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# Strata Lease Schemes for Township Development: A Case Study of Bandar Baru Ayer Itam in Penang

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Abstract. This research highlights successful property development practices for sustainable housing in Penang, Malaysia. It begins with expanding the land leasing ideas by introducing the lease registration onto the strata title of a stratified building, referred to as the strata lease scheme. Using case study methodology, this study focuses on two main objectives: providing an overview of the strata lease scheme concept and discussing how the development of strata lease schemes created a new township. The study utilised interviews and document reviews from Penang's single case study, Bandar Baru Ayer Itam. Ultimately, the study shows that strata lease scheme development can be an excellent alternative to fulfilling housing needs in Malaysia.

#### 1. Introduction

The enactment of the Strata Title Act in 1985 allowed the idea of strata title leasing to be introduced in Penang in the late 1980s. Since there are no physical differences between strata schemes and the leased strata title scheme in Penang, these schemes have never been regarded as a strata lease scheme [1]. After the building phase is completed, strata titles are issued to every unit. A strata lease scheme is not considered to exist during its planning or construction stage. The strata lease scheme comes into existence only when leases are registered onto all strata titles [2]. A strata building project is constrained by the kind of land use, either commercial, residential, or industrial, according to the land conditional under the National Land Code [Act 828]. The intention of development is based on the land express condition [3]. The regulations and zoning of the land will affect the type of property that can be constructed according to the planning requirements [4]. However, a new finding is that strata schemes can be classed into types. Such a finding is shown in several studies by local scholars, showing a leased scheme called a strata lease scheme—not the regular strata scheme without contradicting the land use purpose.

The building of the strata lease scheme in Penang was initially meant to cater to locals' housing needs. The land in Bandar Baru Ayer Itam originally belonged to the Hokkien Chinese community, who migrated to Penang in the mid-19th century. Since transferring the land ownership was not allowed, the strata schemes were constructed to become strata lease schemes. The most practical way to maintain ownership of the land while still meeting the demand for housing is to lease the property for an extended period. Besides providing housing needs to the locals, the developer was obliged to include public

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facilities in the development process to fulfil the local government's housing regulations. Ultimately, it led to Bandar Baru Ayer Itam, a new integrated township.

## 2. Understanding The Concept

## 2.1. The Principle of Strata Title Ownership

A high-rise building may be built as part of a strata scheme development. This comes after an application to subdivide the building, which is needed by Sections 6 and 8 of the Strata Title Act 1985 to get a strata title for each unit in the building. The subdivided building is a strata scheme, sometimes called a stratified building, with an individual title for each unit, known as a strata title [5]. The stratified building is sometimes referred to as a strata building. A strata building is just one part of the overall structure of a strata scheme. A strata scheme can be an apartment, a townhouse, a condominium, a unit of shop lots or any stratified building with common properties, individual parcels, and accessory parcels, each unit with its own strata title [6]. Figure 1 shows a strata scheme composition.

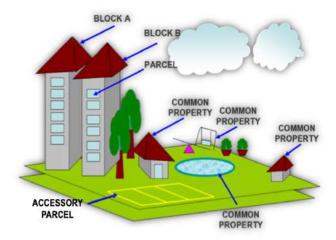


Figure 1. A Strata Scheme Composition

The definition of strata title was formally introduced in the Strata Title Act 1985 when the statute was in force. Strata titles are those issued under Section 16 of the Strata Title Act 1985. Section 16 of the Strata Title Act 1985 compelled the land registrar to prepare strata titles into two types of registered titles. A strata title consists of a registered title, either Form 4 or Form 4A, and a certified strata plan. Form 4 is a registered title for a parcel, while Form 4A is a registered title for a provisional block. Once a strata book is officially introduced under Section 17(1) of the Strata Title Act 1985, every issue of a strata title will have the name of the last registered proprietor of land as the first registered proprietor on each strata title. More importantly, Section 89 of the National Land Code [Act 828] acknowledges strata title as a conclusive registered document of title as good as a land title. A strata title is a document of ownership or a unit parcel of a subdivided multi-story building [7]. Like a land title, a strata title allows the parcel owner to transfer, charge or lease its unit through the registration of instruments explained in the National Land Codes [Act 828].

