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A STUDY OF COMPLAINT TRENDS AND STRATEGIC IMPROVEMENTS: A FOUR-YEAR ANALYSIS OF SIX MALAYSIAN MUNICIPALITIES

Nor Aini Salleh¹, Kartina Alauddin^{2*}, Yuhainis Abdul Talib³, Kharizam Ismail⁴

Department of Built Environment Studies and Technology, College of Built Environment, UNIVERSITI TEKNOLOGI MARA, PERAK BRANCH, MALAYSIA

Abstract

The primary aim of the study is to analyse the pattern of complaints received by the COB related to strata living across six municipalities categorised under category 2 over a four-year period. Additionally, the study examines the municipality with the highest number of complaints over four years, aiming to propose effective strategies, such as enhancing a clear understanding of SMA Act 2013 communication channels and enhanced dispute resolution mechanisms, to reduce complaint rates. By utilising a desk study analysis approach, the research emphasises the importance of clear legal provisions, policies, and guidelines, recognising the human factor's influence. The analysis spans 2016 to 2019, focusing on six municipalities under category 2. The study employs descriptive analysis and graphical representation to illustrate complaint trends over the specified years. This research provides insights into the patterns of complaints across municipalities and categories, offering valuable information for targeted improvements and strategic planning.

Keywords: Strata Living, Complaints, Commissioner of Building and Strata Management

² Lecturer at University.Teknologi MARA Perak Branch Email: karti540@uitm.edu.my

INTRODUCTION

A strata building typically consists of parcels and common property, as defined by the Strata Titles Act 1985 and the Strata Management Act 2013. Common property includes shared areas such as corridors and lifts. Residents pay a service charge for maintenance, while the Management Corporation oversees facility management for sustainable development. In the intricate tapestry of urban living, strata residential communities stand as vibrant hubs of shared spaces and communal responsibilities. Strata properties encompass various types of housing, including flats, condominiums, townhouses, and even landed homes within gated and guarded (G&G) neighbourhoods, all falling under the category of residential strata properties (Ali et al., 2023).

At the heart of these living arrangements lies the pivotal concept of harmonious living, a principle that transcends the mere physicality of the structures to profoundly impact the well-being of its inhabitants. The synergy of positive social interactions, a supportive environment, and a sense of connectedness crafts an environment where residents find comfort and connection. Shared spaces, whether communal gardens or recreational areas, become not just physical entities but catalysts for fostering vibrant social ties (DelSesto, 2015). Harmonious living extends beyond the superficial, creating a supportive environment where neighbours evolve into an extended support system. Residents, embedded in a community that genuinely cares, experience a heightened sense of security and well-being.

This comfort is not confined to physical spaces; it becomes a psychological refuge, cultivating a profound connectedness among neighbours. Cooperation and mutual understanding, integral to harmonious living, ensure that residents feel at ease within their living environment (Ruopeng Huang et al., 2023). The reduction of conflict, positive social interactions, and a supportive atmosphere contribute significantly to the mental and emotional well-being of residents. This harmonious synergy serves as a buffer against the stressors inherent in communal living, fostering lower levels of stress, anxiety, and feelings of isolation. Consequently, harmonious strata communities become bastions of mental and emotional health. As threads of positive interactions, a supportive environment, and enhanced well-being intertwine, they create a tapestry of a healthier and happier community. Thus, harmonious living in strata residential communities emerges not merely as a necessity but as a cornerstone for building sustainable, thriving, and interconnected urban spaces where individuals do not just coexist but flourish together.

RESEARCH BACKGROUND

Attaining harmonious living in strata residential communities demands the combined efforts of every individual involved. It is a collective endeavour where

the commitment and contributions of each resident play a vital role in creating a positive and cohesive living environment (Lucky et al., 2023). In essence, achieving harmony within strata residential settings requires active engagement and cooperation of everyone in the community. Strata residential developments in Malaysia constitute intricate ecosystems where various stakeholders, governed by the Strata Management Act 2013, intertwine to shape the living experience (Mazliza et al., 2015). Khalid et al. (2017) emphasised that fostering a harmonious atmosphere within these communities necessitates collaborative efforts and active engagement from all stakeholders, including the Joint Management Body (JMB), Management Corporation (MC), developers, unit owners, strata management agents, and the Commissioner of Buildings (COB). The MC holds the responsibility for overseeing funding, maintenance, and management activities within the strata property. Comprised of parcel owners, the MC ensures that all facilities are maintained in good working order. Section 21(2) of Act 757 outlines the general powers of both the MC and JMB, which include collecting charges and contributions to the sinking fund from parcel owners based on allocated share units, performing maintenance and management tasks for the buildings, and recovering any expenses incurred by the JMB from parcel owners.

