

# Condo, resident clash over land purchase

He refuses to pay levy, questions management's right to represent him

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A RESIDENT of Lagoon View executive apartments is being taken to court by his residents' association over the purchase of the common areas of the development.

Mr S.V. Chandran, 75, has refused to pay the \$35,500 sought from every owner in the five apartment blocks, which would amass the \$16 million needed to buy the common-area land from its owner, the Ministry of Finance (MOF).

The move by the Lagoon View Owners' Association (LVOA) to buy this land paves the way for the privatisation of the estate in Marine Parade Road.

Privatisation opens up options for apartment owners to redevelop the land by adding new amenities or re-landscaping or to go for a collective sale.

The LVOA said it had in May last year obtained the approval of the estate's residents at a general meeting to buy over the common-area land, but Mr Chandran now says he will not pay up because he did not agree to the LVOA representing him in talks with MOF over the sale.

The LVOA thus filed court documents last month to seek payment from him.

Mr Chandran, a retired police officer, has lived there with his wife for 34 years.

All but four owners in the estate's 481

units have paid up the \$35,500 "privatisation levy"; other than him, the other three have delayed payment for reasons other than objection to the purchase.

Mr Chandran pointed out in defence statements filed last Friday through his lawyer Vijai Parwani that MOF requires the LVOA to show that it represents all residents if it wants to buy the common-area land.

At issue in this test case, therefore, is whether a residents' association can force all owners into a collective purchase.

The LVOA, in court documents filed by its law firm Joseph Tan Jude Benny, said that a "substantial majority" of the residents had voted in favour of privatising the estate in a special general meeting last year. Mr Chandran was thus bound by the resolutions passed then, it added.

The meeting also authorised the management committee to collect payment from owners who had yet to pay the levy. The LVOA said it held another meeting in June last year to explain again the resolutions passed at the earlier meeting, and Mr Chandran was among the 170 who attended.

As owners had agreed to the purchase and the minimum 80 per cent had paid, the privatisation exercise went ahead.

But Mr Chandran said in court papers filed that he did not accept the terms of the draft sale agreement and questioned the mandate of the committee to enter into a sales agreement for him.

He pointed out that the LVOA had independently managed the estate and everyone there had enjoyed the "free and unfettered use" of the common areas without interference from MOF since 1977. He said that as far as he knew, the LVOA was not paying the ministry for the use of the common areas.

He said yesterday that he objects to the purchase on principle: "I see no real tangible benefit."

Last Friday, a public notice announced that strata-title certificates will be issued by the Registrar of Land Titles to owners following a land sale, unless objections are filed within six weeks.

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