

A Publication of the Malaysian Institute of Estate Agents

REAM

Real Estate Agents Malaysia

Farewell

An Era Ends and
A Dream Unleashed...

THE BOARD OF ESTATE AGENTS MALAYSIA

SOMA SUNDRAM KRISHNASWAMY

President of The Malaysian Institute of Estate Agents

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Thank You

MIEA Thank You For Your Contributions

The Council of Management 2007-2009



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The Malaysian Institute of Estate Agents

The Malaysian Institute of Estate Agents (MIEA) is a recognised body representing all Registered Estate Agents in the country.

The Institute Theme

"UNITED RELEVANT PROG

The Estate Agents' biggest and single most challenge is to be united. Unity is the binding common goal and one vision. Estate Agents practice by working together for the common goal of the profession. As the old adage says, "Unity is strength, and strength is mighty". The call is for the leadership, the council, the members and the negotiators to work in unison and in unity to tackle the daily issues we face.

The Institute must be relevant to the members by meeting their expectations. The programmes, activities will all be aligned towards this goal. By the same token members must also be relevant to the institute by participating in the committees, programmes and to give ideas & feedback

When one is united there is peace & harmony, and when there is relevance there is respect When this is achieved there will be progress. When we progress there is growth, growth leads to betterment of our business and our lives and as a result we achieve recognition, respect and success. Only then can we bring change to the industry and be a dynamic

Guide For Contributors

Articles to be considered for publication are required to adhere to the following guidelines.

Submission of Manuscripts

Manuscripts must be submitted in English. Authors must provide original, unpublished work not under consideration for publication elsewhere. A copy of the manuscript together with original figures and tables must be submitted to the Editorial Board. Manuscripts, figures, tables and disks will not be returned to the author.

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D'REAM is an acronym for "The Real Estate Agents, Malavsia"

Editor's Note



MIEA's Coming Of Age?

By Kayte Teh • pacific.allianz@gmail.com

The Years 2007 and 2008 would be remembered as significant years with reference to tremendous improvements to MIEA - under the leadership of President Soma. The keyword was "Change". Indeed, radical changes have been made. And all the policies put in place would not have been possible without the passion to push forward the "change" agenda. To be sure, Soma has poured his heart and soul into MIEA. Today MIEA is operating at a higher platform and with a more stable and sound footing. We now have our very own building. Our policies are in place. The voice of MIEA is now more resounding. With our 'house' in ship-shape, we must now move forward!

However, there seems to be a predicament amongst the membership at large. Many are just watching and observing from the sidelines and not getting involved. They are ever ready to contribute in a monetary way, eg, our Building Fund. However, when the physical presence of members is required, support from the membership at large is seen to be lackadaisical. The turnout at the recent EGM for a comprehensive review of our constitution is a case in point. On that fateful morning of April 10, 2009, with insufficient quorum, the EGM had to be called off.

In a few days' time, (April 25, 2009), MIEA will be having its 33rd AGM at the Royal Selangor Club in Jalan Raja, Kuala Lumpur. Members will gather at the AGM to elect and appoint members to various key positions and new council positions. Our incoming President and the new team of council members would be all geared up and rearing ahead to carry on with the 'Change' agenda" and continue to formulate and perpetuate more "Change" agendas. It is even more critical now to see greater participation and an invoking of the spirit of volunteerism among members. The same sort of lackadaisical attitude amongst members must change to bring about a greater MIEA.

The question is: are you playing your part to bring about this greater change?

Kayte Teh Bulletin

OBJECTIVES OF THE INSTITUTE

- To unite those engaged in the EstateAgency Practice for the purpose of extending beneficial influence on the professionand relatedinterests.
- To promote and maintain a high standard of conduct amongst members in accordance with the Code of Ethics of the Institute.
- To improve the technical and general knowledge of persons engagedin theprofession.
- To develop and foster and maintain relations between members of the institute and to provide a platform for the networking and exchanging of ideas and opinions amongst practitioners.
- To provide for the upholding of the honour, reputation and status of members
- To provide for the training, education, examination of persons practicing or intending to practice as estate agents, or who are otherwise employed or engaged in the profession.
- To represent members in discussion and dialogues with other trade/industry bodies and Government agencies.
- To safeguard and protect the interest of the general public against fraud by practitioners or illegal agents.
- To elevate and encourage the maintenance of a high level or professionalism amongst practitioners.



President's Speech

PRESIDENTS SPEECH MAREC'09 CONVENTION

OPENING CEREMONY

Welcome to MAREC'09 & Good Morning What makes Marec 09 special this year is the fact that we have our boss (if I may use the term) YB Dato Kong Cho Ha, Deputy Minster of finance II with us to officiate the convention. Getting a Deputy Finance Minister has always been tough and we are pleased and happy that YB Dato has consented to be here with us to participate in what we term as the most important event for Estate Agents in this country.

