

Owner convicted of overcharging subdivided unit tenant for water

A company owning a subdivided flat was convicted today (February 21) of overcharging its subdivided unit (SDU) tenant for water, in contravention of regulation 47 of the Waterworks Regulations (WWR). The owner pleaded guilty to 13 counts of offences at the Kowloon City Magistrates' Courts and was fined \$500 for each contravention with a total fine of \$6,500.

The WSD received a complaint in July 2023 concerning overcharging an SDU tenant for water at a flat in Lai Chi Kok Road, Sham Shui Po, Kowloon. 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 16th similar conviction case since the first conviction in June 2022, with associated fines ranging from \$1,000 to \$6,500.

According to the amended regulation 47 of the WWR, if the registered consumer of the water account (usually the landlord) recovers from the occupants of the premises (usually the tenants) the water charge in a sum exceeding the amount 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 inspections and streamlining 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 to encourage landlords to apply for installation of separate water meters. Under the scheme, payment of the water fee deposit and the charge for providing a meter for each separate water meter installed 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 requests for installations directly to the WSD. The WSD will then approach the landlords concerned for follow-up action and provide appropriate technical support. 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).

To further curb the act of overcharging SDU tenants for water, the WSD has recently submitted the Waterworks (Amendment) Bill 2023 to the Legislative Council to, among other amendments, raise the penalty level of

contravention to the Waterworks Ordinance, and empower the Water Authority to request the relevant persons (e.g. the landlords, their agents, etc) to provide relevant information (e.g. tenancy agreement, receipt or payment record for charges for water).

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.