

MINUTES OF THE FIRST MEETING PURSUANT TO THE BUILDING AND COMMON PROPERTY (MAINTENANCE AND MANAGEMENT) ACT, 2007 [ACT 663] CONVENED FOR THE PURPOSE OF FORMATION OF THE JOINT MANAGEMENT BODY OF 9 BUKIT UTAMA

Date : Saturday, 29th November 2014
Time : 10.00 a.m.
Venue : Multi Purpose Hall (Badminton Court)

PRESENT

56 members entitled to vote (comprising those parcel owners or their respective duly appointed proxies) were present.

IN ATTENDANCE

KOO BENG LING Partner, Messrs Ghazi & Lim
- representing Bandar Utama Development Sdn Bhd

BENEDICT FRANCIS Representative of Bandar Utama Development Sdn Bhd

RULES AND PROCEDURE

KOO BENG LING explained the rules and procedure of the Meeting.

NOTICE

The notice convening the Meeting was taken as read.

1. DECLARE OF QUORUM AND CALL OF ORDER

KOO BENG LING informed that one quarter (1/4) of the purchasers entitled to vote shall constitute a quorum at the first meeting pursuant to Section 6(2) of the Building and Common Property (Maintenance and Management) Act 2007. He has been informed that there are 568 units of 9 Bukit Utama sold by BANDAR UTAMA DEVELOPMENT SDN. BHD. ("the Developer") and there were 389 purchasers who have paid their maintenance charges up to date and therefore they were entitled to attend and vote. He further explained that at least 97 (1/4 of 387= 97.25) of the members must be present at the Meeting in order for the quorum to be met. The required quorum was not met at 10.00 a.m. as there were only 46 members present.

After the half-hour extension time allowed, the total members present was 56. KOO BENG LING on behalf of the Developer announced at 10.35 a.m. that the members entitled to vote who were present constituted quorum for the Meeting by virtue of Section 6(3) of the Building and Common Property (Maintenance and Management) Act 2007. The Meeting was called to order at by KOO BENG LING.

2. CHAIRMAN

KOO BENG LING requested the members entitled to vote who were present to appoint a person to chair the Meeting.

CHIA NAM LING (C-26-1) proposed KOO BENG LING to be the chairman of the Meeting. POON CHEE YIK (C-36-8) seconded the proposal.

EUSTACE ANTHONY NONIS (C-31-8) stated that the chairman of the Meeting must be an owner pursuant to the Strata Management Act.

KOO BENG LING clarified that the Commissioner of Buildings does not prescribe any rules for the chairman of the first meeting.

There were no objections recorded and KOO BENG LING was unanimously elected as Chairman to chair the Meeting.

3. MANNER OF VOTING

The Chairman informed that the manner of voting at this meeting shall be by show of hands for those members entitled to vote pursuant to Section 6(4) of the Building and Common Property (Maintenance and Management) Act 2007.

4. CONFIRMATION ON THE NAME OF THE JOINT MANAGEMENT BODY – “9 BUKIT UTAMA JMB”

The Chairman proceeded with the first agenda to confirm on the name of the Joint Management Body – ‘9 Bukit Utama JMB’. ANDREW LOW CHIN-YU (B-20-1) proposed the motion to confirm the name of the Joint Management Body as “9 Bukit Utama JMB” and the proposal is seconded by TAN WHAI KEE (C-10-1). There were no objections recorded and the motion was unanimously adopted. The Meeting resolved the Joint Management Body be named as “9 Bukit Utama JMB”.

5. DETERMINATION OF THE NUMBER OF COMMITTEE MEMBERS FOR THE JOINT MANAGEMENT COMMITTEE

The Chairman proceeded with the next agenda to determine the number of committee members for the Joint Management Committee. The Chairman informed that the Joint Management Committee shall consist of the developer and not less than 5 and not more than 12 purchasers under Section 11(2) of the Building and Common Property (Maintenance and Management Act) 2007. The Joint Management Committee shall hold office for a period not exceeding three years or until the dissolution of the Joint Management Body in accordance with Section 15 of the Building and Common Property (Maintenance and Management) Act 2007, whichever is earlier.

EUSTACE ANTHONY NONIS (C-31-8) proposed 12 members for the Joint Management Committee. SOMSAK TAN EN CHOONG (B-36-7) seconded the proposal. There were no objections recorded and the proposal was unanimously adopted. The Meeting resolved the number of committee members shall be 12.

