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Panel on Housing

**Marking Scheme for Tenancy Enforcement
in Public Housing Estates**

Background brief

Purpose

This paper sets out the concerns expressed by members of the Panel on Housing on the Marking Scheme for Tenancy Enforcement in Public Housing (the Marking Scheme).

Background

2. Following the outbreak of Severe Acute Respiratory Syndrome in 2003 spring, the Chief Executive announced the setting up Team Clean on 5 May 2003 to establish and promote a sustainable, cross-sectoral approach to improve environmental hygiene in Hong Kong. Team Clean was chaired by the Chief Secretary for Administration and comprised representatives from different bureaux and departments. Team Clean announced a comprehensive strategy with short and longer term measures to boost hygiene and cleanliness. The Housing Department is responsible for implementing the cleanliness initiatives concerning public housing estates.

Marking Scheme

3. The Marking Scheme was one of the public housing estate cleanliness initiatives recommended by Team Clean. The Marking Scheme aims to strengthen enforcement measures against hygiene-related offences in public rental housing estates and interim housing estates to promote civic responsibility among tenants and to improve the living environment of the estates. The scheme targets offences that damage public hygiene or pose public health hazards. Any scheduled offences committed by a tenant or household members will be marked. Points given for offences will be valid

for a period of 24 months. An accumulation of 16 points, within a 24-month period, will trigger action for tenancy termination. A list of points for different offences is in **Appendix I**. The Housing Authority has implemented the Marking Scheme in all public housing estates and interim housing estates since 1 August 2003.

Members' concern

4. The Panel on Housing discussed the implementation of Team Clean initiatives in public housing on 2 June 2003. At the meeting some members expressed reservation over the Marking Scheme. They raised the following views and concerns:

- (a) It might not be fair to hold the principal tenant liable for hygienic offences committed by his/her family members;
- (b) The Housing Authority should not shift its responsibility for improving environmental hygiene in public housing estates to public housing tenants;
- (c) The lack of proper facilities in public housing could be the cause for committing hygienic offences by tenants. For example, the lack of a proper place for installation of air-conditioners could be the cause for dripping of air-conditioners;
- (d) The Administration should step up efforts to enhance public awareness on the need for improving environmental hygiene instead of resorting to stringent measures; and
- (e) There must be consistency in enforcement actions.

5. A member however opined that as almost half of Hong Kong population were public housing tenants, it was important to ensure cleanliness in public housing and stringent measures should be taken against hygiene-related offences.

6. A list of relevant papers with their hyperlinks is in **Appendix II**.

**Marking Scheme on Hygiene-related Offences for
Tenancy Enforcement in Public Housing**

Category A (3 points):

1. Drying clothes in public areas (except designated areas)
2. Drying floor mop in laundry pole-holders causing dripping
3. Putting flower pots at balconies causing dripping
4. Dripping oil from exhaust fan

Category B (5 points):

1. Littering
2. Disposing domestic refuse or food remains improperly e.g. beyond refuse collection times, or not in a covered bin, etc
3. Keeping animal, bird or livestock inside leased premises
4. Fouling public places with animal faeces
5. Creating nuisances to others, e.g. collection of junk and rubbish inside flats, offensive smell etc.
6. Using leased premises for unauthorized purposes
7. Obstructing corridors or stairs
8. Boiling wax in public areas

Category C (7 points):

1. Throwing objects from height
2. Spitting in public areas
3. Urinating in public places
4. Dumping of decoration debris indiscriminately at refuse collection points, within building or in other public areas
5. Denying the landlord entry for drainage repairs
6. Refusing repair of leaking pipes or sanitary fittings
7. Damaging down pipes causing leakage to the flat below

Marking Scheme for Tenancy Enforcement in Public Housing

List of References

| Council/Committee | Date of meeting | Paper |
|--|-----------------|--|
| Council Meeting | 28 May 2003 | Interim Report on Measures to Improve Environmental Hygiene in Hong Kong http://www.legco.gov.hk/yr02-03/english/hc/papers/shc0606_rpt_e-scan.pdf |
| Panel on Housing | 2 June 2003 | LC Paper No. CB(1)1814/02-03(03) http://www.legco.gov.hk/yr02-03/english/panels/hg/papers/hg0602cb1-1814-3-e.pdf LC Paper No. CB(1)2259/02-03 http://www.legco.gov.hk/yr02-03/english/panels/hg/minutes/hg030602.pdf |
| Panel on Food Safety and Environmental Hygiene | 15 August 2003 | Team Clean's further report on measures to improve environmental hygiene in Hong Kong http://www.legco.gov.hk/yr02-03/english/panels/fseh/papers/tc_rpt/c1.pdf |