



A Publication of the Malaysian Institute of Estate Agents

D'REAM

FOR INTERNAL CIRCULATION TO MEMBERS ONLY



National Real Estate Awards

Different Types of Land Titles in Malaysia

MIEA Toastmaster Club

Learn



Practice



NetWork



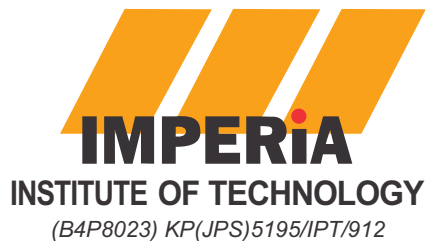
Develop



Apply



Strategic Partnership



Executive Diploma in Real Estate Agency

MOHE (N/341/4/0050) MQA (MQA/PA 8131)

*PATHWAY TO BE A REGISTERED REAL ESTATE AGENT
NEW INTAKE*

- Short learning programme
 - 2 years
- Full exemption from board exams
- Results based on
 - 60% assignment
 - 40% examination
- Face to face lecturing
- Textbooks provided for all major subjects.
- Flexible payment by semester/EPF withdrawal

Call Now 03 - 7960 2577
017-821 9122 (Programme Councillor)
or email : education@miea.com.my

www.miea.com.my



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 PROGRESSIVE”

The Estate Agents' biggest and single most challenge is to be united. Unity is the binding factor that will allow us to have one voice, one common goal and one vision. Estate Agents must take pride and take ownership of the 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 Institute.

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.

All illustrations, figures or tables in the article must be captioned, in clear black and white and ready for reproduction. Illustrations such as maps, pictures, etc must be submitted with a copy of the original photographs and clearly marked and captioned for clear reproduction.

Copyright

Once published in the D'REAM, the copyright including electronic copyrights of the article is automatically vested with MIEA. The copyright covers the exclusive use of rights to reproduce and distribute the article, including reprints, photographic reproductions, microfilm, electronic publication or any reproduction of a similar nature and translations.

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

D'REAM is published by The Malaysian Institute of Estate Agents (MIEA), Unit C-27-05, Dataran 3 Dua, No. 2, Jalan 19/1, 46300 Petaling Jaya, Selangor Darul Ehsan. Tel: +603 - 7960 2577 • Fax: +603 - 7960 3757

Advertising in D'REAM can be directed to secretariat at, Tel: +603 - 7960 2577. Rates can be obtained from our website www.miea.com.my.

All rights reserved. No part of this publication may be used or reproduced in any form or by any means, including but not limited to electronic or mechanical photocopying, recording or by any information storage or retrieval system or otherwise, without prior agreement and written permission from the publisher.

EDITOR'S NOTE

With just a blink of my eyes, we are entering in to the 3rd quarter of the year.

It is the time when the National Real Estate Awards (NREA) committee are busy planning for the Gala Nite while we wait anxiously for the announcement of the top achievers.

We have line up various activities for members ranging from serious dialogue sessions, to projects briefings, seminars, treasure hunt and members get together.

All these could not materialise without members' participation and support from our sponsors such as Maybank, MRCB, PropertyGuru, TheEdge Property, The Star, Mudah.My and many others. Let us work hand in hand and bring about some changes in the industry.

Thank you!

Billie
Editor, D'REAM Bulletin



OBJECTIVES OF THE INSTITUTE

- To unite those engaged in the Estate Agency Practice for the purpose of extending beneficial influence on the profession and related interests.
- 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 promote and maintain a high standard of conduct amongst members in accordance with the Code of Ethics of the Institute.
- To represent members in discussion and dialogues with other trade/industry bodies and Government agencies.
- To improve the technical and general knowledge of persons engaged in the profession.
- To safeguard and protect the interest of the general public against fraud by practitioners or illegal agents.
- 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 elevate and encourage the maintenance of a high level or professionalism amongst practitioners.
- To provide for the upholding of the honour, reputation and status of members.

Message from the President



Greetings to all members, associates and friends.

MIEA is committed to invest in facilities infrastructure to service the membership better. At the recent AGM; our Sabah MIEA Branch's proposal to purchase an office premise to house its Secretariat and Education & Training facilities was approved. This will be our fourth fully paid properties nationwide.

A motion to lobby for the amendments to the Valuers, Appraisers and Estate Agents Act 1981 (Act 242) which has been pending was made during the AGM and an appeal letter had been sent to the Ministry of Finance for a speedy approval as it has been almost three (3) years since its submission.

It cannot be denied that the property market has been lacklustre over the past year. Many practitioners are affected by the challenging times, due to the effects of both internal and external economic factors. However, there are those who see opportunity wherein there are good properties at surprisingly reasonable prices.

Immediately after the AGM, MIEA's activities continue to keep the National Council and Secretariat busy as follows:

- Executive Diploma in Real Estate Agency (EDREA) was launched with first batch of student, a joint program in collaboration with Imperia Institute of Technology. The EDREA is a two years programme with full exemption from BOVAEA's examination. Its result is based on 60% coursed works / assignment and 40% on examination. With EDREA, now every working adults, especially Real Estate Negotiator (REN) can pursue to become a Real Estate Agent.
- Toastmaster, MIEA Chapter was founded with its chartered President Mr Billy Low leading a pack of 26 Chartered Members. Its meeting are held every first and third Monday of the month at MIEA office from 5 pm to 7 pm. Everyone is welcome to join and learn the essential skills of public speaking and presentation.
- National Real Estate Award (NREA), this prestigious black tie event which recognize top achievers will be held on October 1st. 2016. Please come to celebrate with the winners and at the same time fellowship with fellow practitioners.
- Meet the Members Dialogue Session was held by Professional Practice Committee for its 3rd time, this is an avenue for membership to raise any issues that

affects the conduct of your business in particular to ensure ethics of our practices are observed.

