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Transferring assets of love

Gifting property can be one of the most meaningful acts of love and the laws are supportive of it

By **YIP WAI FONG** waifong.yip@thestar.com.my

OVE can take the form of gifts from the giver wishing to convey to the receiver an understanding that the latter is important in the giver's life. What is a better gift to express that message than the gift of an immovable, stable and transferable property?

Other than an outright purchase for a beloved, one also has the option to transfer the ownership of existing property. The legalese for such transfer is plain and simple – transfer by way of love and affection.

"Property transfer by way of love and affection is not limited to residential properties (and neither is there) a limit on how many properties can be transferred," said Harvindar Singh, lawyer and sole proprietor of Harvindar Singh & Co.

As a matter of practice, such property transfers are potentially exempted from both the Real Property Gains Tax (RPGT) and stamp duty. Only three sets of relationships are anointed for the special exemptions – between spouses, parents and children (including step-children), and grandparents and grandchildren who are Malaysian citizens.

"RPGT is payable by the selling or giving party at the disposal of property. In essence, it is a tax on the profit generated on the disposal. Under the Real Property Gains Tax Act 1976, transfers between (the parties above mentioned) are deemed to have no gain and no loss on the disposal. Therefore no RPGT is payable. However, the transferor must be a Malaysian citizen," clarified Harvindar.

Advocate and solicitor Ching Wei Tong from Teh Kim Teh, Salina & Co added that the transferor will not be taxed RPGT regardless of whether the property is still under financing or free from encumbrances, so long as the transfer is among the three sets of relationships.

"It is not uncommon in practice for the parties to do a love and affection transfer even if the property is encumbered. The (transferor) can either pay off the loan and redeem the property from the bank before the transfer or proceed with refinancing the property," said Ching.

However, when it comes to stamp duty, there are varying degrees of exemption for each set. For husband and wife, Ching said that there will not be any stamp duty chargeable. But the exemption will not apply to a non-Malaysian transferee.

Between parents and children, there will be a 50% stamp duty on the property's market value. Between grandparents and grandchildren, there will not be stamp duty remission so the full stamp duty according to the property's market value is chargeable.

However, if last year's Budget 2023 proposal by the previous Finance



Minister Tengku Datuk Seri Zafrul Abdul Aziz on property transfer is made into law, the corresponding stamp duty for all three sets of relationships will be fixed at a nominal rate of RM10.

"There is no official gazette from the newly formed government to date. Hence, it is yet to be in force," said Ching when asked about the matter.

Now, what happens to property transfer other than the three sets of relationships above, for example between an uncle and a nephew?

"For relationships outside of love and affection transfer, the parties can enter into a sales and purchase agreement to formalise the transfer. Full stamp duty on the transfer is chargeable for such a transaction and also the RPGT will be taxable on the disposer if the property is acquired for less than five years," said Ching.

While the exemptions decreed by laws may not be as boundless as love, it nevertheless makes asset transfer between immediate family members relatively uncomplicated and inexpensive when compared to a number of other countries. One of the main savings lies in the fact that Malaysians are not required to pay inheritance tax.

"There is currently no inheritance tax payable in Malaysia. Historically, there was inheritance tax but it has been repealed. Compared to Japan, Korea, UK and the US, these jurisdictions have relatively high tax rates for inheritance. Hence, the transfer of properties between close family members in Malaysia is relatively uncomplicated and inexpensive," said Ching.

Gifting a property may best express the protective quality of love, where the property symbolises a form of safeguard to the beloved. It could also be a meaningful transfer of a storehouse of cherished memories, containing a piece of the legacy that has defined the giver or the receiver's life. By itself, it is not an adequate instrument of love, except when combined with the giver's true affection.

"Property transfer by way of love and affection is not limited to residential properties (and neither is there) a limit on how many properties can be transferred.

- Harvindar Singh



Exemption rates of RPGT and stamp duty for property transfer by way of love and affection

(for Malaysian citizens only)

Relationship	Real Property Gains Tax (RPGT)	Stamp duty
Husband and wife	100%	100%
Parents and children	100%	50%
Grandparents and grandchildren	100%	0%



How should you style a newlywed home?

Tips for contemporary couples and interior design spaces

By LIEW JIA YI (YANIKA)

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RESH off the high of the new year festivities, decorating a new home can be an intimidating and difficult process, especially for newlyweds. With possibilities such as an expanding family and future work-fromhome stations, design choices should be flexible to reflect a home environment couples will be comfortable with. The key to creating the perfect marriage home is to take it one step at a time.

