

Housing Standards of Private Dwellings

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EXECUTIVE SUMMARY

1. In Hong Kong, although there are requirements on the minimum facilities to be provided in private dwellings, environmental standards, fire safety standards and other safety standards in the local legislation, there are no standards on living space and living density.
2. In this study, the United Kingdom is the only place which has legally enforceable standards on living space and living density. They are set in the context of a housing fitness standard, which comprises a set of nine statutory conditions and amenity requirements deemed to be the minimum necessary for a dwelling house to be fit for human habitation. They are legally enforceable standards in respect of certain minimum facilities, environmental standards and safety standards. Inspectors are employed to enforce intervention where necessary.
3. Japan also has set standards on living space and living density, but they are guidelines only. In contrast, Singapore and Taiwan do not have such standards.
4. The standard of living space within a premise between the United Kingdom (UK) and Japan is measured on different bases:
 - the size of household (the cases of both Japan and the UK);
 - a limit on the size of a household within a housing unit (the case of Japan - six persons; and the UK – two persons for each room);
 - the measurement is based on floor area per housing unit or floor area of dwelling rooms (i.e. excluding toilet, bathroom, closets and balcony) (the case of Japan);
 - there is a difference in the standards for dwellings located in urban areas and those in non-urban areas (the case of Japan); and
 - the government has established a housing fitness standard which covers space and privacy as well as other environmental and safety concerns (the case of the UK).
5. Hong Kong's estimated average saleable area of 15.6 m² per person in private dwellings is lower than the minimum space standard of 21.34 m² per person in the United Kingdom and the minimum floor area of 18 m² per person in Japan. It is also important to note that the density of the five most densely populated districts in Hong Kong was much higher than the comparable figures in the places studied.

HOUSING STANDARDS OF PRIVATE DWELLINGS

PART 1 - INTRODUCTION

1. Background

1.1 In February 1999, the Housing Panel of the Legislative Council requested the Research and Library Services Division (RLS) of the Legislative Council Secretariat to conduct research on the housing standards of private dwellings in places outside Hong Kong so as to assist them in considering measures to improve the living conditions of people in private dwellings in general and those in bedspace apartments and cubicle apartments in particular.

2. Objective, Scope and Structure

2.1 The objective of this research is to obtain and analyze information on the housing standards of private dwellings in places outside Hong Kong.

2.2 A private dwelling means a dwelling provided by the private sector for the purpose of habitation. Housing standards of private dwellings in a number of places outside Hong Kong are examined in this research. Housing standards of other types of accommodation such as hostels, dormitories and guesthouses are outside the scope of this study because these are intended for many, unspecified people and are operated on a non-household basis; hence, they are not comparable to private dwellings.

2.3 Part 2 of this report describes the housing standards in the United Kingdom while Part 3 describes those in Japan. Part 4 outlines the standards in Singapore and Taiwan. Part 5 discusses the situation in Hong Kong. Finally, Part 6 provides an analysis of the experience of the places outside Hong Kong covered in this study.

3. Methodology

3.1 To obtain the necessary information, enquiries were sent to the Housing Bureau (HB) and Home Affairs Department (HAD) in Hong Kong and relevant authorities in a number of places outside Hong Kong, namely France, Japan, the Netherlands, Singapore, South Korea, Taiwan, the United Kingdom and the United States.

3.2 Enquiries were also sent to a number of major cities such as Tokyo, Seoul, Taipei, London, New York and Chicago. These cities are chosen because they are all metropolises. However, up to the time of preparing this report, no reply has been received from France, the Netherlands, South Korea, the United States, Tokyo, Seoul, Taipei, London, New York and Chicago. This research report is based on the available information from the United Kingdom, Japan, Singapore and Taiwan.

3.3 The population density and the total population of the places studied and their city/district as of end-1997 are detailed in Table 1. It can be seen that the density of the five most densely populated districts in Hong Kong, which accounted for about two million people or 32% of Hong Kong's total population, was much higher than the comparable figures in the places studied.

Table 1 – Population Density and Total Population of the Places Studied and Their City/District as of End-1997

| Place | City/District | Population Density (persons per square km) | | Population Size (number of '000 persons) | |
|------------------------|----------------|---|---------------|---|--|
| | | Place | City/District | Place | City/District (percentage of total population) |
| United Kingdom | | 241 | | 58 606 | |
| | London | | 4 482 | | 7 074 (12.1%) |
| Japan | | 327 | | 126 100 | |
| | Tokyo | | 5 421 | | 12 106 (9.6%) |
| Singapore | | 5 768 | | 3 737 | |
| Taiwan | | 590 | | 21 304 | |
| | Taipei City | | 9 600 | | 2 833 (13.3%) |
| | Kaohsiung City | | 9 200 | | 1 470 (6.9%) |
| Hong Kong ¹ | | 6 160 | | 6 218 | |
| | Kwun Tong | | 53 031 | | 587 (9.4%) |
| | Wong Tai Sin | | 42 331 | | 396 (6.4%) |
| | Kowloon City | | 38 553 | | 378 (6.1%) |
| | Yau Tsim Mong | | 38 320 | | 261 (4.2%) |
| | Sham Shui Po | | 38 237 | | 366 (5.9%) |

Remark : ¹ Hong Kong's figures were as of mid-1996.

Sources : The Government of Japan, *Japan Profile of a Nation 1998*
The Government of the United Kingdom, *Britain 1999*
The Government of Singapore, *Singapore 1998*
The Government Information Office, *The Republic of China Yearbook 1998*
The Hong Kong Special Administrative Region Government, *Hong Kong – A New Era*
Census and Statistics Department Hong Kong, *1996 Population By-census Summary Results*

PART 2 - HOUSING STANDARDS OF PRIVATE DWELLINGS IN THE UNITED KINGDOM

4. Housing Standards of Private Dwellings

4.1 Housing standards of private dwellings in the United Kingdom (UK) are mainly prescribed in the Public Health Act 1961, the Fire Precautions Act 1971, the Building Act 1984, the Housing Act 1985 as amended by the Housing Act 1996, and the Local Government and Housing Act 1989. These standards apply to all private dwellings in the country.