- MRCB, one of Malaysia's largest Commercial Projects Developer signed a sponsorship program with MIEA under the Developer Category.
- ASEAN Real Estate Network Alliance (ARENA) had become a reality, its inaugural Convention and Expo was held in Bangkok, Thailand on August 25-28, 2016. A historical milestones for ASEAN regional Real Estate Institutions from respective countries signed a Memorandum of Understand (MOU) to support and work together as a single market platform. The Regulators from a few countries including BOVAEA President Datuk Faizan bin Abdul Rahman attended this historical meeting whereby a few resolutions (Actionplans) was presented and adopted.

To meet changing market environment needs and to strengthen MIEA management of the institution, we shall be carrying out a constitution amendment exercise soon. The committee headed by Past President Mr Soma Sundram had met more than 12 times at committee level including one town hall meeting to prepare the final documents for membership approval and Registrar of Societies (ROS) submission. The last amendment was made in the year 2004.

We would like members to participate in all the programs that are being organised and promoted by MIEA in Kuala Lumpur and its 5 branches nationwide. Your participation and involvement will certainly help the National Council of Management (NCOM), State Council Committee (SCC) and all the sub-committee members who had taken time off to do their voluntary works contribution for the betterment of our profession and protection of our rights to ensure a level playing fields for all.

It is our fervent hope to see you in all our programs and sent us feedback to further improve for the betterment of all members.

Yours sincerely,

Erick Y.T. Kho
MIEA 16th President



**Be Proud to be a REN
Wear your Tag.
You are certified.**

**Let's Take the Industry
to Greater Heights**

*Include your REN number
in all your advertisement,
you will shine and not get a fine.*

AN AWARENESS CAMPAIGN BY MIEA



UNITED RELEVANT PROGRESSIVE

National Real Estate Awards

1st October 2016 @ Sime Darby Convention Centre



The National Real Estate Awards designate to recognize the cream of the real estate fraternity, but more importantly a tool to inculcate best practices in the real estate profession.

As mentioned the awards are to acknowledge outstanding real estate practitioners. Hence, our criteria does not limit to sales achievement but on a holistic concept of performance and overall merits such as innovative marketing ideas. Our panel of independent judges is reputable real estate leaders with vast experience and knowledge in the field. As entries have becoming competitive, the judging process has never been compromised. In fact, the standard has been increasing over the years.

Recognition of practitioners through these awards provides a distinction for real estate professionals from their peers. The exemplary practices of the award winners earn confidence from the public which brings extra mileage and business opportunities. It is our fervent hope that the winners will contribute their ideas and assist in developing the fraternity. Hopefully this will inspire the rest of the industry players to take step to new frontiers towards greater professionalism in the real estate sector.

Whilst some are saying the market is slow, it is a matter of perspective how one view the situation. Optimizes the situation, turn it around or take a step back and build capacity for next milestone. It is imperative that we raise our standards and professionalism to enable us to compete effectively in the market that globalization continues to knock on our doors. With the formation of Asean Economic Community (AEC) a more equitable economic development is expected and further integrating ASEAN with the global economy.

This year we received 31 entries for 19 categories. It is proven that market condition is not a major factor dictating one success. They are people who do well despite challenging situation. It is confidence that the winners will drive the industry to soar to greater heights of excellence regardless of the market situation as opportunity does exist in any environment.

We now eagerly await the arrival of the winners of the National Real Estate Awards on 1 October 2016 at Sime Darby Convention Center.



Sarawak Branch

1st NCC Course

Sarawak Branch organised the 1st NCC Course for year 2016 on 16th & 17th April. A total of 76 participants attended the course. Venue is at Lot 10 Boutique Hotel located at Jalan Ban Hock Kuching.



CPD Course



228 RENS' from 23 Estate Agency firms throughout Sarawak attended CDP Course organised by BOVAEA/MIEA Sarawak on 23rd May 2016 at Kuching Hilton. The speakers of this programme were Mr Soma Sundram, Mr Alex Gomex & Mr Alex Ting.



Sarawak Branch

BOVAEA Participates in SHEDA PROPERTY EXHIBITION



Board Of Valuers Appraisers And Estate Agents Malaysia (BOVAEA) participates in the recent SHEDA PROPERTY EXHIBITION at Borneo Convention Centre Kuching on 23rd – 25th September 2016. Seen in the picture are enquiries and participants registering at the BOVAEA booth. In total 3,000 brochures were distributed to the public



Different Types of Land Titles in Malaysia.

By Christopher Chan & Ivan Chan

One of the primary sources of conveyancing law in Peninsular Malaysia is the National Land Code (NLC) 1965 which came into force on 1 Jan 1966. Sabah and Sarawak each have their own version of land codes: Sabah Land Ordinance 1930 and Sarawak Land Code 1958. The NLC will not apply to sale and purchase transactions where the individual document of title has not been issued or where there is a transaction involving properties held under master title. However, the NLC will apply to sale and purchase transactions where the property is held under an individual document of title.

Section 40 NLC provides (among other things) that all State land belongs to the State Authority. Section 76 NLC provides (among other things) that the alienation of State land shall consist of its disposal by the State in perpetuity (commonly referred to as freehold land), or for a term not exceeding 99 years (commonly referred to as leasehold land).

