

Building Defects and Disputes: Mounting a “Defective Case”

8 Dec 2021 (Wednesday) | 3:00 pm to 5:00 pm
This webinar carries 2 CPD points.

Buying a property is one of the most significant investment that comes with the biggest and longest financial commitment. Unfortunately, it is almost impossible to buy a “disease-free” property these days.

Often, property owners are faced with an unreasonable amount of pre- and post-handover and latent defects that usually stem from issues related to design materials, workmanship and maintenance. It is disheartening that buildings are often “sick” even before occupancy and property owners find themselves in murky waters having invested in a lemon.

Building defects are common cause of legal disputes as parties argue over the root cause of the defect, or what is acceptable wear and tear, and who should be made responsible for the cost of rectifications.

Since 2008, the Architect Centre Sdn Bhd has prepared hundreds of independent building condition inspection reports for landed, strata, residential and commercial properties primarily over leaks and cracks, defective finishes on the walls, roofs, toilets, pools, safety; and conducted compliance inspections over mechanical, electrical, and lifts and fire protection engineering installations.

With increased awareness and dispute cases, property owners often rely on the experience and findings of technical expert reports in identifying the root cause of the defects.

The Blame Game — The developer, contractor or consultants? Aren't architects and engineers supposed to be the gatekeeper of the quality and safety of a building, and don't we already have adequate building regulations to govern building construction? Has the property been maintained properly?

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Speakers

Datuk Ar Ezumi Harzani has served as the President of the Malaysian Institute of Architects (“PAM”) and the Chairman of Architect Centre Sdn Bhd since 2007.



He was also appointed as the Advisory Board Member of Kuala Lumpur City Hall for four consecutive years from 2015 to 2019, and was a board member of the Board of Architects Malaysia from 2013 to 2021.

Datuk Ezumi is also the Director of Arkitek MAA Sdn Bhd, leading a team that implements various portfolios, such as hospitals, residential properties, office buildings, and hotels.

David Cheah is an architect, urban planner, adjudicator, and Chartered Arbitrator. He currently practises as an architect and town planner involved in a wide variety of architectural and urban planning work ranging from commercial, residential, and retail projects.



He is a Chartered Arbitrator listed on the panel of the Chartered Institute of Arbitrators (“CI Arb”) UK, and on the Asia International Arbitration Centre (“AIAC”) panel of arbitrators.

Ar Anthony Lee Tee has been a Registered Practising Architect since 1995, and continues to practise as an Accredited Architect, Independent Building Inspector and Forensics Building Inspector, and Certified Trainer. He is a director of the Architect Centre Sdn Bhd.



He currently chairs the PAM's Professional Practice Committee and Disciplinary Committee and serves as a PAM Council member for the 2020-2022 term.

Moderator

T Kuhendran heads his firm's Construction Dispute Resolution practice group. He holds a Bachelor of Laws (Hons) degree from the University of Leicester, United Kingdom. He is a Solicitor of the Supreme Court of England & Wales and was admitted as an advocate and solicitor of the High Court of Malaya in 1992. He is also a Fellow of the CI Arb.



Kuhendran is involved in dispute resolution, particularly in construction and engineering-related disputes. Apart from his experience in dispute resolution, he has also advised on diverse aspects of construction and engineering law. In addition, he has drafted and vetted various construction and engineering-related contracts.

This webinar is free of charge, but **advance registration is required.**

Upon successful registration, a link to the webinar will be emailed to registered participants only. Registration will close at **5:00 pm, 6 Dec 2021 (Monday).**

Please note that **no** additional registration will be accepted once the closing date has passed, or if the webinar is full (whichever comes first).

We may not permit future registration if you fail to attend the webinar after registering, unless you provide an acceptable and valid reason(s).

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01

For seamless streaming, download the Zoom app.



You will be given a webinar ID and a password to join the webinar once your registration has been confirmed.

02

Log in to Zoom, and provide your username.

For Members of the Bar or pupils in chambers, use the format below for identification purposes when prompted: **Full name (as per NRIC) | Bar Council membership number or petition number.**

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03

Set up your space.



Find a spot which is comfortable and free from background noises. You may use an earpiece with microphone for clarity. Having a strong internet connection is equally important.

04

Please raise your questions only during the Question-and-Answer session.

Please take note that no speaking is allowed when the webinar is taking place.

If you wish to raise a question, please type in the Q&A box and the speaker will respond accordingly.

05

Please do not do these



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Any unregistered person may be removed without prior notice and no CPD point will be awarded. Failure to adhere to this may result in disciplinary action by the Bar Council.



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