Nevertheless, Malaysia's present property management approach reveals numerous issues that affect all stakeholders, including developers, property managers, owners, and residents of high-rise residential complexes (Azian et al., 2020). The issues revealed include lift breakdown, insufficient parking, cleanliness, garbage management, inadequate public facilities, and safety. Additionally, strata buildings commonly encounter various issues, such as physical property defects, limited or no direct control by property managers over management funds (as these are often held by either the developer or the MC), parcel owners' refusal to pay maintenance fees due to unrectified defects or unfulfilled facility promises by developers, owners' refusal to pay fees when units cannot be rented out, developers' non-payment of fees for unsold units, poor quality of management and maintenance services, and other legal and social challenges (Shuhaimi et al., 2022).

Hence, the primary aim of this study is to analyse the patterns of complaints received by the Commissioner of Buildings (COB) related to strata living across six municipalities categorised under Category 2. The secondary objective of this study is to analyse the municipality that has received the highest number of complaints over four years (2015- 2019), which involves analysing data trends and patterns to identify areas of concern. The study is constrained to a four-year timeframe due to inadequate data availability for the year 2020 and beyond. Based on the findings, the study aims to propose effective strategies to reduce the number of complaints received by the municipality with the highest

complaint rate. These strategies may include improved communication channels, enhanced dispute-resolution mechanisms, and proactive community engagement initiatives.

THE CATEGORIES OF COMPLAINTS FACED BY COMMISSIONER OF BUILDINGS COB

The COB is tasked with enforcing the regulations outlined in the Strata Management Act 2013. The Department of Building Commissioner carries out six key functions, which include conducting building inventories within the relevant local area, ensuring the establishment of JMBs for developments involving stratified planning, resolving disputes between developers and purchasers related to JMB establishment and account maintenance, monitoring developer actions on repair defects, enforcing laws stipulated in the Strata Management Act 2013, and providing periodic education on administrative management, audited accounts, financial provisions, and various other topics related to JMB/MC management.

The Commissioner of Buildings (COB) faces complaints across six distinct categories. The first category encompasses meeting and selection issues, involving disputes or challenges arising during residents' meetings or the selection of management committees. The second category relates to administration and management matters, encompassing concerns about the building's administration, financial management, decision-making processes, and regulatory compliance. The third category, rRepair and mMaintenance issues, pertains to complaints regarding the maintenance of common areas, building defects, or issues concerning the overall condition of the property as reported by the building owners. Following this, the fourth category of, Financing issues, deals with complaints related to financial matters, including disputes over service charges, sinking fund usage, and other concerns in financial management. The fifth category revolves around aAdvising sServices provided by the COB. Complaints in this category are directed at the advice or services offered by management committees or related entities, seeking suitable and necessary solutions for the specific issues raised. Lastly, the sixth category of g, Governance of COB, encompasses concerns about the governance, processes, or decisions made by the Commissioner of Buildings or similar regulatory bodies in handling related issues.

Multiple studies have contended and concluded that while strata law grants extensive powers to management bodies, it falls short of promoting effective governance. The introduced legislation lacks enforceable standards for good governance. Additionally, discrepancies exist between the responsibilities of management bodies and the role of residents in facilitating smooth management and maintenance operations.

