



## BCA Circular – Raising Awareness of Strata Living Concepts and Responsibilities Amongst Buyers and Subsidiary Proprietors (SPs)

20 May 2024

**Dear Members,**

Since Dec 2022, BCA had sought to partner the industry and developers to raise awareness of strata living concepts to would-be and subsequent home buyers with the publications of numerous guides and information on their webpages. In May 2023, BCA published the attached Info-pack and sought developers' assistance to disseminate the pack to new homeowners during keys collection.

Given that it is almost a year since, BCA is conducting a review and stock-take on the results of the initiative achieved thus far. They will like to understand from developers on the projects they had adopted to apprise owners of the info-pack as well as to find out if developers have used other outreach channels like Instagram/company or project webpage to publicise or inform and the feedback received if any.

To facilitate, BCA has tabulated a list of returns below and would appreciate if members could **forward your replies to Mr Francis Lo, Deputy Director, Building Management Department, Building Plan & Management Group, BCA at [Francis\\_LO@bca.gov.sg](mailto:Francis_LO@bca.gov.sg)**, please.

No.	Members' Input, please.
1.	Appreciate to share on <u>the list of completed projects handover or any projects under sales</u> where the dissemination of BCA's info-pack was practiced and how was the dissemination conducted – e.g. to each and all buyers via issuance of thumbdrive, leaflet in information booklet etc.
2.	Besides during handover, appreciate to share with us if [the developer] has used <u>any other means for members of public to get access to the info-pack</u> e.g. at the showrooms, company's website or project publicity channels.
3.	Appreciate to share with us <u>any positive or negative feedback received</u> on the information disseminated given for our learnings, and any issues encountered or useful comments received during the process.

BCA has also published the following info-pack and self-help tools for SPs (Annex A & B)

1. **After-sale Info-pack (What to Know as a Condo Owner)**  
<https://go.gov.sg/bca-condo-owner>
2. **Before Owning a Condo: What to Know**  
<https://go.gov.sg/condoliving>

3. **Pre-sale checklists**
  - i. For New Condos
  - ii. For Resale Condos<https://go.gov.sg/bca-condo-checklists>
4. **Strata Management Guides**  
<https://go.gov.sg/bca-smg>

For enquiries, please contact Mr Francis Lo or Mr Kushalappa Malachira Poonacha at [Kushalappa\\_MALACHIRA\\_POONACHA@bca.gov.sg](mailto:Kushalappa_MALACHIRA_POONACHA@bca.gov.sg)

Thank you.  
With best regards  
Joyce Toh

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## WHAT TO KNOW AS A CONDO OWNER

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Info-Pack for

# Subsidiary Proprietors

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BUILDING AND CONSTRUCTION AUTHORITY

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*Last update: April 2023*

## **Disclaimer**

This info-pack has been prepared by the Building and Construction Authority ("BCA"), and is not intended to be an interpretation of laws including the BMSMA or legal advice.

SPs should seek professional legal advice if they wish to better understand their legal rights and duties. The Commissioner of Buildings, BCA and any other agency shall not be liable for any reliance on any information contained in this info-pack by any person.

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**Important Notice: Readers must not rely on this info-pack for legal advice.**

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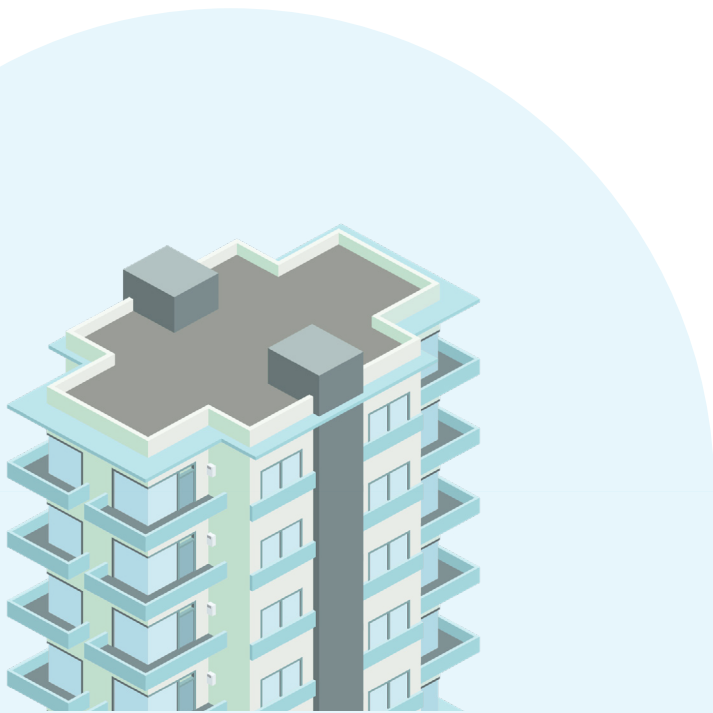
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## 1