Last year in my address to those who were present I quoted Martin Luther King and he said

"OUR GOAL IS TO CREATE A BELOVED COMMUNITY (in our case the fraternity), AND This REQUIRE A QUALITATIVE CHANGE IN OUR SOUL AND A QUALITATIVE CHANGE IN OUR LIVES"

Thus the theme reinventing the profession was born. This year's theme 'Reinventing the Profession' propagates from the basis that the individual has to reinvent himself which will drive the reinvention of the profession.

The Malaysian Institute of Estate Agents turns 32 this year, a period that has seen us growing from strength to strength. The man who provided his leadership in the formative years is with us this morning, can we please recognize the Protem President of the institute in 1974 Mr. Paul Lee. (Coincidentally he was the former owner of the London Circus). These thirty-two years has seen us through many challenges and just like any growing association we had to, over the years seek our destination, discover our strength, built our values and set directions for achievement.

There is a greater realization that MIEA is in good state and making go od strides, Membership is growing and important personalities of the profession are now becoming part of the institute. However, our greatest of achievements would probably be best told on a 2,213sft premise that took 20 years to realize. What many believed was a doomed idea with only RM68,000 in the building fund turned into realization.

To this effect, I must say that on that wall in the premise is enshrined the names of those who believed! Believed in the cause of that goal and indirectly the cause of Estate Agents and the profession.

'Believe' my fellow Estate Agents is a powerful value, in it lies the very essence of hope, of achievement and of deliverance. Believing can change a downturn market to an upswing market, a loosing proposition to a winning proposition, a loosing firm to a profitable firm, impossibility to possibility. Believe is all we have to reach our goal.

Today, in a downturn market the philosophy of believe have helped us in this convention in many ways;

- there are more people at this convention than last year, We believed!.
- We have more negotiators than last year, we believed!.
- We have more home grown Estate Agent speakers than at any conventions, we believed!

At this juncture I would like to recognize and welcome all the Negotiators who have joined us at this convention. As many of you are aware this is the second time we have invited Negotiators to be part of our convention and they will

have a full one and a half day separate programme in the Auditorium.

Later in my paper presentation I will explore about our profession and in that I will cover the dilemma and the challenges we are facing but allow me to share some key issues this morning. As in my usual self I will be candid and looking at some of you who are gloomy, I hope to lift up your spirits this beautiful Valentines day.

YB Dato, We believe today is an opportune time to share some of our views with you Dato since we are under the purview of the Ministry of Finance, I humbly request for your understanding. We Estate Agents in this country are at a cross road. Having been in existence for the last 32 years, we are unsure "what the future hold for us?

Membership has been disenchanted with MIEA and has asked what we have done as they have no other avenues to represent their views and aspirations. As an institute there is only so much we can do. As such it is demanded of my leadership to be bold and visionary in what I have to say about the cross road we are in.

We are saddened at the fact that for the last 24 years the Estate Agents plight have been misunderstood, met with resistance, taken for granted and sadly even looked down upon. Since 1981, when the Act came into force and the registration exercise commenced in 1985, we all had hope that the fraternity will grow rapidly and progressively, sadly we only have more rules of what we should not do compared to what we needed to do for the fraternity to grow. I must be responsible by saying many issues have been dragged for years with indecision;

President's Speech

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In 2000 the Act was amended to reduce fees from 3% for the first 500,000 to 2.75%. Until today the entire fraternity is at it whims on why the reduction was done, we represented on this injustice to the then President of the Board. We were advised it will be changed nothing has happened to date. The only consolation we have is that we knew about discounts far back in 2000 itself while the rest have learned about it only recently. We have represented that the capping on the current commission of 40% to negotiators is now archaic and has created an imbalance in the practice and needs to be amended, it is yet to be revised

The issue on the review of the capping on each Estate Agent managing 20 negotiators is still being debated

As recent as last year, we represented that the Board approves or supports MIEA by setting up a plan for Negotiators to undergo an examination before seeking employment by Estate agents, that move was not supported. Nevertheless MIEA has embarked on this project.

The subject of 'illegal Estate Agent' is by far the most serious of all issues. The irony is that more Estate Agents get fined every year for minor offences that those who break the law by cheating clients, misrepresentation etc. Our appeal last year to the PM and all Parliamentarians on illegal estate Agents went unnoticed. (We had sent you a copy earlier for your understanding on this matter). YB Dato, the police are too busy with their own problems and the fact that there is a weakness in the penal code does not allow enable the police to act. Police reports have remained as reports. No one can do anything about it and not one person has been prosecuted in the courts. This has affected the image of the profession, the perception of the industry, loss of revenue for the government, loss of revenue for Estate Agents and still no solution is in sight There are also concerns on the Act, Rules & Standards. Every item mentioned above is critical to estate agents in the day to running of the business and we are

frustrated. There is a need to have new approaches and plans to ad dress these is sues with in reasonable time frames. One needs to understand how the practitioners at large want to steer this profession and not a handful of those who have the power to decide.

We need to hear the cry of the masses in order for this profession to progress. (Can I hear from the floor whether you agree with me on this)? That is one of the many reasons why we seek to have our own board.