Strata title may be known as a document of ownership for a unit in Malaysia, Singapore, Australia, and some parts of the Canadian province of British Columbia [8]. However, the strata title is different in other parts of the world. In New Zealand, it is named as a unit title; in France, it is known as copropriété; in the United Kingdom, it is called a commonhold [9]. The United States of America and most provinces of Canada are known for condominium ownership [10]. Strata title is defined differently in other parts of the world, yet it is commonly understood that a strata title is a proof of ownership. It is a document significantly used to record and register all dealing on strata units, including selling, buying, transferring ownership, leasing, charging, and safeguarding through a caveat.

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#### 2.2. A Strata Lease Scheme's Fundamental

When land leasing extended to housing and commercial property development, it gave new possibilities to create the strata lease scheme. A strata lease scheme has a registered lease on all strata titles. A lease is a deal whereby the registered strata title proprietor allows a lessee to purchase and occupy the parcel for ninety-nine years. A lease transaction is accompanied by a lease agreement, a sale and purchase agreement, and sometimes both. The existence of a strata lease scheme depends on a lease registration through the lease instrument, Form 15A, which is registered onto a strata title. Lease registration must apply to all units in the strata scheme. The main goal of a strata lease scheme is to establish a lease on a strata title. This involves selling a strata unit to the buyer through a sales and purchase agreement and then forming a lease agreement between the landowner and the purchaser. It is important to note that a lease agreement is only considered valid and enforceable once registered, regardless of how it was made. Regarding the strata scheme and lease scheme, they share typical building entities with common properties, parcels, and accessory parcels, each with its own strata title. However, the registration memorial printed on the strata title highlights the differences. In a strata scheme, the purchaser is registered as the proprietor of the strata title, whereas in a strata lease scheme, they are registered as the lessee.

## 2.3. Creating Strata Lease Scheme Through Title Registration

When the lease registration onto strata title takes place, the strata lease scheme is lawfully created. All strata titles must be registered with the lease to become a strata lease scheme. If a partial strata title is registered with the lease and some proprietorships are transferred, this is considered the strata scheme, not the lease scheme [11]. A lease is a registrable interest, which shall only be enforced once registered through an instrument of Form 15A of the National Land Code [Act 828]. The person who first bought the strata unit can sell it to someone else by transferring the remaining lease term to the new purchaser. Hence, a new purchaser will be later registered as a lessee on the strata title. By Section 221, the National Land Code [Act 828], the registration of a 99-year lease term involves the original landowner, who later becomes the proprietor of strata title, with the lessee, who is the purchaser of the strata unit. A typical mechanism of dealing for a strata lease scheme is shown in Figure 2, where the buyer (lessee) deals directly with the landowner (lessor) regarding the lease.



Figure 2. Strata Lease Schemes Mechanism of Dealing

#### 2.4. The Critical Elements in The Strata Lease Schemes

In the strata lease scheme, a purchaser is a lessee, and the strata title owner is the lessor. It is a single proprietorship concept, meaning that every title or parcel in a strata lease scheme belongs to one owner. The purchaser of the parcel is not registered as a proprietor on strata title but as a lessee. Suppose a strata parcel has more than one purchaser. Instead, these purchasers are registered as trustees. At most, the number of trustees allowed to be registered is four persons. For buying a parcel in the strata lease scheme, the purchaser signed an agreement of sale and purchase with the landowner and a lease agreement for ninety-nine years. In the strata lease scheme, the original landowner will eventually become the proprietor of all strata parcels upon issuance of strata title. The significant element is that a strata lease scheme involves the registration lease onto all strata titles of the building. If some parcels are transferred to the purchaser, and some parcels are registered with the lease, this is just an average strata scheme not a leased scheme. The endorsement of the lease involved all parcels, including its

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accessory parcel. In the strata lease scheme, no lease shall be granted to a partial parcel area. No separate lease registration is allowed for the accessory parcel without the main parcel. Subleasing is not permitted in any strata lease scheme. The lessor granted a ninety-nine-year term lease to ensure every strata unit sold is bankable. The bank or financial institution may not favour financing the registered lease if the lease term is less than the term for house mortgaging. Hence, the lease period needed to be maximised to be provided with financing aid by the bank.

