

Public Perspective Towards Illegal Renovation Dilemma among Landed Residential in Kuala Lumpur

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Abstract--- *In Kuala Lumpur renovation has become a popular trend for house owner to carry out this activity even before they move into the house. This is happening as most landed housing in Kuala Lumpur were designed in monotonous and repetitive arrangement which triggered house owner to renovate to make it personal to suit their taste and need. Renovation activities in Malaysia especially if it involves structure and façade are required to get LA approval and there are rules and procedure that the owner need to adhere. In view of this situation LA received many complaints on the illegal renovation. This has given bad reputation to the LA as their function is to ensure the protection of public interest and as well as safety within their authorized boundary. This research is focusing on public perspective on illegal renovation within Kuala Lumpur vicinity and the objective of this study is to identify public awareness and knowledge on this issue. Most cases of illegal residential renovation reported within the area of elite community such as in Central Regional Zone 2. Among the factors that caused this situation are due to owners are framed or scammed by contractor and not aware on the procedure.*

Keywords--- *Public Perspective; Illegal Renovation; Landed Residential.*

I. INTRODUCTION

This research is focusing on public perspective though the dilemma facing in illegal renovation issues. Housing has become our necessity in millennial lifestyle, as it is not just a place for one's shelter but also as an asset of one's status and prestige. In Malaysia, there are many types of housing in the market either from landed housing or strata types which is for multi-storey building (Zan, Roslan, Mustafa, & Senawi, 2018). The definition of illegal renovation is where a building carry out a refurbishment or extension without approved renovation plan by local council (Sarkom, Ghani, & Ibrahim, 2018). Besides that, illegal renovation can also be defined as a renovation work that had been carried out which does not adhere to the approved renovation plan (Sarkom et al., 2018). Nowadays, we can see many residential owners carried out extension or renovation exceeding the boundaries that have been set by the Local Authority. This has become a followed trend by many especially in urban city such as Kuala Lumpur. A case study was conducted around Kuala Lumpur, the capital city of Malaysia. Kuala Lumpur is the fastest growing metropolitan regions in Southeast Asia therefore the administration of the Kuala Lumpur city is charged under the authority of City Council or City Hall ; Dewan Bandaraya Kuala Lumpur (DBKL, 2019). In Malaysia, LA is a third tier of government

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administration which the organization responsibility is to ensure the efficiency and effectiveness of delivery services to the public (Talib, Ismail, & Adelabu, 2017).

II. LITERATURE REVIEW

An urban city is a human settlement with high population density and furnish with many infrastructure building and built environment. Urban development is an evolution of an urbanization process where it involves both structure building and living human. In built environment, building renovation is defined as structural technical intervention in or on a building, by means of which the building is adapted to a new functional purpose being changed. It can also be define as a process of undergoing a transition, with several development to distinguish between construction work on existing building stock or on a new construction (Vainio, 2011). In Malaysia there are variety of landed residential housing types ranging from terrace houses to bungalows. The types of houses are distinguished by the size, material and house prices (Mustaffa, Hasmori, Sarif, Ahmad, & Zainun, 2018). The physical characteristic of landed housing in urban area is monotonous and repetitive housing arranged in straight rows. As it would looks like to each other most owners eventually would carry out renovation even before they move in or entering a house. Some had done the renovation as to increase the property value, and make the house comfortable according to their preferences or to increase a safety by installing grilles at the opening in the house. (H. Ahmada, 2011).

2.1 Overview of Housing Renovation Trend in Kuala Lumpur

Referring to the issues, according to renovation guideline by DBKL, there are four (4) types of renovation that required approval by the City Hall. The first type is extension of boundary which it is including front extension, side extension and yard extension. The second type of renovation is to add additional level of building which the maximum level to add for landed residential is limited to four storey height. Furthermore all projects, which involve additional of level must be under the supervision and approved by engineer. This is to ensure that the addition level is safe and not effected the capacity of foundation that had been built underground. The third type of renovation is a renovation that involves façade structure whether such as beam, column, wall etc. The final type of renovation is changing of shape of building in the renovation. Renovation has become Malaysian culture and the current trend especially in the urban area such as Kuala Lumpur where the owners afford to pay for the renovation cost. According to DBKL, many renovation applications and complaints mostly come from elite area such as in Central Regional Zone 2 (Kawasan Tengah 2) of Kuala Lumpur which including Damansara and Taman Tun Dr Ismail (TTDI). In most cases, owners have many reasons to do the renovation. Some do it as they try to find suitability in current design trend. Besides that, increase number of family members also become a major reason as they do renovation to give more space for comfort. The area of the house that always get attention for renovation may vary depending on the owner taste and wants. It could be a minor renovation of non- structural components to major renovation which to the extend it involves demolition of facade (Saruwono, Rashdi, & Omar, 2012).