In the first instance, We have brought to the attention of the Board & various parties that we would like a greater representation on the Board. The truth is that out of 17 board members there are only 2 Estate Agents whose principal business is Estate Agency. I am aware of the fact that the third representative position will come under review soon and we seek that the seat be allotted to an Estate Agent. I am happy to report that two representatives recommended by MIEA are doing a wonderful job. Please recognize Mr. Alex Gomez and Mr. Eric Lim.

Whenever we raise the issue the common standard statement is made 'the Valuers are also Estate Agents on the board'. While we agree to this statement that Valuers are also doing Estate agency, we cannot agree that they represent Estate Agents because their appointment is based on Valuation, It is a known fact that there are three parties to the Act the Valuers, the Appraiser and the Estate Agent. There are 14 Valuers and 3 Estate Agents and this to us is a great imbalance. It is important to state and establish the Valuers and Estate Agents both have two contrasting and differing views about the practice and Malaysia remains to be the only country in this world where the two professions comes together under one legislation.

At the opening ceremony of the MIEA premise on December 9, 2008, I made a clarion call to those concerned that as a long term plan by the year 2020 seriously consider setting up the Estate Agents Board. It is an accepted fact that Estate

Agents have far too long remained silent & non committal to serious issues affecting their livelihood. The discussions have been confined to chats at coffee shops & gatherings and I cannot blame them because there is nothing we can do to change anything so they have adopted the attitude lets get on with our lives – like the song let it be... let it be.

With respect and with a sense of responsibility as President of the Malaysian institute of Estate Agents, I will have to reiterate that the future of Estate agency should be in the hands of Estate Agents. In the past we were young, inexperienced, disunited and lacked the confidence in wanting to mould our future. We were always in the shadows of those who felt they knew better, who felt that they are more knowledgeable and who felt that they are more qualified and sometimes more superior. The days are gone. This morning I lay the ground work towards this vision and goal and lay that legitimate claim of our profession to be in the hands of all Estate Agents in time to come and in our lifetime too. Believe and we can'.

As an option we also propose that for a start the ministry of Finance may consider the Board to be set up as follows; The board for Valuers & Appraisers whose composition remains with those whose principal calling is valuation and The Board for Estate Agents whose principal calling is Estate Agency and the director General of Valuation remain as the president of both boards'. I am confident that if this proposal is acceptable this may become a reality in two to three years. I'm sure the Estate Agents will unanimously support this move

In view of the many is sues confronting the profession and unsettled issues, it is our proposal that representatives of MIEA, the Board and the Ministry of Finance to from a consultative council on the profession so that our views can be heard and resolved. This idea will help the government understand what the people at the grass root level feel and want this will also allow us to contribute valuable ideas. This definitely will

President's Speech

PRESIDENTS SPEECH MAREC'09 CONVENTION

help develop the profession and in return contribute to the growth of the industry and economy.

While I have highlighted many issues concerning the Board I must also stress that I don't want to blame the President or the Board members as the Board is caught by the way it is set up, by its laws and by its composition. Unless that is changed nothing will change drastically.

We are aware that NAPIC (the National Property Information Centre) has played an important role in the collation of information and data on transacted properties throughout the country. This information in its strictest sense is public information which is now being sold to real Estate practitioners at a colossal price. Every month an Estate Agent or a Valuer will have to pay RM3,000 to RM4,000 for the transaction records in the state of Selangor and Wi la ya h. That translates to RM36,000 to RM48,000 per firm per year we are also prohibited to share the information with others. The cost of acquiring this information is beyond the reach of more than 90% of Estate Agents.

It is our proposal that the Ministry of Finance look at the opportunity to provide this information at a price that is cost effective for Valuers and Estate Agents, I am sure everyone will be happy if it is given free. This is to ensure that we all have access to this information and it cannot be denied that if all Estate Agents have access to this information we can all play a more effective role in our practice by giving the public a more reliable and accurate in formation. I sincerely believe that the government through the Ministry of Finance should find a more acceptable approach on this issue.

YB Dato, Honoured Guests, Ladies & Gentlemen, Last year, I mentioned in my speech that we will be launching the Real Estate Awards in 2008, however it was delayed and I am happy to confirm that these awards is now open to all members of the institute. The 'MIEA National Real Estate Awards' is being introduced this

year and will be presented annually to Real Estate Agents, Real Estate Firms, Real Estate salesperson (Negotiators) and those who have contributed to the Real Estate industry as a whole.

The National Real Estate Awards is designed to recognize specifically outstanding achievements in the Real Estate fraternity. Participating in the MIEA National Awards will recognize the most outstanding qualities of the individual, successes of the firm and individuals in the past twelve months preceding the award presentation.

The Awards will be presented at the MIEA Annual Dinner to be held in June 2009. Winners of the award will be recognized throughout the country as leaders in their respective field and will receive recognition of their achievements. These awards will be an attestation of their contribution to the industry and will be a powerful marketing platform for the winners.