4.2 In this Part, we first discuss the space and room standards as these are the focus of the research, to be followed by housing fitness standard. The research would not be complete without a study of the enforcement of these standards and its consequence.

5. Space and Room Standards

5.1 In the UK, a dwelling is considered to be overcrowded if the standards of living space are contravened. There are two standards to comply with: (i) space standard; and (ii) room standard.

Space Standard

5.2 The space standard is contravened when the number of persons sleeping in a dwelling is in excess of the permitted number, having regard to the number of rooms (Table 2) and the floor area of room (Table 3) in the dwelling available as sleeping accommodation.

Table 2 - Space Standard: Number of Rooms

| Number of Rooms | Number of Persons |
|-----------------|-------------------|
| 1 | 2 |
| 2 | 3 |
| 3 | 5 |
| 4 | 7.5 |
| 5 or more | 2 for each room |

Remark : A child under the age of one is not counted and a child under the age of ten is counted as one-half of a person.

Source : The Government of the United Kingdom, *The Housing Act 1985*

Table 3 - Space Standard: Floor Area of Room

| Floor Area of Room (m ²) | Number of Persons |
|---|-------------------|
| Floor Area of Room \geq 33.54 | 2.0 |
| 27.44 \leq Floor Area of Room $<$ 33.54 | 1.5 |
| 21.34 \leq Floor Area of Room $<$ 27.44 | 1.0 |
| 15.24 \leq Floor Area of Room $<$ 21.34 | 0.5 |
| Floor Area of Room $<$ 15.24 | 0.0 |

Remark : A child under the age of one is not counted and a child under the age of ten is counted as one-half of a person.

Source : The Government of the United Kingdom, *The Housing Act 1985*

Room Standard

5.3 The room standard is contravened when the number of persons sleeping in a dwelling and the number of rooms available as sleeping accommodation is such that two persons of opposite sexes who are not husband and wife must sleep in the same room. Children under the age of ten are not counted.

Exemptions

5.4 If a dwelling becomes overcrowded because of a child attaining the age of one or ten (please see the remark of Table 3), the dwelling is exempted from the offence of overcrowding provided the occupier applies to the local housing authority for suitable alternative accommodation¹.

5.5 In addition, where the persons sleeping in an overcrowded dwelling include a member of the occupier's family who does not live there but is sleeping there temporarily, the occupier is not guilty of an offence causing or permitting overcrowding.

¹ The term suitable alternative accommodation means that the occupier and his family can live in it without causing it to be overcrowded.

Enforcement

5.6 If the landlord of a dwelling has the knowledge that the dwelling is overcrowded, the landlord has a duty to inform the local authority² of overcrowding.

5.7 If it appears to the local authority that a dwelling is overcrowded, the local authority has to inspect the dwelling and submit to the Secretary of State for the Environment a report showing the result of the inspection and the number of overcrowded dwellings.

5.8 The local authority's Environmental Health Department (EHD) is responsible for enforcing the space and room standards. Environmental Health Officers (EHOs) may at any reasonable time, on giving 24 hours' notice to the occupier and/or the owner, enter premises for the purpose of measuring the rooms of a dwelling in order to determine the permitted number of persons using the dwelling for sleeping. In addition, EHOs are authorized to demand within 14 days the occupier and/or the owner of a dwelling a written document of the number, ages and sexes of the persons sleeping in the dwelling, and within seven days presentation of rent book or similar document.

5.9 Enforcement actions are taken on receipt of complaints made by a private tenant about a property or the neighbours. In the London Borough of Bromley, there is a team of ten EHOs to carry out regular inspections and handle complaints. The main target of inspection is houses in multiple occupation (HMOs)³.

Penal Provisions

5.10 If the landlord of a dwelling causes overcrowding or permits the dwelling to be overcrowded, he is liable on conviction to a fine not exceeding £200 and to a further fine not exceeding £2 in respect of every day subsequent to the day on which he is convicted.

5.11 Under the Housing Act 1996, any person who obstructs any authorized officer in the performance of his official duties or fails to present the demanded document is liable to a fine not exceeding £1,000.

² A local authority means a district council, a London borough council, the Common Council of the City of London or the Council of the Isles of Scilly.

³ Please see paragraphs 7.1 – 7.3 and Appendix III for the discussion of HMOs.

Overcrowding Is Not a Key Issue in London Boroughs

5.12 Private sector overcrowding is not a key issue in the London Boroughs which we have approached. In the replies to the RLS, the officials of the London Boroughs of Bromley, Islington, Ealing and Camden remarked that the occupiers and/or landlords in the Boroughs did not encounter any difficulty in meeting the space and room standards. In the London Borough of Islington, a survey conducted in 1997 revealed that 3% of dwellings were overcrowded (more than 1 person per room) and less than 1% seriously overcrowded (more than 1.5 persons per room). An official of the London Borough of Camden remarked that there was no compliance action taken on violation of the room and space standards because this was not a problem in the Borough.

5.13 According to the officials of the London Boroughs of Bromley, Islington, Ealing and Camden, their concern is whether or not the dwelling can meet the minimum facilities requirement, environmental standards and safety standards⁴.

6. Housing Fitness Standard

6.1 Standards in respect of minimum facilities, environmental standards and safety standards in the UK are defined in the context of housing fitness standard. The housing fitness standard was introduced in the Local Government and Housing Act 1989. The main functions of the fitness standards are:

- to serve as a yardstick of the minimum health and safety requirements for housing to be fit for human habitation;
- to trigger enforcement intervention;
- to provide a basis for determining the works to be granted aid under the Housing Grants, Construction and Regeneration Act 1996: properties must be fit on completion of the works; and
- to provide a bottom line indication of housing stock condition for the purposes of monitoring and resource allocation.

