

Property owner fined over \$88,000 for not complying with removal order

A property owner who persistently failed to comply with a removal order issued under the Buildings Ordinance (BO) (Cap. 123) was convicted and fined over \$88,000 at the West Kowloon Magistrates' Courts this month.

The case involved an unauthorised structure with an area of about 67 square metres on the flat roof of a residential building at Wo Yi Hop Road, Kwai Chung. 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 owner under section 24(1) of the BO.

Failing to comply with the removal order, the owner was prosecuted by the BD three times and was fined \$39,980 in total upon convictions by the court. As the owner persisted in not complying with the removal order, the owner was prosecuted for the fourth time and was fined \$88,900 upon conviction again at the West Kowloon Magistrates' Courts on November 13.

A spokesman for the BD today (November 27) said "UBWs may lead to serious consequences. Owners concerned must comply with removal orders without delay. The BD will continue to take enforcement actions and consider instigating prosecution against owners again if they persist in not complying with 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.