



JMB Desa Impiana
Puchong Prima

Management Office, Desa Impiana, Jalan Prima Utama 2, Taman Puchong Prima, 47150 Puchong, Selangor Darul Ehsan
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Date: 14th September 2009

TO ALL OWNERS

Dear Sir / Madam,

Tenancy of Units to Colleges / Students

We have received reports from the Management of Desa Impiana that several owners have rented out their units to colleges, who in turn are using the said units as accommodation for their students.

Upon looking into the matter, we ascertained that the colleges had placed as many as fourteen (14) students in a unit and had therefore caused the units to be used as a hostel for their students.

We have also received numerous complaints from residents on the students' misconduct which tantamount to nuisance, including but not limited to altercation with other students, unruly behaviour, excessive noise, abuse of common facilities, graffiti, vandalism, etc.

We view the above to be serious in nature and would like to advise you as follows:

(1) Use of Unit

Every unit in Desa Impiana is a private dwelling and shall not be used for any other purpose other than as a private residence.

By-Law 2 (f) of the Third Schedule of the Strata Titles (Amendment) Act 2007 ("Strata Titles Act") prohibits the use of the said unit contrary to the terms of use shown in the plan approved by the relevant authority.

(2) Overcrowding

It is an offence to permit a house to be so overcrowded as to be injurious or dangerous to the health of the inhabitants.

Section 78 of the Local Government Act 1976 ("Local Government Act") states that any person who commits such an offence, upon conviction is liable to a **fine** not exceeding RM2,000.00 or to a term of **imprisonment** not exceeding six (6) months or **with both** and to a **further fine** not exceeding RM100.00 for each day during which the offence is continued after conviction.

(3) Nuisance

By-Law 2(e) of the Third Schedule of the Strata Titles Act prohibits the units to be used in such a manner or for such a purpose as to cause nuisance or danger to other owners/occupants or their families.



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Section 82(1) of Local Government Act empowers Majlis Perbandaran Subang Jaya upon receipt of any information on the existence of a nuisance, to serve a notice on the person causing such nuisance or the owner of the unit, requiring him to abate the nuisance within the time specified in the notice.

Any person who fails to comply with the notice is guilty of an offence and upon conviction, be liable to a **fine** not exceeding RM1,000.00 or to a term of **imprisonment** not exceeding six (6) months or to **both**, and in addition, the Magistrate's Court may issue a nuisance order. Any person who fails to comply with a nuisance order shall be guilty of an offence and upon conviction be liable to a fine not exceeding RM100.00 for each day during the period of his default.

(4) Insurance

Desa Impiana is insured as a private dwelling against the risk of Fire and Other Perils ("the Policy"). In this instance, we shall hold the unit owner responsible and/or accountable for any increase in insurance premium rate or cancellation, invalidation or non-renewal of the Policy arising out of the breach above.

We would like to highlight to you the gravity of the matter and the negative impact these students have on Desa Impiana, which includes amongst others, depreciation of our property value, increase in repair and rectification costs (due to vandalism, graffiti) and decline in our quality of living.

We would appreciate your utmost co-operation.

Thank you.

Yours sincerely,
For JMB Desa Impiana


Norlyn Kamal Basha
Chairman