

Three property owners fined over \$370,000 in total for not complying with removal orders

Three property owners were convicted and fined over \$370,000 in total at the Tuen Mun and Fanling Magistrates' Courts last month and earlier this month for failing to comply with removal orders issued under the Buildings Ordinance (BO) (Cap. 123).

The first case involved three unauthorised structures with a total area of about 900 square meters on the roof of an industrial building on Kin Tai Street, Tuen Mun. As the unauthorised building works (UBWs) were carried out without prior approval and consent from the Buildings Department (BD), three removal orders were served on the owner under section 24(1) of the BO.

Failing to comply with the removal orders, the owner was prosecuted by the BD and was fined a total of \$193,500, of which over \$103,500 was the fine for the number of days that the offence continued, upon conviction at the Tuen Mun Magistrates' Courts on May 31.

The second case involved several UBWs with a total area of about 32 square metres at the balcony and the roof of a village house in San Uk Ka, Tai Po. The subject premises is co-owned by two owners. Since the Lands Department would not issue a certificate of exemption for the structure and the UBWs were carried out without prior approval and consent from the BD, a removal order was served on the owners under section 24(1) of the BO.

Failing to comply with the removal order, the two owners were prosecuted by the BD and were fined a total of \$179,400, of which \$149,400 was the fine for the number of days that the offence continued, upon conviction at the Fanling Magistrates' Courts on May 28 and June 4 respectively.

A spokesman for the BD said today (June 18). "UBWs may lead to serious consequences. Owners must comply with removal orders without delay. The BD will continue to take enforcement action against owners who have failed to comply with removal orders, including instigation of prosecution, so as to ensure building safety."

Failure to comply with a removal order without reasonable excuse is a serious offence under the BO. The maximum penalty upon conviction is one year's imprisonment and a fine of \$200,000, and a further fine of \$20,000 for each day that the offence continues.