METHODOLOGY

This study conducted a desk study analysis approach to collect information relevant to judging the feasibility of the project (Genske, 2003). In order to get an overview of the preliminary study about strata living, data was taken from the Ministry of Housing and Local Government (KPKT) website, which is freely available online. As for content analysis, most importantly, reference to earlier literature studies is made where previous research has, to a certain extent, acknowledged that there are various stakeholders involved in strata management. To live in harmony, each of the parties must share a clear vision towards this goal. However, there are problems in achieving this goal, such as lack of clear provisions in the law, lack of policies, lack of guidelines and some human factors. The existence of problems is observable from an analysis of the statistics of complaints lodged with the COB in Malaysia. The primary objective of this study is to analyse the pattern of complaints received by the COB from 2016 to 2019. considering the data available via the KPKT website and the similar types of strata buildings, years built, and sizes of buildings. The analysis involves categorising the complaints based on their nature and the respective year in which they were reported. Subsequently, the results are organised according to the Local Authorities area category 2(10,000 - 50,000) lot for each Local Authorities. This category was chosen because it has the greatest number of buildings that represent 6 municipals in Malaysia. However, due to a lack of secondary data, one municipality has been excluded from the list. The analysis is centred on six municipalities: Majlis Bandaraya Melaka Bersejarah (MBMB), Majlis Perbandaran Nilai (MPN), Majlis Perbandaran Port Dickson (MPPD), Majlis Bandaraya Ipoh (MBI), Majlis Bandaraya Sepang (MBS), and Majlis Daerah Hulu Selangor (MDHS). Descriptive analysis is employed to present the secondary data, utilising a graphical representation to illustrate the number of complaints over the specified years (2016-2019). Data beyond these range years are not available for these 6 municipals. Due to the difficulty in obtaining data, the study did not develop a detailed social network of residents in the real world and compare it with the results obtained (Huang et al., 2023). Therefore, this study undertook ready data, and the analysis was made based on that. Lastly, due to resource and time constraints, the study did not conduct surveys in more cities to further enhance the result. Instead, the research team constructed the model based on a careful selection of five sample cities that met the research needs.

RESULTS AND DISCUSSION

The COB report trend is a crucial reference for developers, managing cooperatives, and unit owners who share facilities under strata acts. This paper specifically concentrates on complaints received by COB from 2016 to 2019, a period preceding the outbreak of the COVID-19 virus in Malaysia. Report during

COVID-19 is not applicable as it is not available on the KPKT website. One of the reasons that can be justified is that the result beyond 2019 may be different, where most houses are fully occupied 24 hours a day and seven days a week due to Covid-19 Movement Control Order (MCO). In order to ensure that this study can become a basis for future studies on non-MCO situations, the data from 2016 to 2019 are chosen. The analysis of these complaints encompasses six categories: (i) meeting and selection, (ii) administration and management, (iii) repair and maintenance, (iv) financing issues, (v) advising services, and (vi) the COB's governance. This pattern is based on the four years from 2016 to 2019.

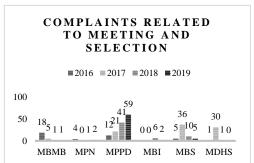


Figure 1: Complaints related to Meeting and Selection Source: Yearly Report of COB 2016-2019

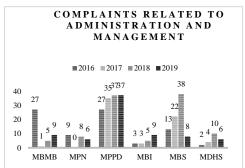


Figure 2: Complaints related to Administration and Management *Source: Yearly Report of COB 2016-2019*

Figure 1 illustrates that the municipal entity with the highest number of complaints related to meeting and selection within the four years is Majlis Perbandaran Port Dickson, Negeri Sembilan. Conversely, Majlis Bandaraya Ipoh has the least number of complaints concerning meeting and selection during this timeframe. Figure 2, in the case of complaints related to administration and management, Majlis Perbandaran Port Dickson exhibits the highest number of complaints compared to other municipalities in category 2. The total number of complaints within this category is 136, constituting a significant portion of the overall municipal complaints in category 2, which amounts to 324 over the four years.

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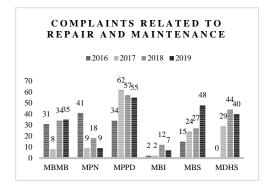


Figure 3: Complaints related to Repair and Maintenance Source: Yearly Report of COB 2016-2019



Figure 4: Complaints related to Financing Issues *Source: Yearly Report of COB 2016-2019*

Figure 3, within this category of complaints, the overall municipal entities exhibit a relatively balanced distribution of complaints. Notably, Majlis Bandaraya Ipoh stands out with the least number of complaints, totalling 23 out of the 643 complaints reported in this category. Data in Figure 4 indicates that Majlis Daerah Hulu Selangor has consistently received only one complaint over the four years, signalling a positive trend regarding financing issues within this municipality. In contrast, Majlis Perbandaran Port Dickson records the highest number of complaints related to financing issues, with 234 out of a total of 340 complaints in this category. Financial issues are crucial in managing strata building.

