

Public housing residents convicted by court for not declaring domestic property in Hong Kong

In a total of five separate prosecution cases, six public rental housing (PRH) residents were each sentenced to 14 days' imprisonment (suspended for 12 months) and were fined \$5,000 or \$10,000 for not declaring their Hong Kong domestic property when applying for PRH and declaring their income and assets.

A spokesman for the Housing Department (HD) today (June 27) reminded PRH applicants and residents of PRH estates to declare truthfully their income and assets.

Information of the five cases are as follows:

Case 1:

A PRH resident living in On Tai Estate declared in the Declaration in Respect of Admission to Public Rental Housing (PRH) in 2018 that he did not have any domestic property ownership in Hong Kong from the date of registration for the PRH application to the time of admission to PRH. Subsequent investigation revealed that he jointly owned a domestic property in Tai Kok Tsui at the material time.

Case 2:

A PRH resident living in On Tai Estate declared in the Declaration in Respect of Admission to Public Rental Housing (PRH) in 2018 that he did not have any domestic property ownership in Hong Kong from the date of registration for the PRH application to the time of admission to PRH. Subsequent investigation revealed that he solely owned a domestic property in Kai Tak at the material time.

Case 3:

A PRH resident living in On Tai Estate declared in the Declaration in Respect of Admission to Public Rental Housing (PRH) in 2018 that he did not have any domestic property ownership in Hong Kong from the date of registration for the PRH application to the time of admission to PRH. Subsequent investigation revealed that he jointly owned a domestic property in Eastern District at the material time.

The PRH residents in Cases 1 to 3 were prosecuted for making a false statement knowingly in the respective declaration forms, contrary to Section 26(1)(c) of the Housing Ordinance. All of them were convicted in the Kwun Tong Magistrates' Courts on June 24. Given the gravity of the offence, the defendants were sentenced to 14 days' imprisonment (suspended for 12 months) and were fined \$5,000 or \$10,000. The HD has already recovered one of the subject PRH flats and is going to issue a notice-to-quit to another tenant,

while the other subject PRH flat will be surrendered by the end of July.

Case 4:

Two PRH residents living in Sau Mau Ping South Estate declared in the 2022 Income and Assets Declaration Forms that they did not have any domestic property ownership in Hong Kong. Subsequent investigation revealed that they jointly owned a domestic property in To Kwa Wan.

Case 5:

A PRH resident living in Kwong Tin Estate declared in the 2023 Income and Assets Declaration Forms that he did not have any domestic property ownership in Hong Kong. Subsequent investigations revealed that he solely owned a domestic property in Ngau Tau Kok at the material time.

The PRH residents in Cases 4 and 5 were prosecuted for refusing or neglecting to furnish information specified in the declaration form, contrary to Section 27(a) of the Housing Ordinance. They were convicted in the Kwun Tong Magistrates' Courts on June 24. Given the gravity of the offence, the defendants were sentenced to 14 days' imprisonment (suspended for 12 months) and were fined \$5,000 or \$10,000. The HD has already recovered one of the subject PRH flats and is going to issue a notice-to-quit to the other tenant.

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

He also reminded PRH residents that households living in PRH should accurately complete their Income and Assets Declaration Forms. 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. Alternatively, they may be prosecuted for refusing or 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 furnished by the households or even recover their PRH units.

The spokesman reiterated that the public in general recognises the HD's efforts in combating the abuse of PRH resources. The HD will continue to adopt multipronged and risk-based measures to comprehensively combat tenancy abuse. The HD will take decisive tenancy management and law enforcement actions against tenants who are found to have abused PRH and breached the tenancy agreement or relevant policies, in order to ensure that the precious

PRH resources are allocated to those most in need.