"It's recommended to start with something simple and cosy that is widely accepted and easy to update in the future if desired," IQI Concept project director Wong Yie Yee said.

There are two recommended design concepts for newlyweds. The first is a minimalist approach, currently, a trendy style of design featuring simplicity and functionality, creating a clean, spacious and uncluttered feel. The second option is the Scandinavian design concept, showcasing natural materials and neutral colours, offering a warm and inviting atmosphere. These designs often incorporate plant and greenery, complementing the neutrals and natural materials.

"As you continue to personalise your home, you can gradually incorporate bolder styles," Wong added.

These are templates for a welcoming environment. In a well-lived Malaysian home, the shelves and walls are decorated with trinkets, charms and personal belongings. These showcase history and are built up over the years to document the journey of a family.

Wong recommends warm lighting, neutral warm colour tones, natural materials and soft textiles to foster a cosy and comfy atmosphere.

However, when it comes to interior design for newlywed homes, there are factors that have to be taken into consideration.

"There are several challenges faced by newlyweds during home renovations, one of which is budget constraints. Newlyweds may have limited funds, making it difficult to achieve all their desired goals. Other common challenges include space planning and finding a balance between design aesthetics and functionality," Wong said.

With limited funds, the pressure to get it right the first time can be immense. Nonetheless, similar to a relationship, these are problems which can be mitigated with communication.

Wong pointed out that to overcome these challenges, it is important for newlyweds to communicate their needs, prioritise their must-haves, and be open to compromise to achieve the best results for their homes.

"Selecting a style and colour palette for your home is a significant decision as it can greatly impact the atmosphere of your home. Determine the desired ambience for each room, whether



(BELOW)

design by IQI

Concept.

Functionality over

aesthetics kitchen

warm or cool colour scheme. The tip to creating a cohesive look is selecting a colour palette first and then selecting pieces that fit that colour scheme," she

For small homes and apartments, Wong emphasises on placing priority on your needs.

"You can consider combining two functions into one room, such as a study and guest room. Opt for spacesaving options like a sofa bed, and choose multi-functional furniture and appliances, such as a dresser that doubles as a side table, or a washerdryer combo," she said.

Multi-functional furniture and appliances have increased in popularity over the years, especially when it comes to health and cleanliness.

When it comes to making the most of your space, newlyweds are free to try these tips to create a larger feeling environment.

"Use bright colours and mirrors to visually expand the area, go for full height elements like floor-to-ceiling cabinetry or curtains, it creates a sense of spaciousness by elongating the space, a dining table for added guests," Wong

Statement pieces

In common areas, homeowners are encouraged to make a statement, as this is where the guests are hosted.

"Decorate the powder room and guest room, and don't forget the dry kitchen - it's a place where people eat. socialise and gather. To bring a touch of nature and greenery to your home, especially in condos, you can decorate your balcony with plants," Wong said.

She noted that when designing a home, one must always prioritise function over purely aesthetic

considerations, especially in areas like the kitchen and bathroom. It is important to consider your daily usage patterns and movements in these spaces, as your home should be a functional and livable environment, not

"As you continue to personalise your home, you can gradually incorporate bolder styles," Wong said.

"If you are a feng shui believer, it's recommended to get a feng shui consultation first before meeting with your designer. This will help you avoid any unfavourable layouts, placements, and fittings and also allow your designer to use interior design to enhance your luck and improve the feng shui of your home," Wong said.

These consultations would also be able to provide a more personalised guideline on styling the new house.

"Newlyweds may prioritise creating a cosy and aesthetic home for the present, but it is important to consider future needs. Taking into account long-term goals can save both time and money in the future by avoiding the need for additional renovations," she added.

For newlyweds, the journey of homeownership and home decorating requires patience and communication. As you would with a partner, allow your home to have room to breathe and grow. 😚





An example of making use of small spaces by IQI Concept.

Home is where the heart is

There are many forms of abodes but only one truly matters

By **JOSEPH WONG** josephwong@thestar.com.my

FRIDAY **10 FEBRUARY 2023**

HERE is a distinction between the terms house and home.

As a famous adage states - home is where the heart is. This evergreen adage runs deep in meaning that a house may be a living space, but having a house does not equal a home.

A home is more than just a place to stay. It is a cosy and warm environment that is as delectable as the aroma of freshly brewed coffee and the fragrance of fresh-baked bread in the morning. It is a calm and happy place that brings the nicest feeling in the world, giving one a sense of nostalgia.

For young couples, starting on the right foot is important as their investment into a house, service apartment, condominium unit or any other abode involves a chunk of their savings and continued loan repayments. Like their relationship, having a roof over their heads is a long-term commitment.

