

The Challenges and Opportunities of Regulatory Compliance in the Housing Industry and Urban Development

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Abstract

Regulatory compliance is essential in shaping the housing industry, ensuring safety, quality, and sustainability while aligning with broader sustainable development goals, such as affordable housing, resilient infrastructure, and environmentally responsible urban growth. By adhering to regulatory standards, the housing sector delivers safe, high-quality, and sustainable housing, thereby promoting social welfare, improving community well-being, and reducing poverty. This paper examines the impact of regulatory compliance on the housing industry and urban development by analysing both its challenges and opportunities. The research focuses on key issues such as the impact of regulations on sustainable development, environmental protection, and the role of regulatory compliance in supporting the provision of affordable housing. This review also highlights policy implications, governance mechanisms, and stakeholder engagement in ensuring effective compliance. The study is based on selected scholarly works published between 2020 and 2024. The analysis provides economic, environmental, and operational implications, offering valuable insights into the impact of regulatory compliance on promoting a sustainable housing sector. The findings indicate that regulatory compliance increases development costs, leads to potential regulatory overreach, delays housing projects, and limits housing affordability. Nevertheless, regulatory compliance offers long-term positive impacts by improving quality of life, enhancing environmental sustainability, strengthening social equity, ensuring safety and quality standards, and increasing market confidence. Thus, achieving sustainable housing development requires proactive policy support, effective enforcement, and stronger collaboration among stakeholders to overcome existing challenges. This study contributes by providing valuable insights for policymakers, developers, and researchers, enhancing their understanding of regulatory compliance and its role in sustainable urban development, while also proposing innovative solutions to strengthen the housing industry's capacity to achieve long-term sustainability.

Keywords: Regulatory Compliance, Housing Industry, Urban Development, Sustainable Development, Affordable Housing

Introduction

In the context of housing and urban development, regulatory compliance refers to the adherence of developers, construction companies, and property owners to laws, rules, and building codes set by governing authorities. These regulations are intended to ensure that housing development and urban growth achieve goals related to affordability, quality, safety, and environmental sustainability. Nelson (2013) highlights how zoning laws and regulatory frameworks shape metropolitan growth patterns, influencing the spatial and economic structure of cities. Similarly, United Nations Human Settlements Programme (UN-Habitat) (2020) and OECD (2021) emphasise the role of sound regulatory and policy frameworks in promoting inclusive, resilient, and sustainable urban development.

Effective regulatory frameworks also play a crucial role in reducing risks such as structural failures, environmental degradation, and market instability. However, although these frameworks are designed to promote sustainable development, they often create practical challenges, including increased development costs, prolonged approval procedures, and restrictions that limit housing affordability (Gyourko & Molloy, 2015; Schuetz, 2020).

The global housing sector is currently facing unprecedented pressures, including rapid urbanisation, affordability crises, and the need to adapt to climate change (Shahid *et al.*, 2017; Ma & Jiang, 2023; Roslan Iskandar *et al.*, 2023). These trends have amplified the importance of housing policies and regulatory mechanisms in shaping sustainable housing strategies and guiding urban development (Zhang *et al.*, 2023; Zhao & Liu, 2023). Recent studies indicate that while regulatory mechanisms can improve housing safety and promote sustainable construction practices, they also tend to escalate project costs, prolong approval processes, and exacerbate affordability challenges in both developed and developing economies (Gyourko & Krimmel, 2021; Musaddad *et al.*, 2023).

Furthermore, the COVID-19 pandemic has underscored the need for resilient housing and urban systems, where effective regulatory and governance mechanisms play a pivotal role in balancing public safety and affordability (Raul *et al.*, 2022; OECD, 2021). The pandemic highlighted vulnerabilities in the built environment and emphasised the importance of regulatory adaptability and policy responsiveness in managing multiple crises.

Despite extensive research on the economic and environmental implications of housing regulations, a significant gap remains in the literature. Many studies have primarily focused on the financial burdens associated with regulatory compliance, such as increased land and housing prices (Ihlanfeldt, 2007). However, less scholarly attention has been directed toward a holistic analysis that integrates both the challenges (such as delays, overregulation, and high costs) and the opportunities (including enhanced safety, social equity, and sustainability). Moreover, much of the existing literature remains context-specific, often focusing on Western housing markets, leaving a gap in understanding broader implications for emerging economies and global sustainable development agendas (Roslan Iskandar *et al.*, 2023; United Nations Human Settlements Programme (UN-Habitat), 2020).