# Introduction



This info-pack serves as an introduction to your new role as an owner of a condominium unit i.e. a subsidiary proprietor (SP). It will help you gain a better understanding of your duties, responsibilities, rights and restrictions, and provide you with knowledge on how strata titled developments (e.g. condominiums) are managed under the regulatory framework.

Whether you have purchased the condo unit as a place of residence or as an investment, it is important for you to understand these concepts as they may directly affect you as a unit owner.

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Please note that this guide only provides an overview, and you can find more detailed information on the relevant topics in [BCA's Strata Management Guides \(SMGs\)](#). The SMGs provide an in-depth explanation of the key provisions in the [Building Maintenance and Strata Management Act 2004 \(BMSMA\)](#), and include examples of good practices of strata management, which are available for downloading from BCA's website.

## 01 You are part of the Management Corporation (MC)

All condo unit owners (i.e. subsidiary proprietors 'SPs') including you, are part of the Management Corporation (MC) - also known as the 'MCST', which is formed to manage and maintain the estate. This is similar to being a stakeholder/shareholder of a company. Do note that the Management Corporation (MC) is a legal entity that can sue and be sued.



As a unit owner (i.e. subsidiary proprietor 'SP'), it is important for you to cooperate and play an active role in the running and maintenance of the whole estate by:

- a. Attending and voting at general meetings;
- b. Paying maintenance fees and other payments for maintenance of common property on time, and abiding by all house rules and by-laws.

## 02 Condos are managed on self-governance

Condos are managed on self-governance, facilitated by the [Building Maintenance and Strata Management Act \(BMSMA\)](#). The BMSMA allows all owners (i.e. subsidiary proprietors – SPs) to collectively decide how best to manage the estate that they share.

This means that all affairs and decisions are to be managed and resolved privately between the parties involved as they are considered private issues.

Where needed, the parties involved may escalate these issues to the appropriate channels such as tabling for discussion in a general meeting or make an application (fees apply) to the [Strata Titles Boards \(STB\)](#), for resolution. The STB is a tribunal set up to hear a specific list of disputes between Management Corporations (MCs) and unit owners (i.e. subsidiary proprietors 'SPs').



## 2

# Your roles & responsibilities



## 01 Maintain the quality and value of your unit and estate

Being a unit owner (i.e. subsidiary proprietor 'SP'), and thus part of the Management Corporation (MC) means that you have a duty to actively participate, and maintain the quality and value of your whole estate, not just your individual unit.

This is done by means of:

- a. Attending general meetings and voting on resolutions;
- b. Paying contributions; and
- c. Considerate usage of your unit and common property.

### a. Attending general meetings and voting on resolutions

The annual general meeting (AGM) of the Management Corporation (MC) is an important event as it allows all unit owners (i.e. subsidiary proprietors 'SPs') to participate in the discussion and decision-making of the estate. While the management council is responsible for most of the decision-making, certain decisions must be made by all unit owners (i.e. subsidiary proprietors 'SPs') via voting at meetings.

All unit owners (i.e. subsidiary proprietors 'SPs') have voting rights. The weight of your individual vote is determined by the share value of your strata lot. The higher the share value, the more voting rights you have. An SP will risk losing their voting rights if the maintenance contributions are in arrears.

At each annual general meeting (AGM), all unit owners (i.e. subsidiary proprietors 'SPs') are entitled to decide on important matters such as the election of management council, setting of the maintenance contributions, selection of vendors, review of vendors' services, and any matters tabled for discussion.

For more detailed information about annual general meetings (AGMs) and conducting them, please see [SMG3: Preparation for a General Meeting](#) and [SMG4: Proceedings of a General Meeting](#).