With Kelvin Tai and his spouse Elaine Yap, having a home means a safe haven and a place where family members can foster good ties and make good memories. "It is a place where you seek comfort, peace and love," said Tai.

The happy couple chose to invest

in a unit within the 88-acre Tropicana Metropark, a growing township located in the inner landscapes of Subang Jaya built by Tropicana Corporation Bhd.

"Tropicana Metropark is strategically located in the heart of Subang Jaya with excellent connectivity to other parts of Klang Valley. The city council (Subang Jaya City Council) is among one of the highest rated in the country and Subang Jaya is a relatively convenient and safe place to live in. It has numerous parks and amenities for the community to utilise. It is a hub to world-class educational institutions, known for shopping malls, especially the award-winning Sunway Pyramid and also home to some top-notch hospitals and medical centres," he said.

As Tropicana Metropark is a mixed development of serviced apartments, a commercial hub, an international school, and an urban park, the development suited the couple to the tea.

"Tropicana Metropark is situated away from the hustle and bustle of the city. My new home overlooks a linear park and a beautiful lake where I can take strolls or jog. The variety of facilities provided by the developer also means that I do not need to venture out of my home most of the time," added Tai.



Tai (right) and his wife receiving the mock key to their new home.



As individuals have different needs, so do couples and young families. Each has its own set of needs and the variety of real estate in the market is proof of this fact.

For Yew Mei Qin, a home is a place of retreat. "A place where I can laugh and enjoy the most precious bonding time with my family, making me feel cosy and comfortable," she told StarProperty.

"I was mesmerised by the surrounding premium residential area. The lake that's appealing and it's just a stone away to get to all the facilities. I dreamt of myself coming back from work, to be indulged by the beauty of the lake, and appreciate the stillness of the waterway and the trickle of the water fountain. It's a dream come true for me," said Yew.

Yew and her husband chose to purchase a house in Resort Residence, located in the heart of Bandar Sri Sendayan in Negeri Sembilan's capital Seremban. The precinct, built by Matrix Concepts Holdings Bhd, comprises residential homes with proximity to commercial, institutional, as well as industrial and leisure components within the 6,272-acre township.

Like the residents residing within Resort Residence, yew's family have easy access to the precinct's 6.3-acre lake park, which hosts a multitude of facilities that promotes a healthier lifestyle.

different strokes

In addition, it is a stone's throw away from ample amenities, including retail conveniences, education hubs and outdoor recreation and lifestyle parks, that are located within the mature Bandar Sri Sendayan township.

"The spaciousness of our home has greatly improved our parent-child relationship. It has provided enough space for us to play around with each other and even open up an opportunity for us to turn one of the rooms into a mini library.

"It is truly a blessing as my children now have a conducive study corner which I believe is of the utmost importance in the long run for the well-being of my children. With the greenery that surrounds us, I can bring my family to take a stroll across the pathway by the lake and simply admire the beauty of nature from the comfort of my home - the wonders it will do," she said.





Sharing the love

Because couples and families are looking at the long-term within their new community, they are naturally concerned with community bonding. Like many others, both Tai and Yew shared similar thoughts on this.

To help propagate the friendly neighbourhood agenda, Tai said: "Definitely the Malaysian way, by performing acts of kindness for neighbours, like offering to help with simple household chores. Perhaps host a virtual meet-up session to share stories and spread love and positivity. Alternatively, organise a potluck gathering by the pool in the evening so that neighbours can mingle together to have good fun!"

"I will love my neighbours as myself and I believe a simple gesture like wishing whoever I see Happy Valentines will definitely bring joy," added Yew.

In conclusion, a home is not just a structure consisting of walls and beams but an abode of the collection of memories, feelings, and people. It is a place where one feels the most comfortable and secure to be in.



Quick tips for couples buying a home together

relationship is as unique as every home. For couples planning to buy a home, StarProperty has put together five steps to help ease the home-buying experience.

Clarify the beginning point

Marriage is as much a business connection as it is a romantic one. Hence, bringing up money issues well before the mortgage loan application is vital. Before making another long-term commitment after marriage, couples should be aware of each other's financial history, core beliefs and aspirations

for the future.

When it comes to discussing a mortgage, couples must be able to confront the truth without fear or surprise. As the home is an undertaking of both parties, both husband and wife will need to provide the relevant documentation for the loan application.