Pursuant to the foregoing, land tenure in Malaysia under the NLC can be either one of the following:

- (1) Freehold title, i.e. land held in perpetuity pursuant to a disposal of State land under Section 76 (aa) NLC, although ownership is not absolute as the State Authority can still acquire it under the Land Acquisition Act 1960 (LLA) for any public purpose among others as provided for under Section 3(1) of the LLA. Section 76 NLC sets out (among other things) the circumstances in which State land may be alienated in perpetuity; or
- (2) Leasehold title, i.e. the land is owned by the State Authority but the individual who has acquired a leasehold title in the said land may occupy the land for any time period not exceeding a term of 99 years (the maximum period of lease permitted under Section 76 (a) NLC). Upon the expiry of the period of the lease, the land reverts to the State Authority. However there are certain provisions in the law which have been invoked for the extension of lease as provided for under Sections 76 (a), 204B and 197 of the NLC. Section 76(a) gives power to alienate land for a term not exceeding 99 years. Section 197 details the procedure for a proprietor to surrender his/ her title to the State Authority. Section 204B provides for certain power to the State Authority to approve surrender and realienation.

The extension of lease for leasehold properties is also governed by the land rules of the various States in Peninsular Malaysia. As an example, for Selangor, it is governed under the Selangor Land Rules 2003 and Selangor Quarry Rules 2003. The formulae for the calculation of premium for lease extension are provided in these Rules for various categories of land use.

A land title is a document which indicates the ownership of the person described in the title (among other things).

The NLC sets out the various types of land titles, and among them are as follows:

- 1) Qualified title: The NLC provides for the alienation of land under qualified titles. Titles when first issued are provisional (or qualified titles). The provisional title numbers are prefixed H.S.(D). H.S stands for 'Hakmilik Sementara' while 'D' stands for Daftar which denotes a Registry title.
- 2) Final title: Lands are alienated under final titles after they have been surveyed. Examples of final titles are Grants (Geran) and State Leases (Pajakan Negeri) which are forms of Registry titles, and Mukim Grants (Geran Mukim) and Mukim Leases (Pajakan Mukim) which are forms of Land Office titles.

Christopher Chan

Christopher Chan, BA (NZ), CDipAF (ACCA, UK), MBA (UK), CRS (USA), MMIEA, is a registered estate agent and has been in the real estate industry for 20 years. He is the Associate Director of Hartamas Real Estate (Malaysia) Sdn Bhd. He can be contacted at christopherchan@hartamas.com



Different Types of Land Titles in Malaysia

For example, a person owns a piece of land under provisional title with a land area of 2 acres. After the final title has been issued, the land area may either increase or decrease or remain the same. Under Section 83(4) of the NLC, the owner of the land shall not be able to make a claim against the State Authority when the land area under the final title is smaller than the provisional one.

Qualified and final titles can either be Registry or Land Office titles.

- 1) **Registry Title:** Section 77(3) NLC sets out the description of land to be held under Registry title (among other things). Land here is held under the jurisdiction of the Registry of Land Titles. The owner of this land can make a title search at the relevant Pejabat Tanah & Galian.
- 2) **Land Office Title:** Section 77(3) NLC sets out the description of land to be held under Land office title

(among other things). Land here is held under the jurisdiction of the Land Office. The owner of this land can make a title search at the relevant Pejabat Tanah. An example of a land office title is H.S.(M) which stands for 'Hakmilik Sementara Mukim'.

- 3) **Master title:** A master title may be described as a comparatively bigger piece of land which is registered in the name of the developer or the proprietor, as the case may be. The developer / proprietor may then subsequently activate the process to submit an application for subdivision of the Master title into either individual titles or strata titles.
- 4) **Separate Individual title (Issue Document of Title):** This is the title issued to landed properties, for example, bungalows, houses, and factories that are commonly not multi-storey buildings. This title is issued under the NLC.
- 5) **Separate Strata title –** This title is commonly issued for multi-storey buildings, e.g. apartments, condominiums, flats and town houses. It is issued under the Strata Titles Act 1985 (the said Act). Since the amendment of the said Act in 2007, housing development under the gated community scheme comprising landed properties like bungalows, semi detached and linked houses are now governed under this Act and are issued with landed strata titles.

The Strata Title Act 1985 is modelled upon the Australian New South Wales Conveyancing (Strata Titles) Act 1961 and the Singapore Land Titles (Strata) Act 1967.

The purchase of and ownership in a strata titled property comes with voting rights. It may be interesting to note that buying a strata titled property is similar to buying shares in a company in the sense that the voting rights of owners in a strata titled property are also regulated by the share unit entitlement of each respective lot. This means that the owner of a lot with a higher share unit entitlement has proportionally more voting power than the owner of a lot with a lower share unit entitlement.

DISCLAIMER

This article is intended to be for your information only. It does not constitute legal advice for your specific needs. This article cannot disclose all of the risks and other factors necessary to evaluate a particular situation. Any interested party should study each situation carefully. You should consider or seek and obtain independent legal or professional advice for your specific needs and situation.

Ivan Chan

Ivan Chan, LL.M (UM), has been in legal practice for a number of years and is attached to Messrs Amir Toh Francis & Partners, Kuala Lumpur. His main area of practice deals with conveyancing matters and banking loans, both in the primary and secondary property markets. He can be contacted at cphchambers@gmail.com



MIEA Toastmasters Club

Building Leadership And Good Communicator



On 30th June of 2016, MIEA successfully chartered our very own Toastmasters Club. We now have 26 charter members. This is a great leap forward for the industry and more importantly the first step in grooming great leaders and communicators. We are honored to have District 51 Director Madam Sue Ding who is an REA together with her team to support the formation of the club. And present was our President Erick Kho who sportingly joined as a chartered member.

