



**6th UNDERGRADUATE  
SEMINAR ON BUILT  
ENVIRONMENT  
AND TECHNOLOGY  
(USBET) 2023**

**SUSTAINABLE BUILT  
ENVIRONMENT**

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# e-Proceeding

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# CHALLENGES FACED BY JOINT MANAGEMENT BODY IN HANDLING ANNUAL GENERAL MEETING

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## ABSTRACT

*Stratified residential properties are becoming popular with a lot of facilities provided in the building as there is an upward trend in the demand for the strata property in Malaysia. Stratified residential properties are managed by a Joint Management Body (JMB) that is responsible for handling and maintaining the building in the period before the formation of the Management Corporation (MC). In managing the building, JMB has to convene an annual general meeting to discuss the management of the building. The formation of the Annual General Meeting (AGM) is for leading the success of preserving and managing properties with extensive knowledge and professional abilities to handle tasks and responsibilities managed by the Joint Management Body (JMB). The purpose of this research is to focus on the implementation of the Annual General Meeting (AGM) to identify the challenges faced by JMB in handling AGM. This study proposes a methodology based on two main stages, firstly based on comprehensive literature review and secondly on the empirical stage by using descriptive data analysis. This research collected two types of data which are primary and secondary. The collected primary data is based on the distribution of questionnaires to the Joint Management Body in Pulau Pinang. From the analysis, the findings indicate that the challenges faced by the JMB are the meeting agenda is not clear, inadequate notice meeting, selection date, and time management are not appropriate, and lack of knowledge by the Joint Management Body.*

*Keywords : Joint Management Body, Annual General Meeting, challenges*

## INTRODUCTION

In the urban areas of Malaysia, stratified residential properties are becoming popular with buyers because nowadays living in strata residential having a lot of facilities provided such as a swimming pool, gymnasium, landscape, 24-hour security system, sports court, and others. The types of stratified residential properties can be categorized as flat, apartment service apartment, condominium, and penthouse. In 27.5% of Sydney, 84% of Singapore, and more than 95% of Hong Kong's population are lives in stratified residential buildings. According to Rashidah, (2015), there is an upward trend in the demand for strata property in Malaysia developed near the workplace of the communities. Thus, they prefer to live in the city as the vicinity facilities of stratified residentials such as Mass Railway Transit (MRT) and shopping complexes can attract people in the city to own and live in stratified residentials. Thus, they enjoyed facilities that needed to be well maintained to ensure their functionality as all the cost of maintenance works come from the maintenance fees that are imposed on the resident's responsibility. Adi Irfan, (2016). As mentioned by Tiun, L., (2009), a good management service must have good financial support in managing and maintaining the building.

Each stratified residentials are managed by successful management where it is in-house management with the committees from joint management body, management corporations, property managers, and developers. This shows the importance of the management and maintenance of the common property to be managed properly by the management in the strata scheme. This is to ensure the significance of proper and professional management of the residential strata scheme (Azali, Mohsin Abdul Rahman, 2020). As mentioned by Azali et al., (2020) in-house management contains people who are under the immediate employment of the management such as a Joint Management Body or Management Corporation to accomplish their tasks in the strata scheme. The organizational structure of in-house management set up accordingly the scale of its requirement as well as the average size of team or staff quality around four to ten employees for proper maintenance to be functioning.

The benefit of employing an in-house management in managing the strata residential in Malaysia such as utilizing an in-house management in dealing strata scheme is continuousness is one of the crucial advantages as it will be easy to manage since there is continuousness in the management. At the same time, this can be lessening problems that arise when they fewer changes in the management and is managed by the same organizational management which there is also communication and

control. This is because the committees have direct communication with the joint management body or management corporation over the functions and activities in the group having direction and guidance in discussing straightforwardly with the staff to monitor any responses given in the in-house management can be made more effective as there is no intervention of the outsider. Therefore, the team needs to convey all the important information related to maintaining & managing the property through AGM.

## **Problem Statement**

The Annual General Meeting (AGM) is where new committee members are chosen to be part of the discussion regarding stratified residential development since the topic of the AGM may influence the properties. REHDA Institute (2018), reported that the failure to attend the annual general meeting by the Joint Management Body is due to the majority of the members being from diverse types of employers. This led to the problem of failing fail to attend the annual general meeting, which can be attributed to the stratified residential building management perspective due to the various parties in the strata scheme that may have different interests and usages in the strata property. This can be seen in the article of iProperty.com (2022) stated that a group of residents from K Residences took their developer, Duta Yap to court for failing to form a JMB as there were other issues such as misconduct within the management and maintenance funds being misused as can be fine not exceeding RM 250,000 or to imprisonment not exceeding three years of both.