#### *Is it compulsory for me to attend meetings?*

While it is not compulsory for you to attend meetings, it is in your interest to attend the meetings as the decisions made via voting at these meetings will affect you as a resident and even possibly the value of your property. For example, a motion to limit the number of complimentary carpark lots that may be assigned to each unit, if approved at a general meeting, will bind all unit owners.

**b. Paying maintenance contributions**

You will be required to pay a monthly maintenance contribution which goes towards the maintenance and upkeep of common property and facilities, as well as any future major maintenance works for the estate. These contributions may also be used to pay for the Management Corporation's (MC's) insurance policies, utilities for common areas, and services such as security.

Note that the amount of maintenance charge may be reviewed annually at each annual general meeting (AGM).



As a fellow owner who owns a part of the common property in the estate, you have a responsibility to your estate and your neighbours to pay your contributions on time. Do note that each estate will have its own arrangement for paying of maintenance contributions, and the penalty for late payment.

**c. Considerate usage of your lot and common property**

As you are living in close proximity with your neighbours, it is important to be considerate to one another such as keeping the noise level down at night. Being thoughtful and maintaining friendly relations with your neighbours helps ensure a more pleasant and conflict-free condo living experience.



For example, the common corridor space outside your unit is for all unit owners (i.e. subsidiary proprietors 'SPs') to use. It is good to be considerate and not crowd the shared corridor with your belongings, especially if they obstruct the paths of your neighbours.

## 02 Complying with all by-laws

In addition to the [Prescribed by-laws](#) that every unit owner (i.e. subsidiary proprietor 'SP') and occupier are required to comply with, the Management Corporation (MC) can make by-laws that are not in conflict with the Prescribed by-laws or any laws in Singapore.

By-laws are enacted for the purpose of controlling and managing the use of common property, as well as your unit. By-laws are generally made in relation to safety and security, such as restricting the use of any common property, the keeping of pets, parking, garbage disposal, and may even restrict behaviour such as swimming or making of loud noises after a certain hour etc.



By-laws are voted on during general meetings. Even if you were not present to vote on the by-laws, you will be required to follow them once enacted by the Management Corporation (MC).

For a newly constituted Management Corporation (MC), the Management Corporation (MC) may consider converting house rules to by-laws at the first annual general meeting (AGM).

If you are concerned about the validity or appropriateness of the management corporation's (MC's) by-laws, you may raise it for discussion at the next general meeting or apply to the [Strata Titles Boards \(STB\)](#) for a resolution. The Management Corporation (MC), any unit owner (i.e. subsidiary proprietor 'SP') or any occupier is also entitled to apply to the Strata Titles Boards (STB) or to court to enforce a by-law or restrain the breach of a by-law.

### 03 **Maintain your unit**



As a unit owner (i.e. subsidiary proprietor 'SP'), it is your duty to maintain your unit, including fixtures such as external openable windows and pipes that are exclusively used by you. If you fail to maintain these features of your unit and someone is injured or property is damaged because of these features, you can be made liable for compensation.

You may check with the Management Corporation (MC) or managing agent (MA) (if any) on the features that come under your charge and responsibility.

### 04 **Notify the Management Corporation (MC) of any change in contact address or any transfer of property**



You are required to inform the council secretary if there has been a change in your mailing address, to facilitate the Management Corporation's (MC's) correspondence with you.

### 05 **Grant access to the Management Corporation (MC) to carry out maintenance or repair works**



You are required to allow the Management Corporation (MC) and its agents at all reasonable times and on reasonable notice to enter your unit for maintenance of common property such as repainting and structural inspections of common areas etc.

## 3

# Your rights & restrictions



As a subsidiary proprietor (SP), you are given certain rights under the BMSMA to help safeguard your interests. On the other hand, there are also restrictions that you need to adhere to, which may render you liable for penalties should you disregard them. It is thus important to be familiar with the rights given to you, as well as the restrictions imposed on you.

## 01 Understanding your share value

Share value is an important concept to understand in condo living as it directly affects you as a unit owner (i.e. subsidiary proprietor 'SP'). The share value of a property is a figure that determines the rights e.g. voting rights assigned to each unit in the same estate.

For example, if the share value of your unit is represented by the figure 5/350, it means that 350 represents the total share value of all the units in the estate, and 5 is the share value allotted to your unit.