Therefore, this study seeks to fill this gap by systematically reviewing recent literature (2020–2024) to evaluate the multifaceted impacts of regulatory compliance in housing and urban development. By analysing both the challenges and opportunities of regulatory mechanisms, this study aims to provide a more comprehensive perspective to inform policymakers, planners, and developers in designing resilient and sustainable housing strategies.

Regulatory Compliance in Housing Industry and Urban Development

Regulatory compliance in the housing sector refers to adherence to laws, regulations, and guidelines established by relevant authorities to ensure sustainable, safe, and high-quality development (Gyourko & Molloy, 2015). These regulations typically cover zoning laws, construction standards, environmental protection, and financial compliance, which collectively aim to support social, economic, and environmental objectives. Effective regulatory frameworks not only safeguard against unlawful development, inadequate infrastructure, and environmental degradation but also provide a structured pathway for balanced urban growth (Nelson, 2013; OECD, 2021).

However, excessive or overly rigid regulations may hinder market efficiency and contribute to rising housing costs, highlighting the need for a balanced approach. In this context, regulatory compliance in the housing and urban development sector can be categorized into several key areas, namely (1) zoning laws and land use regulations, (2) building codes and safety standards, (3) environmental regulations, (4) financial and legal compliance, and (5) social policies and affordable housing, each of which will be elaborated in the following subsections.

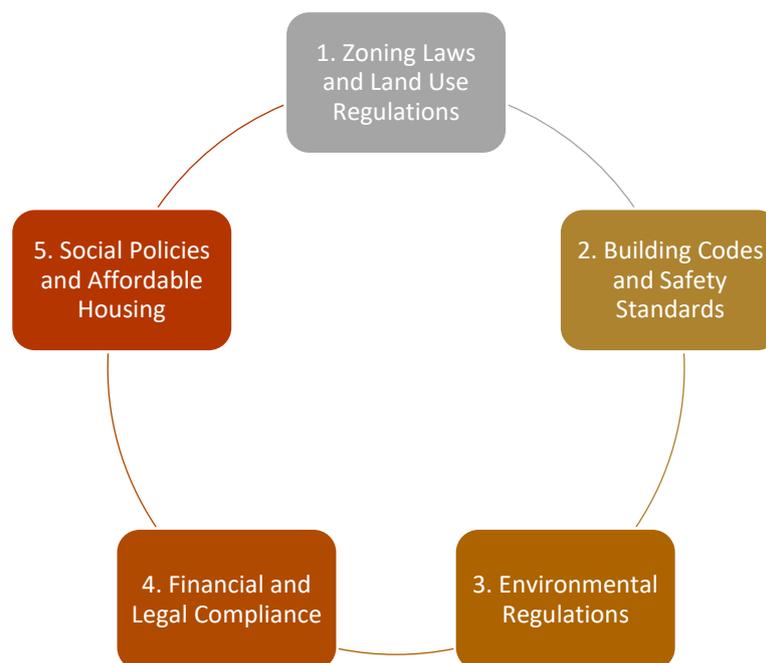


Figure 1: Key Areas of Regulatory Compliance in Housing and Urban Development

Zoning Laws and Land Use Regulations

Zoning laws and land use regulations determine how land is allocated for residential, commercial, industrial, and institutional purposes, thereby shaping the physical, social, and economic structure of urban areas. These policies are central to urban planning, as they guide investment patterns, infrastructure provision, and population density (Nelson, 2013). Zoning

systems generally operate by designating specific parcels of land for particular uses, ensuring orderly growth and minimizing conflicts between incompatible land uses.

In the Malaysian context, zoning and land use regulations are primarily governed under the Town and Country Planning Act 1976 (Act 172) and Federal Territory (Planning) Act, 1982 (No. 267), which provide the statutory basis for spatial planning and development control in Peninsular Malaysia. These laws mandate the preparation of Structure Plans at the state level and Local Plans at the municipal level, the latter of which contains detailed zoning maps that designate areas for residential, commercial, industrial, and institutional uses (JPBD, 2012). In addition, the National Land Code 1965 (Act 828) regulated land categories such as agriculture, building, and industry; that prescribes conditions of use that must align with zoning provisions. All land owners must use the land in accordance to the category of land use and the express condition stipulated in the title. Failure to do so is a breach of condition of the land alienated and the State Authority can forfeit the land. As such any land owner who intends to use his land for another category of use other than the category stated in the title, must apply to change the category of land use accordingly. Sections 124 and 124A Act 828 and the respective State Land Rules allow landowners to apply for such changes.