In regard to the Annual General Meeting, the Joint Management Committee's failure to conduct properly manner due to a lack of skills can result in a low quality of meeting handling, whereby the leader's failure to discuss the agenda in the AGM causes the other committees to misunderstand the next steps to be taken for specific tasks (The Ridgeway Centre, 2020). This is because there is no summary action to be taken, which might affect the meeting, failing to handle the AGM for the following session.

As nowadays there is no response in joining the annual general meeting by the committee members and some of the members are not registered as proprietors of parcel owners which can affect the strata management of residential buildings. According to Jasmine Tan, (2022), This can be seen in Gold Coast Resort in Penang which is a type of residential condominium stated that the annual general meeting is void as well as the election and appointment of the committee members in the annual general meeting is null and void due to there were eight persons who are not registered proprietors as they are being listed as persons entitled to attend the annual general meeting on the notice board of the condominium.

As a consequence, the meeting is depending on the willingness of the committee and strata proprietors which requires the consent of (1/4) of the aggregate share units votes among them. Tan et al, (2021). This was quite challenging because of needed the requirement to appoint the committees with adequate knowledge about the strata

management as this is a constraint for JMB to handle the annual general meeting performing well. As this paper is to explore the quality of meetings relating to the challenges faced by the Joint Management Body (JMB) in handling meetings with their committees.

## Objective

In this study, the purpose is to focus on the implementation of the Annual General Meeting (AGM) to identify the challenges faced by JMB in handling the AGM.

## LITERATURE REVIEW

This section describes the areas that are closely related to the study of challenges faced by JMB in handling AGM in Pulau Pinang. The information was obtained from the literature instrument such as journals and government resources.

## Formation of JMB In Strata Residential Building

The formation of management in strata scheme development is accordingly to the Strata Management Act 2013 (Act 757) in regulating the management and maintenance of strata schemes. The diagram of the timeline below aims to simplify the legal provisions about the management timeline and handover of management between the developer, Joint Management Body, and Management Corporation.



Figure 2.1: Strata Management Hand Over Timeline



According to the Strata Management Act in Section 9, the developer shall be responsible to maintain and manage the strata scheme development and common property during the developer's management period starting from the date of delivery of vacant possession. Section 17 (1) and section 18 (1), the developer must convene the JMB's First Annual General Meeting not later than 12 months from the date of delivery of vacant possession. Then, the JMB is established upon the convening of the JMB's First AGM which needed the developer to transfer to the JMB all balance money in the maintenance and sinking fund accounts after payment of all expenditures properly charged to the accounts, thus the developer needed also hand over the administration office, audited accounts, approved plans, a copy of the schedule of parcels strata plan, original of all insurance policies and register of all parcel owners. Lastly, the developer's management period ends one month after the JMB's establishment.

Furthermore, the JMB is an interim body that is set up to run and maintain a strata property beginning the completion of the development until the issuance of strata titles by the land office. The JMB committee members work together to ensure proper documentation, payment schedules, accounting, and upkeep of the property. Therefore, the JMB is empowered under the Strata Management Act, and according to Ashraf Wahab, (2022) in iProperty news stated that the JMB is responsible in collect maintenance fees from parcel owners, collecting the contribution to the sinking fund, authorizing expenditures, acquiring property for use by the parcel owners in connection with the common property and make additional bylaws for the proper maintenance and management of the common property. The JMB must reasonably perform its duties under the Strata Management Act and the enforcement of by-laws.

While the Management Corporation's establishment and initial period when individual strata titles are issued by the Land Office upon opening of the strata register. The initial period starts from the date of the Management Corporation's establishment in Section 46 of the Strata Title Act as the developer carries out the perfection of the transfer of strata titles to each parcel owner as well as in this period, the JMB continues to manage and maintain the strata residential. The initial period ends when there are parcel owners whose share units are 25% of the aggregate share units and within one month after the expiration of the initial period, the developer must convene the MC's First Annual General Meeting.

Within one month from the MC's First Annual General Meeting, the JMB shall transfer to the MC all balances in the maintenance and sinking fund accounts, audited accounts, assets and liabilities, documents received from the developer, and records of maintenance and management. Therefore, the JMB shall dissolve three months from the date of the Management Corporation First Annual General Meeting.