The share value of your unit represents:

- a. The amount of contributions you have to pay to the Management Corporation (MC) for the running and maintenance of common areas in the estate.
- b. Your voting rights at meetings. The higher your share value, the more voting rights you have.
- c. The share of common property that you own, which is jointly owned by all other unit owners (i.e. subsidiary proprietors 'SPs') in the estate.

## 02 Right to attend a meeting

You as a unit owner (i.e. subsidiary proprietor 'SP') have a right to take part in the decision-making process at general meetings. Therefore, you are highly encouraged to attend general meetings to participate in important discussions and vote on matters that may affect your interests.

Even if you are not a council member, you may also attend council meetings. However, if you wish to raise any issues at the council meeting, you must first seek the permission of the council to do so. These meetings may also provide unit owners (i.e. subsidiary proprietors 'SPs') a platform to facilitate the resolution of disputes on neighbourly or estate matters through discussion or mediation.

For more details on meetings, please see [SMG3: Preparation for a General Meeting](#) and [SMG4: Proceedings of a General Meeting](#).

## 03 Right to ask for a motion to be included on agenda for a general meeting

As a unit owner (i.e. subsidiary proprietor 'SP'), you have a right to ask for a motion to be included in the agenda for a general meeting. This must be done via written notice to the secretary of the council, who will include the motion on the agenda for the next general meeting.



## **04 Right to appoint a proxy and proxy's rights**

If you are unable to attend a general meeting, you can appoint someone to be your proxy by giving them written permission using the proxy form found in the [First Schedule of the BMSMA](#) to represent you at the meeting.

This form, together with a power of attorney, must be deposited at the registered address of the Management Corporation (MC) at least 48 hours before the time fixed for the meeting. Do be mindful that there are limits on the number of persons a proxy can represent.

For more details on meetings, please see [SMG3: Preparation for a General Meeting](#) and [SMG4: Proceedings of a General Meeting](#).

## **05 Right to inspect and make copies of Management Corporation's (MC's) records/documents that is in the custody of the MC**

For a fee, you as a unit owner (i.e. subsidiary proprietor 'SP') may apply to the Management Corporation (MC) for information such as the name of your estate's managing agent and the names and addresses of the office bearers of the Management Corporation (MC).

You may also inspect the following records of the Management Corporation (MC):

- a. Minutes of general meetings of the Management Corporation (MC) and the management council;
- b. Books of account; and
- c. Other records or documents under the custody of the Management Corporation (MC).

## 06 Restrictions on alteration works



There are restrictions on the hacking works you are permitted to carry out in your unit. Structural elements such as slabs, beams, columns, and walls shall not be altered without proper assessment by a Professional Engineer and approval from the Commissioner of Building Control.

Wiring and related works on structural elements should be performed by competent renovation contractors. Advice from a Professional Engineer shall also be sought before such works are carried out to ensure that strengthening works are not required, and the structural integrity of the building will not be affected.

It is also advisable to check with the developer or the Management Corporation (MC) and the Sale and Purchase Agreement (S&PA) regarding any restrictions on renovation prior to carrying out the works.

### a. Common property



It is important for you to be aware of what constitutes common property. You cannot, without permission from the Management Corporation (MC), alter or make changes to common property (e.g. install additional awning in a common property wall) without obtaining the Management Corporation's (MC's) approval.

The areas that are considered common property can be identified on the strata title plan, which demarcates areas that fall within and outside of a unit. In general, areas outside strata lots that may be used by 2 or more unit owner (i.e. subsidiary proprietor 'SP') or occupiers (e.g. tenants) are common property. You may obtain a copy of the strata title plan from the [Singapore Land Authority \(SLA\)](#) for a fee.

Common property typically includes swimming pools, gyms, lift lobbies, corridors, car parks, lifts in common areas, playgrounds, gardens, drop-off points, exterior building walls, etc. For a more detailed list, you may refer to [Section 2 of the BMSMA](#).

### **b. External building features**

You are not allowed to make any alterations to features fixed on the external building such as external windows and external walls, without approvals from the Management Corporation (MC) and any relevant government agencies.



If you intend to carry out any improvements or additions to your unit which may affect the appearance of any building in the estate e.g. addition of private enclosed space awnings or coverings, grilles or blinds in balconies, etc., you should first consult your Management Corporation (MC) to confirm if their permission and agreement are required before carrying out the works in your unit.