Recent scholarship further notes that zoning in Malaysia operates within a multi-level governance framework, requiring alignment between federal, state, and local authorities. While the statutory framework provides a clear legal foundation, its effectiveness depends on coordination across different levels of government and consistency in enforcement.

Building Regulation and Safety Standards

Building regulations and safety standards are fundamental to ensuring structural integrity, public health, and long-term sustainability in housing and urban development. These regulations typically cover fire safety, structural stability, ventilation, lighting, and accessibility requirements (Harris *et al.*, 2019). They safeguard the wellbeing of occupants while providing a framework that enhances the resilience and quality of the built environment.

In the Malaysian context, building regulations are primarily governed by the Street, Drainage and Building Act 1974 (Act 133) and the Uniform Building By-Laws (UBBL) 1984, which remain the cornerstone of regulatory compliance in construction. The UBBL, adopted with state-level modifications, sets out comprehensive requirements for construction approval, including fire safety systems, sanitary provisions, ventilation, and accessibility for persons with disabilities (CIDB, 2022). Over the years, amendments to the UBBL have introduced provisions for universal design and updated safety standards, reflecting Malaysia's commitment to inclusive and modern urban development.

Complementing these laws, the Housing Development (Control and Licensing) Act 1966 (Act 118) regulates housing developers to safeguard consumer interests, while the Construction Industry Standard (CIS) on industrialised building systems (IBS) promotes innovative establish the regulatory framework that underpins construction practices, ensuring that housing development in Malaysia is consistent with both safety requirements and broader planning objectives.

Environmental Regulations

Environmental regulations in housing and urban development encompass requirements related to waste management, carbon emissions, energy efficiency, and the use of sustainable building materials (Amaral *et al.*, 2020; Liu *et al.*, 2022). At the global level, governments have introduced various policy instruments such as energy performance guidelines and green building standards to promote sustainable construction practices. International certification systems, including the Leadership in Energy and Environmental Design (LEED) and energy performance certificates, encourage developers to incorporate renewable energy sources, sustainable materials, and proper waste management systems into development projects (USGBC, 2023). Urban planning regulations also integrate elements of green infrastructure such as stormwater management and renewable energy integration into housing and urban development frameworks to support environmentally responsible growth.

In Malaysia, environmental regulations are anchored in statutory frameworks and policy instruments that align development with sustainability objectives. The Environmental Quality Act 1974 (Act 127) is the primary legislation, providing legal provisions for pollution control, waste management, and environmental monitoring. Under this Act, large-scale housing and infrastructure projects are subject to Environmental Impact Assessment (EIA) procedures prior to approval (DOE, 2021). The Town and Country Planning Act 1976 (Act 172) complements this framework by incorporating environmental considerations into spatial planning, including zoning for conservation areas, green reserves, and water catchment sites. Similarly, the Street, Drainage and Building Act 1974 (Act 133) and the Uniform Building By-Laws (UBBL) 1984 prescribe technical requirements related to drainage, ventilation, and natural lighting.

Beyond statutory provisions, Malaysia has also introduced national policies and voluntary certification schemes to promote environmentally responsible development. Key policy documents include the National Green Technology Policy (2009), the National Climate Change Policy (2009), and the National Housing Policy 2018–2025, all of which emphasise sustainable and green growth strategies. Certification mechanisms such as the Green Building Index (GBI) and the Low Carbon Cities Framework (LCCF) further incentivise the adoption of energy-efficient designs and sustainable construction practices (GBI Malaysia, 2020).

Collectively, these global and national frameworks underscore the importance of environmental compliance as a cornerstone of sustainable housing and urban development.

Financial and Legal Compliance

Financial and legal compliance in housing and urban development ensures that property transactions, development activities, and financial practices adhere to statutory requirements, thereby safeguarding consumers and promoting market stability. At the global level, compliance mechanisms include mortgage lending regulations, property taxation, and anti-fraud measures that maintain transparency and prevent speculative bubbles (Levine, 2004). In many jurisdictions, tax incentives and consumer protection laws are also introduced to encourage homeownership and ensure equitable housing access (OECD, 2021).