6.2 The housing fitness standard comprises a set of nine statutory conditions and amenity requirements deemed to be the minimum necessary for a dwelling house to be fit for human habitation. A dwelling house is regarded as unfit if, in the local housing authority's view, it fails any one of the requirements. The requirements are that a dwelling house should:

⁴ Ethnic minority households are much more than average to be concentrated in older and poor (higher level of disrepair) housing. Those living in older housing tend to be Indian, Pakistani and Bangladeshi households while black households are particularly concentrated in flats.

- have a suitably located lavatory for the exclusive use of the occupants (minimum facilities);
- have a bath or shower and wash-hand basin, with hot and cold water (minimum facilities);
- have satisfactory facilities for the preparation and cooking of food including a sink with hot and cold water (minimum facilities);
- have an adequate piped supply of wholesome water (minimum facilities);
- have an effective system for the drainage of foul, waste and surface water (minimum facilities);
- have adequate provision for lighting, heating and ventilation (environmental standard);
- be free from dampness prejudicial to the health of the occupants (environmental standard);
- be free from serious disrepair (safety standard); and
- be structurally stable (safety standard).

6.3 It is for the local housing authority to determine whether a dwelling meets the fitness standard and to take appropriate action if the dwelling does not. If the local housing authority identifies a dwelling as being unfit⁵, the local housing authority has a duty to take action under the following options:

- serve a notice specifying the repairs required in order to make the property fit for human occupation;
- serve a closing order prohibiting residential use of the property;
- make a demolition order; and
- declare the area in which the premises are situated to be a clearance area.

6.4 Apart from the above fitness standards, there are some other standards that all private dwellings have to comply with in the UK. They concern facilities, fire safety and other safety aspects. The details are set out in Appendix I.

⁵ In 1996, there were 1.52 million unfit dwellings representing 7.5% of the housing stock. The most common reasons for unfitness were unsatisfactory facilities for cooking of food, disrepair and dampness.

Enforcement

6.5 The current enforcement procedures include allowing reasonable time to arrange for repair work to be carried out before enforcement takes effect, and a right of appeal. In order to enforce the housing fitness standard, an officer authorized by the local authority may at any reasonable time, on giving 24 hours' notice to the occupier and/or the owner, enter premises for the purpose of survey and examination.

6.6 In the case of housing which is unfit a local authority can require works to be carried out within 28 days after the service of a repair notice; whereas in the case of a property in disrepair or an HMO which is declared to be unfit to hold the number of occupants already there, the relevant period is 21 days. A person aggrieved by a repair notice may within 21 days after the date of service of the notice, appeal to the county court.

6.7 Local authority may make a reasonable charge as a means of recovering certain administrative expenses involved in taking enforcement action. For example in the London Borough of Camden, the administrative charge is £60.

6.8 If a repair notice is not executed, the local authority may perform the work required to be done by the notice, and charge the owner of the dwelling to recover the expenses incurred. The local authority has a duty to offer a loan to the owner of the dwelling concerned to meet expenses of compulsory executing works.

Penal Provisions

6.9 Under the Housing Act 1996, the maximum penalty for failing to comply with a works notice is £2,500 and for obstructing an officer in the performance of the official duties is £1,000.

Consultation on Housing Fitness Standard

6.10 The Department of the Environment, Transport and the Regions (DETR) issued a consultation paper entitled *Housing Fitness Standard* in February 1998 to seek views on proposals and options for change to the housing fitness standard.

6.11 The DETR is now reviewing the existing housing fitness standard and test a new health and safety standard based on a scale rating system. This is being done in response to calls for the standard to cover more closely areas believed to pose the most significant and safety risks in dwellings – e.g. energy efficiency, radon gas, poor internal arrangement and fire safety – and also against concerns that it should be easier to interpret and apply consistently.

6.12 The DETR has highlighted that a health and safety based fitness rating can provide a number of advantages over the current pass or fail procedure, by providing a standard that:

- allows all important health and safety requirements to be included in the new standard;
- recognizes that dwellings are not simply unfit or fit but should, in terms of hazards they present, range from grossly unfit, through marginally unfit/fit to fully satisfactory;
- can be applied by authorities at different levels according to different physical and socio-economic circumstances; and
- can be more easily modified as new evidence on the health and safety risks becomes available.

6.13 The DETR has been developing a practical procedure, based on a health and safety assessment, which gives an overall fitness rating to a home. The physical assessment procedure is geared to the practical inspection of the dwelling fabric and facilities. It covers the matters in the current standard such as structural stability, disrepair and additional matters, such as energy efficiency and radon, required to cover the primary health and safety risks. The rating procedure focuses on the health and safety hazards that any defect presents. Thus, the concern is effect of the defect, rather than the defect itself, which is critical to determining the severity of the health risks and thereby the extent to which the dwelling is not reasonably suitable for occupation in that condition. A list of main hazards in and around the home and matters that may need to be assessed for each health/safety hazard is shown in Appendix II. It should be noted that space and privacy is one of the 18 requirements to be assessed in such a fitness rating.

6.14 In the reply to the RLS, a DETR official remarked that there was an overwhelming majority in favour of the proposed changes, and DETR is currently piloting the new rating system in a number of local authorities and plans to complete this work by the end of July 1999. If the new rating system proves to be workable and meets with a favourable response from local authority officials who carry out surveys on properties, DETR will then seek Minister's agreement to introduce primary legislation to implement the system in due course.

7. Houses in Multiple Occupation⁶

7.1 Houses in multiple occupation (HMOs) are the major target of EHOs for survey and examination as they are unlikely to be able to comply with housing standards.⁷ The English House Condition Survey (EHCS) 1996 found that under 10% of all HMOs in the private rented sector failed the fitness standard, a higher rate of around 20% was recorded in two particular types of HMO – houses converted into self-contained flats and houses comprising bedsits. They were most likely unfit as a result of disrepair and a lack of satisfactory heating. (Please refer to Appendix III for the discussion of current controls of HMOs and its enforcement problems, as well as the government's plan in implementing a new national HMO licensing system.)