Budget time

It will be helpful to have an estimate of the housing budget before seriously looking for a home. It is advisable to spend no more than roughly 30% of the household income on housing. By doing this, couples can keep money available for savings, travel and possibly even beginning a family. For those already with children, it leaves room for their expenditure. Remember to approach this conversation with a positive attitude as each person's salary is a personal matter and some parties might find it a sensitive topic.

Forward-thinking

Some couples' first home together serves as the only real estate they will ever require. Others may select their starter house due to financial constraints and have huge aspirations to upgrade in a few years.

Make sure both parties are completely informed of and supportive of whatever plans each may have for the future. Then, they can decide together on a home

purchase that makes sense both now and in the future.

Communication rules

Discuss what both parties have to offer and know where each person stands. It is highly beneficial for both parties to establish their respective must-haves and deal breakers. Only then, couples will be able to collaborate and make decisions that will benefit both parties.

New couples could argue over a wide range of items when it comes to the property of their dreams. Two persons shopping for anything will inevitably have divergent viewpoints. They frequently involve very important factors like location and the amount of bedrooms. Sometimes they deal with issues like the architectural design or land arrangement. And for a long-term investment like a home, it is better to come to a mutual agreement. That is why communication is very important.

Saying yes!

At some point, it is normal to start questioning if it is the right move to buy a home. This is the time to step back and reassess the situation.
Buying a home is a huge undertaking and like marriage, it requires the belief that you are making the right move.

If the shared budget, relationship and home are all in order, something serendipitous will undoubtedly come your way. When it occurs, couples will instantaneously know that they are on the correct track. §

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2,487 sq ft

Eugene Yap \(\) +6012 6259888

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M/A

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Henry Teh

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Ipoh RM1,680,000 (For sale)

Bungalow

=6 Bedroom

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Gateway Kiaramas, Mont Kiara RM3,000 per month (For rent)

♠ Office **≅**N/A

X 1,195 sq ft

David Wong Lai Kwong +6019 3330573

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Kluang

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1-sty terrace/link house

3 Bedroom

Taayun Amin MANJAYA +6010 2455271

ACEAKL ESTATE AGENCY (SOUTH) SDN BHD E(1)1697/1



Beverly Heights, Ukay RM2,150,000 (For sale)

→ House

==6+ Bedroom

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3,200 sq ft

🗂 8 Bathroom

Happy Kua Tik Koon Kua **+6017 3388952**

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SPECIAL FEATURE





The size of the labour supply, more specifically skilled labour supply, in Johor is insufficient to provide a consistent stream of the required workforce for businesses. Skilled workers are inclined to work in Singapore or even move to other major cities in Malaysia like Kuala Lumpur and Penang as the earning capacity is more attractive. In enhancing the appeal for more businesses internationally and in Singapore to expand into Iskandar Malaysia, workforce availability in terms of numbers, quality and the appropriate skill levels are key.

More programmes and comprehensive engagements with industrial players led by respective government authorities and agencies are needed to generate, retain and attract a talent pool to Iskandar Malaysia. Though easier said than done, industry-linked degree programmes and industrial-

Refocusing on Iskandar Malaysia

Improving connectivity will renew interest in the southern gateway state's property market

Contributed by **SULAIMAN SAHEH**

RESH from the one-day state visit by Prime Minister Datuk Seri Anwar Ibrahim to Singapore, measures on alleviating congestion on the Johor Causeway, the primary arterial way that links Iskandar Malaysia and the city-state, were abuzz. As reported in Singaporean media, the Menteri Besar of Johor made a plea to the federal government for a solution to ease the traffic congestion on the causeway that manages up to 200,000 daily commuters.

With the attention, interest in the southern gateway state is expected to be renewed with issues such as the importance of improving connectivity to and from Singapore and its context on how to attract more investments and how to charm our neighbours into Iskandar Malaysia. Being the state that has the highest number of overhang properties, questions on how to successfully rekindle growth acceleration of the region sustainably while mitigating risks of overbuilding have resurfaced in the wake of post-pandemic.

The property market of Iskandar Malaysia has been somewhat reinvigorated since the opening of international borders. But one would wonder if the growth momentum seen in the mid-2010s can be replicated. The growth within Iskandar Malaysia had been outshined by property play then, but for a sustainable and more profound progression, it has to be driven by a strong economic base and investments that create higher value employment with a wider spread multiplier effect.

Relating to the importance of improved connectivity, the execution of the Five Strategic Pillars and the Promoted Growth Sectors - which were the drivers of growth for the region as defined in Iskandar Malaysia's comprehensive development plan, are implicitly contingent on an efficient flow of people and goods (and even services). A thriving region would inherently require the infrastructural support of human movement and logistics as well as the creation of a conducive and business-friendly eco-system for the targeted investors, businesses and human capital.

