

Public housing residents and applicants convicted by court for making false statement

A spokesman for the Housing Department (HD) today (June 20) reminded residents of public rental housing (PRH) estates and applicants of PRH to declare truthfully their income and assets.

A PRH resident living at Hoi Lai Estate in Sham Shui Po declared in an Income and Assets Declaration Form in 2022 that she had no domestic property ownership in Hong Kong and her total household net asset value did not exceed 100 times the prevailing PRH Income Limit i.e. \$1,960,000. Subsequent investigation revealed that this resident owned a domestic property in Hong Kong and the estimated market value was \$4,130,000 at the material time.

This resident was prosecuted for neglecting to furnish information specified in the declaration form, contrary to Section 27(a) of the Housing Ordinance. She was convicted by the presiding magistrate in the Kowloon City Magistrates' Courts yesterday. Given the gravity of the offence, the defendant was sentenced to six weeks' imprisonment (suspended for 12 months) and to a fine of \$12,000. The tenancy of the PRH unit had also been terminated by the HD.

In another case, a PRH applicant did not declare the net asset value of his land in an application form submitted to the HD in 2018. Subsequent investigation revealed that he owned a piece of land in the New Territories with estimated market value at \$1,400,000, which had exceeded the asset limit of this family at \$440,000.

The applicant was prosecuted for knowingly making a false statement, contrary to Section 26(1)(c) of the Housing Ordinance. He was convicted by the presiding magistrate in the Kowloon City Magistrates' Courts yesterday. Given the gravity of the offence, the defendant was sentenced to six weeks' imprisonment (suspended for 12 months) and to a fine of \$5,000. The PRH application had also been cancelled by the HD.

The spokesman of the HD said that households living in PRH should complete their Income and Assets Declaration Forms accurately, as doing so provides the foundation for the assessment of rent and their eligibilities for continuing residence. Before furnishing particulars specified in the requisition required by the Hong Kong Housing Authority, households should read the content and completion guidelines of the Income and Assets Declaration Forms carefully and compute their income and assets in accordance with the methods specified. Otherwise, they may be prosecuted for making a false statement knowingly, contrary to Section 26(1)(a) of the Housing Ordinance (if convicted, the maximum penalty is a \$50,000 fine and imprisonment for six months), or be prosecuted for neglecting to furnish information as specified in a declaration form, contrary to Section 27(a) of

the Housing Ordinance (if convicted, the maximum penalty is a \$25,000 fine and imprisonment for three months). The HD will take action to recover the undercharged rent incurred due to the inaccurate information or even recover their PRH units.

The spokesman also reminded all PRH applicants that if they are convicted by the court for making a false statement knowingly during the application for a lease for PRH, contrary to Section 26(1)(c) of the Housing Ordinance, the maximum penalty is a fine of \$50,000 and imprisonment for six months, while the PRH application will also be cancelled, and any allocated PRH unit will be recovered by the HD.