There will be 7 categories of Awards to be presented in all aspects of the profession and one category to recognize Real Estate Sa le sper so n. This give s the recognition to salespeople for the important role they play in the industry. These awards will be independently judged by a panel of judges beyond the Real Estate profession and MIEA has appointed FIABCI Malaysia to lead the judging panel. I kindly ask all Real Estate Agency to actively participate in the awards programme.

My fellow Estate Agents, The profession is only as good as how we think, only as professional as how we want it to be and only as big as how we make it to be. We need to change the mindset of the 80's and think as to how we can reinvent ourselves and be better as we all grow into the 2020's. We can envisage the days of one man operators and small firms being swallowed by the larger, aggressive and visionary firms. This will become a reality when the market is opened up in due course. As such it is inevitable to reinvent the profession and it is our goal at this convention to help each one of you

realize that hope, establish that dream and reinforce that only by being United, Relevant and Progressive we can make our profession recognized, respected and dignified, this we must all believe.

Ho no ur ed gu es t, La di es an d Gentlemen

Yang Berhormat Dato Kong Cho Ha, Thank you for consenting to be our guest of honour and as I said earlier we are happy and privileged to host you this morning. Pardon me YB Dato for crying out loud but there is an old Indian saying," if we can't cry to those who can listen to us who else can we cry to". Once again Terima Kasih. I wish to express our gratitude to all sponsors and a specil thanks to the organizing committee for a job well done. To all ladies who is present here today I wish you all A very Happy Valentines day and to you men please buy the best value for money roses which are available here for your most liked valentine in this hall

Thank You

Soma Sundram krishnaswamy President, MIEA

14-02-09



Correction

We have inadvently printed the draft message for the President of the Board of Valuers, Appraisers & Estate Agents in the MAREC'09 Convention Souvenir Programme. The correct message is reproduced below.





President Board of Valuers, Appraisers & Estate Acents

Message from President Board of Valuers, Appraisers & Estate Agents
Malaysian Real Estate Convention 2009

Please accept my sincere apologies as I am unable to attend the opening ceremony due to prior commitment. Nevertheless, I am pleased to pen my thoughts on this very important occasion.

Another year has passed so quickly and it is time again to meet at MAREC'09. Firstly, let me extend a warm welcome to all present at this Convention and hope that at the conclusion of this Convention all the participants would have a sound knowledge on the matters discussed and be guided by the principles highlighted. MAREC has progressed tremendously in the last few years as can be seen from the interesting and thought provoking topics outlined yearly and the amazing number of attendees who have participated in your Convention. Admittedly, the greatest attraction in any Convention is the topics arranged for discussion. In addition if the papers are delivered by renowned speakers it further augurs well for the success of the Convention. I believe the theme chosen this year 'Reinvent the profession' is timely and apt considering the current climate. You all certainly need to reinvent your profession in order to be relevant.

The Board has continuously emphasised the need for estate agents to change their way of thinking and managing their business. There is now a requirement for estate agents to apply their mind into creating and designing new methods of listing, selling and managing their firms. Past methods should be discarded and new system should be created. It is an accepted fact that if you keep doing the same thing over and over again and expect different results then you would definitely be disappointed. My advice to you is to be bold by infusing new technology, creating a new mind set and by changing the way you practice which ultimately will lead you to success. Reinvent and challenge yourselves in order to achieve outstanding results. I have no doubt that you all have the courage and commitment to respond to the challenge of the hour.

I am pleased to observe the topics for discussion in this Convention is indeed praiseworthy and I hope that all participants would gain immensely from the knowledge imparted at this Convention. May all your deliberations at this Convention be fruitful and your understanding just as pleasant. Have a good day.

