

Property owner fined about \$7,000 for not complying with mandatory window inspection statutory notice

An owner was fined about \$7,000 at the Kowloon City Magistrates' Courts this month for failing to comply with a statutory notice issued in accordance with the Buildings Ordinance (BO) (Cap. 123) in respect of his domestic unit under the Mandatory Window Inspection Scheme (MWIS).

The subject unit is located at a 23-year-old 12-storey composite building on Sung Wong Toi Road. A statutory notice was issued under section 30C(4) of the BO by the Buildings Department (BD), requiring the owner to appoint a qualified person to carry out an inspection and, if necessary, repairs of the windows in his unit.

As the owner failed to comply with the statutory notice, he was prosecuted by the BD and was convicted and fined on August 11.

"Failing to comply with a statutory notice without reasonable excuse is a serious offence under the BO. The BD may instigate prosecution proceedings against the owner according to the BO," a spokesman for the BD said today (August 26).

Pursuant to section 40(1BD) of the BO, any person who, without reasonable excuse, fails to comply with a statutory notice served on the person commits an offence and is liable on conviction to a fine at level 4 (\$25,000 at present) and to imprisonment for three months, as well as a further fine of \$2,000 for each day that the offence has continued.

The cost information for window inspection and common window repair items under the MWIS is available at www.bd.gov.hk/doc/en/safety-and-inspection/mwis/property-owners-and-owners-corporation/MBISMWIS_CostReference.pdf. The Layman's Guide on MWIS can also be downloaded from the BD's website (www.bd.gov.hk/doc/en/resources/pamphlets-and-videos/LGMWIS_e.pdf).