

Landlord convicted of overcharging subdivided unit tenant for water

A landlord of a subdivided flat was convicted today (May 14) of overcharging her subdivided unit (SDU) tenant for water, in contravention of regulation 47 of the Waterworks Regulations. The landlord pleaded guilty to two counts of offences at the Fanling Magistrates' Courts.

The Water Supplies Department (WSD) received a complaint in October 2023 concerning overcharging an SDU tenant for water at a flat in Wo Tai Street, Fanling, New Territories. Upon completion of the investigation and evidence collection, the WSD instituted prosecution against the illegal acts of overcharging SDU tenants for water. This is the 17th similar conviction case since the first conviction in June 2022, with associated fines ranging from \$1,000 to \$6,500.

A spokesman for the WSD said that the Waterworks (Amendment) Ordinance 2024 (the amended WWO) came into operation on April 19, 2024, which strengthened the power of the Water Authority in evidence collection and information disclosure during the investigation of suspected cases of overcharging for water. The Water Authority can request the landlords and their agents, etc, to provide the tenancy agreement and receipt or payment record for charges for water. Failure to comply with such a request can be an offence and the offender is liable on conviction to a maximum fine of \$10,000 and a further fine of a maximum \$1,000 for each day the offence continues. It is anticipated that there will be more prosecution cases. The maximum penalty for overcharging SDU tenants for water has been raised to \$25,000 to deter this illegal act. Moreover, providing false or misleading information to the Water Authority is also an offence with a maximum penalty of a \$25,000 fine and six months' imprisonment.

The WSD spokesman strongly appealed to landlords to apply for installation of separate water meters for their SDUs, which can greatly reduce the risk of contravening the amended WWO. The water fee deposit and the charge for providing a meter for each separate water meter installed under the Scheme for Installation of Separate Water Meters for Subdivided Units will be waived. Individual water bills will be provided for each water meter account. The first 12 cubic metres of water are free at four-month intervals. SDU tenants can contact the WSD to raise their request for separate water meters. Upon receiving such requests, the WSD will contact their landlords for installation of the separate meters. If the landlords refuse, the WSD may require landlords to provide information on the recovery of water charges from their tenants for suspected overcharging cases. Details of the scheme can be obtained from the WSD 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 for follow-up and investigation by the department. The

public can call the WSD Hotline 3468 4963 or WhatsApp 5665 5517 to apply for installation of separate water meters for SDUs. The WhatsApp hotline also handles matters relating to water overcharging in SDUs. Alternatively, the public can call the WSD 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.