7.2 The EHCS of 1996 found that there were some 555 000 properties in England in the private rented sector that would be commonly regarded as meeting the existing HMO definition. This figure includes houses comprising bedsits, all shared houses, all houses with lodgers and houses converted into self-contained flats. Shared houses and houses with lodgers are the most common form of HMO in the private rented sector, each accounting for about 35% of the total number of properties. About 20% are houses converted into self-contained flats, and about 10% are houses comprising bedsits.

7.3 These HMOs provide accommodation for about 1.5 million people in England. Over half of the occupants of the HMOs are under 30 years old. Over half of occupants are working, a third are in full time education, and about 5% are unemployed. Elderly occupants, and occupants with children are rare. It should be noted that local authorities would not offer public housing to the occupants of HMOs if the premises meet the room and space standards and housing fitness standard.

⁶ The Housing Act 1985 defines an HMO as a house which is occupied by persons who do not form a single household. Purpose-built HMOs such as student halls of residence, sheltered accommodation for the elderly, hostels, bed and breakfast (B&B) establishments are not included in the total. In 1995, there were about 34 000 purpose-built HMOs providing accommodation for almost half a million people.

⁷ In April 1999, the DETR issued a consultation paper entitled *Licensing of Houses in Multiple Occupation* to seek views on the operation of HMO licensing in the UK with an aim to encourage private landlords in maintaining their properties to decent standards.

8. Rehousing of Displaced Tenants

8.1 Rehousing of tenants made homeless through enforcement of the room and space standards alone does not occur now. Rehousing only takes place if the living conditions are such that the premise is deemed unfit for human habitation under the housing fitness standard and that the tenant meets certain criteria. These include family circumstances, (i.e. whether or not there are dependent children), medical condition, (i.e. whether or not the tenant is physically or mentally disabled), or elderly.

8.2 There are three definitions of homelessness: a person is homeless if he has no accommodation in the UK or he cannot occupy his accommodation safely or with reasonable comfort. Hence, those who are either literally “roofless” or who are forced to live in insecure, or overcrowded accommodation are considered as homeless⁸. A person threatened with homelessness within the next 28 days is also entitled to get assistance from the local authority, either to prevent homelessness or to deal with their application for public housing as homeless. In 1998, local authorities in England accepted 105 800 homeless households (26 500 in London) and in priority need.

8.3 Under the Housing Act 1996⁹, a local authority has legal duty to provide permanent public housing for families (e.g. families with dependent children and pregnant women) and vulnerable people (e.g. old age, disability or mental illness) who are made homeless by an emergency (such as flood or fire). From the experience of the London Boroughs, people living in overcrowded housing are not in priority since it is not considered as a key issue. The UK Government has emphasized that overcrowding is only one of the factors for consideration; other factors such as general housing conditions are also taken into account. Details of public housing and its allocation scheme in the United Kingdom are detailed in Appendix IV.

8.4 Where people applying for assistance have become homeless and fall within a priority need group, the authority must either help them to obtain suitable accommodation from a private landlord in the area or, if this is not available, secure suitable accommodation for them. In either case, accommodation must be available for at least two years.

8.5 A local authority may use temporary accommodation for eligible applicants for permanent public housing. Three types of temporary housing are commonly used: bed and breakfast (B&B) accommodation; hostels; and short stay in the local authorities’ housing stock. In recent years, local authorities have reduced using B&B accommodation and hostels because of the cost involved.

⁸ Major reasons for homelessness include family and relationship breakdown, family formation and problems with accommodation such as overcrowding. A person may experience multiple problems at the same time.

⁹ Under the Housing Act 1985, local authority also has the legal duty to provide permanent public housing to homeless people.

8.6 A local authority makes reasonable charges for accommodation and services provided such as electricity and gas. The financial resources available to homeless applicants may include: (i) salary; (ii) pensions; (iii) social security benefits¹⁰; (iv) financial assistance towards the costs in respect of the accommodation and relevant charges, including loans, provided by a local authority¹¹ and voluntary organization; and (v) benefits derived from a policy of insurance.

Study on Rehousing of Homeless Applicants

8.7 The Department of Environment published a research report entitled *Study of Homeless Applicants* in 1996. The Department studied homeless applicants with the aim of investigating the statutory homeless application process and outcomes. The study tracked about 2 500 homeless applicants to nine local authorities (three London Boroughs, three metropolitan and three non-metropolitan) through their homeless application over a period of around 18 months (between August 1992 and March 1994). We summarize the findings of the study in order to understand the real-life experience of homeless applicants.

Pre-application and Initial Contact

8.8 Applicants may try to find their own housing by asking for help from their family members or friends before they approach the local authority for assistance.

Movement of Applicants Through the Homeless Application Process

8.9 Four-fifths (79%) of applicants were given a homelessness assessment interview by the authority; authorities decided on the eligibility of two thirds (65%) and accepted just under a half (48%) of the cohort as eligible for permanent accommodation. Just over a third of applicants (36%) were offered permanent public housing by the local authority and just under a third (31%) had been permanently rehoused by the end of the study.

¹⁰ The amount of any social security assistance which would be available to the applicant may include housing benefit, income support and council tax benefit.

¹¹ Nearly all of the local authority housing benefit expenditure (95% - 100%) is met from central government subsidy.

8.10 The local authority decision on an applicant's eligibility is a key stage in the homelessness application process as it determines whether or not the local authority has a duty to secure accommodation for the applicant. Applicants were most likely to be rejected if they were not homeless.

Use of Temporary Accommodation

8.11 The study revealed that a third (34%) of all applicants were provided with temporary accommodation. The average length of stay in temporary accommodation was 25 weeks, but this ranged from less than one week to three years. Length of stay was mainly affected by the supply of and demand for public housing.

