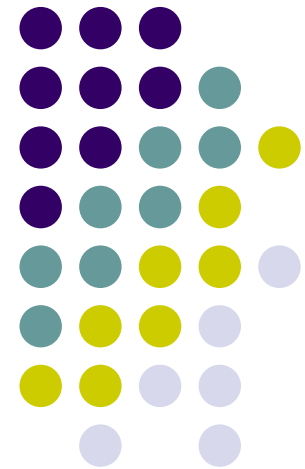


Tenancy Control

租務管制





Scope of research

- Our research covered the latest trend of the private residential rental market, the future housing supply, the economic outlook of Hong Kong, local and overseas experience in tenancy control, possible consequences of tenancy control, and the views of different stakeholders in society.

研究範圍

- 我們的研究範圍包括私人住宅租賃市場的最新走勢、未來房屋供應、香港的經濟展望、本地和海外實施租務管制的經驗、租務管制可能帶來的後果，和不同持份者之間的意見。



Usual Policy Objectives of Tenancy Control

- Tenancy control measures are often used to achieve the following policy objectives –
 - (a) To address the imbalance of information and bargaining power between landlords and tenants;
 - (b) To preserve the social linkages among tenants by reducing eviction;
 - (c) To stabilise the property market and relieve the inflationary pressure; and
 - (d) To ensure the provision of affordable housing.

租務管制的通常政策目標

- 租務管制通常用於達致下列政策目標：
 - (a) 應對業主和租客之間就資訊和議價能力不對稱的問題；
 - (b) 藉減少逼遷以維繫租客的社區網絡；
 - (c) 穩定物業市場和舒緩通漲；及
 - (d) 確保可負擔房屋的供應。

Unintended Consequences

Tenancy control measures often lead to unintended consequences. For example –

- Tenancy control, in particular rent control, may reduce the supply of rented accommodation.
- As some tenants may not be able to rent flats in the controlled sector, they are forced to seek accommodation in the uncontrolled sector, hence pushing up the rent level of the latter.

預期之外的效果

租務管制措施通常會產生預期之外的效果。例如：

- 租務管制，特別是租金管制，可能會減少出租房屋的供應。
- 由於部分租客無法租到受管制的單位，他們可能被逼轉移至不受管制的市場中物色居所，因而導致後者的租金上揚。





Unintended Consequences (cont.)

- As it will be more difficult for a landlord to terminate a tenancy, some landlords may become more selective about their tenants. Difficult for socially disadvantaged groups to find rental accommodation.
- To minimise the impact of the control measures, landlords may charge a higher initial rent, ask for more deposit money, demand different kinds of side payments, overcharge his tenant on certain payments(e.g. water, electricity), alter the lease terms so that it can no longer be classified as a lease in law etc.

預期之外的效果(續)

- 由於業主難以取消已訂立的租約，部分業主可能會更嚴格挑選租客。弱勢社群可能難以物色出租房屋。
- 為減輕管制措施帶來的影響，業主可能會一開始便嘗試增加租金、向租客索取較高的按金或各類額外徵費、收更高費用(如水電費)、修改租賃條款使有關協定在法律上無法構成租賃關係等。



Unintended Consequences (cont.)

- Tenancy control tends to discourage the proper maintenance of rented flats.
- Under tenancy control existing tenants may be discouraged from vacating the premises even if it is in their interest to do so. This may lead to inefficient allocation of resources and affect tenant mobility.

預期之外的效果(續)

- 租務管制可能會影響出租單位的適當保養。
- 在租務管制下，即使遷離居所對現有租客有利，他們仍傾向不會遷離該處。這樣會導致資源分配欠缺效率，影響租客流動性。



Potential Benefits

- There are views that if tenancy control is implemented, the cases of homelessness will reduce, as it will be more difficult for a landlord to evict his tenant even if the latter is unable to pay the rent.
- There are also views that security of tenure will incentivise sitting tenants to repair and maintain the premises on their own.

潛在效益

- 有意見認為，如實施租務管制，露宿問題將會減少，原因是即使租客無法繳付租金，業主亦較難逼遷租客。
- 另有意見認為，租住權保障可鼓勵租客自行維修和保養所租住的樓宇。



Potential Benefits (cont.)

- There are also views that reduced tenant mobility as a result of tenancy control would help preserve a close community network; enable the Government to provide the necessary community services with precision and continuity; as well as reduce the time and cost for home search and removal for a sitting tenant, and that for identifying a new tenant and refurbishing the premises for re-letting for a landlord.

潛在效益 (續)

- 亦有意見表示，由租務管制帶來的租客流動程度下降，有助維繫一個緊密的社區網絡；讓政府持續和針對性地提供所需的社區服務；及減低租客物色住屋和搬遷，和業主尋找新租客和重新裝修物業以便再出租所需的時間和成本。



Study by the OECD

- The Organisation for Economic Co-operation and Development (OECD) published a paper in 2011 which compared a number of housing policies such as housing taxation, land use and rental regulations and social housing policies of its members countries.

經合組織研究

- 經濟合作與發展組織(經合組織)於2011年發表了一份研究報告，比較了成員國之間的一些房屋政策，如住宅物業稅、土地使用和租金管制，以及其社會房屋的政策。



Study by the OECD (cont.)

On the issue of rental regulation, the OECD found that –

- Landlords may initially set higher rents in order to compensate for erosion of real rents suffered during occupancy, which may create and exacerbate the gap between sitting tenants and new tenants in terms of their rental expenditure and access to housing.
- There is no clear evidence showing a lower average rental in countries with stricter tenancy control measures.
- There is a reduction in mobility caused by tenancy control due to a decrease in the supply of rented accommodation and the locking-in of tenants.

經合組織研究 (續)

在租金管制方面，經合組織發現：

- 由於業主可在開始租賃時調高租金以彌補在租賃期間的租金損失，這將造成並加深現有租客和新租客在租金開支和獲得房屋的機會等方面的差距。
- 沒有明確證據顯示在租務管制措施較嚴的國家，其平均租金水平會較低。
- 由於租務管制減少出租單位的供應並使租客不願搬遷，這將導致租客的流動性減低。



Thank you

謝謝