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**BUILDING (STRATA MANAGEMENT) ACT 2004
BUILDING MAINTENANCE AND STRATA MANAGEMENT
(STRATA TITLES BOARDS) REGULATIONS 2005**

STB No. 7 of 2026

In the matter of an application under **section 113** of the Building (Strata Management) Act 2004 in respect of the development known as **Oxley Bizhub** (MCST Plan No. 4111)

Between

Koh Chong Chiah and Low Kim Hiang

... Applicant(s)

And

The Management Corporation Strata Title Plan No. 4111

... Respondent(s)

GROUND OF DECISION

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26 June 2026

24 July 2026

Coram:	Mr Remedios F.G	Deputy President
	Dr Lim Lan Yuan	Member
	Mr Lawrence Ang	Member

Introduction

1. This is an application for an order pursuant to section 113 of the Building (Strata Management) Act 2004 (“**BSMA**”). Under section 113, the Board can, where the management corporation has wrongfully withheld from an applicant any information or failed to make available for inspection records/documents that the applicant is entitled to receive or inspect, make an order for the management corporation to supply or make available the information, records or documents. Section 47 of the BSMA identifies the information, records and documents that an applicant is entitled to receive/inspect and the process with regard to the mode of application and provision of the information/records/documents.

The provision is as follows:

“Order to supply information or documents

113. Where, pursuant to an application by any person, a Board considers that the management corporation or subsidiary management corporation to which the application relates, or a managing agent or the chairperson, secretary or treasurer of

that management corporation or subsidiary management corporation has wrongfully —

(a) withheld from the applicant any information to which the applicant is entitled under this Act; or

(b) failed to make available for inspection by the applicant or the applicant's agent any record or document that, under this Act, the applicant is entitled to inspect,

the Board may order that management corporation, subsidiary management corporation, managing agent, chairperson, secretary or treasurer to supply or make available the information or to make so available the record or document, as the case may require, to the applicant.

Background

2. The applicants, represented by Koh Chong Chiah (“**KCC**”), are subsidiary proprietors in the development known as Oxley BizHub. They have, in Section D of Form 8 of the application applied for orders against the management corporation to produce and make available for inspection i) *full bank statements for all MCST bank accounts for FY2021/2022 to FY2024/2025*, and *bank reconciliation statements for the same period*, ii) *detailed schedules* in relation to moneys owed to the subsidiary proprietors, contributions received in advance and other payables, iii) *supporting documents* in relation to a \$54,000 adjustment in the banking records and iv) records and documents in relation to orders made in STB 52 of 2025.
3. In Section E of Form 8 of the application and his affidavit of evidence in chief (A1), KCC informed that the MCST’s audited financial statements for multiple years disclosed persistent accounting and control deficiencies and he was unable to ascertain the true financial position of the MCST. He was in his application seeking to verify the MCST’s financial records, governance and legal expenditure.
4. It was, on the part of the respondent not its case that it was opposed to providing the applicants with the documents they wanted. It was its case that the documents sought were not available. It was also the case for the respondent that an order should not be made in favour of the applicants because the provisions of the BSMA had not been complied with.
5. The respondent’s operation manager, Jermaine Tan (“**JT**”) in her affidavit of evidence in chief (R2), inter alia, gave evidence in relation to clarifications and supporting documents sought by KCC on 29 December 2025 in relation to matters arising from the independent auditor’s report and the reply that she gave. It was her evidence that she had provided KCC with clarification to his queries. Further queries were made by KCC after her reply, but she did not respond because there was insufficient time. The MCST’s 11th Annual General Meeting (“**AGM**”) was to be held in the afternoon of the day she received KCC’s email and she was of the view that he could raise his queries at the AGM. JT also informed that “*MCST’s records are not in perfect order*” and had problems with “*auditors issuing qualified or disclaimed opinions*”.

6. In relation to the documents that KCC was asking for in this application, it was her evidence that the MCST did not have “*bank reconciliation statements*”, did not have “*schedules of receivables and payables*”, and “*supporting documents for the \$54000 adjustment*”.

Decision

7. Under section 113 of the BSMA, the Board can order a management corporation to supply information or make available a record or document to an applicant when the management corporation has “***wrongfully withheld***” any information that applicant is **entitled to** receive from the management corporation or “***wrongfully failed to make available for inspection***” any record or documents to the applicant is **entitled to inspect**.
8. Accordingly, orders can only be made in relation to information and documents which an applicant is entitled to receive or made available for his inspection.
9. Information that an applicant is entitled to, and records and documents that must be made available for inspection by an applicant are listed in section 47(1) of the BSMA. Entitlement to information and availability for inspection arises after an applicant has made an application in writing for the information and/or inspection of the record/document and has paid the prescribed fee for the information, record/document.
10. Accordingly, an applicant will not be entitled to be supplied with information and/or have documents made available for inspection until the pre-conditions for entitlement – an application in writing and payment of prescribed fees - have been complied with.
11. In an email dated 29 December 2025, KCC had sought for ***clarification*** and supporting documentation of matters in the audited financial statements considered at the 11th AGM. KCC had also asked the MCST to ***provide*** (as opposed to make available for inspection) information in relation to transfers of moneys in 2024 and 2025. Additionally, KCC also asked the MCST to ***provide...supporting documents*** in relation to an amount of \$190,082 that was owed to creditors and for ***clarification*** for an increase of legal fees.
12. At the Directions Hearing on 27 April 2026, KCC was informed that, inter alia, evidence was required to prove that the requirements of section 47(1) of the BSMA had been complied with in relation to the documents that he was seeking. There was no evidence or submissions on the part of KCC that the requirements of section 47(1) had been complied with. All that was adduced to the Board were the emails on 29 and 31 December 2025 wherein KCC had asked for clarifications/explanation and provision of supporting documentation and submitting that the respondent’s reasons for not providing what he had asked for were inconsistent.
13. There was, in this case, no evidence that the applicants had ever made an application in writing for the documents listed in the application. Additionally, the Board cannot,

on the evidence before the Board find that the respondent wrongfully withheld any information and/or documents from the applicants.

14. The application is dismissed.

Dated this 24th day of July 2026

Mr Remedios F.G
Deputy President

Dr Lim Lan Yuan
Member

Mr Lawrence Ang
Member

Koh Chong Chiah (in person) for the Applicants.
Nichol Yeo (Nine Yards Chambers LLC) for the Respondent.