

Property owner fined over \$90,000 for persistently not complying with removal order

A property owner was convicted and fined over \$90,000 at Tuen Mun Magistrates' Courts last week for persistently failing to comply with a removal order issued under the Buildings Ordinance (BO) (Cap. 123).

The order involved an unauthorised flat roof structure of about 100 square metres in a composite building on On Ning Road, Yuen Long. As the unauthorised building works (UBWs) were constructed 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 in 2013 and 2015 and was fined about \$95,000 in total upon conviction at Tuen Mun Magistrates' Courts. As the owner persisted in not complying with the removal order, the owner was prosecuted by the BD for the third time and was convicted again and fined \$95,500 on April 29.

A spokesman for the BD said today (May 5), "UBWs may adversely affect the structural and fire safety of a building, leading 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 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 one year's imprisonment and a fine of \$200,000, and a further fine of \$20,000 for each day that the offence continues.