

Better to hire professionals

THE article "Managing strata properties" (*The Star*, Sept 11) gives only one side of the story.

It is not true that all JMB's and MCs want to have the independence and opportunity to appoint any fit and proper person or appropriate entity as managing agent.

It is however true that most JMBs and MCs are led by volunteers who do not have the time, skill, expertise or experience to manage and maintain their buildings.

Also, many are not even fluent in English and are unable to comprehend what is written in the law or even the contracts they are asked to sign by the managing agents.

It is here that the dangers lie when unscrupulous agents put in clauses that extend beyond the period that they are allowed to hold office. A qualified prop-

erty manager under the Valuers, Appraisers and Estate Agents Act, 1981, would not resort to such tactics.

I am the owner of an apartment in Cheras. The managing agent appointed to manage the complex is registered with the Registrar of Companies.

The present management committee has been operating for more than 15 months, and no attempt has been made to hold an AGM as required under the Strata Titles Act and the Building and Common Property Act 2007.

Money is collected by this management company monthly, with no submission of accounts to the owners of the apartment complex.

Since the management council's term has expired, who are now operating the accounts, signing payment cheques, and formalis-

ing agreements for maintenance services?

Are such contracts drawn up properly? What is the role of the managing agent here? Is the BMAM secretary-general an adviser to this managing agent, and is he aware of the situation?

In the past, members of the management council paid "ang pows" to themselves and the employees providing services to the complex. "Mooncake parties" costing thousands of ringgit were also hosted, with such payments made from the maintenance fund.

Security guards clamping cars parked indiscriminately were allowed to pocket part of the fines imposed. Council members were allowed to claim mileage, and also had their telephone bills paid from the maintenance fund.

A check with the water bills

issued to Council Members showed they were charged only the minimum, although they had more than four persons in a household. Instead of clamping water meters for non-payment of bills, the whole meter was dismantled and taken away.

Where meters were clamped, the technician enforcing the rules was again allowed to keep part of the fines imposed for re-installation. All this occurred before, and may still be occurring unless an audit is done.

Elections are rigged in favour of those who support retaining the services of the company. Council meetings are conducted in Chinese only and it is difficult for other races to penetrate the set-up.

When confronted with any wrongdoing, the managing agent would point to the management

council, and the management council to the managing agent.

Reporting to the police would only mean the police advising that it would be more appropriate to refer the matter to the tribunal provided for under the BCPMM Act.

However, the tribunal has never sat. The Commissioner of Buildings is sometimes seen as partial to the managing agent and therefore cannot be an honest broker in disputes.

It is hoped that the proposed new Strata Management Act 2012 will address the issues apartment owners face, and ensure that only licensed valuers are allowed to do the job. Urban slums and ghettos are a result of poor management by unqualified and unethical practitioners.

HOPEFUL
Kuala Lumpur