We had a Toastmaster demo meeting with a good turnout and everyone had a good time. The demo meeting was organized to enable the participants to experience an actual toastmasters meeting. We also carried out a club officer election and the following were elected as our current term exco committee appointed to run the club this term. The following were the appointed club officers;

Club Officers ;

President: Billy Low

VP Education: William Yap

VP Membership: Juliana Teh

VP Public Relations: Jasper Choo

Secretary: Fernn Ang

Treasurer: Betty Chan

Sergeant at arms: Law Yong Sein

Meeting Information

Date : 1st and 3rd Mondays

Time : 5 pm (Registration at 4.45 pm)

Duration : 2 1/2 hours

Place : MIEA HQ

Gate Fee : RM10.00

Dress Code : Gentlemen (Office Attire)

Ladies (Smartly Dressed)

Membership is open to all MIEA members & real estate related practitioners (by invitation)

Note:

If the above scheduled meeting day coincides with a public holiday, please check with any of the Club's Exco members whether the regular meeting is on or not. Additional meetings (usually for Club contests or public workshops) may be held on non-scheduled day.

Toastmasters International is a world leader in communication and leadership development. In Toastmasters, members learn by doing. Through a series of communication and leadership manuals, members at their own pace can choose for themselves how fast they want to grow by playing a role in the meetings.

We are a community club dedicated to improving leadership and communication skills. As our industry is progressing rapidly, estate agents and negotiators must be equipped with the necessary leadership and communication skills to move forward in their career. Every great organization or companies realize that great leaders and communicators as the most valuable asset to the company. Be part of this community right now.

Please contact the secretariat for further details.

BOARD MATTERS

Alex J Gomez (MIEA Representative at BOVAEA)

Changes are taking place in the Board as time goes on and age catching up with the impending retirement of some senior Board members. Announcements shall be made as the changes take place.

As one senior MIEA member defines this 'growing old' factor as "AGE DOES NOT MATTER AS WHAT MATTERS MOST DOES NOT AGE".

Anyway, new people at the helm means new ideas to be implemented, albeit for the improvement of the professions governed by BOVAEA.

PUBLIC AWARENESS COMMITTEE

We have conducted 5 sessions with practitioners at Kota Kinabalu, Penang, Kuala Lumpur, Kuching and Johore Bahru.

Next session shall be held in Ipoh on the 20th of August 2016 followed by the East Coast of Malaysia.

Main queries from members on estate agency matters were related to 'illegal estate brokers' and some agencies that are breaking the laws with total disregard to the Board. Many investigations are on-going and hopefully some will be prosecuted with the maximum punishment allowed by the ACT and the Rules.

ENFORCEMENT

Our IOs have conducted raid in Kuching with some police reports being lodged. Other towns and cities are being earmarked for eventual policing.

We need more practitioners to come forward and report on errant firms that are blatantly flouting the laws to the detriment of the law-abiding ones. It should be made known that the biggest culprits in breaking the laws are our own registered estate agents. You know who they are but do not want to report on them for reasons best known to you.

Why not use MIEA as your vehicle to report on all those errant REAs or RENs? There are only a select few that actually report to the Board directly on the REAs or illegals but sad to say the majority is turning a 'blind eye' to the 'goings-on' of these errant practitioners. These are the same people that will blame the Board for not doing enough.

It's time we all change our stance to enhance the level of professionalism. We cannot and must not allow these handful of errant firms to tarnish the image of our profession.

REN COURSES

CDP courses are on-going, please check the Board's website on the latest news (www.lppeh.gov.my). You can also check here on the latest disciplinary cases heard by the Board and the fines imposed. No names of firms or individuals mentioned as yet to preserve their confidentiality for now.

DIPLOMA EXAMS

The Board is doing its best to introduce the much awaited twice a year exams, maybe by next year. There is a lot of work to be done especially the logistics in getting this done. Moreover, we also are waiting for the Finance Ministry's approval for the amendments to the status of having 11 papers and RENs trying to pass it within 5 years.

COMPLAINTS MANAGEMENT COMMITTEE (CMC)

We are averaging about 50 complaints a month. Most of these complaints refer to non-refund of Earnest deposits. Some refer to misrepresentation and other misdemeanors. Most often the Board is able to solve the matters except some that have gone to the Courts for hearing.

There was a recent case that I was subpoenaed to the Sessions Court to give evidence in a case where a REN is suing a Solicitor for commission in regards to the sale of a land. This is interesting where now RENs are taking action with or without the knowledge of their employers. Let's wait for the judgement by the learned judge before commenting further.

FOOD FOR THOUGHT

With new start-ups with applications coming online giving Vendors/Landlords another avenue of doing away with estate agencies, what is your stand/view on this?



Kindly submit your humble thoughts and suggestions direct to MIEA at www.miea.com.my

BOARD MATTERS

Template For Making Police Report

Make sure that all your Police Report must have contents as follows:-

- A) Identify the said offender (s) Company or Persons
- B) Place and time of the offense (s) being committed.
- C) Which offense under the Act (see standard wording below).

Sample Templates

AFTER COMPLETING ALL THE IDENTIFICATION AND CONTENTS IN (A) AND (B), FILL IN THE STANDARD CONTENTS (C) BELOW TO COMPLETE THE POLICE REPORT.