The connectivity between Johor Bahru/Iskandar Malaysia and Singapore here relates mainly to the physical transportation connectivity of people and ground transport. There are reportedly more than 300,000 commuters that travel daily between Johor and Singapore (200,000 via the Sultan Iskandar Building CIQ in Johor Bahru city centre and 100,000 via Sultan Abu Bakar Complex CIQ in Gelang Patah) - and the current congestion problem is dire. One can take up to two to three hours to cross the causeway.

Long journeys taxing well-being

The tagline of having to live in Iskandar Malaysia while working in Singapore for Malaysians may work as the remuneration justifies the long hours of travel due to the better exchange rate and salary packages offered by employers in Singapore but the journey is taxing for their social well-being. Reversing the equation, for Singaporeans to realise their dream of, say, sending their children to an internationally renowned college or university at a much cheaper tuition fee or having a business meeting at their manufacturing facility or satellite office in Johor Bahru - and - having to be on the road for three to five hours a day is also an inconvenience that borders to being repellent. This discourages to some degree the movement of property transactions in Iskandar Malaysia, which has seen a plateau since its hype in the mid-2010s (notwithstanding other factors and the years of general market slowdown and the Covid-9 Pandemic).

A more efficient and convenient travel mode is needed. There had been proposals for a mass transport system like the Rapid Transit System (RTS)

between Bukit Chagar station in Johor Bahru and Woodlands North station in Singapore. This would be a start to alleviate the current congestion problem as, according to MRT Corp (the developer of the RTS link) on its official website, the RTS expected daily ridership is approximately 40,000 passengers per day. However, it alone is insufficient as it only accounts for about 20% to 30% of passengers crossing in Johor Bahru and as the system is only slated for completion by the end of 2026. A more immediate plan is needed. Furthermore, motorcycle commuters who depend on motorcycles for their work would still need to ride their bikes – unless the RTS system allows motorcycles to be ferried over or an alternative solution is made available.

New directives

For a more immediate impact, upon the recent directives by the prime minister, more lanes are opened with more manpower to be deployed at the Johor Causeway and Gelang Patah CIQs. In addition, the immigration processing system can be improved through technology deployment in immigration processing (to be handled by the Ministry of Communications and Digital) to reduce the bottleneck effect, hence a smoother and more convenient travelling experience and time-saving.

But connectivity alone is not enough to propel growth to Iskandar Malaysia. Investments leading to job creation and higher income opportunities are needed.

In luring more investors especially from Singapore within its existing clientele/investors/tenants and prospective parties, the main challenge has been not on the facilities and amenities available in Iskandar Malaysia, nor its costs of occupation. It is in the ecosystem and support system for business set-ups.

The top concern here is the talent pool and manpower availability.



Sulaiman Saheh is the director of research for global real estate consultancy Rahim & Co International Sdn Bhd. attachment programmes could be refined further to grow the region's workforce capacity.

Complementary efforts

Opportunities created in Iskandar Malaysia should complement those in Singapore. It should build up, as how it was originally strategised to be, on the overall ecosystem of the Singapore-Johor conurbation. Cost-effectiveness has been the main advantage, but as seen over the past decade or so, it alone is insufficient to lure sustained investments. Improvements to the daily operational issues must be systematically addressed for not only the business and investors community but also for the supply chain and labour input. The ease of commute, the time spent, and the processes during cross-border travels, on top of the opportunity for income generation and job opportunities are key to mould the conurbation as one seamless region.

Last year, the chief executive officer of Iskandar Regional Development Authority (IRDA) mentioned that the focus will be on economic and social recovery to boost the development of Iskandar Malaysia. By attracting investments, especially private investments, more job opportunities, entrepreneurship and business opportunities will be generated which rightfully forms the underlying economic base for better employment, higher income levels and population growth for the region. We hope that the policies that will be in place will be business and investor-friendly and are to be more consistent, to attract not just domestic investments but also foreign institutional and retail investors.

The key now is implementation. Plans are just as good as the actual execution, and this is where it gets complicated. Under the new government, we hope that a comprehensive strategy with an executable plan will be formulated – something that would be palatable to all stakeholders, be it the federal government, the state, the relevant authorities as well as the business partners who would be carrying out the plans. The challenge is to make financial sense and its sustainability, as well as to maintain focus with the ultimate beneficiaries in mind. §

(BELOW) About 200,000 commuters traverse the Johor Causeway everyday.

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