Thank you

DATO' ABDULLAH THALITH BIN MD. THANI

President

Board of Valuers, Appraisers & Estate Agents, Malaysia

MILESTONES - 2007 - 2009

- 1) Unity Dinner held on 30 April 2007.
- 2) Team building and planning meeting at Kuala Selangor.
- First Adoption of Theme "UNITED, RELEVANT PROGRESSIVE" as the theme for the term 2007-2009. This theme will provide the vision for action.
- 4) The Deputy President seat was filled and the council unanimously endorsed Ms. Julie Wong as the Deputy President
- 5) The recommendation on the Professional Fee by MIEA was submitted to the Board and awaiting for their further action.
- 6) The new look Bulletin with a new name has been introduced and published.
- 7) Live interviews on TV2 and 2 Radio Stations on Estate Agency Practice was done
- 8) Letters to the Prime Minister, Minister of Finance and to other ministries was mailed out.
- 9) A Press conference on the illegals was held and received wide coverage on TV3 and the media.
- 10) The MIEA Annual Dinner has been redesignated as a separate event and will be held in June every year commencing from 2008
- 11) We had a dialogue with the Board on 11 Sept 2007 to discuss common issues of concern and to introduce the new council.
- 12) Four negotiators course held on the last weekend of every month has been carried out including one in Perak.
- 13) It has been decided that negotiators will now have to sit for an exam at the end of the course in order to receive their certificate.
- 14) The MIEA Awards of Excellence will be held in 2008 to recognize top industry players.
- 15) The Malaysian Real Estate Convention has been scheduled for January 11 to 13, 2008 at the Sime Darby Convention Centre in Bukit Kiara.
- 16) The Bowling Fellowship was held at Bukit Kiara Equestrian Club on 28 July 2007
- 17) The MIEA website is being redeveloped to be dynamic and member friendly.
- 18) Cleared membership list of defaulters.
- 19) Redefined CREN as certification and not a membership
- 20) Johor, Perak, Sabah and Penang Branches have successfully completed their AGM.
- 21) A Press Conference on the Budget 2008 and MAREC '08 was held on 18 September 2007.
- 22) A special committee was formed to shortlist a Building for MIEA.
- 23) A Forum on CREN Membership Incentives was held on 9 September 2007 at the Commonwealth Club KL
- 24) MIEA's 30th Annual Dinner & Dance 2007 was a resounding success @ 21 September 2007 at the Legend Hotel KL
- 25) Johor Branch Annual Dinner on 20 October 2007
- 26) Dialogue with members in Johor on 20 October 2007
- 27) Site Visit to IDR Johor on 21 October 2007
- 28) First Visit to Parliament on 22 October 2007
- 29) Talk on Services Tax by Kastam Diraja Malaysia on October 27, 2007
- 30) EGM on the purchase of MIEA's own premises on October 27, 2007 at Kelab Golf Perkhidmatan Awam KL
- 31) Dialogue with the Members on October 27, 2007
- 32) Second Visit to Parliament on 29 October 2007
- 33) MIEA represented at National Association of Realtors Convention (NAR) @ November 13-16,2007
- 34) Signing Ceremony Sale & Purchase Agreement for the purchase of MIEA's own premises on 17 November 2007
- 35) Sabah Branch Annual Dinner on 25 November 2007



MILESTONES - 2007 - 2009

- 36) Dialogue with ISM on Illegal Agents on 6 December 2007
- 37) Dialogue with the Members in Sabah on 24 November 2007
- 38) C.R.E.N Gathering on 12 December 2007 at Wisma WIM
- 39) MIEA organised Registration Exercise with Customs Department on 28 December 2007.
- 40) Welcome Dinner on 11 January 2008 for Speakers, Sponsors & Delegates in conjunction with MAREC '08
- 41) MAREC '08 @ 12 & 13 January 2008 at the Sime Darby Convention Centre KI
- 42) Wheelchair presentation
- 43) Annual dinner
- 44). MAREC'09, 14 15 Feb at Sime Darby Convention Centre
- 45) Launch of MIEA National Real Estate Awards
- 46) Building Opening ceremony
- 47) Publication of the Coffee table Book
- 48) Launching of New MIEA logo
- 49) Bukit Kiara Properties & MIEA open house
- 50) Signing of MOU with Architect Centre
- 51) Endorsement of Realty technologies as IT provider
- 52) Membership campaign
- 53) MIEA Badge
- 54) MIEA Cap
- 55) New membership certificates
- 56) Membership car sticker
- 57) It's a boom year badge
- 58) Production of MIEA Membership Directory
- 59) Publication of "Who is Registered Estate Agent" leaflet
- 60) TPC worksho
- 61) MIEA representation at IEA 2009 Annual dinner
- 62) Appointment of legal advisory panel
- 63) Launching of MIEA new website
- 64) Attended Johor Branch Annual Dinner
- 65) Conducted Negotiators course in Johor
- 66) Conducted Eleven Monthly Negotiators course in KL
- 67) Launching of the 10 point commitment to professionalism
- 68) MIEA booth in I-Prop expo
- 69) MIEA booth in Luxury property Exhibition
- 70) MIEA represented in MPI as a Director
- 71) Constitution Review
- 72) Meeting with Peps and ISM on registration of Negotiators
- 73) New CREN certification
- 74) Dialogue on Circular
- 75) Set up library & systems
- 76) Launched MIEAbiz & MIEAforum yahoo groups
- 77) Letter to Board on third seat
- 78) Letter to Minister of Finance on forming own Board
- 79) Article on Q & Ain star
- 80) Write up in Star on Marec 09
- 81) EGM to discuss propose amendments to Constitutions
- 82) Appreciation Night, 18 April 2009
- 83) 33th AGM, 25 April 2009 at The Royal Selangor Club

LEGAL MATTERS

Completion Date Of A Property Sale Transaction (Part II)

Article By David Kok, Messrs David Kok & Partners

- (iv) the total due amount to the developer for any outstanding charges under the sale and purchase agreement.
- (4) Therefore, as to the timing of the completion date of this type of transaction there are two school of thoughts. Some are of the opinion the completion date runs from the date of the agreement. Our opinion is that the completion date should run from the date from the receipt of the developer's letter of confirmation by the purchaser's solicitors as the details regarding the property must be verified in order to proceed with the sale transaction.

Kindly note if the property does not fall under the HDA, the developer's consent is still required.

