

UNIVERSITI TEKNOLOGI MARA

**THE ISSUE THAT CONSTRAINT
THE PROCEDURE OF DELIVERING
VACANT POSSESSION WITH
STRATA TITLE (STUDY CASE:
PENANG)**

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ABSTRACT

In Malaysia's housing business, a delay in completing a housing project is typical. In this regard, buyers frequently must accept that 'slower is better than never' is usually the case. The comment referred to the certain buyer receiving the vacant possession with strata title that may have a lot of negative repercussions to them. However, there are various challenges and complications that contribute to the delay in delivering vacant possession with strata title, including the developer, the Licensed Land Surveyor, and JUPEM. This study aims to identify the issues and challenges contributing to the delay in delivering vacant possession with strata title to the buyer. The objectives of this study are to scrutinize the issue that constraint the procedure of delivering vacant possession with strata title and to recommend solution with respect to the late delivery in vacant possession with strata title. This methodology used in this study are quantitative and qualitative method distributed in the interview session to several licensed surveyors and JUPEM in Penang who are contributed to the delays in the process of the delivery vacant possession with strata title. From the interviews, the data are analyzed using pie charts and logistic regression statistical analysis to facilitate the study process where building plan and Proposed Strata Plan (CPS) are the most voted from respondents as it is added significantly to the logistic regression model (CPS ($p = .041$) and BP ($p = .032$)). Lastly, more experience is needed, more time is needed for architects and JUPEM should contribute in SiFUS level.

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CHAPTER ONE

INTRODUCTION

1.1 Research Background

Vacant Possession (VP) is when the developer transfers strata title of the property to the home buyer via a letter or notice of key handover. However, developers cannot deliver VP and claim the progress payment, unless the strata title has been issued (Amin et al., 2022). Before a sale, developers must obtain all approvals on land matters with regards to land premiums, registration of title fees paid, land title and strata survey fee paid, approved equitable share units for all the parcels including provisional blocks, and approved building plans (Amin et al., 2022).

In the strata title application process in Peninsular Malaysia, Certificate of Share Unit Formula (SiFUS) is a certificate issued by the director of lands and mines (PTG) after all these conditions are complied with. However, to achieve the certificate of SiFUS, the developer needs to hire a licensed surveyor to prepare the Schedule of Parcels (SOP). The SOP basically consists of a location plan, a floor plan and a demarcation plan drawn based on a building plan that has been approved and filed by the Commissioner of Building (COB) (Khairul et al., 2018).

SiFUS applications must be authorized by PTG based on the approved building plan agreed by the Local Authority (PBT) (Khairul et al., 2018). Subsequently, if the building plan measured by the Licensed Land Surveyor does not match the SOP, SiFUS will not be issued and will be amended.