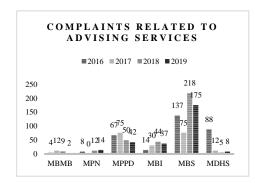


Figure 5: Complaints related to Advising Services Source: Yearly Report of COB 2016-2019

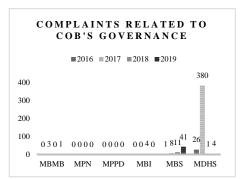


Figure 6: Complaints related to COB Governance Source: Yearly Report of COB 2016-2019

The financial aspect is important to ensure an extended building lifespan and to maintain its value (Khalid MS et al., 2017). Figure 5 shows the category of complaints related to advising services. The data reveals a distinct pattern, with Majlis Bandaraya Sepang receiving the highest number of complaints among the six municipalities. Specifically, Majlis Bandaraya Sepang recorded a total of 605 complaints out of 1138 within the four years. By referring to Figure 6, four municipalities appear to have a relatively low number of complaints related to COB's governance, suggesting that the functions of COB are generally well-managed in these areas. Notably, Majlis Daerah Hulu Selangor experienced a significant number of complaints related to governance in 2017. However, no complaints were recorded for the subsequent years, indicating a potential improvement in the municipal's actions related to governance. The pattern of complaints with the highest numbers faced by the municipal for 4 years (2016-2019) is shown in Table 1.

Table 1: The types of complaints with the highest number of complaints

Table 1. The types of complaints with the highest humber of complaints			
Types of complaints	Total	The municipal	Total number
	number of	with the	of complaints
	complaints	highest	based on
	(2016-2019)	number of	municipal
		complaints	
Meeting and Selection	261	MPPD	133 (51%)
Administration and Management	324	MPPD	136 (42%)
Repair and Maintenance	643	MPPD	208 (32%)
Financing Issues	340	MPPD	234 (69%)
Advising Services	1138	MBS	605 (53%)
COB's Governance	480	MDHS	411 (86%)

There are six types of complaints recorded with three municipals, namely Majlis Perbandaran Port Dickson (four types of complaints), Majlis Bandaraya Sepang (one type of complaint) and Majlis Daerah Hulu Selangor (one type of complaint). The municipality with the highest number of complaints in this category is Majlis Perbandaran Port Dickson, Negeri Sembilan. During 2016-2019, there was a total of 261 complaints in the first category on meeting and selection. For this category, Majlis Perbandaran Port Dickson received 133 complaints, which constitutes 51% of the total complaints. In the second category of administration and complaint, a total of 324 complaints were recorded from 2016 to 2019. Majlis Perbandaran Port Dickson, Negeri Sembilan, stands out with the highest number of complaints in this category as well. Specifically, this municipality received 136 complaints, accounting for 42% of the total complaints. In the third category of complaints on repair and maintenance, a total of 643 complaints were received from 2016 to 2019. Majlis Perbandaran Port

Dickson, Negeri Sembilan, received the highest number of complaints in this category, where 208 complaints were recorded, making up 32% of the total complaints. In the fourth category of financing issues, a total of 340 complaints were reported from 2016 to 2019. Majlis Perbandaran Port Dickson, Negeri Sembilan again led this category. The municipality received 234 complaints, constituting 69% of the total complaints. In the fifth category regarding advising service, the highest number of complaints, totalling 1138, was recorded by Majlis Bandaraya Sepang, Selangor. This municipality received 605 complaints, making up 53% of the total complaints. In the sixth category of COB governance, a total of 480 complaints were registered. Majlis Daerah Hulu Selangor, Selangor received the highest number of complaints. This municipality recorded 411 complaints, constituting a significant 86% of the total complaints in this category. Raising the level of awareness about the laws and legislation among residents in shared properties will increase their understanding of the importance of cooperation and tolerance in shared living (Khalid MS et al., 2017). These can significantly reduce complaints, especially regarding administrative and management issues. For complaints regarding repair and maintenance, among the strategies are setting out a program of fixed schedule for regular maintenance, making life easier for the owners by creating an online complaint form, considering future maintenance while preparing the project planning, providing training for the management team chosen and impose fines on owners for late payment of maintenance fee (Abas D.N. et al., 2021).

FINDINGS

This research found six aspects that the COB should take action to reduce the number of complaints by proposing strategies.

Consistent Municipal Dominance

MPPD consistently emerge as the municipality with the highest number of complaints across multiple categories: Meeting and Selection, Administration and Management, Maintenance and Defects, and Financing Issues. The future establishment of a strategic framework of roles and involvement of joint property management in strata buildings is expected to assist the designer in improving overall building quality by consolidating efforts on a few major issues or problems that arise during operation and maintenance stages and gathering existing knowledge from the property or facilities managers (Abas D.N. et al., 2021).