A lease is indefensible when registered and may not be challenged by any parties unless there is fraud and if the instrument is void. It is a registrable interest on a strata title; hence, a lessee or trustees holds the lease for the entire parcel area and accessory parcels, and the lease cannot be disputed. The Joint Management Body in the strata lease scheme is formed among purchasers. Still, only the single proprietor for all strata titles becomes the Management Corporation by statutory when the strata titles for the scheme are available. Nevertheless, a purchaser of a lease scheme has equal rights in the Strata Tribunal, just like any parcel proprietor in a strata scheme.

## 2.5. The Laws for Strata Lease Scheme

No specific definition of the strata lease scheme or law gazetted on its meaning exists. Based on the Zainal et al. (2022) study, nine laws are required to govern a strata lease scheme, as shown in Figure 3. These laws must be read simultaneously to reveal the unique nature of a strata lease scheme because individual law does not protrude the distinctness of the strata lease scheme.

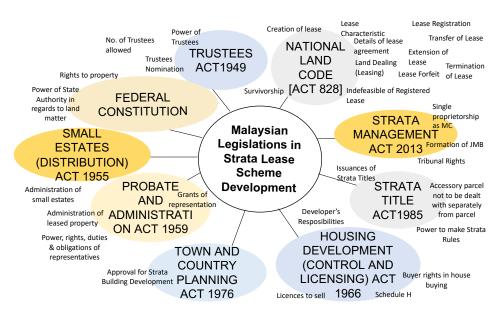


Figure 3. The Strata Lease Scheme's Legislation

## 3. Town Planning and Development

Town planning is the process of structuring the physical structure of a town in such a manner that, via an inclusive and public decision-making process, a plurality of goals and interests are addressed. This process is known as "planning for the public good." Effective planning can address policy changes, development proposals, and local needs while preserving the environment, promoting regeneration, supporting communities, and fostering the creation of new and vibrant towns. To achieve successful town planning, it is crucial to have a comprehensive plan considering the town as a single entity. Since town development can be lengthy, it is essential to control their progress based on a development plan. A development plan outlines the local government's overall strategy for an area's sustainable and proper planning. The plan typically consists of a written statement with maps highlighting the local government's detailed policies and objectives on infrastructure, housing, community facilities, and other township requirements. The development plan is an ideal blueprint for the town's future development.

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The Town and Country Planning Act 1976 is the legislation and policy for establishing a good development plan in Malaysia.

A simple definition by the Cambridge dictionary is that a town is an area smaller than a city with buildings such as homes, stores, and other structures. Other dictionaries defined a town as a built-up area with roads and buildings where a community lives and works. It is more significant than a village but less than a city. The pressures of urbanisation may have been one of the factors that caused significant changes to the original town layouts. This has led to complex changes in the physical structure of a town that is being developed. As towns expanded, the construction of streets, land plots, and buildings changed over time. They started as simple plans or bold ideas, but now they make up a complex built environment landscape. [12]. Over time, towns developed in many ways and can be influenced by different factors. These factors include transportation options, nearby industries, public safety, access to agricultural lands, and electricity and water supply availability.

Naturally, a town development is designed and planned by the government itself. In a country where the government had limited land resources, it was crucial to manage them carefully. To ensure sustainable and balanced development from both a commercial and community perspective, controlled land development was implemented in most countries like Singapore and Hong Kong [13]. Unlike in Indonesia, the development of new towns in the Jakarta Metropolitan Region is influenced by social-spatial segregation. The Jakarta Metropolitan Region is known for its dense urban population and thriving economic activity in Indonesia. This segregation is brought about in three ways. Firstly, some new towns were built, separating middle and upper-income groups, and creating exclusive residential areas. Secondly, the upper middle and high class occupy areas with the highest security measures within these new towns. Lastly, developers manage urban development in some new towns instead of the local authority [14].

