

KUALA LUMPUR: Developers are only liable for defects for a period of 18 months after vacant possession is taken on a residential property under the Housing Developers (Control & Licensing Act) (HDA) 1966.

After that, it is the owner's responsibility.

Housing and Local Government Ministry parliamentary secretary Dr S. Subramaniam said once the liability period was over, the monitoring and maintenance of a property became the owner's responsibility.

He said before a development could begin, the builders had to submit plans to the local authority, which had very strict guidelines on development in sensitive areas. Under the HDA, he said, architects and engineers are responsible for the building while it is being constructed. "After the building is built, the professional, that is, the architect or engineer, will issue a certificate stating the building was built according to the guidelines," he said. Until vacant possession of the property is given, the developer still maintains responsibility for the development. "For a condominium or apartment, before the strata title is given, the joint management committee comprising representatives of the developer and residents, would be responsible for the monitoring and maintenance of the property," he said. "Once the strata title is obtained, the owners of the property form a management corporation to maintain and monitor the property."