

Two property owners fined over \$140,000 in total for not complying with removal orders

Two property owners who failed to comply with removal orders issued under the Buildings Ordinance (BO) (Cap. 123) were convicted and fined over \$140,000 in total at the Tuen Mun Magistrates' Courts last month.

The first case involved an unauthorised structure with an area of about 95 square meters re-erected (after previous removal) on the roof of a residential building on Lok Chui Street, Tuen Mun and four supporting frames for air-conditioning units attached to the relevant parapet wall. As the unauthorised building works (UBWs) were carried out without the prior approval and consent from the Buildings Department (BD), a removal order was served on the owner under section 24(1) of the BO.

Failing to comply with the removal order, the owner was prosecuted by the BD, and the hearing was held at the Tuen Mun Magistrates' Courts on February 23. The owner was fined \$67,260 upon conviction, although during the hearing the owner alleged that the UBWs had been removed.

The second case involved three unauthorised structures with a total area of about 50 square metres erected on the flat roof of a composite building on Luk Yuen Street, Tuen Mun. As the UBWs were carried out without the prior approval and consent from the BD, a removal order was served on the owner under section 24(1) of the BO.

Failing to comply with the removal order, the owner was prosecuted by the BD and was fined \$76,200 upon conviction at the Tuen Mun Magistrates' Courts on February 23.

A spokesman for the BD said today (March 14), "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 a fine of \$200,000 and one year's imprisonment, and a further fine of \$20,000 for each day that the offence continues.