

## Two property co-owners fined about \$25,000 for not complying with mandatory building inspection statutory notice

Two property co-owners were convicted and fined about \$25,000 in total at the Kowloon City Magistrates' Courts this month for failing to comply with a statutory notice issued in respect of their residential unit under the Mandatory Building Inspection Scheme (MBIS) according to the Buildings Ordinance (BO) (Cap. 123).

The subject unit is located in a 59-year-old composite building on Apliu Street, Sham Shui Po. A statutory notice was issued under section 30B(5) of the BO by the Buildings Department (BD), requiring the concerned owners to appoint a registered inspector to carry out the prescribed inspection and, if necessary, prescribed repair in respect of the balcony of the unit.

Since the owners failed to comply with the statutory notice, they were prosecuted by the BD and were convicted and fined by the court on March 6 and 20 respectively.

"Failing to comply with a statutory notice without reasonable excuse is a serious offence under the BO. The BD may instigate prosecution proceedings against the owner according to the BO", a spokesman of the BD said today (March 26).

Pursuant to section 40(1BC) of the BO, any person who, without reasonable excuse, fails to comply with a statutory notice served on the person, commits an offence and is liable on conviction to a fine at level 5 (\$50,000 at present) and to imprisonment for one year, as well as a further fine of \$5,000 for each day that the offence has continued.

The Layman's Guide on MBIS can be downloaded from the BD website at [www.bd.gov.hk/doc/en/resources/pamphlets-and-videos/LGMBIS\\_e.pdf](http://www.bd.gov.hk/doc/en/resources/pamphlets-and-videos/LGMBIS_e.pdf).