## **07 Restrictions on improvement works that require the Management Corporation's (MC's) approval**

If you intend to carry out works on your unit that may result in an increase in the total gross floor area (GFA) of the entire estate, you will need to obtain a 90% resolution from the Management Corporation (MC).



Examples of such works include roofing a private enclosed space and putting a slab over a void in a unit. Depending on the type of work done, you may also be required to obtain approvals of other approving authorities like the [Urban Redevelopment Authority \(URA\)](#) and the [Building and Construction Authority \(BCA\)](#).

For more information on the various types of resolutions in a meeting, please see [SMG4: Proceedings of a General Meeting](#).

## 4

# Other stakeholders and their roles



## 01 Management Corporation (MC)

You and all other unit owners (i.e. subsidiary proprietors 'SPs') make up the Management Corporation (MC), which makes decisions on key issues in the estate, and is responsible for the overall maintenance and management of the estate. It is a legal entity that can sue and be sued.

## 02 Management Council and Office Bearers

The management council is made up of up to 14 elected members. This management council is a representative body that represents the Management Corporation (MC) to administer the day-to-day running of the estate, and is elected at each annual general meeting (AGM). Of these elected members, 3 are to be appointed as office bearers who hold additional responsibilities specific to their roles: the chairperson, the secretary, and the treasurer.

The council members are generally elected at annual general meetings (AGMs) and up to 14 council members can be elected. Voting in the election is on a one vote-per-unit basis. All council members will retire from office at the conclusion of the next annual general meeting (AGM), but a retiring council member will be eligible for re-election based on the eligibility criteria.

### *Who can run for the management council?*

To be eligible for election, you have to be at least 21 years old and:

- a. A unit owner (i.e. subsidiary proprietor 'SP'); or
- b. A nominee who is an immediate family member of a unit owner (i.e. subsidiary proprietor 'SP') that nominate him or her; or
- c. A nominee of a unit owner (i.e. subsidiary proprietor 'SP') that is a company.



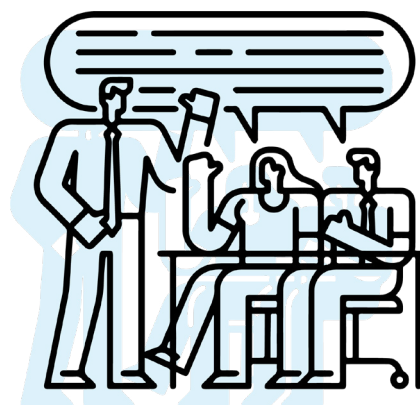
The management council's roles include:

- a. Acting as the managing body for the Management Corporation (MC);
- b. Making daily decisions that enable the Management Corporation (MC) to operate smoothly; and
- c. Run and preside over general meetings.

Nonetheless, the management council is still subject to any restrictions placed upon it by unit owners (i.e. subsidiary proprietors 'SPs') in a general meeting. For instance, the unit owners (i.e. subsidiary proprietors 'SPs') in a general meeting can decide that for certain matters, only the Management Corporation (MC) (and not the management council) can determine such matters.

### Office bearers of the management council

- a. Chairperson:  
Runs all the meetings of the Management Corporation (MC) and rules whether a particular motion is in order. The Chairperson also oversees council meetings and general meetings.
- b. Secretary:  
Arranges meetings by providing notice of the meetings, prepares and distributes meeting agendas and minutes, and maintains the strata roll. In addition, the secretary enables the inspection of documents, answers communications addressed to the Management Corporation (MC), convenes meetings of the council and of the Management Corporation (MC) and attends to matters of an administrative or secretarial nature.
- c. Treasurer:  
Notifies unit owners (i.e. subsidiary proprietors 'SPs') of contributions levied; receives, deals with (e.g. deposits into banks) and accounts for any money paid to the Management Corporation (MC), and keeps accounting records and prepares the financial statements of the Management Corporation (MC).



## 03 Managing Agent (MA)



The Management Corporation (MC) may collectively decide (via voting) to employ a managing agent (MA) to assist in the day-to-day running of the estate. This means that there will be a dedicated person overseeing and ensuring that the estate is managed and maintained on behalf of the Management Corporation (MC).

The Management Corporation (MC) may in writing delegate to a managing agent (MA) part or all its powers, duties, and functions. This can be done via voting at a general meeting. These duties may include performing the functions of the chairman, secretary, treasurer, or the whole council.