2.2 Central Regional Zone 2 of Kuala Lumpur

This research area is focusing on Central Regional Zone 2 of Kuala Lumpur where it is one of regional zone of in the state of Kuala Lumpur where it is designated as an International Zone. DBKL has done a lot of effort in this area to maintain and enhance its existing international character, which effort a high quality living and working environment comparable to those of other world class cities. This area had been planned for high end employment center to

incorporate with institute of higher learning and research center. This is to serve the local population as well as international students. Many of developments around this area uphold the definition of low-density high cost housing as to preserve the heavily treed and undulating the characteristic of the area (Dewan Bandaraya Kuala Lumpur, 2004). This Central Regional Zone 2 is consist of exclusive and elite towns from Kuala Lumpur state comprises of Mont Kiara, Bangsar, Bukit Tunku, Bukit Damansara, Sri Hartamas, University Malaya, Taman Warisan Tun Abdul Razak and Pusat Bandar Damansara. These area in these area some are designated for commercial development such as high quality office and few of service apartments. Besides that, other area such as Bukit Damansara and Bukit Kiara, Taman Tun Dr Ismail are designated for moderate intensification of low density residential area with international standard of recreational facilities and education institution. According to the information received by DBKL, there were many illegal renovation cases reported within this Central Regional Zone 2 area. This is because most of the residents who live within the area are from high income group of peoples where they effort to spend money for renovation works and pay for professional fees. Further to that DBKL personnel's agreed that there were also cases where renovation had been constructed without legal permit for those who fail to make application to DBKL and also cases where renovation works had been done over the permitted boundaries. From the information obtained at least four 4 to five residential cases involves in illegal renovations were reported in a month which affected within this area. The Figure 1.0 below shows the location of Central Regional Zone 2 of Kuala Lumpur.



Figure 1. Map of Central Regional 2 of Kuala Lumpur, Malaysia

Source: DBKL

2.3 Framework of Application Procedure for Renovation Permit in Kuala Lumpur

In Malaysia, there are rules and regulations to obtain permit for house renovation. The building standards and LA guidelines should be followed by house owner in order to avoid penalty from the LA and to ensure that the building is safe to stay and in good condition. There are several steps to get approval from Local Authority, according to Figure 1.0 below, it shows that before any renovation is done, the owner of the residential housing needs to meet the Building Inspector or Building technician for their advice before applying for renovation permit. This is to ensure that the house owner aware on changes that they expected and address any concern to the architect. Along with the process, the owner have to appoint a registered architect to draw the layout plan (Sabri, Ujang, Arif, & Aripin, 2018). The new layout plan

would be submitted together with the application form to the LA. Owner could find an architect themselves to proceed for the application or the owner could get the architect from architect list that provided by the Local Authority. Apart from that, there will be professional fees that should be paid by house owner to the architect upon the process. The next step, the architect will submit the application to the LA Salcedo Rahola & Straub, (2016) before they start with any renovation work. The second step from the framework shows that application will be compiled and submitted to One Stop Centre (OSC) of DBKL. Once the OSC department received the application, it will be tabled during OSC committee meeting. During the meeting, the committee will carry out an investigation on application. Some application would require a site visit from the authority before making a decision. This site visit is important to ensure that LA permit on a right property, with true application. Upon the completion of the investigation and satisfied, the committee will then move to the final step where they have to decide on their final decision. There are three types of decision that would be release by LA. If the application is not satisfied by the committee, it could be rejected and applicant would have to re-apply for new submission. The second decision option is that the committee could reward an approval limited to conditions. This could happen if all evidence is satisfied. Documents that would be required to submit are location plan, key plan, floor plan, elevation plan and section plan.

