

BUILDING MAINTENANCE AND STRATA MANAGEMENT ACT

**BUILDING MAINTENANCE AND STRATA MANAGEMENT
(STRATA TITLES BOARDS) REGULATIONS 2005**

STB No. 117 of 2018

In the matter of an application under **section 103 and 101(1)(c)** of the Building Maintenance and Strata Management Act in respect of the development known as **WESTCOVE CONDOMINIUM** (MCST No. 2479)

Between

1. Chiam Kia Chee &
2. Goh Chew Hoon

... Applicant(s)

And

The MCST Plan No. 2479

... Respondent(s)

GROUNDS OF DECISION

BUILDING MAINTENANCE AND STRATA MANAGEMENT ACT

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2. Goh Chew Hoon

... Applicant(s)

And

The MCST Plan No. 2479

... Respondent(s)

20 December 2018

21 December 2018

Coram:

Mr Seng Kwang Boon	(Deputy President)
Mr Tan Kian Hoon	(Member)
Mr Richard Tan Ming Kirk	(Member)

1. The Applicants are the Subsidiary Proprietors (SPs) of 10 West Coast Crescent, Tower 3B #XXX, Westcove Condominium.
2. The Respondents are the Management Corporation of Westcove Condominium.

APPLICANTS' CASE

3. The Applicants submitted that roof tiles from the roof of their block had fallen onto their PES area. This incident was both a safety and a health issue for them and their family.
4. Applicants also claimed that the Management Corporation had not done any repairs or take any action to rectify the problem.
5. They now seek the following orders from the Board:
 - i. Respondents to immediately carry out roof tiles rectification/repair works.

- ii. Respondents to compensate them for the loss of use and enjoyment of their PES area.
- iii. Costs of this application.

RESPONDENTS' CASE

- 6. Prior to the start of the arbitration hearing, the Respondents stated they were prepared to consent to an order against them to carry out the necessary rectification works. This narrowed the remaining issues to monetary compensation for the Applicants' loss of use and enjoyment of their PES area and costs.

BOARD'S ORDER

- 7. At the arbitration hearing, the Applicants withdrew their claim for compensation.
- 8. The arbitration hearing proceeded with the Board hearing the parties on the remaining issue of costs.
- 9. After hearing parties and considering the matter, the Board made the following orders :
 - a) The Respondents are to carry out permanent rectification and repair works to the roof of Tower 3B forthwith to prevent the tiles from falling off.
 - b) The Respondents are to pay the Applicants costs as follows:-
 - i. \$500 - application fee for filing the application; and
 - ii. \$600 - Strata Titles Board hearing fees for 20 and 21 December 2018.
- 10. Respondents to make payment of the above amounts to the Applicants within 14 days from the date of the Order.

Dated this 21st day of December 2018

MR SENG KWANG BOON
Deputy President

MR TAN KIAN HOON
Member

MR RICHARD TAN MING KIRK
Member

Mr Chiam Kia Chee (in person) for the Applicants
Mr Wong Ngee Yong (in person) for the Respondents