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HOUSING DEVELOPMENT (CONTROL AND LICENSING) ORDINANCE,
2013

HOUSING DEVELOPMENT (CONTROL AND LICENSING) (ASSUMPTION AND
CESSATION OF CONTROL) DIRECTION, 2026

(Made under section 27(1)(a), (c) and (e))

In exercise of the powers conferred by section 27(1)(a), (c) and (e) of the Housing Development (Control and Licensing) Ordinance, 2013 [*Cap. 69*] (“the Ordinance”), the Minister has made the following Direction:

Citation and commencement

1. This Direction may be cited as the **Housing Development (Control and Licensing) (Assumption and Cessation of Control) Direction, 2026**, and shall be deemed to have come into force on the 13th day of July, 2026 (“commencement date”).

Assumption of Control of Business of Licensed Housing Development

2. The Minister directs that Kejora Dijaya Sdn Bhd [company no. 201201014198 (987715-P)] (“Kejora”), shall assume control and carry on the business of licensed housing development for Vista Wirajaya Sdn Bhd [company no. 201401011773 (1087850-T)] (“Vista”) in respect of the housing development as

specified in Table 1 which are parts and parcels of Lot No. 49, 168 & 169, Block 2, Maradong Land District or named as Taman Muhibbah (“project”). The said project was licensed under the Housing Development Licence (HDL) No.: L0016/KP/HD/06/2016/0003-R3 which is valid from 1st September 2023 to 31st August 2025.

3. The project has been declared abandoned on 16th May 2026 due to the delay or ceased work continuously for more than six (6) months and beyond the stipulated period of completion.

Table 1

<i>No.</i>	<i>Block & Type of House</i>	<i>No. of Units</i>	<i>Status</i>	<i>Pending Action</i>
1.	Single Storey Terrace	35	on-going construction	Issuance of Occupation Permit (OP) and Individual Land Titles
2.	Single Storey Semi-Detached	12	on-going construction	Issuance of Occupation Permit (OP) and Individual Land Titles

4. Kejora, upon appointment, shall assume full responsibility to revive, manage and complete the abandoned housing project in accordance with all applicable laws, regulations and approvals issued by the relevant authorities, including but not limited to the Ministry of Public Health, Housing and Local Government Sarawak.

Terms of Control

5. In carrying out the Direction made pursuant to paragraphs 2 and 3, Kejora shall be subject to the following terms:

(a) shall take all necessary steps for the successful completion of the abandoned housing development which shall include the following—

(i) to obtain the development rights for the said housing development area;

(ii) in the event of the circumstance allows or permits, to secure the Power of Attorney from the landowners for the said housing development area;

(iii) to obtain financial funding and be responsible for the payment of all costs, fees, charges and other expenses incurred for the completion of the said housing development;

(iv) Kejora shall obtain, renew or regularize all necessary approvals, permits and licenses required for the continuation and completion of the abandoned project;

(v) to complete the project with OP and hand over vacant possession of the completed housing accommodation in accordance with the contract of sale to the purchasers upon completion of the said housing development;

(vi) in the event of the circumstance allows or permits, to apply for and to obtain the approval of the relevant authorities for the subdivision and issuance of individual titles and the transfer of such titles to the house purchasers;

(vii) to appoint contractors, consultants, architects, engineers and any other party;

(viii) to ensure proper financial management of the project and shall not permit any interruption of works due to financial insufficiency;

(ix) to be responsible for rectifying any defects within the agreed Defects Liability Period (DLP);

(x) to act as the principal coordinator among all stakeholders including authorities, financiers, contractors and house purchasers.

(b) to comply with all provisions of the Ordinance and any subsidiary legislations made under the Ordinance and notwithstanding the generality of the foregoing shall, for each phase of the said housing development:

(i) to apply and obtain a housing development licence under section 6 of the Ordinance;

(ii) to apply and obtain an advertisement and sale permit under regulation 4 of the Housing Development (Control and Licensing) Regulations, 2014 [Swk. L.N. 105/2014];

(iii) to open and maintain a Housing Development Account under section 12 of the Ordinance; and

(iv) to fulfil the duties of a licensed housing developer under section 10 of the Ordinance;

(c) to submit, within three weeks after the commencement date of this Direction, a schedule of work including milestones and timelines for the completion of the said housing development for the approval of the Controller and upon obtaining the approval of the Controller, to undertake and complete the said project in accordance with the approved schedule of work;

(d) to submit to the Controller, a monthly statement in a form as may be determined by the Controller, from time to time, containing such information on the progress of the said housing development until the OP is issued to all the houses in the said project;

(e) to identify, assess and mitigate all foreseeable risks associated with the project including financial, legal and construction risks;

(f) to inform the Controller of any change in circumstances rendering it incapable of meeting any of its obligations to the purchasers at any stage of the said housing development;

(g) to engage with existing house purchasers in a transparent and timely manner;

(h) where necessary, to enter into supplementary agreements with house purchasers to reflect the revised terms, provided that such revisions are fair, reasonable and lawful;

(i) Kejora shall use its best endeavours to protect the interests of house purchasers and minimize any additional financial burden imposed on them;

(j) being the principal coordinator for the said project, Kejora shall at all times act in good faith and in the best interests of ensuring the successful completion of the said project.

Cessation of Control of Business

6.—(1) In accordance with Section 27(4) of the Ordinance, Vista shall submit its business of the said housing development to the control of Kejora and shall provide Kejora with all the facilities necessary for Kejora to complete the said housing development, within thirty (30) days after the commencement date of this Direction.

(2) In correlation to the declaration of abandoned project, Vista shall be required to sign the revocation of Development Agreement and consent to the termination of the Irrevocable Power of Attorney signed between Vista and the Landowners, within fourteen (14) days after the commencement date of this Direction.

(3) Vista shall take all necessary steps to assist Kejora in obtaining the development right of the said housing development area and ensure Kejora is granted the development rights of the said housing development area including the removal of caveat(s) lodged by Vista.

(4) The Bank Guarantee (BG No.: TFCG366806) placed by Vista for the said project amounting RM200,000 shall be forfeited and transferred to the new Housing Development Account opened by Kejora.

(5) In pursuance to section 28 of the Housing Development (Control and Licensing) Ordinance, 2013 [**Cap. 69**], Vista shall provide RM250,000 to fund the project and the said fund shall be transferred to the new Housing Development Account opened by Kejora in respect of the said housing development, within six (6) months after the commencement date of this Direction.

Non-liability of Kejora

7. Kejora shall not be liable for any liabilities in respect of the said housing development, including the Liquidated Ascertained Damages (LAD) and defect liability, accruing prior to the date that Kejora is granted a housing development licence for the said housing development under Section 6 of the Ordinance pursuant to this Direction.

Dated this 10th day of July, 2026.

DATUK AMAR PROF. DR. SIM KUI HIAN
*Deputy Premier and
Minister for Public Health, Housing and Local Government
Sarawak*

KP/HD/06/140 (JIL.1) (56)

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