

Landlord convicted of overcharging subdivided unit tenant for water

A landlord was convicted today (September 20) of overcharging her subdivided unit (SDU) tenant for water, in contravention of regulation 47 of the Waterworks Regulations (WWR). The defendant pleaded guilty to seven counts of offences at the Kowloon City Magistrates' Courts and was fined \$500 for each contravention with a total fine of \$3,500.

The Water Supplies Department (WSD) received a complaint in February 2023 concerning overcharging an SDU tenant for water of a flat on Tseuk Luk Street, San Po Kong, Kowloon. Upon completion of the investigation and evidence collection, prosecution was initiated against the person who contravened the relevant regulation.

The WSD has been taking proactive inspections and instituting prosecutions against illegal acts of overcharging SDU tenants for water. This is the 11th similar conviction case since the first conviction in June 2022 with the associated fines ranging from \$1,000 to \$5,000.

According to the amended regulation 47 of the WWR, the registered consumer of the water account (usually the landlord) is only allowed to recover from the occupants of the premises (usually the tenants) the water charge paid to the WSD. If the amount recovered exceeds the water charge paid to the WSD, the registered consumer shall be guilty of an offence and be liable to a maximum fine of \$10,000.

A WSD spokesman said that the Government is committed to combating illegal acts through an interdepartmental and multipronged approach. In addition to stepping up interdepartmental joint inspections and improving the application procedures for the installation of separate water meters, publicity and education efforts have also been strengthened, with a view to enhancing the deterrent effect in preventing SDU tenants from being overcharged for water by the landlord.

The spokesman mentioned that the WSD has launched a scheme and streamlined procedures to help the landlords install separate water meters for SDUs. To encourage landlords' participation in the scheme, payment of the water fee deposit and the charge for providing a meter for each separate water meter installed under the scheme will be waived. Every such water meter account will have a separate water bill for paying water charge, and the first 12 cubic metres of water consumed for each four-month period will be free of charge.

While applications for installing separate water meters in SDUs are to be submitted by the landlords, the SDU tenants can also make a request directly to the WSD. The department will then approach the landlords concerned for follow-up actions and provide appropriate technical support.

Details of the scheme can be obtained from the WSD's website

(www.wsd.gov.hk/en/customer-services/application-for-water-supply/pilot-scheme-for-installation-of-separate-water-me/index.html).

The WSD encourages the public to report any illegal act of overcharging SDU tenants for water to WSD for follow-up and investigation. A WhatsApp hotline 5665 5517 has been set up to handle matters related to water overcharging in SDUs and installation of separate water meters for SDUs. Alternatively, the public can also call the WSD's Customer Enquiry Hotline 2824 5000 to report water overcharge cases. After calling the hotline and choosing a language, they can press "7" for reporting to staff directly.