Along with the process, there are few documentation that would be needed for the application. For instance architect cover letter, Development Order (DO), Building Plan, Site plan, Location Plan, Section Plan and Car Parking Plan if applicable. The procedure is important as it is to make sure that the Building Plan is following the building regulation as well as to ensure it is legal. Furthermore, the compliance reflect the ability of planning authority in controlling guidelines (Alnsour & Meaton, 2009). The latest renovation guideline has been approved since 20th April 2015 and applicable to all landed houses type excluding strata building (DBKL, 2017). DBKL has also provided an online portal for a small scale housing project submission. The name of the portal is Kuala Lumpur Integrated Submission (KLIS). This online portal allows for public to make online submission as well as one to one virtual interaction with DBKL. The guidelines of application procedure is as follows:

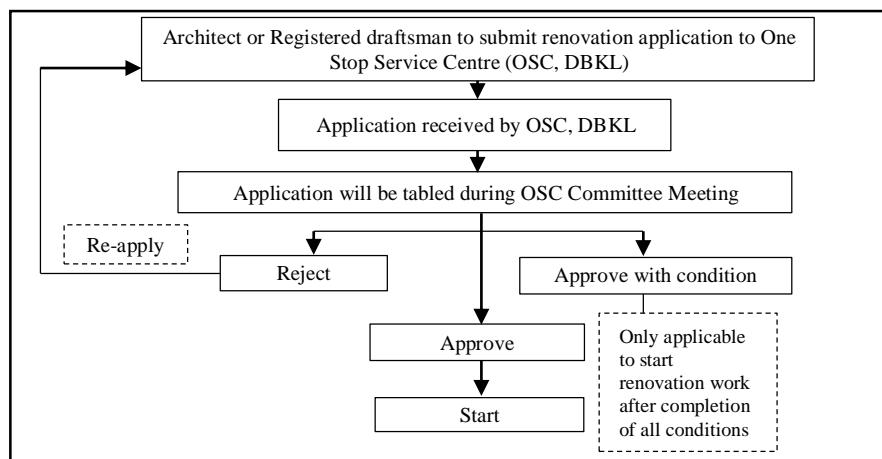


Figure 2. Guideline Approval by Dewan Bandaraya Kuala Lumpur
Source: (DBKL, 2017)

2.4 Enforcement Procedure by DBKL

In any cases where DBKL received a complaint from neighbor or public on the suspect of illegal renovation, the enforcement unit would take the responsibility to investigate and follow up the case. The first thing before DBKL come

to visit, the team will run check the complaint unit number or house number to confirm whether the house owner had ever submit the application to the DBKL. There are two (2) condition that a renovation works can be illegal, one is either the house owner failed to apply from the LA but carry work without illegal permit, the second situation is that the owner had obtained the renovation permit but had done the work beyond the approved plan. Once the status of the complaint confirmed by the enforcement team, they would set a date to visit the subject property. Upon the visit, if the house owner proof guilty and fail to show their permit, a reminder notice will be issued to the house owner to inform on the fault and suggest the next step to be taken by the owner. The option that would be suggested by DBKL is that for house owner to make amend on the renovation whether in three days, seven days, fourteen days or immediately. The type of options that would be given depending on the seriousness of the renovation. Failing to make amend on the renovation, the DBKL would not be hesitate to demolish the renovation work as permitted under their duty.

2.5 Factors causing Illegal Renovation

Illegal renovation have created numerous problem to Local Authority in Malaysia. The major reason this issue happen was due to confusion as some owners are unsure with the rules and regulation of house renovation by the local authorities in the state. The rules and regulation itself had undergone various amendment and changes without public consultation (Sarkom et al., 2018). Besides that ignorance of the law is also another factor that causes this issue. Plus, less knowledge which owners did not aware to submit the renovation plan and renovation application. In some cases, there is also owners who are not sincere with their application. They applied for small works using the standard plan provided by the Local Authority, but later they renovated the house not according to the approved plan. Sometimes owner did not hold liable to all the issue, it was the contractor who framed the owner when they engage third party to get the approval for them. For instance the contractor will be asking for higher construction cost, poor workmanship, appointing foreign illegal contractor and not registered with Construction Industry Development Board (CIDB) (Rahola et al., 2016). The problems in the renovation work itself are often technical, but they may also be related with the quality or availability of resources. (Vainio, 2011).

