

Two property co-owners fined over \$20,000 for not complying with mandatory window inspection statutory notice

Two property co-owners of a premises in Sheung Shui were fined about \$24,000 at the Fanling Magistrates' Courts earlier for failing to comply with a statutory notice issued under the Mandatory Window Inspection Scheme (MWIS) according to the Buildings Ordinance (Cap. 123) (BO). The penalty is the highest amount so far imposed in such cases.

The case related to a premises in a 49-year-old, three-storey, composite building located at Lung Sum Avenue. A statutory notice was issued under section 30C(4) of the BO requiring the co-owners of the premises to appoint a qualified person to carry out an inspection and, if necessary, repairs of the windows in the premises.

Since the two property co-owners failed to comply with the statutory notice, they were prosecuted by the Buildings Department (BD) and were convicted and fined on June 2.

"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", a spokesman of the BD said today (July 12).

Pursuant to section 40(1BD) of the BO, any person who, without reasonable excuse, fails to comply with a statutory notice served on him or her, commits an offence and is liable on conviction to a fine at level 4 (\$25,000 at present) and to imprisonment for three months, as well as a further fine of \$2,000 for each day that the offence has continued.