(C) Direct Transfer

- (1) What do we mean by direct transfer? It means when the Issue Document Of Title or Strata Title is issued, the ownership of the property is transferred directly to the subsequent purchaser instead of the Vendor;
- (2) The type of transaction requires the developer's consent
- (3) The completion date runs from the date of the Memorandum of Transfer (MOT) (Form 14A) which is duly executed by the Developer/Proprietor and returned to the Purchasers Solicitors. The reason is in simplistic terms is to enable the Purchaser's solicitor to sent the MOT for adjudication of the stamping fees and to obtain the result of the same on time to complete the transaction within the stipulated time period.

(D) Double Transfer

- (1) Usually the scenario happens in leasehold properties where the IDT or Strata Title has been issued and the Vendor's name has yet to be registered on the same.
- (2) The developer/proprietor will very rarely consent to a direct transfer in this scenario because the blanket consent from the relevant State Authorities for the whole project would have been amended.
- (3) Therefore, a "double transfer" has to be done whereby it means the Developer has to transfer the property to the Vendor's name and then only the Vendor transfers the same to the current purchaser's name. This cause of action will take a lengthy time.
- (4) The client chart below will generally show why it will take a lengthy time:-

Developer – Vendor - Registration of MOT – Extraction of title with Vendor's name endorsed thereon - apply for State Authority's Consent to transfer to the current purchaser – completion date at 3 + 1 month commences.

- (5) Therefore, the completion date will only commence upon receipt of the State Authority's consent to transfer to the current purchaser by the Purchaser's solicitor.
- (6) However, the sale and Purchase Agreement can still be executed subject to these condition precedent.

(E) Purchase of Property by Foreigner

- (1) Although the Foreign Investment Committee ("FIC") approval is no longer required for the purchase of residential property worth RM250,000.00 and above, the State Authorities' Consent is still required.
- (2) Kindly note that if the property is not considered a residential property of that value, the FIC approval is still required to be obtained first and then subsequently the consent of the relevant State Authority will also be required.
- (3) Therefore, the time frame for the completion of the sale transaction would be 3 + 1 months from the date of the FIC's approval (for non-residential property) and the State Authorities' approval being obtained whichever is applicable or later.

(F) Auction Properties

- the completion date would be stated in the Proclamation of Sale (usually 90 – 120 days) with no option to extend.
- (2) Under Section 301 of the National Land Code, 1965 Proviso - it is stated that the State Consent is not required if the property has an individual title although it has a restriction in interest.

It states:-

Section 301

"provided that where a certificate of sale has been given by a purchaser in respect of any charged land or lease under subsection (3) of Section 259 or subsection (4) of the Section 265, any requirement to obtain the consent of the State Authority relating to the restriction in interest to such land or lease in question shall not be applicable."

(3) It should also be noted that all the terms and conditions of the sale is stated in the Proclamation of Sale and the majority of which is usually in favour of the Chargee/Financier.

I hope the brief and general explanation as to the events that may effect the timing of the completion of a sale transaction of a property should be a useful tool to assist real estate agents in successfully closing such transactions.

I wish everybody the best and good fortune in the year of the Ox.

If there is any queries, the author can be contacted at the following:-

David Kok Weng Tuck email – davidkok@pd.jaring.my Tel. No. 603 – 7660 8301/302



MIEA signs an MOU with PAM.

At the recent MAREC Convention both MIEA & PAM (Persatuan Architect Malaysia) signed an MOU to collaborate by promoting PAM's Independent Property Inspection Service through their subsidiary Architect Centre. The aim is to work with home sellers to conduct property inspections before putting it up in the market. This is to enable confidence in Purchasers to buy properties which has an inspection report, which can help get better values. This collaboration will protect Agents by limiting the risk of selling "defective" property(s). This will also help Agents to be confident and Professional in selling quality homes. For more information please contact the secretariat or PAM.



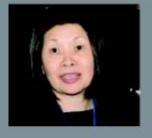




































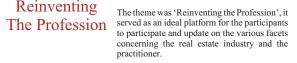






















MIEA IN THE NEWS

Uncertain times for property

Industry players express mixed feedback on market outlook

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Maineaus heating of Scare (1684) president K. Sorna (1684) president K. Sorna (1684) is discounted by Sorn



renovation «

increase in furnished offices to defray

»There has also

2009年2月15日 - 星期日

督房地产 杜绝不全



Left high and dry



Estate agents urge government to review Act

●時間報 (会社) ・日本日月2000 中年末月日日会会日本



美洲早灾影响大豆油贯

KUALA LUNPUR: Relignian cies sheeld be observed on the constitute of Certain Assessed (MECA) were as assessed to the constitute of State Activates also as a particular and assessed on the constitute of the cons

should seriously consider setting up the Estate Agents Soard.

Fits and the batter of relater agen-cies should be in the hands of soal merital assess and other MRIA rela-ted to terror plants of the MRIA rela-tions of the second of the second of the terror plants of the second of the fits obtained assessment on the second of

ns of networking, he said the company size fustions relationship with wire in Pracce and domination is flutate. Lob said in the last less years the company's

MIEA wants out; Board says what's the point?







eff: K. Some Sundram. Deputy Finance Minister II Catuk Kong Cho Haland MIEA o Tigs at the gross continuous after the faunch of MAREC 2008.



