

Two co-owners fined over \$60,000 for not complying with removal order

Two co-owners who failed to comply with a removal order issued under the Buildings Ordinance (BO) (Cap. 123) were convicted and fined over \$60,000 in total at the Fanling Magistrates' Courts last week.

The case involved an unauthorised roof top structure with an area of about 72 square metres on a village house at a lot in D.D.5, Tai Po. The uppermost floor and the roof are co-owned by two owners. As the unauthorised building works (UBWs) were carried out without prior approval and consent from the Buildings Department (BD), a removal order was served on the owners under section 24(1) of the BO.

Failing to comply with the removal order, the owners were prosecuted by the BD and was fined \$62,270 upon conviction at the Fanling Magistrates' Courts on November 28.

A spokesman for the BD said today (December 5), "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, 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 a fine of \$200,000 and one year's imprisonment, and a further fine of \$20,000 for each day that the offence continues.