In Malaysia, financial and legal compliance is regulated through a comprehensive set of statutes and policies. The Housing Development (Control and Licensing) Act 1966 (Act 118) is

the principal legislation governing private housing development, requiring developers to obtain a valid license, establish a Housing Development Account (HDA), and adopt standardised sale and purchase agreements under Schedules G and H to protect homebuyers' interests. Complementing this, the National Land Code 1965 (Act 828) regulates land tenure, ownership transfers, and dealings, ensuring that developments comply with land use classifications and restrictions. For stratified housing schemes, the Strata Titles Act 1985 (Act 318) and the Strata Management Act 2013 (Act 757) provide the legal framework for ownership rights, strata title issuance, and the management of common property.

From the financial perspective, the Financial Services Act 2013 (Act 758) regulates the operations of financial institutions, including mortgage lending practices. Bank Negara Malaysia (BNM) further enforces the Responsible Financing Guidelines (2012), which require banks to assess borrowers' repayment capacity before approving housing loans. Taxation instruments such as the Real Property Gains Tax Act 1976 also impose capital gains taxes on property disposals to control speculative activity in the housing market. At the state level, specific regulations apply to low-cost and affordable housing projects, including restrictions on resale within a fixed period, to maintain market stability and ensure equitable access to housing (Jabatan Perumahan Negara, 2018).

Collectively, these statutes and policies establish a robust financial and legal framework for Malaysia's housing industry, covering developer obligations, consumer protection, financial lending, and property taxation.

Social Policies and Affordable Housing

Social policies related to affordable housing are designed to ensure equitable access to housing, particularly for low- and middle-income groups. At the global level, affordable housing frameworks are guided by principles of inclusivity and social equity, with many countries adopting targeted subsidies, rent control measures, and affordable housing quotas within planning regulations (UN-Habitat, 2020; Gurran & Phibbs, 2015). These measures are incorporated into urban development policies to ensure that vulnerable populations are not excluded from housing opportunities (OECD, 2021).

In Malaysia, affordable housing policies are embedded within both statutory provisions and national strategies. The National Housing Policy 2018–2025 (NHP) provides the overarching federal framework for ensuring adequate, affordable, and quality housing, with emphasis on inclusivity and social well-being (Jabatan Perumahan Negara, 2018). Statutory instruments such as the Housing Development (Control and Licensing) Act 1966 (Act 118) regulate private housing developers, while the National Land Code 1965 (Act 828) and the Town and Country Planning Act 1976 (Act 172) empower state authorities and local planning bodies to impose conditions related to low-cost and affordable housing. These include zoning requirements, land use classifications, and development quotas.

The Perumahan Rakyat 1Malaysia Act 2012 (Act 739) established PR1MA Corporation Malaysia as a dedicated institutional mechanism to develop and manage affordable housing for the middle-income group (M40). Although implementation has faced challenges, the Act remains a key statutory foundation for federal involvement in affordable housing provision.

Methodology

This study employs a structured qualitative review of secondary sources to explore the challenges and opportunities of regulatory compliance in housing and urban development. A qualitative approach is appropriate as it enables in-depth analysis of regulatory frameworks, their impacts, and their influence on affordability, sustainability, and market efficiency (Creswell & Poth, 2018).

Data were gathered from peer-reviewed journals, scholarly books, policy documents, and industry reports published between 2020 and 2024. Sources were prioritised if they explicitly addressed the impacts of regulatory compliance on housing markets and urban development, with particular attention to Malaysia's legal and policy framework, including the National Land Code 1965 (Act 828), the Housing Development (Control and Licensing) Act 1966 (Act 118), the Town and Country Planning Act 1976 (Act 172), and the National Housing Policy 2018-2025.

Thematic analysis (Braun & Clarke, 2006) was employed to identify recurring patterns, organised under three pillars: economic (costs, approval timelines, affordability), social (equity, accessibility, zoning laws), and environmental (sustainability, energy efficiency, climate resilience). These pillars reflect the study's research questions and enable a comprehensive evaluation of regulatory compliance.