III. METHODOLOGY/MATERIALS

This research is a descriptive research with combination of qualitative and quantitative method where required both primary and secondary data collection. This combination method is applied for comprehensive analysis of research question (D.K.Bird, 2009). Primary data collection will include distribution of questionnaire survey to the public within Kuala Lumpur and interview session with DBKL personnel specifically under One Stop Centre department, enforcement department and development department while for secondary data, data is collected through books, journals, newspapers and websites. A questionnaire survey had been distributed to 100 respondents within Kuala Lumpur area and 77 had responded to the answer.

Table 1 Table of question to DBKL Personnel

Department/Unit of DBKL	Question	Response
One Stop Centre (OSC), Development	Is illegal housing renovation exist in Kuala Lumpur?	Yes

OSC, Development, Planning and Enforcement	Which area that has the major complaint or report on this issue?	Illegal house renovation happen all over Kuala Lumpur but specifically in elite area such as Central Regional Zone 2; Damansara, Taman Tun Dr Ismail etc.
Enforcement and Building	Statistic of cases reported to DBKL	Regional Zone 2; around 4 to 5 cases per month
OSC and Building	How to submit application to DBKL	DBKL implies online application and submission. No manual application would be accepted.
Enforcement and Building	What types of housing that subject to DBKL authority and enforcement?	Illegal housing renovation in landed houses such as bungalow, terrace houses and semi-detached house.
OCS, Enforcement and Building	What is DBKL practice to obtain information on illegal renovation issue?	Most of report and complaint come either from public complaints or DBKL unit surveillance.
OCS, Enforcement and Building	Is there any procedure practiced by DBKL upon receiving illegal renovation compliant	Yes

IV. RESULTS AND FINDINGS

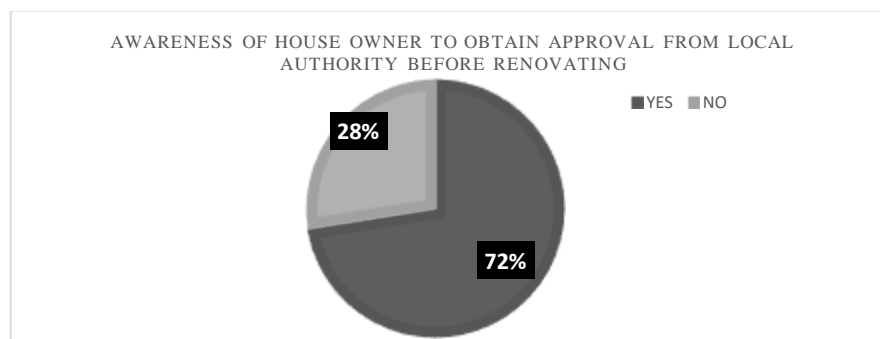


Figure 3. Level of public awareness to obtain renovation permit

Based on Figure 3. above it shows that 72% of respondents aware of the renovation permit that required to be applied earlier before renovation work start. However there are some peoples who still not aware on the procedure and guideline where from the pie chart it represented by 28%. This is agreed by DBKL where they have been dealing with many cases reported whereby residents or house owner did not know or did not aware that they have to apply for the permit.

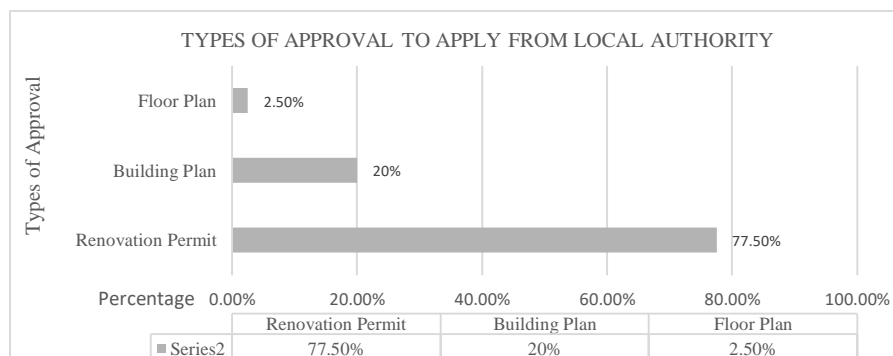


Figure 4. Level of knowledge on types of approval required to obtained by Local Authority

