

**Bills Committee on
Landlord and Tenant (Consolidation)(Amendment) Bill 2001**

**List of follow-up actions arising from the discussion
at the meeting on 6 March 2002**

- (1) To seek legal advice on whether licence agreements with provisions similar to tenancy agreements should be treated as tenancy agreements and whether the Administration would consider including licence agreements under Part V of the Landlord and Tenant (Consolidation) Ordinance (Cap. 7).
- (2) To consider whether a definition of unauthorized building works (UBWs) should be included in the Bill to avoid possible disputes in the event of repossession of premises due to erection of UBWs.
- (3) To consider whether the proposed implied forfeiture clause in the lease for repossession of premises as a result of UBWs should apply to UBWs constructed before the new Ordinance comes into effect.
- (4) To consider including in the Bill a provision to require landlords to remove any UBWs before letting out of the premises.
- (5) To consider whether interest should be charged on rent in arrears during the proposed seven-day relief period. Consideration should also be given to imposing a fixed interest rate or a surcharge of certain percentage of the rent in arrears as a deterrent for default in payment of rent.
- (6) To list out all the options, including distress for rent, and the respective lead times through which landlords can recover rent in arrears or even repossess the premises.
- (7) To provide the updated time charts on statutory procedures for repossession of premises showing the improvements brought about by the Bill.

- (8) To explore the ways through which the statutory procedures for repossession can be streamlined. Considerations can be given to carrying out some steps in parallel to shorten the lead time, having in place summary procedures for repossession and removing Writ of Possession.
- (9) To re-examine the feasibility of imposing a criminal offence for tenants who provide false information to the landlords as a deterrent to professional tenants and those who use the premises for illegal purpose, without prejudicing the interest of other law-abiding tenants.
- (10) To consider enhancing the role of the Landlord and Tenant Services Division (LTSD) of the Rating and Valuation Department, such as making it a quasi-judicial body, to deal with rental disputes without going to the court.
- (11) To step up publicity of the services of LTSD.

Legislative Council Secretariat
6 March 2002