Kami membuat aduan kerana syarikat atau individu tersebut menjalankan amalan perejean harta-tanah secara tidak sah iaitu tidak berdaftar di bawah Akta Penilai, Pentaksir Dan Ejen Harta Tanah 1981 (Akta 242) dan perbuatan seperti ini adalah suatu kesalahan di bawah Akta yang sama iaitu "Mana-mana firma atau individu yang didapati menjalankan amalan perejean harta-tanah tanpa berdaftar dengan Lembaga Penilai, Pentaksir dan Ejen Harta Tanah adalah melanggar Seksyen 22C Akta Penilai, Pentaksir Dan Ejen Harta Tanah 1981, yang menjelaskan tentang sekatan-sekatan ke atas amalan tersebut."

Manakala Seksyen 30 Akta 242 yang sama menyatakan seseorang yang melakukan suatu kesalahan di bawah Akta 242, apabila disabitkan boleh didenda tidak melebihi RM300,000 atau dipenjarakan selama tempoh tidak melebihi tiga tahun atau kedua-duanya dan dia boleh didenda tambahan sebanyak RM1,000 bagi tiap-tiap hari semasa kesalahan itu berterusan. Laporan ini dibuat adalah untuk siasatan dan tindakan selanjutnya oleh pihak polis ke atas firma dan individu tersebut.

The image shows a sample of a Malaysian Police Report form titled "POLIS DIRAJA MALAYSIA REPOK POLIS". The form includes the following fields:

- Beliau** (Name)
- Daerah** (District)
- Kodringan** (Division)
- No Repot** (Report Number)
- Tarikh** (Date)
- Waktu** (Time)
- Bahasa Diterima** (Language Received)
- Butir-butir Penerima Repot** (Reporter Details):
 - Nama (Name)
 - Butir-butir Jawatannya (Jika Ada) (Job Details (if any))
 - No Pasport (Passport No)
 - Alamat (Address)
- Butir-butir Pengadu** (Complainant Details):
 - Nama (Name)
 - No KIP (Baru) (New KIP No)
 - No Sijil Beranak (Birth Certificate No)
 - Jantina (Perempuan) (Gender (Female))
 - Keturunan (Race)
 - Pekerjaan (Occupation)
 - Alamat Tempat Tinggal (Residence Address)
 - Alamat IbuBapa (Parent Address)
 - Alamat Pejabat (Office Address)
 - No Tel (Rumah) (Home No)
- No Personel** (Officer No)
- Pangkat** (Rank)
- No Polis/Tentera** (Police/Military No)
- Bahasa Asal** (Original Language)
- No Polis/Tentera** (Police/Military No)
- No Pasport** (Passport No)
- Tarikh Lahir** (Date of Birth)
- Warganegara** (Nationality): Malaysia
- No Tel (Pejabat)** (Office No)
- No Tel (HP)** (Mobile No)

Below the fields, there is a section for "Pengadu Menyatakan:" (Complainant States:) with a large empty box for the report content.

FAQ

FAQ FOR GENERAL PUBLIC

Who is the Board of Valuers, Appraisers and Estate Agents (BOVAEA)?

BOVAEA was formed under the Act of Parliament - Valuers, Appraisers and Estate Agents Act 1981 (Act 242) and is under the purview of the Ministry of Finance. It has 17 Board Members and a Registrar. The President of the Board is the Director General of Valuation Services Department or JPPH. Other Board members comprises of representatives of the Valuation Department, Valuers, Estate Agents, Property Managers and Academician.

1. Function of BOVAEA

The main function of BOVAEA is to regulate the professional conduct of those registered by the Board including Valuers, Property Managers and Estate Agents.

2. Who are Registered by BOVAEA?

BOVAEA has two (2) registers. One is the register for Valuers/Property Managers and the other for Estate Agents.

a) Who is a Real Estate Agent (REA)?

A real estate agent (REA) is an individual who has attained the following requirements;

- Have passed part 1 & part 2 comprising of 12 papers*
 - Registered as a Probationary Estate Agent (PEA)*
 - Have completed two years of post-practical training with a Real Estate firm*
 - Have completed task 1 & 2 and*
 - Passed the test of professional competence (TPC) after which.*
 - whose name has been placed on a register in the Board as a Registered Estate Agent.*
- An estate agent can operate his/ her own Real estate firm.*
- Provide real estate service in selling, leasing properties or finding a property for the clients.*
- To employ up to 30 Real Estate Negotiators to assist the Real Estate Agent to providing Real Estate services.*

b) Who is a Real Estate Negotiator (REN)?

A Real Estate Negotiator (REN) is an individual who is employed by a Registered Estate Agent. They are not registered with the Board but certified to practice. They must attain the following requirements to be employed by the Real estate firm;

- They must attend a full two days course on real estate and will be issued a certificate of attendance.*
- With the certificate they seek employment either on a contract of service or contract for service with a real estate firm.*
- The real estate firm then, will apply for the Ren*

tag with the BOVAEA.

- BOVAEA will then certify and designate a REN number & issue a Tag to the REN, only then the REN can be employed by the firm and only then can they represent sellers, landlords, buyers & tenants in the sale and marketing of properties.*

3. What is REN Tag?

REN Tag is an identification tag issued to a real estate negotiator (REN). It contains all the information including their name, photo, IC no, REN No, firm name, firm registration no, quick respond code (QR) and security features. This tag must be worn by the REN at all times during their conduct of business.

4. Can a REN use the firm's company tag instead of a REN Tag?

It is mandatory for all negotiators to wear the REN tag during the course of doing business and it cannot be replaced with any company name tag. It is an offence for someone to imitate and produce something similar to BOVAEA REN Tag.

5. How to check or verify whether the REN is certified by the BOVAEA?

The Quick Respond (QR) code can be verified using a smartphone. It contains all the negotiator information including their photograph. If in doubt, conduct a search at www.lppeh.gov.my or www.propertyagent.gov.my website under Negotiator Search. Alternatively, call BOVAEA during the office hours at 603-2287 6666.

