real Estate Sdn Bhd.

While the upper two floors are owned by separate owners, the new tenant has taken up the ground floor and the first floor for a three-year term

Soon shared that the tenant has been running a food business for 16 years in a small stall in a traditional Chinese coffee shop at Jalan Tun H S Lee and decided to open his own restaurant.

"The growing business has

space and they have found that this is a good opportunity to move into a shop in a wellknown location," Soon noted. As at Oct 16 there are seven rental listings on EdgeProp.my

for shoplots in the Chinatown area with the average asking rent at RM13,737 or RM7.60 psf. Meanwhile, there are 11 shoplots for sale with an average asking price of

SPOTLIGHT

Commercial

Residential



Click/tap on each listing to visit the listing's page



Properties for sale and rent

RM1,322,100

Alam Impian, Shah Alam, Selangor Type: Semidee house Tenure: Freehold Built-up: 3,113 sq ft Land size: 3,197 sq ft Bedroom: 6 Bathroom: 6

Mimi Kamil (REN 42227)

.....

WEISE INTERNATIONAL PROPERTY CONSULTANTS SDN BHD (VE (1) 0241) **\$ +6016 590 8987**



RM680,000

Taman Sri Austin. Johor Bahru. Johor

Type: Terraced house Tenure: Freehold Built-up: 1,400 sq ft Land size: 2,914 sq ft Bedroom: 4 Bathroom: 3

Mohamad Hafiz (REN 26640) AG REALTY SDN BHD (E (1) 1931) **\$** +6016 314 9832



RM420.000

Seksyen 13, Shah Alam, Selangor Type: Apartment Tenure: Leasehold Built-up: 810 sq ft Bedroom: 3 Bathroom: 2

Muhammad Nadzmi Bin Ramli (REN 40027) CORNERSTONE XSTATE SDN BHD (E (1) 1851) **L** +6013 203 1857



RM603,360

I-City, Shah Alam, Selangor Type: Condominium Tenure: Freehold Built-up: 793 sq ft Bedroom: 2 Bathroom: 2

Muhammad Nadzmi Bin Ramli (REN 40027) CORNERSTONE XSTATE SDN BHD (E (1) 1851) **\$**+6013 203 1857



RM189,000

Apartment Teluk Air Tawar Indah, **Butterworth, Penang** Type: Apartment Tenure: Freehold Built-up: 720 sq ft Bedroom: 3 Bathroom: 2

Nor Idawaty Binti Roslan (REN 33480) AZMI & CO. (ESTATE AGENCY) SDN BHD (E (1) 0553) **\$**+6017 443 7100



RM468.000

\$+6010 883 6110

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Taman Nusa Bestari 2, Skudai, Johor Type: Terraced house Tenure: Freehold Built-up: NA Land size: 1,400 sq ft

Bedroom: 3 Bathroom: 2 Saran (REN 15402) TRANSACT PROPERTIES (E (3) 0581)



RM668,000

Green Park, Ipoh, Perak Type: Semidee house Tenure: Leasehold Built-up: 2,216 sq ft Land size: 2,240 sq ft Bedroom: 4 Bathroom: 3

Steven Eng (PEA 2310) GS REALTY SDN BHD (E (1) 1307) **\$**+6018 954 0680



RM225,000

Taman Sejahtera, Alma, Penang Type: Terraced house Tenure: Freehold Built-up: 1,098 sq ft Bedroom: 3 Bathroom: 1

Nor Idawaty Binti Roslan (REN 33480) AZMI & CO. (ESTATE AGENCY) SDN BHD (E (1) 0553) **\$** +6017 443 7100

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RM3,800/mth

Sumurwang Tower, Shah Alam, Selangor Type: Office Tenure: Freehold Built-up: 980 sq ft

SC Sam (E 1983) ORIENTAL REAL ESTATE SDN BHD (E (1) 1503) **\$**+6012 304 8288



RM4.800.000

Taman Sri Tanjung, Port Dickson, Negeri Sembilan Type: Bungalow Tenure: Freehold Built-up: 6,800 sq ft Land size: 10,453 sq ft Bedroom: 5 Bathroom: 6

Steven Eng (PEA 2310) GS REALTY SDN BHD (E (1) 1307) **\$**+6018 954 0680



Kinta Lane, Georgetown, Penang

Built-up: 9,020 sq ft Land size: 4,800 sq ft

Type: Shop house Tenure: Freehold

Penang Property Angel (REN 22794)

PG PROPERTY ANGEL (E (3) 1601)

\$+6016 496 7718

Putrajaya, Selangor Type: Apartment Tenure: Freehold Built-up: 700 sq ft Bedroom: 3 Bathroom: 2

Shahrul Nizam (REN 24288)



RM3,500,000

Lorong Dungun, Damansara, **Kuala Lumpur** Type: Bungalow Tenure: Freehold Built-up: 2,200 sq ft Land size: 8,500 sq ft Bedroom: 4 Bathroom: 3

Wendy (E 1653)

PA INTERNATIONAL REAL ESTATE (KL) SDN BHD (E (1) 0500/6) **\$ +6012 385 6622**



RM4,000,000

Glenmarie Residences, Glenmarie, Selangor

Type: Bungalow Tenure: Freehold Built-up: 5,300 sq ft Land size: 7,000 sq ft Bedroom: 6 Bathroom: 6

Philip CK Ong (REN 32684) I-PROP REALTY (USJ) SDN BHD (E (1) 0990/2) **\$**+6016 220 0780



RM2,300.000

Bukit Jelutong, Shah Alam, Selangor Type: Terraced house Tenure: Freehold

Built-up: 4,400 sq ft Land size: 8,200 sq ft Bedroom: 5 Bathroom: 5 Sharon Goh (REN 44679)

PROPNEX REALTY SDN BHD (E (1) 1800) **\$**+6017 902 0060



RM30.000.000

Jalan Lim Mah Chve. Georgetown. Penang Type: Bungalow Tenure: Freehold Built-up: 35,000 sq ft Land size: 62,692 sq ft Bedroom: 10 Bathroom: 7

William Wong (REN 06642)

MERIDIN PROPERTIES SDN BHD (E (1) 1525/2) **\$**+6012 473 2313

RM260.000

RM8,000,000

Putra Damai Apartment,

AJC PROPERTY SURVEYORS SDN BHD (VE (1) 0202) **\$**+6019 619 7278

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