However, the Management Corporation (MC) cannot allow the managing agent (MA) to further delegate its duties to others or make a decision on a restricted matter that can be determined only by the Management Corporation (MC) in a general meeting.

### *What are accredited managing agents (MAs)?*



These accredited managing agent (MA) individuals have gone through a structured training program and have passed an examination conducted by either the [Association of Property and Facility Managers \(APFM\)](#) or [Association of Strata Managers \(ASM\)](#), and the [BCA Academy](#), among other requirements set by the respective associations. The skill sets developed through the accreditation training program are aimed at equipping managing agents (MAs) with the capabilities to carry out duties professionally.

Besides a managing agent (MA), the Management Corporation (MC) may also need to engage service providers to maintain common property facilities and features such as the swimming pool, landscape, tennis courts, lift etc.

## 04 Government Agencies

The Commissioner of Buildings (**COB**) performs the following functions as stipulated under the BMSMA:



- i. Accept share values and approve maintenance charges;
- ii. Monitor holding of annual general meeting (AGM) and lodgement of by-laws; and
- iii. Enforce offence provisions under the BMSMA, which mainly centre on conflicts of interest of office holders in the management council.

Apart from the COB, there are other government agencies that oversee various aspects of the estate:

- a. [Agency for Integrated Care \(AIC\)](#): AIC coordinates and supports efforts in the area of healthcare in the community. AIC reaches out to caregivers, clients and seniors with information on staying active and aging well, and connects them to healthcare services and support that they might need.
- b. [Silver Generation Office \(part of Agency for Integrated Care\) \(SGO\)](#): SGO is the outreach arm for AIC. Their volunteers, called the Silver Generation Ambassadors (SGAs), conduct house visits to engage seniors and help them better understand their healthcare needs. SGAs also share various active ageing programmes, government policies and schemes available to help seniors live well and stay active in the community.
- c. [Building and Construction Authority \(BCA\)](#): Oversees additions and alterations within a unit that require approval of the Commissioner of Building Control.
- d. [Land Transport Authority \(LTA\)](#): LTA regulates the street works and car parks constructed by developers to ensure that they are safe for all users. LTA also ensures that the proposed development works and restricted activities do not pose any safety risk of rail and road infrastructure, or cause disruption to their operations. LTA may be reached at [LTA\\_DBC\\_Registry@lta.gov.sg](mailto:LTA_DBC_Registry@lta.gov.sg) for queries regarding the aforementioned areas of interest.
- e. [National Parks Board \(NParks\)](#): NParks is responsible for enhancing and managing the urban ecosystems of our City in Nature. NParks is the lead agency for greenery, biodiversity conservation, and wildlife and animal health, welfare and management. For feedback regarding greenery matters outside of the condo estate, please see [here](#). For animal and bird-related matters, please see [here](#).



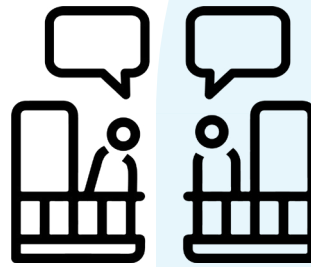
## 04 Government Agencies (*cont'd*)



- f. [People's Association \(PA\)](#): Through the Residents' Networks and Neighbourhood Committees, the PA collaborates with the residents to curate activities to promote neighbourliness, to strengthen the social bonds among residents, and to build the community spirit within MCST communities.
- g. [PUB, Singapore's National Water Agency \(PUB\)](#): Regulates the standards of plumbing and water supply maintenance undertaken by the MCST.
- h. [Singapore Civil Defence Force \(SCDF\)](#): Owners or tenants who wish to erect any fire safety works e.g. canopies / awnings over PES, are required to engage a Qualified Person (QP) to make a plan submission to seek approval from SCDF before they commence their works. For more details on plan approval, please see [here](#). For fire safety at common areas, MCSTs and residents can refer to the [Fire Safety Guidelines](#) on usage of common areas which are applicable to condos.
- i. [Singapore Land Authority \(SLA\)](#): The Management Corporation (MC) is constituted upon registration of the Strata Title Plan (STP) at SLA. The STP and the plan for individual units must be submitted to and approved by the Chief Surveyor before lodgement of the application for registration of the STP.
- j. [Urban Redevelopment Authority \(URA\)](#): URA evaluates proposed works within the condo estate that requires planning permission. Please refer to the following for more information - [Residential Handbook for Flats and Condominiums](#), [Exemptions from Planning Permission](#)

## 5

# Dealing with disputes



In a densely built up environment, it is important to play a part in making our living environment more pleasant for all by being good neighbours. Tolerance, mutual understanding, and communication can help us achieve this. However, occasional personal conflicts may still arise.



