[Property owner fined over $70,000 for persistently not complying with removal order](#)

â€‹A property owner who persistently failed to comply with a removal order issued under the Buildings Ordinance (BO) (Cap. 123) was convicted in May 2024 and subsequently fined over $70,000 at the Fanling Magistrates' Courts earlier this month.

The case involved unauthorised building works (UBWs) with an area of about 48 square metres on the roof of a village house in D.D.6, Tai Po. Since the Lands Department would not issue a certificate of exemption for the UBWs and the UBWs were carried out without prior approval and consent from the Buildings Department (BD), a removal order was served on the owner under section 24(1) of the BO.

Failing to comply with the removal order, the owner was prosecuted by the BD two times and was fined over $10,000 in total upon convictions by the court. As the owner persisted in not complying with the removal order, the owner was prosecuted for the third time and was convicted again at the Fanling Magistrates' Courts on May 28, 2024. The court adjourned the hearing and ordered the owner to report on the status of the removal of the UBWs before handing down a sentence. On the adjourned hearing date of September 3, the owner still had not complied with the order. Eventually the owner was fined $73,400, of which $48,400 was the fine for the number of days that the offence continued, by the court.

A spokesman for the BD today (September 24) said, "UBWs may lead to serious consequences. The owners concerned must comply with the removal orders without delay. The BD will continue to take enforcement actions and consider instigating prosecution against the owners again if they persist in not complying with the orders, so as 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.