## 4. Method

Through a qualitative approach, the case study methodology employed in the research enables comprehensive evidence-gathering. The research subjects are the 24 Khoo Kongsi schemes. Data are collected through a non-structured interview with the land proprietor, developer, and land registrar representatives. The respondents were free to describe the strata lease scheme based on their experiences with these schemes. Documents such as planning documents, the strata building application files, minutes of meetings and the registered strata titles are cross-referred with the interview inputs. This is to ensure the validity of data in constructing the case study. After conducting interviews, the data was analysed and categorised into three main themes. The first theme explores the concept of strata leasing applied to Khoo Kongsi's strata scheme. The second theme delves into the history of land ownership in Bandar Baru Ayer Itam. Finally, the third theme discusses the development of Bandar Baru Ayer Itam, into an integrated township. The implementation of the strata lease scheme concept significantly contributed to the planning and development of the township, which was elaborated in the research's discussion and conclusion.

## 5. Case Study Findings

#### 5.1. Khoo Kongsi's Strata Lease Scheme Concept

The strata leasing concept in the Khoo Kongsi Schemes pioneered Malaysia to sell strata parcels through leasing, allowing for multiple unit purchases. In Penang, these schemes may be difficult to distinguish from other strata schemes due to their similar physical appearance. However, they do exist. To differentiate between units, one must inspect their strata titles. These titles reveal that the original landowner is the registered proprietor, while strata purchasers are recorded as lessee or trustees in the strata lease scheme. A strata scheme has multiple owners, each with its own proprietor to a strata title. However, the Khoo Kongsi Strata Lease Scheme is a unique single proprietorship scheme with one owner registered for all strata titles. The development of the Khoo Kongsi Strata Lease Scheme was to cater to the need for housing but extended into developing an integrated township of Bandar Baru Ayer Itam. The township covering 356 acres was taken and developed by a single private developer, the

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Farlim Group (Malaysia) Bhd [15]. The strata buildings were converted into lease schemes due to restrictions on land transfer. The land registrars originally named these schemes the Khoo Kongsi Strata Lease Scheme to distinguish them from the strata schemes.

## 5.2. The History of Land Proprietorship

Khoo Kongsi, or Leong San Tong Khoo Kongsi, is one of Malaysia's respectable Chinese associations. Penang had the most significant number of Khoo immigrants during the 19th century. These individuals established the Leong San Tong Khoo Kongsi under a common ancestor. Between 1917 and 1919, a board of 24 trustees was formed. The formation of trustees brought the decision to buy the 379-acre Thean Teik Estate, later named Bandar Baru Ayer Itam, from the descendant of Khoo Thean Teik in the year 1920. In 1955, Leong San Tong Khoo Kongsi became a registered organisation. In 1976, it was registered as Trustees of Leong San Tong Khoo Kongsi (Penang) Registered. It was managed by a board of trustees formed by the head of the family as the representatives. In 1976, the Leong San Tong Khoo Kongsi changed from a registered society to the incorporation of the "Trustees of Leong San Tong Khoo Kongsi (Penang) Registered" [16]. Here, the land titles of the 379 acres were registered to the Trustees of Leong San Tong Khoo Kongsi (Penang) Registered as the land proprietor. Finally, in 1983, a joint venture agreement was signed between Trustees of Leong San Tong Khoo Kongsi (Penang) Registered and Farlim Group (Malaysia) Bhd to develop Thean Teik Estate, which is today known as the township of Bandar Baru Ayer Itam, in the Island of Penang. Figure 4 shows the township of Bandar Baru Ayer Itam.