6. What happens if the REN does not have a REN Tag?

Then he is an illegal broker. He is not authorised and as such stop dealing with him. Report him to the police immediately with full information.

7. How do I know whether the REN Tag is a fake one?

Genuine REN Tag contains watermark security features. When you scan the Quick Respond (QR code) using a smartphone, it will feature the negotiator information.

8. Can a foreigner be engaged as a REN?

Any foreigner who wish to work as a Negotiator is required to obtain a work permit from the Immigration Department and only then will the BOVAEA will consider the application.

9. Scale Fees

All fees payable for services rendered, both for sale or letting are stipulated under the 7th Schedule of Valuers, Appraisers & Estate Agents Rules.

FAQ FOR GENERAL PUBLIC

ADVERTISEMENT AND PROMOTIONS

10. Advertisement in newspapers, property portal and signboards?

All advertisements posted by a REN must contain the company E registration no with BOVAEA and REN Number besides their mobile no. Do not respond to any advertisement if it does not contain all these information. It is considered as illegal for any advertisement to not follow the requirement above except advertisements by property owners.

11. Signboard on lamppost and tree trunk?

These signboards are done by the illegal brokers. REN are not allowed to put-up signboards on lamp post and tree trunks.

12. Can I report if the signboard is put-up by illegal brokers?

Absolutely Yes. Take a photo of the signboard and send it to BOVAEA. Please indicate the street name, date and time including your name and contact no. BOVAEA will verify it before sending it to Malaysia Communication and Multimedia Commission (MCMC) who will then suspend and bar the mobile no.

13. Can REN sell properties in shopping complexes or exhibition halls?

Yes, they can. Majority of these are primary properties or new projects. However, they are required to wear the REN Tag at all times

14. REN Name card

Besides the normal company details, the name card shall also display the Firm E registration number and the REN number.

15. Do I respond to flyers/leaflets distributed by estate agents to my home or offices?

Flyers or leaflets distributed by negotiators shall contain the company name, firms E registration number and the REN No. Do not respond if the flyers or leaflets do not contain these information.

Flyers are permitted under the following conditions:

- a. The contents in the flyer shall specify the types of property for sale/rental/lease or wanted.
- b. The flyer shall produce in a firm's letterhead which bears the name registration number, the telephone number, address of the firm. It shall carry the signature of the REA. It shall include the

negotiator's name with the REN Number.

c. The flyer must also carry the following statement:-

- i. "Persons responding to this flyer are not required to pay any estate agency fee whatsoever for properties referred to this flyer as this firm is already retained by a particular principal" The font size for this statement shall be similar to the general contents of the flyer.

16. Can foreign real estate agent or developer sell their property in Malaysia?

Foreign real estate agents or developers cannot sell property on their own in Malaysia. They are required to engage a local registered real estate firm to market any foreign properties. The local firm is required to make an application with BOVAEA and required to be present at all times in the exhibition hall.

17. How do I know whether the property being marketed by the agency is approved by the Board?

Any foreign property being approved to be marketed in Malaysia is required to display the BOVAEA approval number, example LPPEH/88/8888/KL. Separate application is required for different venue which is only valid for one month from date of approval.

PENALTY AS PROVIDED FOR IN THE ACT

18. Illegal Broker

Any person who acts in contravention of section 22(c) commits an offence under Section 30(i) of the Act and is liable upon conviction to a fine not exceeding RM300,000 or imprisonment for a term not exceeding 3 years or both.

19. Aiding and Abetting

Any person who aids and abets in the commission of an offence under Section 30(j) of the Act, is committing an offence and is liable upon conviction to a fine not exceeding RM300,000 or imprisonment for a term not exceeding 3 years or both.

