

Paper provided by the Legal Aid Services Council on statistics on claims by flat buyers against property developer as compiled by the Legal Aid Department

Claims by flat buyer against property developer cases

The Department has dealt with a number of claims by flat buyers against property developers under Ordinary Legal Aid Scheme (OLAS) in the past ten years or so.

2. We look at the record for the years 2003, 2005-2009 which shows that 2 such cases were closed in 2005. None of the aided persons succeeded in their claims. The Department paid out a total of \$2,218,819 by way of costs.

3. One such case was closed in 2006 and the aided person's claim was again not successful. The Department paid out costs of \$2,058,573. Two Senior Counsels were assigned to handle this case at different stages of the proceedings.

4. In 2007, there were 4 closed cases in this category. Legal aid was discharged in the course of proceedings in 3 of the cases and 1 was successful with full recovery of both damages (\$266,667) and costs. For the 3 cases which were discharged, the Department paid a total of \$226,980 in costs.

5. In 2008, there was just one such closed case. The claim was successful but it was an empty judgment case as the defendant was a small developer. As a result, no compensation or costs were recovered. The Department spent \$184,330 in costs. There was no such case closed in 2009.

6. In summary, the above statistics show that 8 such cases were aided under OLAS and closed in the years mentioned above, the total costs incurred by the Department amount to \$4,688,702 and damages of \$266,667 were recovered.