The Strata Title Act 1985 was the first piece of legislation passed to govern subdivision of buildings into parcels and the subsequent issuance of strata titles in Peninsular Malaysia. Over time, the Strata Title Act 1985 proved to be insufficient particularly in covering the various aspects of management of subdivided buildings. This led to the enactment of the Building & Common Property (Maintenance & Management) Act 2007 to specifically address issues of maintenance and management of high-rise buildings and their common properties by developers, Joint Management Body and Management Corporations.

On 1 June 2015, the Housing Development (Control & Licensing) Act 2012, Strata Titles (Amendment) Act 2013 and Strata Management Act 2013 came into effect. The implementation of these Acts is supplemented by the Housing Development (Control & Licensing) (Amendment) Regulations 2015 and Strata Management (Maintenance & Management) Regulations 2015. The combined effect of these legislation is to promote transparency and accountability in the housing development industry.

The new Acts require developer to fulfill certain pre-requisites before proceeding with any sale of strata property particularly in obtaining SiFUS and filing the Schedule of Parcels. SiFUS refers to the Certificate of Share Unit Formula (Sijil Formula Unit Syer - SiFUS) which is to be issued by the Land and Mines Office (PTG) prior to the commencement of the sale of strata properties. This is to ensure that the process for the application of Strata Title can be carried out efficiently and to achieve vacant possession with simultaneous delivery of Strata Title. It is also the duty of a developer to file the Schedule of Parcels with the Commissioner of Building (COB) and exhibit a copy of the Schedule at a conspicuous position at the office where the sale of strata property is conducted in order to promote transparency.

Once the construction of a development reaches the completion of its superstructure stage, the developer must begin the process of applying for subdivision of the building. A new provision under the Strata Title (Amendment) Act 2013, now requires the developer to apply and obtain a Certificate of Proposed Strata Plan (CPSP) from the Director of Survey in JUPEM. The developer needs to apply for Strata Titles within one month after the issuance of CPSP. Thus, upon the delivery of the vacant possession, the Strata Title will be simultaneously delivered to the purchaser.

The following flowcharts indicate the NEW work processes on strata development.
Flow Chart for SiFUS and Strata Title Application for Strata Developments

1. Planning Permission Approval
2. Building Plan Approval
3. SiFUS
4. Filling of Schedule of Parcels at COB*
5. AP / DL
6. Sale
7. Construction
8. Apply for Strata Title
9. Superstructure Stage
10. CCC

- Strata Title Not Issued
  - Apply to Controller of Housing for a written certification
  - Certification Letter issued by Controller of Housing
  - Strata Title
  - Deliver to Purchaser

- Strata Title
  - Vacant Possession

Note (*): COB = Commissioner of Building
Application for SiFUS and Schedule of Parcels Prior to Sale

Planning Permission by LA*

Approved Building Plan (BP) by LA*

The application of SiFUS and Schedule of Parcels need to be filed with the COB before sale of any parcel or CPSP application (whichever is earlier). (Strata Management Act 2013, S6)

Developer to apply for Developer's License (DL) and Advertising & Sale Permit (AP) from KPKT*

Submit application online on BLESS

Device to deposit 3% of estimated cost of construction (exclude land cost) into Housing Development Account (HDA (Amendment) Act 2012, S.6.1a & 1b)

Developer to update details of HDA* on BLESS

Approval obtained

Approval Letter

PG* Approval obtained

Developer to lodge 6 sets of Schedule with COB*

COB* to acknowledge, retain 1 set of Schedule and distribute others

3 sets to Developer

1 set to PTG*

1 set to JUPEM

Developer to exhibit 1 set at Sales office

Developer to pay fees and collect AP and DL at KPKT’s counter

KPKT* to inform developer on final approval

Sales

Documents required for DL and AP application:
- Copy of Land Title / Qualified Title documents
- Approval letter of Planning Permission
- Approval letter of Building Plan
- Form L2C
- Certification from the Board of Surveyors
- Copy of approved pre-computation plan
- Joint venture agreement (if any)
- Copy of Start Work Notice (Form B)
- Report from CCRIS / CTOS
- Copy of the draft advertisement (brochure) and other proposed advertisements. Brochure in Bahasa Malaysia.
- Price list of every unit of housing according to type
- Approval letter on the pricing for low cost housing from the State Authority
- Certificate of SiFUS
- Copy of Schedule of Parcel
- Certified calculation on Gross Development Cost (GDC) and Gross Development Value (GDV) by Architect

Documents required during collection of DL and AP:
- Approval letter from BLESS
- Form A1
- Bank Slip
- Certified calculation on GDC and GDV by Architect
- Bank draft for payment of fees

Documents required for SiFUS application:
- All relevant land matters are settled (land conversion, payment of land premium, Qualified Title, etc.)
- Receipt of payment for Land Premium (if any)
- QT application letter certified by Land Office (if land is held under QT or FT yet to be issued)
- Receipt of Quit Rent for the current year
- Letter of appointment of Licensed Land Surveyor
- Receipt of surveying fees by Land Surveyor Board
- Share Unit Formula (Any changes due to any amendment to B* which has been issued with SiFUS, new application must be submitted to PTG for approval and new certificate to be issued)
- Schedule of Parcels signed by Licensed Land Surveyor and Architect/Engineer
- Approved Building Plans

All plans to be signed by LLS and Architect.
(Rehda Management (Maintenance and Management) Regulations 2015, S9)

Any amendments to the Schedule of Parcels can be made only:
1) as per the requirement of local authority; or
2) with agreement of all purchasers of the development

In case of such changes, developers must submit within 30 days from the date of alteration or revision of building plans as amended schedule of parcels.
(Rehda Management (Maintenance and Management) Regulations 2015, S7)

A copy of the Schedule of Parcels need to be exhibited at a conspicuous position in any developer's office or branch office and at such place where the sale of parcels is conducted.

Not (*):
LA = Local Authority (Pihak Berkuasa Tempatan)
SiFUS = Certificate of Share Unit Formula (Sijil Formula Unit Syer)
PTG = Pejabat Tanah dan Galian (Land and Mines Office)
COB = Commissioner of Building (Purushajaya Bangunan)
KPKT = Ministry of Urban Wellbeing, Housing and Local Government (Kementerian Kesejahteraan Bandar, Perumahan dan Kerajaan Tempatan)
HDA = Housing Development Account
JUPEM = Jabatan Ukur dan Pemetaan Malaysia (Department of Survey and Mapping Malaysia)