Applicants' Experience of Appeals

8.12 Very few applicants (under 1%) appealed against the local authority's decision on their eligibility for rehousing. Appeals against accommodation offers were more common. Just over one in ten applicants who were offered housing (12%) appealed against their first offer of accommodation and almost two thirds were successful, resulting in other offers.

PART 3 - HOUSING STANDARDS OF PRIVATE DWELLINGS IN JAPAN**9. Standards of Living Space and Living Density**

9.1 Japan regulates standards of living space and density through planning standards. These standards are guidelines only and are not legally binding. We requested the government officials to explain why the Japanese Government did not change the guidelines to statutory standards; however, we have received no reply as of the date of publication of this report. We have also asked for a specific breakdown of statistical data about Tokyo, which has a much higher population density than the rest of Japan, but we have received no information as of the date of publication of this report.

Standards in respect of Floor Area of Housing Units

9.2 The standards in respect of the floor area of housing units were introduced in Japan in 1976. Floor area of a housing unit includes living room, dining room, bedrooms, kitchen (or kitchen-dining room), toilet, bathroom and closets; however, balconies are not included. The standards on floor area of housing units vary with the size of households. Therefore, the standards in respect of living density of housing units are already implied (Table 4).

9.3 In 1993, 7.8% of all housing units in Japan fell below these standards, down from 9.5% in 1988.¹² Nevertheless, the Japanese Government aims to eliminate such sub-standard housing units by the turn of the century. Living in those sub-standard housing units is one of the factors to be taken into account for the allocation of public housing in Japan. Other measures taken to address the problem include the provision of low rate loans to households to purchase housing units.

¹² In Japan, a nationwide housing survey is carried out once every five years. The latest one was carried out in 1998 and results will come out in late 1999. Therefore, the latest available results were the results of the 1993 Housing Survey. We asked for a profile of the 7.8% substandard housing, but up to the time of publication of this report, we have not received a reply from the Japanese Government.

Table 4 – Standards of Floor Area (m²) and Living Density (m² per person) of Housing Units

| Size of households (persons) | Floor area per housing unit (m ²) | Implied density of housing unit (m ² per person) |
|------------------------------|---|---|
| 1 | 18 | 18 |
| 1 (elderly) | 25 | 25 |
| 2 | 29 | 14.5 |
| 3 | 39 | 13 |
| 4 | 50 | 12.5 |
| 5 | 56 | 11.2 |
| 6 | 66 | 11 |

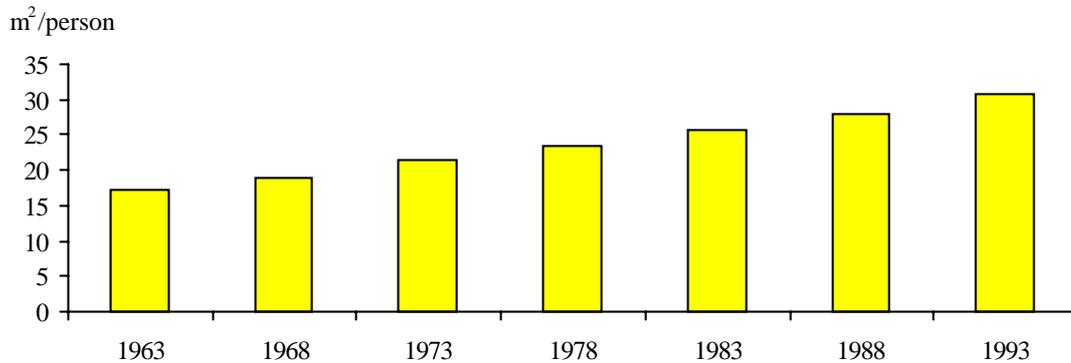
Source : The Building Center of Japan, *A Quick Look at Housing in Japan*

9.4 It is worth noting that the average floor area per person in Japan was 30.9m² in 1993 which is an impressive improvement from the average of 17.3 m² per person in 1963 (Table 5 and Figure 1). A comparison between Table 4 and Table 5 shows that although there are standards for the floor area of housing units in Japan, such standards fall far below the country average.

Table 5 - Average floor area per person in Japan (m² per person)

| | 1963 | 1968 | 1973 | 1978 | 1983 | 1988 | 1993 |
|-----------------------|------|------|------|------|------|------|------|
| Floor area per person | 17.3 | 19.0 | 21.5 | 23.3 | 25.8 | 28.0 | 30.9 |

Source : The Building Center of Japan, *A Quick Look at Housing in Japan*

Figure 1 - Average floor area per person in Japan (m² per person)

Source : The Building Center of Japan, *A Quick Look at Housing in Japan*

Targeted Standards

9.5 Apart from the standards set for the floor area of housing units, there are targeted standards in respect of floor area of housing units, which are closer to the average floor area per person mentioned above. The targeted standards for floor area of housing units were introduced in Japan in the fifth 5-year housing construction programme in 1986. Similar to the standards for the floor area of housing units, the targeted standards for the floor area of housing units vary with the size of households. Therefore, the targeted standards in respect of density are implicitly implied. In addition, the targeted standards in urban areas are different from those in non-urban areas to reflect different conditions of land and housing supply (Table 6). These targeted standards are only targets for the Japanese Government to be achieved by 2005. In 1993, 40.5% of all housing units in Japan achieved these standards, compared to 31.6% in 1988.

