

Public housing residents convicted by court for making false statement knowingly

A spokesman for the Housing Department (HD) today (April 25) reminded residents of public rental housing (PRH) estates to declare truthfully their income and assets.

A PRH resident living at Tin Heng Estate in Tin Shui Wai declared on a 2018 Income and Asset Declaration Form to have no domestic property ownership in Hong Kong and that the total household net asset value did not exceed 100 times the prevailing PRH Income Limit (the asset limit for that household was \$2.4 million). Subsequent investigation revealed that the resident owned four domestic properties in Hong Kong at the time of declaration and the estimated market value was about \$11.26 million.

The defendant was prosecuted by the HD for making a false statement knowingly, contrary to Section 26(1)(a) of the Housing Ordinance. The defendant was previously convicted by the presiding magistrate in Tuen Mun Magistrates' Courts, who considered a fine punishment could not reflect the gravity of the offence. After making reference to the probation report, the defendant was sentenced 160 hours' community service order today.

The spokesman said that households living in PRH should complete their income and asset declaration forms accurately, which forms the foundation for the assessment of rent and their eligibility for continuing residence. Before making the declarations, households should read the content and completion guidelines of the income and asset declaration form 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).

Notwithstanding the above, the HD will take action to recover the undercharged rent incurred due to the inaccurate information. According to the revised "Well-off Tenants Policies" endorsed in December 2016, PRH households with domestic property ownership in Hong Kong or their total household net asset value exceeding 100 times the prevailing PRH Income Limit, irrespective of their levels of household income, will be required to vacate their PRH flats.