While the reliance on secondary sources may limit direct field-level insights, this approach ensures a broad and rigorous synthesis of existing knowledge. Ultimately, the methodology enables both descriptive and evaluative analysis, offering evidence-based insights to guide policymakers, developers, and industry stakeholders toward more effective regulatory strategies.

Implications of Regulatory Compliance

The implications discussed in this section are derived from the methodological approach outlined in this study. By adopting a qualitative design based on a systematic review of secondary sources and thematic analysis, the study synthesised recurring themes from legislation, policy documents, and scholarly literature. This ensures that the economic, environmental, and social implications discussed here are grounded in evidence and reflect both international perspectives and the Malaysian context.

Regulatory compliance in the housing sector and urban development exerts multifaceted impacts across economic, social, and environmental dimensions. While regulatory frameworks are intended to safeguard sustainability, safety, and quality, they can also generate unintended consequences such as higher development costs, project delays, and affordability constraints. Conversely, well-designed compliance mechanisms contribute positively to housing quality, market stability, inclusivity, and sustainable development outcomes.

Economic Implications

Market dynamics, investment behaviour, and construction costs are significantly shaped by regulatory compliance. Stricter zoning laws, environmental standards and building codes often increase housing development costs, as they require higher safety standards, the use

of environmentally friendly materials, and adherence to additional administrative procedures (Gyourko & Molloy, 2015). Lengthy approval processes for permits and compliance verification can further delay projects, raise financing costs, and ultimately increase property prices (Nelson, 2013).

In the Malaysian context, delays in planning approvals under the Town and Country Planning Act 1976 (Act 172) and compliance obligations associated with the Housing Development (Control and Licensing) Act 1966 (Act 118) have been identified as key contributors to higher housing prices (KPKT, 2019). However, effective regulatory frameworks also enhance market stability by curbing speculative development, ensuring long-term housing quality, and boosting investor confidence in the housing sector (OECD, 2021). This demonstrates the dual nature of economic implications, where compliance imposes additional costs but also creates conditions for sustainable and stable market growth.

Environmental Implications

Environmental compliance plays a central role in promoting sustainability and reducing the ecological footprint of urban development. Regulations related to waste management systems, green building certification, and the use of energy-efficient materials facilitate long-term environmental performance (Zhang *et al.*, 2023). In Malaysia, compliance with the Environmental Quality Act 1974 (Act 127) and frameworks such as the Green Building Index (GBI) and Low Carbon Cities Framework (LCCF) has encouraged developers to adopt sustainable construction practices (GBI Malaysia, 2020).

While these measures may increase initial development costs, they deliver long-term benefits, including reduced energy consumption, lower maintenance expenses, and improved resilience to climate-related risks (Jackson, 2020). Developers are also incentivised by policies such as energy performance standards and Leadership in Energy and Environmental Design (LEED) certification, which encourage the use of sustainable methods. This highlights the duality of environmental compliance, which represents a short-term financial burden but serves as an investment in long-term sustainability and resilience.

Social Implications

From a social perspective, regulatory compliance plays a pivotal role in ensuring affordability, inclusivity, and livability. In many countries, exclusionary zoning laws such as restrictions on multi-family housing or minimum lot size, have been found to constrain housing supply and exacerbate affordability challenges in urban centres (Been *et al.*, 2019). In Malaysia, state housing policies often require developers to allocate quotas for affordable housing, while restrictions on resale are imposed to prevent speculative activity.

Well-designed policies that integrate affordable housing initiatives and mixed-use developments can enhance inclusivity and social equity. However, overly stringent or poorly coordinated regulations may unintentionally reduce affordability and limit homeownership among lower-income households, thereby widening social disparities (UN-Habitat, 2020). Ultimately, effective regulatory mechanisms must strike a delicate balance between protecting housing quality and promoting equitable access to decent and affordable living environments.

Summary of Challenges and Opportunities

Regulatory compliance in the housing sector presents a delicate balance between challenges and opportunities. On one hand, stringent regulations may lead to increased development costs, project delays, affordability constraints, and regulatory overreach. On the other hand, these same regulations can enhance housing quality, improve safety standards, increase investor confidence, and promote social equity.

Overall, regulatory compliance serves as an essential mechanism for ensuring market stability, sustainability, and safety. However, to remain effective, such frameworks must also be adaptive and responsive to changing socio-economic conditions to prevent inefficiencies and administrative bottlenecks.