Diverse Concerns

The types of complaints are diverse, covering areas such as meeting and selection, administration and management, maintenance and defects, financing issues,

advising services, and COB's governance. These complaints can be efficiently tackled with an up-to-date database of occupants. It is crucial to obtain complete information about residents' social networks in order to develop a complete social network structure (Huang et al., 2023). This social network structure can develop a pattern of complaints.

Varied Municipal Performance

Different municipalities excel in managing specific types of complaints. For instance, MBS leads in Advising Services, while MDHS dominates in COB's Governance. COB, as an institution, should play a more proactive role in helping JMBs and other parties involved in the maintenance and management of high-rise properties. On the other hand, JMBs must also better understand the duties and powers as are legally provided and figure out the best approach to deal with the various challenges (Khalid M.S, 2017)

High Percentage of Municipal Contribution

In several categories, a substantial percentage of total complaints is attributed to a single municipality. Notably, in financing issues, MPPD accounts for 69% of the total complaints. There is a need to lay out strict enforcement by the authority, i.e. COB and compliance by all parties involved in the provision of Act 575 for the strata management to be improved (Rabe et al., 2021)

Potential Areas for Improvement

The findings suggest potential areas for improvement, particularly in the municipalities that consistently receive a high number of complaints. Addressing the concerns raised in these categories could lead to enhanced satisfaction and reduced grievances. Proactive measures should be taken into consideration, such as having a technical course as well as streamlining the management to be more efficient. Developing the Term of Reference (TOR) and design standard has the potential to be adopted by governmental agencies and be incorporated into their existing codes and standards (Abas D.N. et al., 2021).

Significance of Advising Services

Advising Services emerges as a category with a significantly high number of total complaints. This situation signals the importance of paying attention to this aspect and working towards improving advising services to meet community needs. In conclusion, this research provides insights into the patterns of complaints across municipalities and categories, offering valuable information for targeted improvements and strategic planning. The review and amendment of Act 757 are also necessary to be more comprehensive and dynamic to cater for any issue which may occur due to the fast development (Rabe et al., 2021)

CONCLUSION

Strata living in Malaysia has emerged as a popular urban lifestyle, yet it comes with its own set of challenges (Abas et al., 2018). This study explores the specific facets of financial management, communication, decision-making, defects and repairs, administration, and regulation within the context of strata living in Malaysia. Financial responsibilities are a cornerstone of strata living, as unit owners contribute to common expenses. The JMBs take a prominent role in budgeting, financial planning, and transparent reporting. The Strata Management Act 2013 should strategically delineate the financial obligations of unit owners, ensuring a systematic approach to fund management and making known this enforcement. Effective communication is pivotal for harmonious strata living. Raising the level of awareness about the laws and legislation among residents in shared properties will increase their understanding of the importance of cooperation and tolerance in shared living (Khalid M.S. et al., 2017). Utilising various channels such as official notices, newsletters, online platforms, and community meetings, the JMBs facilitate transparent communication. Informed residents contribute to a sense of community and understanding of decisions, maintenance schedules, and overall updates. Decision strata communities operate through well-defined decision-making protocols outlined in the Strata Management Act 2013. The JMBs, comprising developers and unit owners, should actively engage in decisions related to property management, rule enforcement, and community well-being. General meetings provide a platform for resident consultation on key decisions (Khalid, 2017). Addressing defects and repairs is a collaborative effort involving developers, JMBs, and unit owners. Developers handle initial defects during the liability period, while JMBs coordinate defect identification and unit owners contribute to maintenance funds for repairs. The Strata Management Act 2013 offers guidelines for a systematic approach to defect resolution. Administrative functions evolve, starting with the JMBs' role in day-to-day operations, rule enforcement, and maintenance coordination. Transitioning to an MC is a significant administrative step outlined in the Strata Management Act 2013. The MC assumes greater responsibilities, overseeing common property management and financial matters. Regulatory compliance is paramount in strata living, with the Strata Management Act 2013 serving as the regulatory framework. The COB oversees compliance, intervening in cases of non-compliance. Adherence to regulations encompasses by-law enforcement, transparent financial reporting, and ensuring administrative and maintenance practices align with legal requirements. In conclusion, strata living in Malaysia demand a nuanced approach to financial management, effective communication, decision-making, defect resolution, administration, and regulatory compliance. The collaboration between unit owners, JMBs, and the COB is important to ensure a holistic and harmonious living environment within the vibrant landscape of strata communities.

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