FAQ

FAQ FOR REGISTERED ESTATE AGENT

1. *Who can register themselves as Estate Agents?*
Anyone who is a Malaysian citizen or Permanent Resident (PR) of Malaysia and having met the prescribed qualifications and experienced is entitled to register themselves with BOVAEA. The prescribed qualifications are according to the list as stated in the website (www.lppeh.gov.my).
Having attained the qualification, the person must register himself as a Probationary Estate Agent and undergo a two (2) years post practical training with a registered estate agent and maintain a work diary. Having fulfilled the above, he has to submit two practical tasks and to be interviewed by Board panel (called Test of Professional Competence). After passing the TPC, s/he shall then apply to register himself with the Board where an Authority to Practice Estate Agency called Form I will be issued. He is then called a registrant or registered person or a real estate agent (REA).
 2. *Who can set-up a real Estate Agency Firm?*
Anyone who is registered with the Board as mentioned above is entitled to set-up a real estate agency firm. The firm can be either operated as a sole-proprietor, partnership or body corporate (Sdn Bhd). For sole proprietor, the proprietor of the firm must be a registered person with BOVAEA. For partnership, both the partners must be registered person. For body corporate, at least two of the directors must be a registered person. Any of these set-up as approved by the Board are called the registered firm.
 3. *Can a non-registered person or corporation allowed to own shares in the registered firm?*
Yes, non-registered person/s or corporation is allowed to own shares but not exceeding 49% equity of the firm. To allow this to happen, a holding company must be established which must be 100% owned by the registered persons only. This holding company is then required to own not less than 51% of the registered firm. A majority of the directors in the registered firm must be a registered person. (Example, if the registered firm has 5 directors, 3 of them must a registered person)
 4. *How many offices that I can operate?*
There is no limit on the number of offices but every office has to be registered with the Board. Each office must be managed by a Resident Manager who must be a registered person.
 5. *What type of premise is allowed to be used by registered firm?*
Decently maintained premises to be used as business premises. It should have a separate main entrance to the premises being occupied as a registered office. Shared business centre or virtual office are not allowed to be used as a registered office.
 6. *Does BOVAEA allowed setting of sales gallery or training centre.*
Any set-up of sales gallery or training centre shall obtain prior written consent from BOVAEA. However, if real estate transaction is allowed in the premise being used as sales gallery or training centre, it must be registered with BOVAEA and a Resident Manager is required to manage it.
 7. *How many Real Estate Negotiators (REN) can a firm engage/hire?*
Each registrant can hire a maximum of 20 RENs. Once the Registrant achieved the maximum 20 RENs. An applications can be made to BOVAEA to increase to a maximum of 30 RENs (subject to BOVAEA approval based on previous track record). If the firm has more than one real estate agent (REA), then the numbers can be multiplied accordingly.
 8. *What happen if my Resident Manager who manages my branch office resigns?*
The firm shall immediately notify BOVAEA in writing who normally grants a period of 3 months to find a new Registrant. If no replacement is found and further appeal to BOVAEA is rejected, the branch has to be closed or leave operation.
 9. *If a REA resigns and I could not find a replacement, what happens to the negotiator attached to him?*
If no replacement was found within 3 months from the date of resignation, the negotiator has to resign from the company.
 10. *What happen if my REN resign or been terminated?*
When a negotiator resigns or been terminated, he is required to surrender his REN Tag to the firm, who shall then surrender it to BOVAEA. Anyone who fails to return the REN Tag to BOVAEA will be blacklisted and no renewal or reissuance of the tag will be made.
 11. *Do I need to register my admin assistant?*
Not necessary if s/he is merely doing paperwork or coordination and supporting work. However, his contact details shall not appear in all the marketing material including signboards and advertisement.
 12. *Does my negotiator under probationary period need to register with the board?*
There is no provision for probationary REN. Any REA employing anyone other than the Certified REN is committing an offence.
- ### ADVERTISEMENT AND PROMOTIONS
13. *Advertisement in newspaper and property portal?*
All advertisement posted by REN must contain the Firm E registration number, Firm telephone number, Firm name and REN No besides their mobile no. Action can be taken if signboards don not follow this rule.

FAQ FOR REGISTERED ESTATE AGENT

14. Can I report if the signboard is put-up by illegal brokers?

Absolutely Yes. Take a photo of the signboard and send it to BOVAEA. It is important to indicate the street name, date and time including your name and contact no. BOVAEA will verify it before sending it to Malaysia Communication and Multimedia Commission (MCMC). MCMC will then suspend and bar the mobile no.

COMPLIANCE

15. Clients account

Every registered firm is required to maintain a Clients Account. Every registered firm that holds or receives client's money shall without delay pay such money into the Clients Account. All monies in the Clients Account are held by the Firm as stakeholder for their clients.

16. Professional Indemnity Insurance

Every registered firm is also required to purchase a Professional Indemnity Insurance to cover themselves against any negligence. The quantum or sum insured depends on their business volume or turnover.

PENALTY

17. Registered Persons / Firms

Any registered REAs or firms who commit any wrong doings will be subjected to BOVAEA disciplinary action which includes fines, suspension or deregistration.

FAQ FOR CERTIFIED REAL ESTATE NEGOTIATOR

1. How to become a Real Estate Negotiator (REN)

Any person beyond the age of 18 years is eligible to be certified as a Real Estate Negotiator (REN). However, he must be attached with a registered firm on a FULL TIME BASIS. He must then attend a two days course called Negotiator Certification Course (NCC) by any approved training providers (as listed in BOVAEA website). Application can then only be made with BOVAEA thru the registered firm by using the prescribed form together with the letter of employment/engagement and NCC certificate. Once it is approved by BOVAEA, a REN tag will be issued and delivered to the registered firm.

2. What is REN Tag?

REN Tag is an identification tag issued to real estate negotiator (REN). It contains all the information including their name, photo, IC no, REN No, company name, company registration no, quick respond code (QR) and security features. This tag must be worn by the REN at all times during their conduct of business.

3. Can a company use their company tag and substitute it as REN Tag?

It is mandatory for all REN to wear the REN tag during the course of doing business and it cannot be replaced with any other company tag. It is an offence for someone to imitate and produce something similar to BOVAEA REN Tag.

4. How to check whether the negotiator (REN) is genuine and registered?

The Quick Respond (QR) code can be verified using a smartphone. It contains all the negotiator information including their photograph. If in doubt, conduct a search a BOVAEA website under Negotiator Search. Alternatively, call BOVAEA during the office hour at 603 - 2287 6666.

5. What happen if the REN does not have a REN Tag?

He is an illegal broker. Stop dealing with him. Report him to the police immediately with full information.

6. How do I know whether the REN Tag is a fake one?

Genuine REN Tag contains watermark security features. When you scan the Quick Respond (QR) using a smartphone, it will feature the negotiator information.

7. What happens if I lost my REN Tag?

You need to obtain a letter from your firm to confirm the lost. With the letter and payment of RM50, you can apply for replacement with BOVAEA by using the prescribed form. Higher penalty will be imposed for subsequent replacement.

8. Do I need to renew my REN Tag?

Yes. You will be required to renew the REN Tag from January 2016.

9. How can the public verify if the negotiator is registered with BOVAEA?

All the basic information of the negotiator are captured and display in the website under www.lppeh.gov.my or www.propertyagent.gov.my. These include their company name and mobile no. Alternatively, you may call BOVAEA office during office hour at 603 - 287 6666

10. I attended the course conducted by MIEA. Any validity date for me to register myself as a negotiator?

The Certificate of Attendance is only valid for 12 months from date of issuance. Failure to register with BOVAEA within 12 months of issuance shall render the certificate invalid.