In cases of neighbourly disputes, all affairs and disputes between you and your neighbour or management council are considered private affairs. As a unit owner (i.e. subsidiary proprietor 'SP'), you will have to manage neighbourly disputes and conflicts privately.

If you are unable to privately resolve disputes or arguments with the involved parties, you should seek mediation channels to settle the disputes or apply to the [Strata Titles Boards \(STB\)](#) for resolution.

Government agencies are generally not empowered to compel the actions of individuals in these private matters.

## **01      Speak to the other party calmly**

Regardless of the issue, the first step to resolving a dispute is always to approach the other party calmly with the intention of resolving the issue and where possible, provide a suggestion on how to go about doing so.

## **02      Approach your Management Corporation (MC) or managing agent (MA)**

If speaking with the other party yields no resolution, you may seek assistance from the management corporation (MC) - even if the issue involves the managing agent (MA) or council member(s).

- a. You may call, email, or write to the Management Office to provide feedback or to seek advice. You should allow the Management Corporation (MC) to investigate the matter before you take any further action.
- b. The Management Corporation (MC) and managing agent (MA) can assist you by talking through the problem face-to-face if possible and recommend the appropriate action that may be taken.
- c. If a face-to-face discussion is not needed, the Management Corporation (MC) or managing agent (MA) can send a letter to the other party, outlining the actions to be taken and the consequences for failing to do so. In many cases, the other party may not even be aware of the issue e.g. that he has breached by-laws.

Alternatively, you may also write to the secretary of the Management Corporation (MC) to table this matter at any upcoming general meeting of the Management Corporation (MC) to discuss and decide how this issue should be best managed.

## 03 Community Mediation Centre (CMC)

An application can be filed with the [Community Mediation Centre \(CMC\)](#) to commence voluntary mediation between the parties involved, if all parties are agreeable.

The CMC assists with disputes involving inter-personal matters and is a less costly alternative than the Strata Titles Boards (STB). However, do note that the CMC does not handle cases that require expert technical knowledge such as water seepage.

Examples of issues that can be filed with the CMC include:

- a. Issues between landlords and tenants involving damage, rental deposit, and use of property.
- b. Disputes involving neighbourly disputes (e.g. laundry dripping, verbal abuse, common quarrels, noise).

Parties interested to apply for mediation can call in, walk in or make an online application. For more information on the mediation process, please visit [CMC's website](#).

## 04 Strata Titles Boards (STB)

An application can be filed with the [Strata Titles Boards \(STB\)](#) for a fee to seek dispute resolution.

The STB is a quasi-judicial tribunal, established under the BMSMA to mediate and hear applications between unit owners (i.e. subsidiary proprietors 'SPs') and Management Corporations (MCs), or between unit owners (i.e. subsidiary proprietors 'SPs'), on matters relating to certain disputes arising within strata titled properties.

The STB consists of a panel of experts, including lawyers, architects, and engineers. The STB's role is to facilitate communication between parties, identify issues, explore options, and find a mutually acceptable settlement for the dispute.

The STB is not allowed to give any legal advice to any party. After STB has made its decision, an appeal can only be made to the High Court on a question of law.

Common disputes brought before the STB include but are not limited to:

- a. Inter-floor water leakages;
- b. Performance or failure by Management Corporation (MC) to perform certain duties under the BMSMA or by-laws;
- c. Applications to convene meetings or invalidate resolutions passed by the Management Corporation (MC);
- d. Matters involving alterations to common property;
- e. Applications to revoke or invalidate certain by-laws; and
- f. Supply of information by management corporation.

For more detailed information on the types of disputes heard by the STB and the corresponding fees involved, please see [SMG9: Dispute Resolution - Common Disputes and Courses of Actions](#).

## **05 Court / Community Disputes Resolution Tribunal (CDRT)**

Matters that fall outside the purview of the Strata Titles Boards (STB) can be brought to the States Court / Community Disputes Resolution Tribunal (CDRT). An application can be made to the courts / CDRT to seek dispute resolution.

