

Two property owners fined over \$220,000 in total for persistently not complying with removal orders

Two property owners were convicted and each fined over \$110,000 at the Kowloon City Magistrates' Courts last week for persistently failing to comply with removal orders issued under the Buildings Ordinance (BO) (Cap. 123).

The two cases involved two unauthorised structures of about 640 and 500 square metres erected respectively on the roof of two premises of an industrial building at Sze Mei Street, San Po Kong. As the unauthorised building works (UBWs) were constructed without prior approval and consent from the Buildings Department (BD), removal orders were served on the owners under section 24(1) of the BO.

Failing to comply with the removal orders, the owners were prosecuted by the BD in 2015 and 2018 and were each fined over \$50,000 in 2015 and over \$90,000 in 2018 upon conviction by the court. As the owners persisted in not complying with the removal orders, the owners were prosecuted for the third time. The owners were convicted again and each fined \$112,050 at the Kowloon City Magistrates' Courts on June 28.

A spokesman for the BD said today (July 6), "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.