Forum on Circular 1/2009

Many members were concerned with the contents of Circular 1/2009 which were sent out by the Board in February with many having different interpretations to the said Circular. Some members commented on this issue in the miea2u forum (which many of you would have read) and some others called up the President directly and voiced their concerns. However, the general consensus was that, again, the Board is seen to be punishing the fold for the wrong actions of a few.

MIEA responded swiftly to the members' comments in miea2u forum and promptly organized a forum with Ms Mahaletchumi, the Registrar of the Board which was held on the 31st March 2009. A total of 36 members attended the forum. Ms Mahaletchumi gave a detailed explanation on the circular and the members discussed on the circular and its impact on the practioneers in great detail.

Many of the members expressed their interest to have more of such forums with the Board.



CIRCULAR 1/2009

TO ALL REGISTERED VALUERS, APPRAISERS AND ESTATE AGE (TS

To

Date

20 FEBRUARY 2009

REVOCATION OF CIRCULAR 5/97 ON SECTION 23 OF THE VALUERS, APPRAISERS ! HD Dear Madam / Sir

The Board observes with disquet the recent trend of Registrants setting up septil te ESTATE AGENTS ACT 1981 legal entities under the umbrella of their group, which practice is against Section 23

(4) of the Valuers. Appraisers and Estate Agents Act 1981.

As you are aware the Board had via its Circular 5/97 allowed for the do we orrangement provided the parent company held not less than 51% of the equit, in Regrettably this the subsidiary or the branch firm within the same group. requirement has not been complied with and has caused undue negative into a children and has caused undue negative on the profession and in order not to perpetuate this form of arrangement, the fic and has now decided to revoke its Circular 5/97 with effect from 1 March 2009.

henceforth, all applications from registered persons will have to strictly compti-

Section 23 of the Act i.e. no registered person shall be in more than one firm.

Notwithstanding the aforesaid, firms which have been approved before the corning Circular may continue subject to its conditions of approval.

into force of th ted accordingly.

MAHALETCHUMI

LEMBAGA PENILAI, PENTAKSIR DAN EJEN HARTA TANAH MALAYSIA Circular 2009/RM/k









Act against illegal advertisers

Real estate association says rules are already in place to take action

EVOULD like to refer to the picture story on the backpage of Stanfletro on March 17. The Malaysian Institute of Estart Agerts (MIEA) would like to explain its stand and call on all parties to stop this rempant 'poster wan' on buildings once and for all. The MIEA demources the action of this group of negotiators (sales prople) and the few agency firms who resort to such low sandards of practice with total disregard for the law. Over the years, the MIEA has made many calls and statements to all practitioners that the putting up of posters on buildings without authorisation by the owners is wrong. The MIEA has abe introduced the 10-point commitment to pofessionalism and one of the commitments.

alism and one of the commitments is for unsubsets not to allow negotia-tors to engage in the "poster war". The Estate Agency practice comes under the purview of the Finance Ministry and is governed by the Valuers, Appraisers and Estate Agents Act 1981.

The Board of Valuers regulates the industry when an estate agent breaks the rules and standards. Then, there are the negotiators

»Legal action can be taken against illegal agents«

who workfor estate agents and these are the culprits who damage the name of the profession by putting up

While there are thousands of While there are thrusands of regotators in the country, the MEA understands that not all may have been properly trained and, over the past 10 years, has been conducting courses and interviewing the nego-tiators to ensure that they are accredited as Certified Real Estate Mount interviewing the conduction the control of the conduction of the Mount interviewing the conduction of the conduction of the Mount interviewing the Mount interviewing the Mount interviewing Mount interview Mount interview

Negotiators (CREN).
They are aware of the rules and we believe that they are not part of the poster war and if they are found to commit such offences the MICA will withdraw their accreditation.

STARMETRO MAIL

Section 22, paragraph (2) of the Valuers, Appraisers and Estate Valuers, Appraisers and Estate Agents rules 1986 states that: "All agents rules 1986 states that: "All signboards and posters used may display his name, registration number and designation ard the name, address, logo, telephone number, facsimile number and electronic mail address of the firm and shall display the logo of the board".

It is clear indication that almost all the posters on the picture in question did not contain the infor-

mation required.

To combat this menace, the MIEA established a policy in 2007 that if any poster or signboard does not contain the required

does not contain the required information, these posters are placed by illegal agents.

An illegal estate agent may, upon conviction, be fined not more than RM25,000 or be imprisoned for a term not exceeding three years or both.

In later Descenders 2008, the MILES Accorder with the Board of Voltage.

together with the Board of Values met the Subang Jaya Municipal Council president to find ways to resolve the poster war in that area.

We also carried out a joint exec-cise with the MPSJ to tear down the signboards. Furthermore, the MIEA has also

been in communication with the Housing and Local Government Ministry.