NEW WEBSITE

A GUIDE TO WWW.MIEA.COM.MY



MOBILE RESPONSIVE

MIEA new website is mobile friendly where the web framework is adaptive and responsive to any screen resolution. The new website also optimized across the different website browsers.



E-commerce

The new website provide the e-commerce payment gateway powered by Ipay88. The payment gateway is fully functional for registration of NCC courses. Beside facilitating payment via credit card and online fund transfer, manual payment option also included in the e-commerce module to cater to group who prefer conventional mode of payment. framework is adaptive and responsive to any screen resolution. The new website also optimized across the different website browsers.



Members' Area

The new website also host a member directory with option to update their details and also receive messages to their email via the MIEA website. This profile page will be expanded further to list property listings and other lead sourcing mechanism.

A GUIDE TO WWW.MIEA.COM.MY



Advertisement

MIEA website now have the ability to display multiple web banners advertisement space. This web banners is optimized for mobile view with option to include gift images. Members may make use of this advertisement with the special promotion package offered at the moment.

Complaint Form

The new website have a comprehensive complaint submission for reporting issues regarding real estate practice. A copy of the complaint will be received by "BOARD" for further action.



New Improved Landing Pages

With new site, we have the ability to design nice looking landing pages. The new design provides not only look great, but we could place a lot information on the pages.

PHOTO GALLERY

The website also extended to host multiple photo and video gallery.



Publications

All MIEA publications is now published to be downloaded by visitors.

A GUIDE TO WWW.MIEA.COM.MY

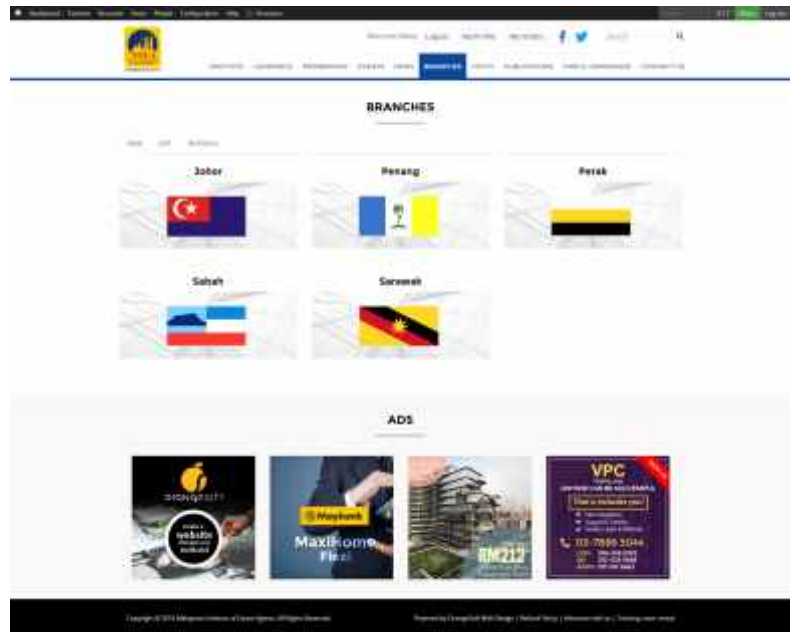


Calendar

MIEA website will host searchable event calendar to facilitate all the ongoing and upcoming activities organised by the institute.

Branches

All MIEA branches given individual pages which will be extended as respective mini-sites to be populated with all branch news and activities.



About Page - Institute

The "Institute" page now have an extended and organized information for public to learn about MIEA. For example, the "Past President" page designed in way to showcase all the achievement under the respective President.

MAREC'17

MALAYSIAN ANNUAL REAL ESTATE CONVENTION

Transforming Your Real Estate Business in A Changing Era 3 - 4 March 2017 (Fri & Sat)

V E N U E

Setia City Convention Centre No.1, Jalan Setia Dagang AG U13/AG, U13 Shah Alam, Selangor

**THE LARGEST ANNUAL REAL ESTATE CONVENTION
IS BACK. SIGN UP NOW & SAVE RM100.00**

MEMBER

RM799

NON MEMBER

RM899

All fees and discount are GST inclusive

Registration and Payment received before 31 December 2016

MIEA Secretariat : +603 - 7960 2577

www.miea.com.my

Organised by



Main Sponsor
Developer



Supported by



International
Affiliates





**A dream home
for your customers**

**A dream vacation
for you**

Refer your customers to us

Exclusive to Real Estate Negotiators.

Prize Categories	Rewards (Travel Voucher)	
	Klang Valley/Penang Island & Johor	Other States
1ST PRIZE	RM5,000	RM3,500
2ND PRIZE	RM3,000	RM2,000
3RD PRIZE	RM2,000	RM1,000
CONSOLATION PRIZE X5	RM300	RM200

Pathway to your dream holiday:



Refer your customers to Maybank



Complete the Maybank Referral Scheme Introduction Form



Submit to our Mortgage Sales Personnel

Campaign Period: 1 September 2016 - 31 March 2017

Eligibility: Open to all eligible Negotiators employed under Bank's panel of agencies and having valid REN ID (registered with BOVAEA). All Mortgage and Shop house loan applications (secondary market/sub-sale/completed property from developers) originated, approved and accepted between 1 September 2016 to 31 March 2017.

Contact your Mortgage Sales Personnel or log on to www.maybank2u.com.my/REAsaleschallenge for more details, terms and conditions.