Table 6 - Targeted Floor Area (m²) and Targeted Density (m² per person) of Housing Units

| Size of households (persons) | Urban Areas | | Non-Urban Areas | |
|------------------------------|---|---|---|---|
| | Floor area per housing unit (m ²) | Implied density of housing unit (m ² per person) | Floor area per housing unit (m ²) | Implied density of housing unit (m ² per person) |
| 1 | 37 | 37 | 50 | 50 |
| 1 (elderly) | 43 | 43 | 55 | 55 |
| 2 | 55 | 27.5 | 72 | 36 |
| 3 | 75 | 25 | 98 | 32.67 |
| 4 | 91 | 22.75 | 123 | 30.75 |
| 5 | 104 | 20.8 | 141 | 28.2 |
| 5 (include elderly) | 122 | 24.4 | 158 | 31.6 |
| 6 | 112 | 18.67 | 147 | 24.5 |
| 6 (include elderly) | 129 | 21.5 | 164 | 27.33 |

Source : The Building Center of Japan, *A Quick Look at Housing in Japan*

Standards in respect of Floor Area of Dwelling Rooms

9.6 In addition to standards in respect of floor area of housing units, there are standards in respect of floor area of dwelling rooms. Dwelling rooms comprise living room, dining room, bedrooms and kitchen (or kitchen-dining room) only. Toilet, bathroom, closets and balconies are not included. The standards in respect of floor area of dwelling rooms were also introduced in Japan in 1976. The standards vary with the size of households (Table 7) and these standards are considered to be guidelines only.

Table 7 – Standards of Floor Area (m²) and Living Density (m² per person) of Dwelling Rooms

| Size of households (persons) | Floor area of dwelling rooms (m ²) | Implied density of dwelling room (m ² per person) |
|------------------------------|--|--|
| 1 | 7.4 | 7.4 |
| 1 (elderly) | 15 | 15 |
| 2 | 17.5 | 8.75 |
| 3 | 25 | 8.33 |
| 4 | 32.5 | 8.125 |
| 5 | 37.5 | 7.5 |
| 6 | 45 | 7.5 |

Source : The Building Center of Japan, *A Quick Look at Housing in Japan*

Targeted Standards

9.7 The targeted standards in respect of floor area of dwelling rooms were introduced in Japan in 1986. These targeted standards also vary with the size of households. Therefore, the targeted standards on density are implicitly implied. In line with the targeted standards for the floor area of housing units, the targeted standards in respect of floor area of dwelling rooms in urban areas are different from those in non-urban areas (Table 8).

Table 8 - Targeted Floor Area (m²) and Targeted Density (m² per person) of Dwelling Rooms

| Size of households (persons) | Urban Areas | | Non-Urban Areas | |
|------------------------------|--|---|--|---|
| | Floor area of dwelling rooms (m ²) | Implied density of dwelling rooms (m ² per person) | Floor area of dwelling rooms (m ²) | Implied density of dwelling rooms (m ² per person) |
| 1 | 19.8 | 19.8 | 27.2 | 27.2 |
| 1 (elderly) | 23 | 23 | 30.5 | 30.5 |
| 2 | 33 | 16.2 | 43 | 21.5 |
| 3 | 46 | 15.333 | 58.5 | 19.5 |
| 4 | 59 | 14.75 | 77 | 19.25 |
| 5 | 69 | 13.8 | 89.5 | 17.9 |
| 5 (include elderly) | 79 | 15.8 | 99.5 | 19.9 |
| 6 | 74.5 | 12.417 | 92.5 | 15.417 |
| 6 (include elderly) | 84.5 | 14.083 | 102.5 | 17.083 |

Source : The Building Center of Japan, *A Quick Look at Housing in Japan*

10. Other Standards

Floor Area of Facilities Such as Toilet and Bathroom

10.1 The Japanese Government does not explicitly spell out the floor area of such facilities as toilet and bathroom. However, the different standards set for the floor area of housing units and the floor area of dwelling rooms have set out in effect the standards on the floor area of these facilities in an indirect manner. That is to say, a certain housing unit which meets the standards of the floor area of dwelling rooms would not be able to satisfy the standards of floor area of housing units, unless other facilities are also provided.

10.2 Private dwellings in Japan are also required to provide water supply equipment and appropriate lavatories; details are set out in Appendix V.

Environmental Standards, Fire Safety Standards and Other Safety Standards

10.3 In Japan, private dwellings are required to meet certain environmental standards, fire safety standards and other safety standards. The details of these standards are also found in Appendix V.

PART 4 - HOUSING STANDARDS OF PRIVATE DWELLINGS : OTHER PLACES

11. Singapore

Standards of Living Space, Living Density and Minimum Facilities

11.1 The Singapore Government does not have standards for living space or the floor area of private dwellings. Similarly, there are no standards of the living density of private dwellings in Singapore. Neither are there standards for such facilities as toilets and kitchens in Singapore.

Other Standards

11.2 In Singapore, the height of rooms (living room, dining room and bedroom) is to be at least 2.6m while that of bathroom and kitchen is at least 2.2m. The RLS has not received any information from the Singapore Government on other standards such as environmental standards, fire safety standards and other safety standards of private dwellings.

12. Taiwan

Standards of Living Space, Living Density and Minimum Facilities

12.1 There are no standards for the living space or the floor area of private dwellings in Taiwan. Likewise, there are no standards for the living density and such facilities as toilets and kitchens of private dwellings in the territory.

Other Standards

12.2 The RLS has not received any information from the authorities in Taiwan on environmental standards, fire safety standards and other safety standards of private dwellings there.

PART 5 - THE SITUATION IN HONG KONG

13. Standards of Living Space and Living Density

Private Dwellings

13.1 In Hong Kong, there are no standards for living space and living density in private dwellings.

Public Rental Housing

13.2 The current living space and living density standards in public rental housing were approved by the Housing Authority (HA) in September 1991. Tenants are given a choice of two allocation standards with two correspondingly different Median Rent-Income Ratio (MRIR) limits. Hence, a tenant may choose between the allocation standard of 5.5m² per person measured in terms of Internal Floor Area (IFA)¹³ with rent set at the MRIR limit of 15% or the allocation standard of 7m² per person IFA with MRIR limit at 18.5%. Developments of the living space and living density standards of public rental housing are in Appendix VI.

