

Owners' corporation fined over \$100,000 for not complying with removal order

An owners' corporation (OC) was convicted and fined over \$100,000 at the Tuen Mun Magistrates' Courts early this month for failing to comply with a removal order issued under the Buildings Ordinance (BO) (Cap. 123).

The case involved an unauthorised structure with an area of about 35 square metres erected on the common flat roof of a composite building on Kik Yeung Road, Yuen Long. As the unauthorised building works (UBWs) were carried out without the prior approval and consent from the Buildings Department (BD), a removal order was served on the OC under section 24(1) of the BO.

Failing to comply with the removal order, the OC was prosecuted by the BD and was fined \$104,430, of which over \$74,000 is the fine for the number of days that the offence has continued, upon conviction at the Tuen Mun Magistrates' Courts on March 8.

A spokesman for the BD said today (March 20), "UBWs may lead to serious consequences. Owners must comply with the removal orders without delay. The BD will continue to take enforcement action against owners who have failed to comply with the removal orders, including instigation of prosecution, so to ensure building safety."

Failure to comply with a removal order without reasonable excuse is a serious offence under the BO. The maximum penalty upon conviction is a fine of \$200,000 and one year's imprisonment, and a further fine of \$20,000 for each day that the offence continues.