At this stage, the dispute has escalated into a litigious process. Please note that the onus is on the applicant to provide the necessary evidence required to establish their case against the respondent. Please see [here](#) for more information.

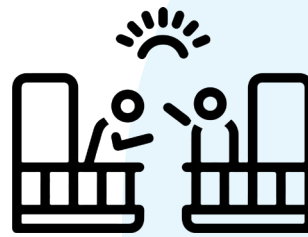
Common disputes heard by the Court include:

- a. Causing excessive noise, smell, smoke, light or vibration;
- b. Littering at or in the vicinity of your place of residence;
- c. Obstructing your place of residence;
- d. Interfering with your movable property;
- e. Conducting surveillance on you or your place of residence, where the surveillance is done at or in the vicinity of your place of residence;
- f. Trespassing your place of residence;
- g. Allowing one's pet to trespass your place of residence, to cause excessive noise or smell, or to defecate or urinate at or in the vicinity of your place of residence.

A request can be made to seek orders against another party. These include:

- a. Damages - an order for your neighbour to pay you a sum of money;
- b. Specific performance - an order for your neighbour to do something;
- c. Apology - an order for your neighbour to apologise to you; and
- d. Others - any other order to give effect to the above court orders.

## 6 Common disputes



### 01 Obstruction of common property

It is not uncommon for residents to place shoe racks, bicycles etc. outside their doors in the common area, which can cause obstruction of the common property.

#### *What can you do?*



- a. Request that the neighbour removes the obstruction.
- b. If there is no response, the matter can be raised to the Management Corporation (MC).

#### *What can the Management Corporation (MC) do?*

- a. Approach the unit owner (i.e. subsidiary proprietor 'SP') to remove the obstruction;
- b. Send circular(s) to remind all unit owners (i.e. subsidiary proprietor 'SPs') that prescribed by-laws should be complied with;
- c. Apply for a Court Order to enforce by-laws; and/or
- d. Inform SCDF if there is contravention of the Fire Safety Act.

## 02 Inter-floor water leakage

One of the common disputes between unit owners (i.e. subsidiary proprietors 'SPs') in the upper floor unit and unit owners (i.e. subsidiary proprietors 'SPs') in the lower floor unit is water seepage from the upper floor unit to the lower floor unit. It will be presumed that the leak originates from the upper floor unit unless the upper floor unit owner or occupier can prove otherwise.

### *What can you do?*



- a. Approach the neighbour regarding the issue, and jointly carry out an investigation to establish the cause of any inter-floor leak and proceed with the repair works. Both parties should resolve the cost and methods of repair privately.
- b. If there is no resolution, a request can be made for the Management Corporation (MC) to intervene.
- c. Apply to the [Strata Titles Boards \(STB\)](#) to make an order to settle disputes or rectify complaints, for a fee.

### *What can the Management Corporation (MC) do?*

- a. Assist to write to the unit owner (i.e. subsidiary proprietor 'SP') of the upper floor unit and request for a joint investigation with the unit owner (i.e. subsidiary proprietor 'SP') of the lower floor.
- b. Assist both parties to resolve the issue amicably.
- c. Inform the parties to apply to the Strata Titles Boards (STB) to make an order to settle disputes or rectify complaints, for a fee.



## 03 Nuisances / inconveniences caused to neighbours

No one enjoys experiencing disturbances in their own home. Whether it involves noise from a neighbour's unit or pets, neighbours often have differing opinions on these issues. The BMSMA [prescribes a set of by-laws](#) that every estate is required to adopt, and these may address matters relating to 'noise', 'keeping of animals' etc.

### *What can you do?*



- a. Talk to the neighbour calmly and try to arrive at an amicable solution.
- b. If there is no resolution, the matter can be raised to the Management Corporation (MC).

### *What can the Management Corporation (MC) do?*

- a. Approach the unit owner (i.e. subsidiary proprietor 'SP') to comply with by-laws;
- b. Send circular(s) to remind all unit owners (i.e. subsidiary proprietors 'SPs') that prescribed by-laws should be complied with;
- c. Apply for a Court Order to enforce by-laws; and
- d. Make additional by-laws to manage the estate.

For more examples and details on common disputes, please see [SMG9: Dispute Resolution - Common Disputes and Courses of Actions](#).

END