6. ELECTION OF THE OFFICE BEARERS OF THE COMMITTEE FOR THE JOINT MANAGEMENT COMMITTEE

The Chairman proceeded with the next agenda to elect the office bearers of the committee for the Joint Management Committee. The Chairman informed that there were 11 eligible nominations received by the management office by 1.00 p.m. on 22nd November 2014 as follows:

	<u>Name</u>	<u>Unit No.</u>
1.	ANDREW LOW CHIN-YU	B-20-1
2.	TAN WHAI KEE	C-10-1
3.	CHAN YEW SAN	A-33-5 (Absent)
4.	CHOW TEIK KWANG	A-20-7 (Absent)
5.	KONG MUN HOE	B-35-8
6.	LAU CHEE HOONG	A-28-7
7.	LIM CHENG HENG	A-38-7
8.	LIM MOON HING	A-09-1
9.	POON CHEE YIK	C-36-8

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| 10. | TAN CHU SIANG | A-37-1 (Absent) |
| 11. | TEOH JIUN HORNG | C-21-3 |

Each and every nominees who were present took turns to introduce themselves so that the Meeting could get to know each nominee before the election.

The Chairman informed that there were some nominations received by the management after the due date for nomination and the management did not accept the said nominations. It was open to the floor as to whether to allow new nomination during the Meeting. The Chairman further explained if new nomination is not allowed, 11 nominees will be elected as the committee members and the remaining vacancy will be decided by 11 committee members in the subsequent committee meeting.

CHIA NAM LING (C-26-1) proposed that 11 nominees to be elected as the committee members and the last vacancy to be decided by the 11 elected committee members or to be opened for nomination. LEE KIM YEE (C-07-2) seconded the proposal.

ANDREW KHOR KHIAM SOO (A-SB-7) proposed to allow new nomination and all committee members to be elected by vote. EUSTACE ANTHONY NONIS (C-31-8) rejected the proposal.

CHIA NAM LING (C-26-1) said that there is no specific rule prescribed for the procedure for the Meeting. However there must be rules and regulations to be followed to ensure fairness to those who have submitted nomination form on time. He would like to modify his proposal that 8 nominees who were present and submitted the nomination form on time to be elected as the committee members and 3 nominees who were absent to be elected by vote. LIM YAN CHANG (B-30-2) seconded the proposal. There were no objections recorded and the proposal was unanimously adopted. The Meeting resolved 8 nominees who were present to be elected as the committee members and 3 nominees who were absent to be elected by vote.

The Chairman invited for new nomination from the floor.

HONG KUAN ENG (C-28-1) nominated NG SOO KEONG (C-31-1). LIM YAN CHANG (B-30-2) seconded the nomination.

LIM YAN CHANG (B-30-2) nominated CHIA NAM LING (C-26-1). CHIA NAM LING (C-26-1) withdrew the nomination.

AARON ARJUNA PARAMESWARAN (A-07-7) nominated EUSTACE ANTHONY NONIS (C-31-8). ELISABETH WONG POH CHENG (C-38-2) seconded the nomination.

LIM YAN CHANG (B-30-2) proposed to close the nomination and HONG KUAN ENG (C-28-1) seconded the proposal.

New nominees who were present took turns to introduce themselves. Voting for the remaining 4 committee members to serve the Joint Management Committee was carried out by show of hands and the results of the voting were noted –

	<u>Name</u>	<u>Unit No.</u>	<u>Number of Votes</u>
1.	CHAN YEW SAN	A-33-5	34
2.	CHOW TEIK KWANG	A-20-7	32
3.	TAN CHU SIANG	A-37-1	22
4.	NG SOO KEONG	C-31-1	39
5.	EUSTACE ANTHONY NONIS	C-31-8	21

The Chairman declared to the committee members of the Joint Management Committee as follows:-

	<u>Name</u>	<u>Unit No.</u>
1.	ANDREW LOW CHIN-YU	B-20-1
2.	TAN WHAI KEE	C-10-1
3.	CHAN YEW SAN	A-33-5
4.	CHOW TEIK KWANG	A-20-7
5.	KONG MUN HOE	B-35-8
6.	LAU CHEE HOONG	A-28-7
7.	LIM CHENG HENG	A-38-7
8.	LIM MOON HING	A-09-1
9.	POON CHEE YIK	C-36-8
10.	TAN CHU SIANG	A-37-1
11.	TEOH JIUN HORNG	C-21-3
12.	NG SOO KEONG	C-31-1

GAN BOON WAI (B-SA-8) put a query whether there is a requirement for the appointment of chairman of the Joint Management Committee and whether the management place any notice for the Meeting on the notice board.

The Chairman explained that there are three compulsory positions which are chairman, secretary and treasurer in the Joint Management Committee and 3 positions are to be appointed among the committee members and the suggestion to place notice of meeting on notice board is noted.

7. CONFIRMATION OF THE TAKING OVER BY THE JOINT MANAGEMENT BODY OF INSURANCE EFFECTED BY THE DEVELOPER

The Chairman proceeded with the next agenda to confirm the taking over by the Joint Management Body of insurance effected by the Developer. The Chairman informed that the current insurer of the existing insurance is MULTI PURPOSE INSURANCE BHD. and the said insurance will expire on 30th November 2015. He briefly explained on the risks covered by the said insurance.