Based on Figure 4. above it shows that majority 77.50% of respondents aware and have a knowledge on renovation application. Majority aware that they should obtain a renovation permit if the renovation required major or structurally changes upon the application submission. However there is 22.5% of the above data shows that there are still people who did not aware or they were not sure on what they will be obtained throughout the process from LA. From the breakdown, 20% of the respondents choose building plan for their answers while other 2.5% choose floor plan.

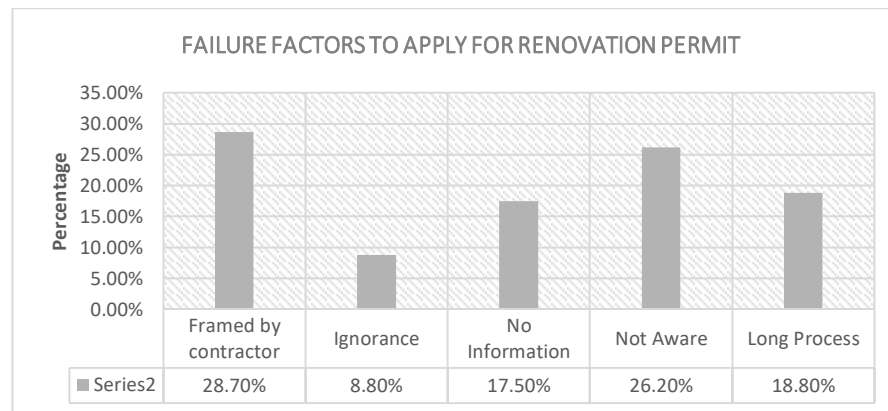


Figure 5. Failure Factor House Owner Fail to Apply for Renovation Permit

Figure 5. above shows the factors of failure why house owner failed to apply for renovation permit from LA. From the graph is shows that 28.70% of respondents agreed that the highest factors house owner fail to apply for renovation permit is because they were framed by house contractor during renovation period. It is very common nowadays that house owners are working and they do not have time to manage their renovation work, they would engage private contractor to do all the works from the start and leave all the responsibility to the contractor. Beside that the second highest factor is 26.2% respondents choose they did not aware on the renovation process and the requirement thus allow the contractor to take advantage on their weaknesses. The third factor recorded that long process become the next factor which shows 18.8%. The long process referring to time that the owners have to wait to get the approval done by LA. The lowest factor is ignorance where 8.8% agreed with that answer where house owner lack of knowledge on this issue and they think it is not important.

V. CONCLUSION

For the conclusion it can be concluded that illegal renovation is not a new issue in Kuala Lumpur in fact this issues keep increasing every year as reported by DBKL. They are many factors that causing the issue as has had been stated in the analysis section where majority of respondent agreed that many house owner were framed or scammed by their own contractor due to their ignorance. For illegal renovation under residential housing, elite residential areas received the highest complaints from the public as agreed by DBKL. This is happen because those who live in the elite area such as Bangsar, Taman Tun Dr Ismail and Damansara have the affordability to proceed with house renovation as they are from high income group peoples. Sometime illegal renovation does not only referring to renovation without permit, in some cases it can also be a renovation which had obtained the permit but illegally doing the work over their boundary or over the approved plan. Therefore DBKL would ensure that the team are prepared with action plan to encounter this growing illegal renovation cases including immediate demolishing of building structure. The make sure there is changes in future, DBKL and other LA from other states should take responsibility to spread and share the information of illegal renovation cases and procedure to public so that the public would understand and help to improve

their knowledge. This will eventually make the public aware on the legal procedure, adhere and in the hope it will reduce the number of illegal renovation not just in Kuala Lumpur but the Malaysia as whole.

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