14. Other Standards

Minimum Facilities

14.1 In Hong Kong, the minimum facilities to be provided in all dwellings are specified in the Buildings Ordinance (Cap. 123) together with its subsidiary legislation, namely Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations. Minimum facilities to be provided in the dwellings include kitchens, water closets and pipes.

Environmental Standards

14.2 There are certain environmental standards for private dwellings in Hong Kong, including natural lighting and ventilation standards.

¹³ Internal Floor Area (IFA) is the area of a housing unit measured from the internal face of the walls. IFA includes kitchen, toilet and balcony.

Natural Lighting

14.3 A habitable room is required to provide effective natural lighting by one or more windows which shall not be less than $\frac{1}{10}$ of floor area of the room or $\frac{1}{16}$ of floor area of the room if the top of the window is 2m above the floor. The same requirement applies to a kitchen as well.

Ventilation

14.4 A habitable room is required to provide effective ventilation by one or more windows which shall not be less than $\frac{1}{10}$ of floor area of the room or $\frac{1}{16}$ of floor area of the room if the top of the window is 2m above the floor. The same requirement applies to a kitchen as well.

Fire Safety Standards

14.5 In Hong Kong, the fire safety standards are specified in the Fire Services Ordinance (Cap. 95) and the Buildings Ordinance (Cap. 123) together with its subsidiary legislation, namely Building (Planning) regulations. Such requirements include the application for fire certificates, the provision of fire-fighting equipment as well as the provision of staircase and fire escape. We note that fire safety standards apply to the whole building and the common areas but does not apply within each individual flat.

15. Existing Living Density in Private Dwellings

15.1 As there is no information available on existing living density in private dwellings in Hong Kong, we make use of statistics available from the Rating and Valuation Department to compile a proxy for comparison. As we have made assumptions in this compilation, the figures are of indicative value for reference only. The Rating and Valuation Department publishes the number of private domestic units¹⁴ which are sub-divided into five classes by reference to floor area¹⁵ as follows:

- Class A : saleable area not exceeding 39.9 m²;
- Class B : saleable area of 40 m² to 69.9 m²;
- Class C : saleable area of 70 m² to 99.9 m²;
- Class D : saleable area of 100 m² to 159.9 m²; and
- Class E : saleable area of at least 160 m².

15.2 To estimate the total saleable area of private domestic units in Hong Kong, we first make an assumption of the saleable area. We use a mid size range figure for each size range and then multiply it with the number of housing units of that size range; for Class E, we assume the saleable area of the size range “> 279.9 m²” is to be 280 m² (see Table 9). At end-1997, on the basis of this assumption, the estimated total saleable area of private domestic units was 51 700 305 m². As there were 3.317 million people living in private domestic units, the estimated average saleable area per person at end-1997 was 15.6 m² (51 700 305 m² ÷ 3.317 million people) and the average number of persons living in a private dwelling was 3.53 persons (3.317 million people ÷ 940 128 units).

15.3 Hong Kong’s estimated average saleable area of 15.6 m² per person in private dwellings was lower than the minimum space standard of 21.34 m² per person in the United Kingdom (see Table 3) and the minimum floor area of 18 m² per person in Japan (see Table 4).

¹⁴ Private domestic units are defined as independent dwellings with separate cooking facilities and bathroom (and/or lavatory). Domestic units built under the Private Sector Participation Scheme, and all units built under the Home Ownership, Sandwich Class Housing, Urban Improvement and Flat-for-Sale Schemes are not included in statistics for the private sector housing. Data relating to rental estates built by the Housing Authority and Housing Society, and Government owned quarters are also not included.

¹⁵ The floor area of a domestic unit is its saleable area which is defined as the floor area exclusively allocated to the unit including balconies and verandahs but excluding common areas such as stairs, lift shafts, pipe ducts, lobbies and common toilets. Bay windows, yards, gardens, terraces, flat roofs, carports and the like are also excluded from the saleable area.

Table 9 – Estimated Total Saleable Area of Private Domestic Units in Hong Kong at End-1997

| Class | Size Range (in m ²) | Assumed ¹ Saleable Area of Each Size Range (in m ²) | Total Number of Units | Estimated Total Saleable Area (in m ²) |
|-------------|------------------------------------|---|--------------------------|--|
| Class A | < 20.0 | 10.0 | 12 578 | 125 780 |
| | 20 – 29.9 | 25.0 | 117 647 | 2 941 175 |
| | 30 – 39.9 | 35.0 | 217 701 | 7 619 535 |
| Class B | 40 – 49.9 | 45.0 | 188 460 | 8 480 700 |
| | 50 – 59.9 | 55.0 | 136 271 | 7 494 905 |
| | 60 – 69.9 | 65.0 | 104 180 | 6 771 700 |
| Class C | 70 – 79.9 | 75.0 | 44 904 | 3 367 800 |
| | 80 – 89.9 | 85.0 | 28 531 | 2 425 135 |
| | 90 – 99.9 | 95.0 | 20 061 | 1 905 795 |
| Class D | 100 – 119.9 | 110.0 | 23 962 | 2 635 820 |
| | 120 – 139.9 | 130.0 | 14 877 | 1 934 010 |
| | 140 – 159.9 | 150.0 | 8 807 | 1 321 050 |
| Class E | 160 – 199.9 | 180.0 | 10 362 | 1 865 160 |
| | 200 – 239.9 | 220.0 | 7 394 | 1 626 680 |
| | 240 – 279.9 | 260.0 | 2 249 | 584 740 |
| | > 279.9 | 280.0 | 2 144 | 600 320 |
| All Classes | | Not applicable | 940 128 | 51 700 305 |

Remark: ¹ We use a mid size range figure for each size range; for Class E the size range “ > 279.9 m²”, we assume the saleable area to be 280 m².