Figure 4. The Township of Bandar Baru Ayer Itam

## 5.3. The Development of a New Township

Bandar Baru Ayer Itam, a new township on Penang Island, is the most significant development ever undertaken by a private sector developer. It is a fully integrated township with a commercial infrastructure such as hypermarkets, banks, pharmacies, clinics, restaurants, post offices, petrol kiosks, kindergartens, and police stations. The housing development project in Bandar Baru Ayer Itam was the earliest project that took part in the 1990s government's crash housing programme. During this time, the need for houses was overwhelmed, and the available housing supply was not meeting the demand. To support the government's initiative of creating more housing, the Trustees of Leong San Tong Khoo

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Kongsi (Penang) Registered selected Farlim Group (Malaysia) Bhd to carry out this project. About 13,108 residential and commercial units were built, including houses from landed to high-rise building units. All these units were sold through leasing agreements; however, for this research, the units issued with strata titles known as strata lease schemes, are focused as the research subject. A noteworthy aspect that sets the housing projects in Bandar Baru Ayer Itam apart is that it was exclusively developed by a single private developer, Farlim Group (Malaysia) Bhd. The developer successfully constructed all the residential and commercial properties within the township. Additionally, the Government of Malaysia entrusted the developer with public facility projects, which was uncommon for private companies to receive.

The Government awarded Farlim Group (Malaysia) Bhd three contracts to develop public buildings. The first project was Sekolah Menengah Kebangsaan Bandar Baru Air Itam, a public high school comprising two blocks of four-storey administrative, science laboratory and classroom buildings. Next, the developer designed and built a six-storey public medical centre called Klinik Kesihatan Ayer Itam. Finally, the developer constructed one police station with residential apartments for the Royal Malaysian Police, covering 980 units of three-bedroom apartments, three community halls, a mosque, and other community facilities for the residents of the Royal Malaysian Police.

## 5.4. The Khoo Kongsi Strata Lease Schemes of Bandar Baru Ayer Itam

In 2022, the Penang Land and Mines Department registered 1,978 strata schemes comprising 273,032 strata titles for the State of Penang. Out of these 1,978 schemes, 24 were the Khoo Kongsi Strata Lease Schemes, where the Trustees of Leong San Tong Khoo Kongsi (Penang) Registered are the proprietors for all strata titles in these schemes. Here, the land registrar in the Penang Land and Mines Department regulates 11,153 strata titles with registered leases. Table 1 shows the details of the Khoo Kongsi Strata Lease Schemes, still standing in Bandar Baru Ayer Itam.

**Table 1.** The Khoo Kongsi Strata Lease Schemes No. of Name of Strata Lease Strata Physical Appearances Type Scheme Titles Commercial 317 Fortune Court & Residential 4 Farlim Square Commercial 505 Residential Desa Mawar (M4-M5) 996 Residential Desa Intan I & II Low Cost Flat (M-Q) 706 Residential

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Bungaraya 5 Storey Apartment (EE – EH)	160	Residential	
Orkid 5 Storey Apartment (DA-DB)	80	Residential	
Jasmin Apartment	160	Residential	
Cluster of 8	208	Residential	
Desa Delima I,II,III	630	Residential	
Low Cost Flat (G-K)	745	Residential	
Low Cost Flat (A-F)	1009	Residential	
Cluster of 16	128	Residential	
Desa Baiduri	1021	Residential	
Treasure Ville	96	Residential	
Desa Mawar (M1-M3)	756	Residential	
Desa Intan III	160	Residential	

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Desa Ixora 726 Residential  Sri Ivori 600 Residential  Sri Impian 800 Residential  Kompleks Farlim 85 Commercial  Sri Kristal 398 Residential  Tanjung Court 672 Residential  View Court 191 Residential				
Sri Impian 800 Residential  Kompleks Farlim 85 Commercial  Sri Kristal 398 Residential  Tanjung Court 672 Residential	Desa Ixora	726	Residential	
Kompleks Farlim 85 Commercial  Sri Kristal 398 Residential  Tanjung Court 672 Residential	Sri Ivori	600	Residential	
Sri Kristal 398 Residential  Tanjung Court 672 Residential	Sri Impian	800	Residential	
Tanjung Court 672 Residential	Kompleks Farlim	85	Commercial	
	Sri Kristal	398	Residential	
View Court 191 Residential	Tanjung Court	672	Residential	
	View Court	191	Residential	

