

LCQ19: Making good use and combating abuses of public rental housing resources

Following is a question by the Hon Andrew Wan Siu-kin and a written reply by the Secretary for Transport and Housing, Mr Frank Chan Fan, in the Legislative Council today (April 3):

Question:

Regarding the work of the Housing Department (HD) to make good use and combat abuses of public rental housing (PRH) resources, will the Government inform this Council:

- (1) of HD's staffing establishment for the investigations of suspected abuses of PRH resources and the expenditure involved, in each of the past five years;
- (2) whether HD will (i) establish a dedicated team and allocate additional manpower and other resources needed to step up its investigations into cases of PRH tenants suspected of concealing their assets outside Hong Kong, and (ii) raise the penalties for the act of concealment, so as to enhance the deterrent effect;
- (3) as some principal tenants of PRH have applied for deleting their household members with higher income from the tenancy to avoid their household income exceeding the limits, of the number of applications received by HD in each of the past five years for deleting household members from the PRH tenancy;
- (4) of the number of tenants whose tenancy was terminated by HD in each of the past five years for the reason that their household income or net assets had exceeded the limits;
- (5) of the number of appeals lodged in the past five years with the Appeal Panel (Housing) by PRH tenants against HD's termination of their tenancy, together with a tabulated breakdown by reason of tenancy termination (e.g. failure to truthfully declare income or assets and household members in the tenancy not living in the units concerned); and
- (6) of the number of under-occupation households at the end of each of the past five years which were not arranged to move to smaller PRH units due to a shortage of such units?

Reply:

President,

I set out below my reply to the question raised by the Hon Andrew Wan Siu-kin:

(1) & (2) The Public Housing Resources Management Sub-section (PHRM) under the Housing Department (HD) is responsible for handling work relating to tenancy abuses of Public Rental Housing (PRH) under the Hong Kong Housing Authority (HA). Such work includes conducting investigation on cases related to the occupancy situation of PRH tenants and suspected false declaration, as well as enhancing public awareness of the importance of optimising public housing resources through publicity and education. The concerned work is part of the routine duties of PHRM, we are therefore unable to provide the relevant breakdown of the establishment and expenditure.

According to the Housing Ordinance, PRH tenants are obliged to ensure that all declared information is true and correct. If PRH tenants make false declaration knowingly in respect of any information furnished in the declaration form, they shall be guilty of an offence and shall be liable on conviction to a fine and imprisonment. Furthermore, HA may, in accordance with its prevailing policy, invoke the Housing Ordinance to terminate the Tenancy Agreement of PRH tenants, irrespective of whether such tenant is prosecuted or convicted of the offense.

HA will review the workflows and manpower need of the concerned work from time to time, and, if necessary, deploy additional resources and adjust the prevailing mechanism.

(3) There are various reasons for deletion of individual member in PRH households. For the past five years (i.e. from 2014 to 2018), the total number of approved cases for deletion were about 36 200, 33 900, 33 800, 41 100 and 41 500 respectively. HA does not have the breakdown of the number of deletion cases for which the reason was "avoiding household income exceeding the limit".

(4) HA revised the Housing Subsidy Policy and Policy on Safeguarding Rational Allocation of Public Housing Resources (the Well-off Tenants Policies) (Note) in 2017. HA issued Notice-to-Quit to 579 households in the declaration cycle in October 2017 and April 2018, reasons of which include they possess private domestic property in Hong Kong; their income or assets exceed the relevant limits; and they choose not to declare. In the past five years (i.e. 2014 to 2018), HA recovered an annual average of about 280 PRH units on grounds of income or net assets value exceeding the relevant prescribed limits.

(5) In the past 5 years (i.e. from 2014 to 2018), the number of appeal cases received by the Appeal Panel (Housing) with breakdown by category is set out in Annex.

(6) Under-occupied PRH households may not be arranged for transfer due to various reasons, such as factors relating to the tenants' personal or family circumstances (e.g. being allowed for deferred transfer due to having disabled/elderly family members or have family member deceased) and may not

be directly related to the shortage of smaller PRH units. HA does not possess statistics requested in the question.

Note: Starting from the declaration cycle in October 2017, households whose household income exceeds 5 times the PRH income limits (PRHILs), or total household net asset value exceeds 100 times the PRHILs, or who have domestic property in Hong Kong, will be required to vacate their PRH units.