

Landlord of specified premises convicted of taking barred action against tenant during “protection period” of rental enforcement moratorium

A landlord of specified premises, who took barred action during the "protection period" (i.e. from May 1 to July 31, 2022) specified under the Temporary Protection Measures for Business Tenants (COVID-19 Pandemic) Ordinance against a tenant for failing to pay rent in the relevant period, contravened Sections 5(1), 5(4), 5(7)(f), 5(7)(g) and 5(10) of the Ordinance. The landlord pleaded guilty today (October 6) at the Eastern Magistrates' Courts.

The Rating and Valuation Department received a complaint about the landlord exercising a right of re-entry and bringing an action in the court during the "protection period" in respect of the tenant's failure to pay rent. Upon in-depth investigation and evidence collection, prosecution was initiated against the landlord suspected of contravening the Ordinance.

Against the background of the fifth wave of the COVID-19 epidemic, in relation to a tenancy for specified premises, the Ordinance barred landlords from taking certain specified actions during a three-month "protection period" against business tenants of specified sectors for failing to pay rent in the relevant period (i.e. from January 1 to July 31, 2022). The "protection period" ended on August 1, 2022.