## **The Implementation of Annual General Meeting in Strata Residential Building**

According to the Strata Management Act 2013, the first annual general meeting must be convened within one month after the end of the initial period or six weeks after the developer receives a written request from the subsidiary proprietors at least 10% of the total number of lots in the development which is parcel owners. If the developer failed to convene the first annual general meeting within the specified period may apply to the Commissioner of Building (COB) to order the appointment of a person to convene the first annual general meeting. The agenda of the first annual general meeting must be including the followings:

- To elect a council
- To determine the amount of contribution for the management fund and sinking fund
- To decide whether insurance affected by the developer should be varied or extended.
- To decide the matters that are to be determined only in general meeting.

All the members shall elect at the annual general meeting including chairman, secretary, and treasurer, all of whom shall be natural persons. Section 12 of the second schedule in Strata Management Act 2013 regarding notice of general meeting stated 14 days of notice for the annual general meeting shall be given to every proprietor which is including the place, date, and time for the meeting, each proposed resolution to be considered at the meeting and a notification to each proprietor of his voting rights and he may vote in person by proxy in the meeting.

The management bodies involve the joint management body (JMB) or the management corporation (MC) according to their strata management operation. As the JMB consists of purchasers and tenants occupying which is parcel owners in the strata building and strata developers is intended to ensure in maintaining and managing the residential buildings. Both JMB and MC play significant roles and duties as delegated responsibilities including the duties of convening the first annual general meeting, informing its name to Commissioner in managing and maintaining the strata buildings registered.

## **Duties of Joint Management Body in Managing and Maintaining Strata Residential Property**

Joint Management Body is established under Section 17 of the Strata Management Act 2013 upon the convening of the first annual general meeting by the developer. As the duties of JMB are set out in Section 21(1) of the Strata Management Act 2013 which includes maintaining and managing the parcels and common property of the

building and keeping it in a state of good and serviceable repair, to determine and impose the charges for maintenance and management of the parcels and common property, to determine and impose contribution to sinking fund, to do such other things as may be necessary for the proper maintenance and management of the parcels and common property, to comply with any notice made by a local authority.

As Hakim Hassan, (2018) stated in the Star Property, the Joint Management Committees is an essential part of strata management to ensure that amenities are well kept for residents to enjoy. Therefore, these are the duties and powers of the committees such as sustaining the building and common property in maintaining and managing the building or land intended for subdivision into parcels and the common property, imposing, collecting, and deposit charges referred to as service charges, maintenance charges or maintenance fees needed pay by strata unit owner and impose contribution to the sinking fund which is set at minimum 10% of the maintenance charges contribute by strata unit owners.

## **Challenges Joint Management Body when Handling Meeting**

### **Lack of knowledge by joint management body**

Lacking knowledge on how to be conducted for the annual general Lacking knowledge on how to be conducted the annual general meeting during MCO due to the restriction socialization to post the information regarding the meeting that must be attended by the joint management committee. The JMC also does not brief on conducting the meeting to be held by using online technology such as google meet, zoom, or Webex as needed to handle the meeting as stated in the Strata Management Act 2013 which the management should operate in a minimal mode according to appropriate implementation during MCO restrictions (KPKT & MKN, 2021). For example, the management should conduct the meeting with active communication channels provided to brief the agenda meeting to the residents in high-rise apartments.

### **Notice of Meeting**

Due to ineffective methods of notice distribution, this issue developed. As a result, written notice must be given to all parcel owners and committee members via email or online platforms, as well as being posted at the strata development or on the official notice board, to ensure that all parcel owners have access to the information needed to prepare for and attend the meeting. According to Magaji Shamsuddeen, (2018), Nurlu Yaacob, (2018) and Zuryati Mohamed Yusoff, (2018) stated that notice of the meeting shall be given sufficient information on all corporate matters, including being informed about the meeting as the fundamental requirement for attendance at AGM.

## **Meeting Agenda is not Prepared to the Committees**

However, not all meetings are created good meetings, there also management having 'bad meetings' such as starting meeting late, having no clear meeting agenda, getting off-topic, being too long, failing to establish clear action to be taken, and multitasking among the attendees during the meeting (Joseph E, Joseph A. Allen, Dana C. and Marissa L., 2018). According to Joseph et al., (2018), effective team meetings begin with a written meeting agenda before the meeting, going over a verbal agenda at the beginning of the meeting, starting and ending on time, and making sure the meeting room and equipment are suitable and of high quality. These practices increase employees' perceptions of the effectiveness of the meetings, which can lead to all the attendees having access to the agenda before the meeting, allowing them to make the necessary preparations.