Figures 1 and 2 below illustrate the contrasting dynamics between the challenges and opportunities arising from regulatory compliance in housing and urban development.

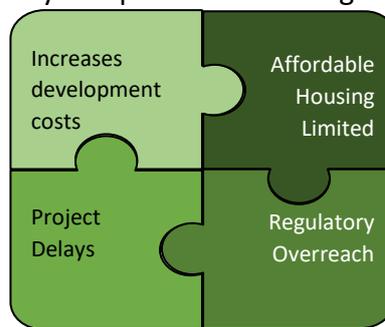


Figure 1 Challenges of Regulatory Compliance in the Housing Sector

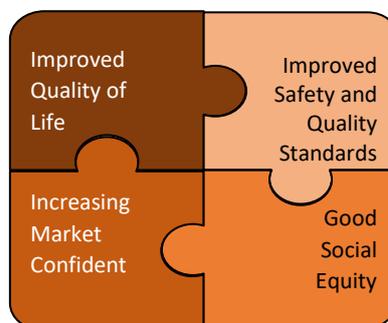


Figure 2 Opportunities of Regulatory Compliance in the Housing Sector

Following the visual summary in Figures 1 and 2, Table 1 further elaborates on how each regulatory challenge in the housing sector corresponds with potential opportunities. This comparative view highlights the interdependent nature of compliance mechanisms in promoting both market discipline and sustainable housing development.

Table 1

Relationship between Challenges and Opportunities of Regulatory Compliance in the Housing Industry

Key Challenges	Implications	Corresponding Opportunities
Increases Development Costs	Increases housing prices, reduces affordability for low and middle-income groups.	Promotes innovation in construction methods (e.g., modular housing, green materials) and encourages efficiency-driven reforms.
Regulatory Overreach	Causes delays, confusion, and administrative burden for developers due to overlapping or excessive requirements.	Encourages harmonisation of regulations and the creation of integrated planning frameworks.
Project Delays	Slows project implementation and increases holding costs, affecting investors' confidence.	Promotes digitalisation of approval systems and adoption of <i>e-permitting</i> mechanisms to streamline development processes.
Affordable Housing Limited	Restricts access to homeownership among low-income households and widens social inequality.	Encourages policy reform towards inclusive housing strategies, affordable housing incentives, and public-private collaboration to expand supply.

Table 1 illustrates how regulatory challenges in the housing industry often coexist with opportunities that promote innovation, sustainability, and institutional strengthening. This dual perspective highlights that compliance, when effectively managed, can enhance both governance efficiency and long-term housing sustainability.

Conclusion

This study demonstrates that regulatory compliance functions as a double-edged instrument in the housing and urban development sector. On one hand, it imposes financial and procedural burdens, prolongs approval processes, and may constrain housing affordability, particularly in emerging economies such as Malaysia. On the other hand, regulatory compliance provides essential safeguards that ensure construction quality, enhance safety standards, promote social inclusivity, and strengthen long-term environmental resilience.

The analysis across economic, environmental, and social dimensions reveals that the effectiveness of compliance frameworks depends not only on their statutory design, but also on the efficiency of implementation, coordination, and adaptability to evolving market and societal needs. A regulatory system that is rigid or fragmented risks inefficiency and governance performance.

By situating the Malaysian regulatory framework within a broader global comparative context, this study underscores the importance of achieving balance between economic efficiency, social equity, and environmental sustainability. For policymakers, the findings highlight the need to streamline approval procedures, reduce compliance costs without compromising safety, and encourage sustainable construction practices. For industry stakeholders, the results emphasise the strategic value of compliance as a mechanism to fosters investor confidence, stabilise markets, and enhance long-term competitiveness.

Ultimately, regulatory compliance should not be viewed merely as a constraint, but as a strategic governance instrument for shaping resilient, inclusive, and sustainable housing systems. Moving forward, policy reforms should prioritise adaptive regulatory instruments, the digitalisation of approval and monitoring processes, and cross-agency coordination to improve compliance efficiency and transparency.

Future research may extend this inquiry through empirical investigations or cross-country comparative studies to further explore how compliance frameworks can be optimised within diverse socio-economic contexts. This study thus contributes to the theoretical discourse on regulatory compliance by bridging economic, social, and environmental dimensions within the context of developing economies, offering valuable insights for both academic scholarship and policy formulation.

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