

## Five property owners fined over \$400,000 in total for not complying with mandatory building inspection statutory notices

Five property owners were convicted and fined over \$400,000 in total at the Eastern Magistrates' Courts last week for failing to comply with statutory notices issued in respect of their residential units under the Mandatory Building Inspection Scheme (MBIS) according to the Buildings Ordinance (BO) (Cap. 123).

The Buildings Department issued statutory notices under section 30B(5) of the BO to the respective five owners of 13 domestic units in a 61-year-old composite building on Lee Garden Road, Causeway Bay, requiring them to appoint a registered inspector to carry out the prescribed inspection and necessary prescribed repair in respect of the balconies of their units.

Since the owners failed to comply with the statutory notices, they were prosecuted by the BD and were convicted and fined by the court on November 28. Three owners, each holding one unit, were fined \$22,920, \$24,920 and \$25,720 respectively; an owner holding two units was fined \$44,640 in total; and another owner holding eight units was fined \$287,840 in total.

"Failing to comply with a statutory notice without reasonable excuse is a serious offence under the BO. The BD may instigate prosecution proceedings against the owner according to the BO", a spokesman of the BD said today (December 6).

Pursuant to section 40(1BC) of the BO, any person who, without reasonable excuse, fails to comply with a statutory notice served on the person, commits an offence and is liable on conviction to a fine at level 5 (\$50,000 at present) and to imprisonment for one year, as well as a further fine of \$5,000 for each day that the offence has continued.

The Layman's Guide on MBIS can be downloaded from the BD website at [www.bd.gov.hk/doc/en/resources/pamphlets-and-videos/LGMBIS\\_e.pdf](http://www.bd.gov.hk/doc/en/resources/pamphlets-and-videos/LGMBIS_e.pdf)