

Public housing residents convicted by court for refusing or neglecting to furnish information

In two separate prosecution cases, two public rental housing (PRH) tenants were each sentenced to a 160-hour community service order and were fined \$12,000 for refusing or neglecting to declare their domestic property ownership in Hong Kong. A spokesman for the Housing Department (HD) reminded residents of PRH estates to declare truthfully their income and assets today (May 30).

The two PRH residents, living at Hing Wah (2) Estate and Chai Wan Estate respectively, both declared in their 2022 Income and Assets Declaration Forms that they did not have any domestic property ownership in Hong Kong. Subsequent investigations revealed that the resident living at Hing Wah (2) Estate was a joint owner of a domestic property in Cheung Sha Wan at the material time, while the resident living at Chai Wan Estate solely owned a domestic property in Chai Wan at the material time. Both of them were prosecuted for neglecting to furnish information specified in the declaration form, contrary to Section 27(a) of the Housing Ordinance. They were convicted in the Eastern Magistrates' Courts on May 28. Given the gravity of the offence and making reference to the community service orders suitability report, the two defendants were sentenced to 160 hours' community service order and were fined \$12,000. The HD has already recovered the subject PRH flat in Chai Wan Estate and has issued a notice-to-quit to the PRH tenant living at Hing Wah (2) Estate to recover the subject PRH flat.

The spokesman 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 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 multi-pronged and risk-based measures to combat tenancy abuse

comprehensively. 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 so as to ensure that the precious PRH resources are allocated to those most in need.