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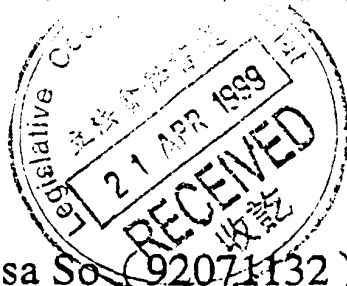
親愛的行政長官董建華先生：

董先生，您好！本同盟是由購買了房屋協會發展的將軍澳夾屋疊翠軒的一批苦業主自發所組成，目的是為苦業主爭取合理權益。

有關房協黑箱作業的做事態度及大大小小的「醜聞」，董先生應耳熟能詳。自房協推出夾屋計劃，每個屋苑都出現問題，遠的如宏福花園，修葺不絕；近的如悅海華庭，面積縮水。到疊翠軒，原預計去年中入伙，但房協一拖再拖，迄今仍未交樓，令許多準業主須續花錢租樓、錯誤安排子女入讀將軍澳的學校，以至放棄生育「千禧嬰」的大計等。更可怕的，是疊翠軒的質素慘不忍睹：外牆紙皮石剝落，地板呈波浪形，牆壁傾斜，地腳線離位，窗台滲水，浴缸倒裝……最近並傳出漏放鋼筋，消防設備欠佳等消息，眾苦業主現憂心忡忡、寢食難安。本同盟曾多次跟房協接觸，但他們愛理不理，令問題無法解決。我們在徬徨無助的情況下，才致書給董先生，希望您能督促有關官員，儘速改善。而我們的要求有：

1. 不可把夾屋當居屋出售
2. 履行五年內原價回購的承諾
3. 儘快把單位的錯漏、瑕疵修葺
4. 在未完成修葺前，准許苦業主延遲上樓
5. 延長保養期至五年
6. 成立維修基金
7. 複驗所有消防設施

我們能否在香港安居樂業，准賴董先生明察。我們熱切期待董先生主持公道。希望很快收到您的回音。順祝身體健康



疊翠軒苦業主同盟敬上  
一九九九年四月十八日

聯絡人：Teresa So (92071132)、陳國良 (94993791)、薛漢強 (93697944)、曾凱倫 (92072572)

Tenants' Representative - The Pinnacle  
Caritas Community Centre - Kowloon  
1/F, 258A Prince Edward Road West,  
Kowloon

15<sup>th</sup> April, 1999

The Chief Executive  
Hong Kong Special Administrative Region Government  
Center Government Office  
Hong Kong

Attn: Mr. Tung Chee Hwa

Dear Sir,

**PROBLEMS OF THE PINNACLE**

After your recent arrangement of site inspection to the first 150 units, we were truly surprised to note that the building was unreasonably constructed.

We, representing most of the troubled tenants of the Pinnacle, write to seriously express our deep concern to the overall building quality of works. Our major disappointment is summarized as below:

**1. DOUBTFUL OF NON-COMPLIANCE OF FIRE RESISTING DESIGN**

**1.1 Missing of Fire Seal in Fire Door**

We all suspect that the overall fire proofing performance of fire doors installed in units' entrance doors, kitchen doors, smoke doors, M/E room doors etc... could be functioned properly even one of the critical component - fire seal was found missed!

Please note that it has been mutually understood by most of the building professionals, such as Architects, Engineers, Building Surveyors and Builders, the provision of fire seal along the door frame/panel not only could obviously increase the effectiveness of the overall integrity of the fire door to resist fire, but also to seal up the gap between the door panel and door frame to prevent the permeating of smoke in case of fire.

That may explain why fire seal could be commonly found in most of the buildings completed in recent years, such as private domestic blocks, public housing estate, Home Ownership Scheme, and even in the similar Sandwich Class Housing - Sunshine Grove, the mentioned fire seal are all provided.

Of course, we could not preclude the fire proofing function would be affected in the missing of fire seal. However, we note that the requirement of overall fire integrity of fire door has to be maintained in accordance with requirement stated in the "Fire Resisting Construction". Therefore, we do have sufficient reason to suspect that the building may not be fully satisfied with the fire-resisting requirement.

As a consumer, we deeply believe that we do have our consumer's right to get what we have paid for. A high fire risk building is definitely our deep concern to our own safety, an also an important factor for the insurer to accept our fire risk insurance request.

Therefore, before finalizing our purchasing procedure, we would like to request for your detailed explanation to such doubtful design, and to furnish us a copy of fire certificate of all the "approved" fire doors which are fully complied with the fire resisting design, and installed in accordance with the fire resisting specification and all the associated statutory requirement.

### 1.2 Obstruction of Escape Route

It has been noted that the hose reel cabinet door would obstruct the fire escape corridor while it is in the open position. We also could not understand WHY:

- The obstruction of fire escape route could be tolerated?
- The door could not be opened in a position in 180 degree. Obviously it could not satisfy the statutory requirement?
- The fire hose reel could be a fixed type instead of a swing type even it was installed in a narrow and deep cabinet in which pull out of hose could be easily obstructed by the door?

## 2. UNREASONABLE CONSTRUCTION

### 2.1 Missing of starter bars in some of the non-structural wall

It is hardly to believe that your supervision to the construction works is so unreliable, it seldom in the industry to hear that the anchorage starter bars in the non-structural wall could be missed if it had been under a reasonable supervision of works

In the writer's professional's experience, it was easy to understand that since the contractor found difficulties in reserving the starter bars under the beam for the late cast r.c. wall, and it was also not feasible to strike the formwork once the starter bars were reserved for the wall.

