

# Public housing residents convicted by court for making false statements knowingly and neglecting to furnish particulars specified in requisition of declaration form

A spokesman for the Housing Department (HD) today (March 22) reminded residents of public rental housing (PRH) estates to declare truthfully their income and assets.

A family of three members living at Hau Tak Estate in Tseung Kwan O under a Fixed Term Licence submitted an income and assets declaration form in May 2020 to apply for granting of tenancy by the reason of their total household net asset value not exceeding the asset limit for three consecutive months. In the application form, the licensee and his wife declared that they each had about \$100,000 in bank deposits and that they did not have any stock. Subsequent investigation revealed that the licensee and his wife each had about \$400,000 in bank deposits and also held listed shares with a market value of about \$1 million. The total household net asset value was as high as \$5 million, which had already exceeded 100 times the public rental housing income limits in 2019-20 and 2020-21 (i.e. \$2.31 million and \$2.45 million respectively) and they were ineligible for renting the PRH flat.

The licensee and his wife were prosecuted by the Housing Department for making false statements knowingly and neglecting to furnish information specified in the declaration form, contrary to Section 26(1)(a) and Section 27(a) of the Housing Ordinance. They were previously convicted by the Kwun Tong Magistrates' Court, which considered a fine as punishment could not reflect the gravity of the offence. After making reference to the probation report, the defendants were each sentenced of four weeks' imprisonment (suspended for 12 months).

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 eligibilities 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 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 or even recover

the PRH units.