

**For information
On 28 November 2006**

LEGCO PANEL ON WELFARE SERVICES

Subcommittee on Strategy and Measures to Tackle Family Violence

**Housing Arrangements for Cases Involving Domestic Violence
by the Housing Department**

PURPOSE

This paper gives an account of the existing housing arrangements offered by the Housing Department (HD) for cases involving domestic violence.

BACKGROUND

2. At times there may be conflicts or disputes among family members of a household. Public housing tenants with family problems will very often turn to the HD to ask for household splitting. Upon receipt of the request, HD will, with the consent of the tenant, refer the case to the Social Welfare Department (SWD) or Non-governmental Organizations (NGO)¹ with a view to bringing about family reconciliation through the counselling of the professional social workers.

3. However, should mediating work be futile or family conflicts deteriorate, HD will arrange assistance as appropriate according to the need of the concerned household.

ARRANGEMENTS FOR PUBLIC RENTAL HOUSING HOUSEHOLDS IN NEED

Household Splitting

4. For tenant who has justifiable grounds for household splitting and fulfils the

¹ SWD and HD have agreed that such cases can also be referred to Integrated Family Service Centres / Integrated Services Centres operated by NGOs according to the tenants' place of residence.

eligibility criteria (including the criteria on income and asset limits and non-ownership of domestic property), HD will allocate a public housing unit for the splinter household in accordance with “The policy on Household Splitting”.

5. In case some of these requests cannot be acceded to under HD’s prevailing policies but the tenants and / or their family members seem to have social or medical grounds warranting special consideration, HD may seek SWD / NGO service unit’s advice and assistance accordingly through a mutually agreed referral mechanism.

Housing Arrangements for Divorced Couples

6. Upon divorce, tenants are expected to make their own accommodation arrangements. If an agreement cannot be reached by both parties to the divorce, HD will generally favour the grant of Public Rental Housing (PRH) tenancy to the party having the custody of children.

7. The party who has not been given custody of any child will be required to leave the PRH flat. In case of difficulties in finding accommodation, he/she may apply for a one-person interim housing unit if he/she fulfills the eligibility criteria (including the criteria on income and asset limits and non-ownership of domestic property). The displacee may also apply for PRH through the Single Person Waiting List and will be given a credit waiting time equivalent to the length of his/her former tenancy up to maximum of 3 years.

8. If each party has the custody of one child (or more) or the tenancy consists of other relatives, separate housing units may be allocated subject to both parties fulfilling the eligibility criteria (including the criteria on income and asset limits and non-ownership of domestic property).

ARRANGEMENTS FOR PUBLIC WITH HOUSING NEEDS

Compassionate Rehousing

9. People having genuine and imminent housing difficulties may apply to the Integrated Family Service Centres / Social Security Field Units / Medical Social Services Units / Probation Offices of SWD and SWD-approved NGOs for “Compassionate Rehousing”. Upon investigation and ascertaining the eligibility of the applicant, SWD will recommend the case to HD for consideration of allocating a suitable public rental housing (PRH) flat to the applicant.

Conditional Tenancy

10. For public housing tenants facing undue hardships in continuing to stay in the same unit with whom a divorce is being contemplated, i.e. a bona-fide petition for divorce has been filed to court, or grant of legal aid for divorce proceedings has been obtained, and have imminent needs to resolve their housing problem, SWD may recommend the party who brings along dependent offspring or the battered spouse (even without offspring, or fails to bring along dependent offspring) to HD for consideration of allocating a PRH flat under the Conditional Tenancy (CT) Scheme until completion of the divorce proceedings. Such arrangement is also applicable to people living in private tenement flats, Home Ownership Scheme flats and Tenants Purchase Scheme Estates.

11. For couples in disputes not yet proceeded for divorce / not prepared to proceed with divorce, HD may, in considering their special and urgent circumstances and on the recommendation of the SWD, exercise its discretion to arrange temporary accommodation for them.

Housing Department
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