#### 6. Discussion

The 24 schemes of the Khoo Kongsi strata lease schemes contribute the most numbered for high-rise building structures built on the 365 acres of Bandar Baru Ayer Itam, followed by the construction of landed housing units. 13,108 residential and commercial or shop lot units were constructed and sold, of which 11,135 were strata leases under the Khoo Kongsi strata lease scheme. In addition to these buildings, various infrastructures are built to suit social needs for comfortable living in a township, including accessible streets, schools, post offices, police stations with residential barracks, community centres, churches, temples, and mosques. Placing the definitions of a town into the construction of buildings and infrastructures in Bandar Baru Ayer Itam, a township is formed with the housing and business units placed along with public and private facilities development. Since the land was in the district of Ayer Itam, Mukim 13, it was agreed by the State Government of Penang to call it Bandar Baru Ayer Itam, bringing the meaning of the new township of Ayer Itam.

Based on the inputs given by the respondents, the township development was initiated to fulfil the housing demands of the locals. The joint venture agreement between the landowner and developer has acted as a catalyst to address the limited housing availability national issue. This collaboration has resulted in the design, planning, and construction of houses that cater to the local community's social and cultural values. The development processes and requirements for the Bandar Baru Ayer Itam

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projects were similar to those of any housing development project. However, there was a difference due to the vast involvement of local Penangite experts and specialists who oversaw the entire development process and stages for the township. Local experts gathered to discuss a way for strata title leasing or the strata lease scheme concept to be legally accepted by the authorities and, eventually, the purchasers of these units. Engagement with financial institutions was made to clarify and demonstrate that the strata lease scheme units sold are financially feasible for purchasers and bankers.

The factors influencing a township's development differ across nations. In Singapore and Hong Kong, the government oversees town development and considers factors such as limited land and maximising available resources during planning. However, in Jakarta's primary region of Indonesia, towns are constructed and segregated by societal spatial norms, with private developers taking on significant roles in town and urban planning without government intervention. The land area of Bandar Baru Ayer Itam was originally agricultural land that was later converted into blocks of high-rise apartments as was intended by the landowner. These apartments were sold as a strata lease scheme, meaning the land ownership was not transferred to the individual purchasers. This decision by the landowner, the Trustees of Leong San Tong Khoo Kongsi (Penang) Registered, influenced the town planning process, which focused on creating a concept of strata lease scheme within the available Malaysian statutory law for Bandar Baru Ayer Itam. The development plan for the town was designed by a private developer and local individuals rather than direct involvement by the local government, which is not typical for township development in Malaysia.

The successful aspect of the development of Bandar Baru Ayer Itam was the public acceptance of the concept of buying a home through leasing. The fact that the purchased strata lease scheme units had easy access to all the amenities in the township didn't bother them too much about having a leased unit without any construed to proprietorship. Another critical factor in the project's success was the collaboration of various groups, including landowners, local officials, and experts from the public and private sectors. Together, they designed and implemented a comprehensive development plan for the new township of Bandar Baru Ayer Itam that addressed housing needs and other social aspects of community living.

#### 7. Conclusion

This research has achieved its objectives by providing an overview of the concept of the strata lease scheme and discussing how the development of strata lease schemes contributes to creating a new township. Land development using the strata lease scheme concept generates opportunities for landowners to have broader land development options. It allows a landowner to generate revenue through land development without transferring the right of proprietorship to anyone. It enables landowners to engage in land development and directly manage strata buildings. The nine Malaysian laws suggested in the Zainal et al. (2022) study allow adequate legislation in overseeing the development of a strata lease scheme. These legislations help parties of interest draft better agreements, such as an agreement between the lessor (landowner) and lessee (strata unit purchaser) where both parties' rights are protected by law. A good development layout for the strata lease scheme helps government authorities facilitate pre-development, especially in granting planning approval for new projects. It allows the authorities to regulate the laws around strata lease scheme projects more effectively. A detailed system overview gives a well-founded knowledge of legislation requirements, social obligations, and security demands in drafting a more effective agreement between the developer, landowner, and strata unit purchaser. Understanding the critical processes and relevant laws relating to the strata lease scheme will assist the land proprietors and developers in executing better planning and more cost-effective strategies in land development.