## **Selection of Date and Timing Meeting: Time Management**

One of the main challenges is finding a date that works for all key participants which is the availability of key participants which needed individuals who are critical to the meeting's objectives or decision-making process. As Sathsara Thalawattha and Dushyanthi Vidanagama, (2021) stated that the main reason for poor attendance of meetings is regarding scheduling meetings as does not have considered a convenient time for all participants which also relates to the inability to give advance notice meeting (Sathsara et al., 2021) mentioned that meetings can be conducted in every organization to reach and fulfill their organization goals by proposing automated meeting scheduling and document management to detect the conflict of time with attendees and others to schedule the meeting automatically with necessary information.

## **METHODOLOGY**

This research employed a quantitative research method and was carried out through a questionnaire administered to the Joint Management Body of medium-cost apartments in Pulau Pinang. As most of the management in the apartment had only six to eight members, the numbers of joint management committees sampled were sixty. A survey through a questionnaire to joint management committees was carried out to find out the challenges faced by Joint Management Body in handling Annual General Meeting. The data was analysed using SPSS and the findings have provided the Descriptive Frequencies as using the purposive sampling method.



## ANALYSIS AND FINDINGS

The study comprised 60 respondents involved in the Joint Management Body of high-rise residential buildings. After analyzing the data obtained, the result is as follows.

### Challenges Faced by Joint Management Body in Handling Annual General Meeting in Condominium of Pulau Pinang

**Table 4.1: Ranking of Variables Challenges Faced By JMB**

Variables	Average Mean	Rank
The Meeting Agenda is Not Clear	4.25	1
Inadequate Notice Meeting	4.07	2
Selection Date and Time Management are Not Appropriate	3.97	3
Lack of Knowledge by JMB	3.64	4

Table 4.1 above shows the first ranking of variables in challenges faced by JMB in handling AGM which has a mean average of 4.25 is Meeting Agenda is not clear, followed by the second ranking having a mean average of 4.07 is Inadequate Notice of Meeting. While the third ranking of variables which has a mean average of 3.97 is Selection Date and Time Management are not Appropriate and lastly the fourth ranking of variables with a mean average is 3.64 is Lack of Knowledge by JMB in conducting Annual General Meeting (AGM).

### Solution Attracting Committees in Annual General Meeting

**Table 2: Ranking of Variables Solution Attracting Committees**

Variables	Average Mean	Rank
Start on Time Meeting	4.45	1
Efficient Future Planning	4.44	2
Allocating Sinking Fund and Maintenance Fund	4.04	3
Online Meeting	3.99	4
Set Meeting at Hotel	3.90	5

The table above shows the first ranking of variables in solution attracting committees which has a mean average of 4.45 Start on Time Meeting, followed by the second ranking having a mean average of 4.44 is Efficient Future Planning. While the third ranking of variables which has a mean average of 4.04 is Allocating Sinking Fund and Maintenance Fund. The fourth ranking of variables of mean average is 3.99 is

Online Meeting by JMB and lastly, the fifth rank of variable of mean average is 3.90 is Set Meeting at Hotel.

## **CONCLUSION**

This study has been able to explore the challenges faced by Joint Management Body in handling Annual General Meeting. The quality of the current landscape of the strata management was drawn to a conclusion through analyzed data which were meeting agenda is not clear, inadequate notice meeting, selection date, and time management are not appropriate and lack of knowledge by the Joint Management Body was able to highlight and identify the most common issues occurs in stratified residential. From the findings, it is found out that most of the challenges faced by JMB are due to the meeting agenda is not clear as it is important in helping the committees prepare and guidance through the items to be discussed which can provide save time for all meetings committees by providing clear set of topics, objectives, and time frames.

The analysis concludes that related to the implementation of the solution in attracting committees joining the meeting involved in the strata management was start time meeting, efficient future planning, allocating sinking fund and maintenance fund, online meeting and set meeting at a hotel. These solutions can make the committees in joining the meeting due to the having the meeting with effectiveness as well as prepared meeting with sufficient knowledge and time management in implementing the meeting.

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Tarikh : 20 Januari 2023

Prof. Madya Dr. Nur Hisham Ibrahim  
Rektor  
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Timbalan Ketua Pustakawan

*nar*

*Setuju.*

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