

**LegCo Members' meeting with  
Kowloon City District Council (KCDC) members  
on 12 December 2002**

**Problem of water seepage in private buildings**

- (a) Views/suggestions raised by KCDC members at the meeting—
- (i) According to KCDC members, water seepage at ceilings was a rampant problem in private buildings in Kowloon City. Very often, the owners partitioned their flats in dilapidated private buildings into several self-contained suites with toilets for rent. In so doing, they would alter the drains and raise the floor slabs to accommodate drainage pipes. Such works were a major cause of water seepage.
  - (ii) KCDC members said that since only interior works were involved in flats, the owners were not required to obtain approval from Buildings Department (BD). In their view, BD had not been successful in taking action against these owners upon receipt of complaints against water seepage since it was extremely difficult to prove that these works were the causes of water seepage.
  - (iii) KCDC members considered that BD should regulate illegal and addition works in private buildings and penalise owners who had initiated such kind of works causing water seepage.
  - (iv) Some KCDC members considered the traditional dye testing method not effective in identifying the source of water seepage and urged Government to adopt more advanced and scientific technology.
  - (v) According to KCDC members, the problem of water seepage was very serious in Ma Tau Kok. The government departments concerned including BD, Water Supplies Department (WSD) and FEHD were not willing to take up the responsibility and had not taken effective enforcement actions against the owners concerned. BD had followed up on the complaints against water seepage but advised that no further action would be taken since danger to the structure had not been identified. In this regard, KCDC members urged BD to take effective actions against water seepage in private buildings.
  - (vi) Some KCDC members pointed out that a lot of Government

resources had been wasted in dealing with the problem of water seepage. Very often, staff from the departments concerned were refused entry to the premises concerned to conduct site inspection, creating difficulties in identifying the source of seepage. They suggested that BD should tighten up regulation on internal partitioning and installation of water supply and drainage system in private buildings so as to control the problem.

- (vii) KCDC members further suggested that as an effective solution to the problem, Government should enhance the role of the Small Claims Tribunal. Upon receipt of a complaint against water seepage, BD, WSD and FEHD should coordinate and conduct an infrared thermo-scan test. The complainant could then file a claim for compensation to the Small Claims Tribunal. The report of the test might serve as an evidence at court. The test might help trace the origin of water seepage effectively even without a site inspection hence would save a lot of Government resources. KCDC members further suggested that Government might charge the complainants for the tests who could claim compensation from the owners.

(b) Information provided by LegCo Members at the meeting–

- (i) LegCo Members advised that many other districts had also encountered similar problem of water seepage in private buildings. They also advised that dye tests were conducted to identify the source of water seepage. However, there were still difficulties in taking enforcement actions effectively.
- (ii) Some LegCo Members suggested that Government might increase the penalty on owners who had carried out works which affected the structure of the buildings concerned and resulted in water seepage. At the same time, publicity should be enhanced to persuade owners from initiating such works.
- (iii) LegCo Members advised that under the existing policy, BD would not take further action in respect of complaints against water seepage if danger to the building structure was not identified.
- (iv) On the suggestion to regulate alteration works in private buildings by BD, LegCo Members pointed out that some of these works might not affect building structure or involve alteration to drains and therefore might not need to be regulated.

(c) Issues referred for comments by the Administration–

The Administration is invited to comment on the views and suggestions from KCDC members on this issue mentioned under item (a) above.