However, in accordance with our observation, the contractor did not have any remedial works taken to rectify such defects before concreting the non-structural wall. However, the HKHS should have the basic responsibility to carry out site inspection before approved the commencement of the concreting process. We are truly disappointed and suspect whether there are still any other serious mistakes made in the other parts of the building as induced from this case?

In addition, you never stated in your recent letter that whether your independent consultant would carry out a 100% checking to all the doubtful areas or you just randomly sample some areas to obtain an average satisfactory result.

In accordance with the common practice in the construction industry, the missing of anchorage starter bars indeed is a serious and an unforgivable mistake. Certainly, it will have a very high risk in the stability of the r.c. wall while under a high wind pressure especially for the top floors no matter it is a structural or a non-structural wall.

As a general HK resident, we are certainly unable to undertake such potential danger and liability to ourselves, and also to the safety to the public. We would like to seriously express again that we *could not accept that you just used the simple wordings in your recent letters to explain the case to the tenants whom may not have such technical sense to understand such potential danger lasting for whole building life!*

### 3. INCOMPETENCE DESIGN

#### 3.1 Bath Tub Installed in Reverse Direction

Obviously, it is an incompetence design and it is also not your original design intention as indicated in your brochure nor in the sample show flat set up!

Yes, we agree that some of the major developers adopt such arrangement to reverse the bath tub floor drain direction away from the water tap to the opposite side in order to allow the drain pipe could be maintained inside the corridor.

However we would like to query that as the shower tap is still kept in the its "original" position - i.e. attached to the external wall. Such incompetence design lead to the bath tub could not be performed its fundamental function- the user could not sit back in either side!

Such incompetence design is NEVER found in the other developers.

Therefore, we could not agree with your recent written explanation that such design is widely adopted in some recent projects. However, you may overlook that the shower tap is also relocated to the same side of the floor drain to allow a clear side for the user's sit back purpose.

#### 3.2 No Reserved Opening for Exhaust Hood

We hardly to understand that you have no reserved opening for exhaust hood provided for the future connection needs of the tenants. We could not agree with the message from some of your staffs "explained" that the residue smoke exhausted by the internal exhaust hood should be exhausted by the exhaust fan.

Reasonable design should provide a reserved opening with exhaust louver installed in the external wall for tenant's future connection needs. Reference could be made to the HKHA's HOS design!

#### 3.3 Difficult Access to Refuse Room

The location of refuse room is located in a very narrow space. For normal size people, we found a lot of difficulties in accessing the refuse room. We could not imagine what the condition would be once to carry with garbage. The refuse room is so narrow that it is even impossible to access inside for regular cleaning and maintenance purpose.

It is straight forward that the incompetence design would bring a lot of inconvenience and hygiene problem to the building!

#### 4. POOR WORKMANSHIP

##### 4.1 Water Leakage of Windows

In your recent letter, you mentioned that you had previously carried out a 100% test, however, you never mentioned the test result. We suspected whether the result could be opened to the public for discussion.

However, you said you had requested the contractor to carry out another water leakage test to the window system. In your letter, you never mentioned the reason why the second window test was required or whether the test would be a 100% test or not.

To avoid our further misunderstanding, we would like to request you to furnish us with the water test leakage test report for individual tenants, and we would expect the report would be endorsed by the Architect to certify the water tightness requirement is fully satisfied.

##### 4.2 Installation of Additional False Ceiling System and Ceiling Line.

As no indication illustrated that there should have the provision of false ceiling system inside the toilet. And we are so surprised that the false ceiling even cover half of the top hung aluminium window of toilet. Obviously, it is NEVER your design intention to have such provision. However, you never mentioned why false ceiling and ceiling line are "suddenly" provided even it was never mentioned nor notified to the buyers in any form. Your very simple sentence in your recent explanation letter ".....這些設備可增加單位的美觀" is definitely NOT an mature nor an acceptable excuse.

##### 4.3 Large Gap Between Wall and Sanitary Fittings

It is common to find large gaps between wall and W.C. cisterns. Definitely it is totally not an acceptable practice and we wonder why it was not fully rectified before your arrangement of such site inspection!

We still treat this as a defect and you still have liability to rectify it!

In summary, we could not fully understand the intention of your recent "standard" letters intended to give us some of your explanation to escape your total liability. Finally, we would like to stress again that we would be unable to finalize the purchasing procedure as HKHS still fail to resolve the captioned major doubtful problems which are absolutely critical to complete our sale and purchase procedure!

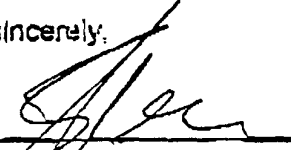
In addition, please note that you have seriously delayed the handover procedure, you still have no ending to formally announce the realistic final completion date and handover date of this project. We do request HKHS to understand the urgency to resolve our difficulties in facing our living inconvenience and personal problems induced by such unpredictable delay.

Therefore, we all concern that time is an essence for us to finalizing the sale and purchase procedure under a harmonic and satisfactory conditions. Your earliest reply to this letter seems to be the only way and is a total solution to our misunderstandings.

In addition, by copy of this letter, we would like to invite the Consumer Council, Buildings Department, Fire Service Department, E/M Services Department to assist, investigate and to have fair judgement to our quires and we are also very pleased to keep our mind open to express our complain in more detail in any of your convenient time.

Look forward to hear your reply soon!

Yours sincerely,

  
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Tenant Representative.

c.c Hong Kong Housing Society  
Consumer Council  
Buildings Department  
Fire Services Department  
Electrical and Mechanical Services Department