

## Four property owners fined over \$950,000 in total for not complying with removal orders

Four property owners were convicted and fined over \$950,000 in total at the Kowloon City and Fanling Magistrates' Courts earlier this month for failing to comply with removal orders issued under the Buildings Ordinance (BO) (Cap. 123).

The first and the second cases involved several unauthorised structures with a total area of about 1 140 square metres on the roof of an industrial building at Sze Mei Street, Wong Tai Sin. As the unauthorised building works (UBWs) were carried out without prior approval and consent from the Buildings Department (BD), removal orders were served on two concerned owners respectively under section 24(1) of the BO.

Failing to comply with the removal orders, the two owners were prosecuted by the BD three times and were fined about \$265,000 and \$270,000 respectively in total upon convictions by the court. As they persisted in not complying with the removal orders, they were prosecuted for the fourth time and were fined \$152,400 and \$162,400 respectively upon conviction again at the Kowloon City Magistrates' Courts on July 3.

The third case involved an unauthorised structure with an area of about 6 000 sq m across 13 sections of a lot in D.D. 52, Fu Tei Au, North District. As the UBWs were carried out without prior approval and consent from the BD, 13 removal orders were served on the owner under section 24(1) of the BO.

Failing to comply with the removal orders, the owner was prosecuted by the BD last year and was fined about \$250,000 in total upon conviction by the court. As the owner persisted in not complying with the removal orders, the BD instigated prosecution again. The owner was fined \$495,020 in total, of which \$85,020 was the fine for the number of days that the offence continued, upon conviction again at the Fanling Magistrates' Courts on July 9.

The fourth case involved two unauthorised structures with a total area of about 70 sq m on the flat roof and roof of a house in The Beverly Hills, Tai Po. As the UBWs were carried out without prior approval and consent from the BD, a removal order was served on the owner under section 24(1) of the BO.

Failing to comply with the removal order, the owner was prosecuted by the BD and was fined \$138,200, of which \$118,200 was the fine for the number of days that the offence continued, upon conviction at the Fanling Magistrates' Courts on July 16.

A spokesman for the BD said today (July 30), "UBWs may lead to serious

consequences. The concerned owners must comply with the removal order without delay. The BD will continue to take enforcement actions and consider instigating prosecution against the owners again at appropriate times if they persist in not complying with the order, so as to ensure building safety."

Failure to comply with a removal order without reasonable excuse is a serious offence under the B0. The maximum penalty upon conviction is a fine of \$200,000 and one year's imprisonment, and a further fine of \$20,000 for each day that the offence continues.