

Property owner fined over \$10,000 for not complying with mandatory window inspection statutory notice

A property owner was fined over \$10,000 at the Eastern Magistrates' Courts this month for failing to comply with a mandatory window inspection statutory notice issued under the Buildings Ordinance (BO) (Cap. 123).

The premises is located in a 41-storey, 26-year-old composite building at South Horizon Drive. A statutory notice was issued under section 30C(4) of the BO by the Buildings Department (BD), requiring the owner of the premises to appoint a qualified person to carry out an inspection and, if necessary, repairs of the windows in his premises.

Since the property owner failed to comply with the statutory notice, he was prosecuted by the BD and was convicted and fined on November 12.

"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", a spokesman of the BD said today (November 22).

Pursuant to section 40(1BD) of the BO, any person who, without reasonable excuse, fails to comply with a statutory notice served on him or her, 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 the BD's website www.bd.gov.hk/doc/en/safety-and-inspection/mwis/property-owners-and-owners-cooperation/MBISMWIS_CostReference.pdf. The Layman's Guide on Mandatory Window Inspection Scheme is also available at the BD's website www.bd.gov.hk/doc/en/resources/pamphlets-and-videos/LGMWIS_e.pdf.