

Home Ownership Scheme applicant convicted by court for false statement

"The Housing Department (HD) always spares no effort in combating false declarations made during applications for subsidised housing," an HD spokesman said today (September 10).

An applicant for the purchase of a flat under the Home Ownership Scheme (HOS) was sentenced to a community service order of 160 hours today for making statements to the Hong Kong Housing Authority (HA) on the application and declaration forms which she knew to be false or misleading as to a material particular by understating the net asset value of her deposits and assets to the HD.

In this case, the defendant, who applied for the purchase of a flat under the HOS by White Form in 2017, understated the net asset value of her deposits and assets on an application form and a declaration form respectively. However, the HD found that she actually understated the net asset value of her deposits and assets by around \$0.7 million in each declaration period respectively.

The defendant was later prosecuted by the HD for making statements to the HA which she knew to be false or misleading as to a material particular, contrary to Section 26(2) of the Housing Ordinance. The defendant pleaded guilty at the Kowloon City Magistrates' Courts on August 27. The magistrate considered a fine as punishment would not reflect the gravity of the offence. He ordered the defendant to be detained until September 10 for sentencing and to obtain a Community Service Orders report. After making reference to the Community Service Orders report, the defendant was sentenced to a community service order of 160 hours today.

The spokesman reminded all subsidised sale flat applicants of the legislative requirements, whereby if they make statements to the HA which they know to be false or misleading as to a material particular, contrary to Section 26(2) of the Housing Ordinance, they shall be guilty of an offence and shall be liable on conviction to a fine of up to \$500,000 and imprisonment for one year.

If they have already purchased and completed the assignment of the subsidised sale flats, pursuant to Section 26B of the Housing Ordinance, the court may order the purchaser to forfeit to the HA a sum equivalent to the difference between the original purchase price of the flat and the market value at the date of the order. If the estate in which the subsidised sale flat is located is incomplete, the HA may rescind the agreement for sale and purchase previously signed with the purchaser and forfeit the deposit paid by them in accordance with the related clause therein.