

Public housing tenants convicted by court for false statement

Two public rental housing (PRH) tenants were ordered to pay a heavy fine of \$240,000 in total by the court today (January 2) for failing to declare truthfully their income and assets when completing their Income and Asset Declaration Form.

Two PRH tenants living at Lai Kok Estate, Sham Shui Po, declared on a 2019 Income and Asset Declaration Form to have five non-domestic properties and no domestic property ownership in Hong Kong. Furthermore, they declared that their total household net asset value did not exceed 100 times the prevailing PRH Income Limit.

Subsequent investigation by the Housing Department (HD) revealed that the total asset value of the five non-domestic properties was about \$9,500,000. Secondly, the two tenants were the directors of a limited company with 50 per cent shares being held separately, and they also held three domestic properties through the same company. The total household net asset value was assessed to have exceeded the asset limit of \$2,310,000.

The two tenants were prosecuted by the HD for making a false statement knowingly, contrary to Section 26(1)(a) of the Housing Ordinance. Both defendants were convicted by the presiding magistrate in West Kowloon Magistrates' Courts this morning and were fined \$240,000 in total. The HD will also issue a Notice-to-quit against this family in order to recover the public rental housing unit concerned.

The spokesman reminded tenants of PRH estates to 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 being 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 that hold more than 50 per cent of shares in a company which owns, directly or through its subsidiaries, any domestic property in Hong Kong, or have a 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.