POON CHEE YIK (C-36-8) proposed the motion to take over the insurance effected by the Developer and NG LEE LEE (C-39-1) seconded the proposal. There were no objections recorded and the motion was unanimously adopted. The Meeting resolved the existing insurance be taken over by the Joint Management Body.

8. DETERMINATION OF THE AMOUNT TO BE PAID BY PURCHASERS TO THE BUILDING MAINTENANCE FUND FOR THE MAINTENANCE AND MANAGEMENT OF THE COMMON PROPERTY OF THE BUILDING

The Chairman proceeded with the next agenda to determine the amount to be paid by purchasers to the Building Maintenance Fund for the maintenance and management of the common property of the building. The Chairman informed that the current rate of service charge is 19 cent per square foot per month with sinking fund of 2 cent per square foot. Based on the present collection and careful planning on the expenses, BENEDICT advised the present service charges are sufficient to cover the operating expenses.

GAN BOON WAI (B-SA-8) requested for a full report of the financial statement with allocation of management funds in order to justify whether there is a need to increase and reduce the service charge. He suggested a few improvements on the collection of the service charges as well as the proper budgeting on the service charges.

The Chairman explained that the current service charge and sinking fund is sufficient and informed the Meeting that the newly elected Joint Management Committee will look at the account of the management and will evaluate whether there is a need to further changes to the scope of services rendered by the management as well as to evaluate whether the present service charges will be

sufficient.

LIM YAN CHANG (B-30-2) proposed to maintain status quo subject to review by the Joint Management Committee. LEE KIM YEE (C-07-2) seconded the proposal.

JUDY GAN SEE KIAT (C-23-1) questioned whether there is any surplus of the service charges and whether the Developer has been paying service charge and sinking fund for all unsold units.

The Chairman after consulting with BENEDICT informed the Meeting that there is surplus on the account of the management of approximately RM2.0 million and the Developer has been paying service charge and sinking fund for all unsold units.

GAN BOON WAI (B-SA-8) questioned whether the surplus of RM2.0 Million is only from the service charges as well as the sinking fund collected. He proposed to utilize the surplus of the service charges to improve the common facilities.

The Chairman clarified that the surplus of RM2 Million is only from the collection of the service charges.

After much deliberation, there were no objections recorded to the motion and the motion was unanimously adopted. The Meeting resolved the amount to be paid by the purchasers to the Building Maintenance Fund for the maintenance and management of the common property of the building to be fixed at 19 cents per square foot and sinking fund of 2 cents per square foot.

9. DETERMINATION OF THE RATE OF INTEREST PAYABLE BY PURCHASER IN RESPECT OF LATE PAYMENT OF CHARGES

The Chairman proceeded with the next agenda to determine the rate of interest payable by the purchasers in respect of the late payment of charges. The Chairman explained it is stipulated under the provisions of the Building and Common Property (Maintenance and Management) Act 2007 that the maximum rate of interest to be charged shall not be more than 10% per annum.

EUSTACE ANTHONY NONIS (C-31-8) proposed to maintain the rate of interest at 10% in accordance to the Deed of Mutual Covenants. AARON ARJUNA PARAMESWARAN (A-07-7) seconded the proposal.

GAN BOON WAI (B-SA-8) proposed to open new account, to issue new invoice and to insert payment deadline in the invoice to prevent argument in future.

There were no objections recorded to the motion and the motion was unanimously adopted. The Meeting resolved the interest rate be fixed at 10% per annum.

10. ADOPTION OF THE PRESENT HOUSE RULES

The Chairman proceeded with the next agenda to adopt the present house rules. The Chairman explained that the present house rules have two components, namely the Deed of Mutual Covenants and the Home Owner's Guide.

AARON ARJUNA PARAMESWARAN (A-07-7) proposed the motion to continue to adopt the present house rules. GAN BOON WAI (B-SA-8) seconded the proposal.

EUSTACE ANTHONY NONIS (C-31-8) said that the present house rules do not deal with the rules on house renovation properly and proposed to restrict the use of jackhammer and the issue of clamping.

CHEW MOOI YEOK (A-37-9) said that there should not be any pet allowed in the building and the same should be strictly enforced.

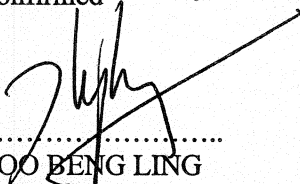
There were no objections recorded to the motion and the motion was unanimously adopted. The Meeting resolved to adopt the present house rules.

11. ADJOURNMENT

The meeting adjourned with the Chairman's thanks to all participants.

The Meeting adjourned at 12.30pm.

Confirmed



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KOO BENG LING
CHAIRMAN

Dated: 18th December 2014