

Public housing residents convicted by court for not declaring Hong Kong domestic property ownerships or total household net asset value exceeding limit

Four 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 ownerships or that the total household net asset value exceeded 100 times the prevailing PRH Income Limits in making a declaration of their income and assets and applying for purchase of Home Ownership Scheme (HOS) flats.

A spokesman for the Housing Department (HD) today (July 9) reminded residents of PRH estates and HOS applicants to declare their income and assets truthfully.

Information on the four cases is as follows:

Case 1:

A PRH resident living in Shun Lee Estate declared in the Income and Assets Declaration Forms in 2022 and the application form for Sale of Home Ownership Scheme Flats in 2023 that he did not have any domestic property ownership in Hong Kong. Subsequent investigations revealed that he solely owned a domestic property in the Central and Western District at the material time.

Case 2:

A PRH resident living in Choi Tak Estate declared in the Income and Assets Declaration Forms in 2022 that the total household net asset value of his two-person household did not exceed 100 times the prevailing PRH Income Limit of \$1,960,000. Subsequent investigations revealed that he owned 50 per cent of an industrial property in Ap Lei Chau with an estimated value of about \$6.2 million, which had exceeded the aforesaid asset limit.

Case 3:

A PRH resident living in Hau Tak Estate declared in the Income and Assets Declaration Forms in 2022 that she did not have any domestic property ownership in Hong Kong. Subsequent investigations revealed that she solely owned a domestic property in the Tseung Kwan O District at the material time.

Case 4:

A PRH resident living in Ping Tin Estate declared in the Income and Assets Declaration Forms in 2022 that she did not have any domestic property ownership in Hong Kong. Subsequent investigations revealed that she solely owned a domestic property in the Tuen Mun District at the material time.

The PRH resident in Case 1 was prosecuted for making a false statement knowingly and making a statement which he knew to be false or misleading as to a material particular to the Hong Kong Housing Authority (HA) in applying for HOS flats, contrary to section 26(1)(a) and section 26(2) of the Housing Ordinance respectively. The PRH residents in Cases 2 to 4 were prosecuted for refusing or neglecting to furnish information specified in the declaration form, contrary to section 27(a) of the Housing Ordinance. The aforesaid PRH residents were convicted in the Kwun Tong Magistrates' Courts yesterday (July 8). 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 subject PRH flat in June and is following up on the remaining cases.

The spokesman 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 HA, 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.

Moreover, if subsidised sale flats applicants make statements to the HA which they know to be false or misleading as to a material particular in their purchase of such flats, they may be prosecuted under section 26(2) of the Housing Ordinance. If convicted, the maximum penalty is a \$500,000 fine and imprisonment for one year. If the applicant has already purchased and completed the assignment of the flat, the court may order the purchasers to forfeit to the HA a sum equivalent to the difference between the purchase price (including the premium) and the market value of the flat.

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.