The posters are clearly the work of desperate people out to make quick profits without regard to privacy and respect for public

property.

They should be hauled up and action taken against them.

We request that all owners

report of enauthorised posters on their buildings to the local author-ities, the Board of Valuers, Appraises and Estate Agents. Allow only authorised agents to display they

display these posters.

The MIEA will also take disciplinary action against members who do not follow the code of ethics.

While we are working to become a developed nation, the authori-ties should also not condone such actions and legal action should be taken against them for flouting the

law.

The MIEA will also seek the cooperation of the board to take a serious view of such practices and take the appropriate action.

We further state that neither the interference of the propers of the propers.

we the institute has would condone or support unethical practices.

Let not these deviant actions by irresponsible people turnish the good image of the profession and the practitioners at large.

Institute of Estate

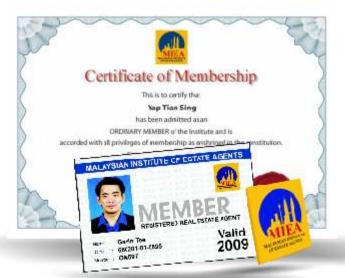
MIEA Agents can also Bowl



BOWLING Competition

The Institution of Surveyors, Malaysia (PEPS) organised a friendly Inter-Divisional Bowling competition which was held on Feb 21, 2000 at the U-Bowl, 1 Utama shopping Complex.

It was a friendly match between the Councillors of ISM/PEPS/PAM/IEM and MIEA. Mr Kelvin Yip and Ms Julie represented MIEA in the friendly match. Kelvin managed to give our friendly rivals a challenging time and won second place the match. Ms Julie represented the women's term and won 3rd



Membership has More Privileges

DO YOU KNOW that our MIEA membership card can be used as an ID when registering with the security personnel's during your viewings with your clients? Instead of giving you're driving license as ID, present the MIEA membership card. It is being recognized.

Every member now gets a brand new membership certificate, a new badge and a MIEA Car sticker. Pay up your subscription and ensure you get these.



IMPORTANT EVENT

MIEA Annual Dinner 2009 and MIEA 1st Award Presentation

Date: June 26, 2009

Venue: Sime Darby Convention Centre.



UNITEDRELEVANTPROGRESSIVE

Check Out Our New Website!

June

www.miea.com.my

MIEA'S website has undergone a major makeover, courtesy of Realty Technologies Sdn Bhd. It is certainly a great deal more interesting and uplifting. More improvements are on the way. Log in to www.miea.com.my and check it out!



Do you have any comments or viewpoints or articles that you would like to forward to our Bulletin. We would like to hear from you. Email to the secretariat@miea.com.my or the the Editor at pacific.allianz@gmail.com.

EGM Feedback from a Concerned Agent

We, (another registered agent and I) were pretty much disappointed by the poor turn up for the EGM held on April 11, 2009. Isn't this a rather important meeting ie Amendments to our Constitution? In fact we could not even make up the quorum, which speaks volume of our lackadaisical attitude of us agents! Yet, we hear no end of complaints that MIEA is not doing enough for us agents and some of them are not even registered with MIEA as a member.

We also noted that there were a couple of councillors who "strolled" in an hour after the EGM begun, well maybe they had relevant excuses but it doesn't bode/speak well of the council members.

I guess at the end of the day everyone is weary as they were disappointed by some of the outcomes of the AGM/EGM despite attending most AGMs held."

From: A Concerned Registered Real Estate Agent



Membership - You have made the Right Choice!

MIEA bids a warm welcome to our new members. We look forward to your participation.



Siow Yu Wen OM 833



Wong Tuck Loke OM 834



Ong Chin Yew OM 835



Mugan al Murugiah OM 836



Lim Bee Eng OM 837



Jennifer Wong Aun OM 838 -



Tan Lee See



Goh Lily



Tan Kok Yew



Goh Tian Sie OM 842



Quah Soo Seong OM 843



Yap Chui Yin OM 844



Ng Wei Ying OM 845



Low Kim Leng OM 846



Othman Safee OM 847



Ong Swee Li



Simon Sivananthan



Malvinder Singh



Kok Weng Tuck, David



2009 Advertising Rate Card



Full color	Back Page	RM5,000
Full color	Back Inside and Front Inside	RM1,500
Full color	Full Page (ROP)	RM1,000
Full color	Panel Advert (6 x 21cm)	RM500

For more information, please contact the secretariat, Tel: 603 - 7960 2577 or by email: secretariat@miea.com.my

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Give your homebuyers a user-friendly and informative platform to do their research work before they buy. Run an agency that opens 24/7.

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X-PANELS COMEMPOWERING REAL ESTATE BUSINESSES

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 Soma Sundram, President of Malaysian Institute of Estate Agents
- "X-Panels has exceeded our expectations in every way. A must-have for property agencies."

 Michael Geh, Raine & Horne
- "X-Panels addresses the need to embrace IT development to advance the real estate industry to the next level."
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 Randy Chua, Dutama Properties



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