To conclude, the strata lease scheme concept creates opportunities for property development, specifically in land scarcity, where there is a shortage of land area for population expansion. Through housing and infrastructure development, the strata lease scheme concept allows property construction to take place without any transfer of land ownership by the landowner to the developer. In the case of Bandar Baru Ayer Itam, the landowner, the Trustees of Leong San Tong Khoo Kongsi (Penang)

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Registered, could retain their ancestral land without hindering the need for housing. Ultimately, the intention of developing strata lease schemes to provide affordable homes to the area's localities eventually led to a new township. Furthermore, the strata lease scheme concept is an option for owning a home through an extensive and robust relationship of 99 years of lease tenure between the landowner and the strata unit purchasers. Leasing property can be an excellent solution to the homeownership problem in Malaysia. However, the Government may need to monitor issues arising from this latest trend of buying a property through a lease. To ensure that those who purchase through a lease are given the same rights under the relevant laws and are held accountable for any defaults in performance, just like traditional strata schemes' parcel owners.

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#### References

- [1] Zainal NH, Samsudin S, Md Azmi FA, Amin S. Practicalities of Strata Lease Schemes in Malaysia. Environment-Behaviour Proceedings Journal. 2022 Mar 31;7(19):233–7.
- [2] Zainal NH, Samsudin S, Md Azmi FA, Amin S. A Case Study of Strata Lease Schemes in Malaysia: Features and Uniqueness. Environment-Behaviour Proceedings Journal. 2022 Nov 30;7(22):95–102.
- [3] Antoniades H. A Comparative Analysis of Australia's Sinking Fund Governance within a Strata Scheme. In: China Architecture & Building Press. 2010.
- [4] Blomley N. Land use, planning, and the "difficult character of the property." Planning Theory & Practice. 2016 May 19;18(3):351–64.
- [5] Izanda NSS, Samsudin S, Zainuddin M. Strata Title Reforms in Malaysia: A Review and Challenges of Regulatory and Governance Panacea. European Journal of Molecular & Clinical Medicine. 2020;07(08):413–26.
- [6] Department of Director General of Lands and Mines Strata Title [Internet]. www.jkptg.gov.my. [cited 2023 Jul 25].
- [7] Kamaruzzaman SN, Salleh N, AlZawawi SAF. Assessment on problems of issuances and transferences of Strata Title in Malaysia: The Perception of the owner. 2010.
- [8] Kamaruddin F. The Development of an Effective and Efficient Dispute Resolution Processes for Strata Scheme Disputes in Peninsular Malaysia [PhD Thesis]. [The Queensland University of Technology]; 2014.
- [9] Kiris SP, Condominium the Western Experience and Ukrainian Practice. Economic Herald of SHEI USUCT. 2018;8(2):125–130.
- [10] Dredge D, Coiacetto E. Strata Title: Towards a Research Agenda for Informed Planning Practice. Planning Practice and Research. 2011 Aug;26(4):417–33.
- [11] Zainal NH, Samsudin S, Md. Azmi FA. Distinctness Of Strata Lease Scheme In Malaysia's Stratified Building Development: A Review. International Journal of Law, Government and Communication. 2023 Jun 1;8(32):138–49.
- [12] Conzen MP. Core Concepts in Town-Plan Analysis. Springer eBooks. 2018 Jan 1;123–43.
- [13] Christudason A. Urban rejuvenation through collective (en bloc) sales in Singapore: Property rights or property wrongs? Journal of Urban Regeneration and Renewal. 2011 Sep 1
- [14] Firman T. New town development in Jakarta Metropolitan Region: a perspective of spatial segregation. Habitat International. 2004 Sep;28(3):349–68.
- [15] Farlim Group | Delivering Superb Quality and Value [Internet]. [cited 2023 Jul 25].
- [16] Leong San Tong Khoo Kongsi [Internet]. www.khookongsi.com.my. [cited 2023 Jul 25].