Source : Rating and Valuation Department, *Hong Kong Property Review 1998*

16. Bedspace Apartments

16.1 The problem of overcrowdedness in bedspace apartments was raised during the scrutiny of the Bedspace Apartments Bill 1993, but it remains a major subject of concern being studied by the LegCo Panel on Housing. The Bedspace Apartments Ordinance (Cap. 447) enacted in 1994 aims at regulating the fire and building safety of bedspace apartments, but not overcrowdedness. The Government has reiterated that it has no plan to stipulate any minimum living space for individuals in private premises, but will address the housing needs of single persons by way of public housing. Displaced lodgers of bedspace apartments as a result of the implementation of the licensing scheme are offered accommodation in the singleton hostels operated by the Home Affairs Department. For details, please refer to LC Paper No. CB(1) 692/98-99(07). For further information on the views of deputations on the effectiveness of the current legislative measures and the Government's rehousing arrangements in improving the living conditions of those living in bedspace apartments, please refer to LC Paper No. CB(1) 1621/98-99.

16.2 No official statistics on the population occupying bedspace or cubicle apartments is available as of to date. As of October 1998, the number of lodgers living in bedspace apartments registered with the Licensing Authority under the Home Affairs Department was around 1 700, according to the above-mentioned paper. At the same time, a community group has reported that it had surveyed and estimated the population of lodgers living in illegal bedspace apartments and cubicle apartments to be up to 10 000. In response to the request of the LegCo Panel on Housing, the Government has conducted a survey of unlicensed bedspace apartments in early 1999 but has not yet published the result. Pending the result of the survey, there is no official statistics on the number of people living in such accommodation. Therefore, it is difficult to draw a profile of these people or the scale of the exact problem.

PART 6 - ANALYSIS

17.1 In this study, the United Kingdom is the only place which sets legally enforceable standards on living space and living density. Japan has set standards on living space and living density, but they are guidelines only. In contrast, Hong Kong, Singapore and Taiwan do not have such standards.

17.2 It should be noted that overcrowding is not a serious concern in London or the UK, where spatial density is legally enforceable. In considering the housing standards of private dwellings in different places, it is necessary to take into account, amongst other things, the population density of the city or country concerned. At end-1997, the population density in Hong Kong (6 160 persons per square kilometer) was much higher than the comparable figures in London (4 482 persons per square kilometer) or the UK (241 persons per square kilometer), or in Tokyo (5 421 persons per square kilometer) or Japan (327 persons per square kilometer).

17.3 Overcrowding in the United Kingdom mainly occurs in houses in multiple occupation (HMOs), which, by their relative standards, is analogous to the situation of bedspace apartments or cubicle apartments in Hong Kong. There are multiple occupants in one premise and they do not live as one household. HMOs have been cited as an area for reform in its control, the form of which is proposed to be licensing. The Hong Kong Government has already enacted the Bedspace Apartments Ordinance to bring bedspace apartments into control through licensing, a step which appears to be ahead of the UK.

17.4 At the same time, one could draw on the experience of the United Kingdom in giving housing fitness rating to a home. The Department of Environment, Transport and the Regions has proposed changes to the housing fitness standard, which would be a subject of legislation in due course (see the discussion on housing fitness standard in paragraphs 6.1 to 6.14 above). The concept of housing fitness is separate from building safety. Housing fitness is assessed by hazards specific to an individual house and specific to the individual occupant(s): a house fit for the able-bodied may not be fit for occupation by someone who is disabled. While space and privacy is one of the factors which would be assessed in a housing fitness rating exercise, there are also 17 other factors which concern environmental conditions and other safety aspects (please see Appendix II for details). Implementation of such a rating exercise entails a practical inspection of the dwelling facilities and fabric, with a focus on the health and safety hazards that any defect might present. As the focus is on the effect of the defect, and not the defect itself, the assessment becomes very flexible. In each local authority in the United Kingdom, there are teams of Environmental Health Officers responsible for carrying out such inspection. If such a scheme were to apply in another place, there would be legislative and manpower resource implications.

17.5 The standard of living space within a premise between United Kingdom (UK) and Japan is measured on different bases. They are summarized as follows:

- the measurement is based on the size of household (the cases of both Japan and the UK);
- there is a limit on the size of a household within a housing unit (the case of Japan - six persons; and UK – two persons for each room);
- the measurement is based on floor area per housing unit or floor area of dwelling rooms (i.e. excluding toilet, bathroom, closets and balcony) (the case of Japan);
- there is a difference in the standards for dwellings located in urban areas and those in non-urban areas (the case of Japan); and
- there is a housing fitness standard which covers space and privacy as well as other environmental and safety concerns (the case of UK).

17.6 Hong Kong's estimated average saleable area of 15.6 m² per person in private dwellings is lower than the minimum space standard of 21.34 m² per person in the United Kingdom and the minimum floor area of 18 m² per person in Japan. It is also important to note that the population density of Hong Kong's five most densely populated districts was much higher than the comparable figures in the places studied.

Appendix I

**HOUSING STANDARDS OF PRIVATE DWELLINGS
IN THE UNITED KINGDOM**

A. Minimum Facilities

Accommodation for Food Storage

A.1 All dwellings in the United Kingdom are required to provide, under the Public Health Act 1961, sufficient and suitable accommodation for storage of food.

Closets

A.2 All dwellings in the United Kingdom are required to provide sufficient and satisfactory closets.

Habitable Rooms Below Subsoil Water Level

A.3 The provision of habitable rooms below subsoil water level is prohibited in the United Kingdom.

B. Fire Safety Standards

Means of Escape

B.1 All dwellings in the United Kingdom are required to provide, under the Fire Precautions Act 1971, means of escape in case of fire or other emergency situation in order to obtain a fire certificate¹⁶ from the fire authorities.

Means of Entrance

B.2 Also, all dwellings in the United Kingdom are required to provide means of entrance or passage in case of fire or other emergency situation.

¹⁶ A fire certificate approved by the fire authorities is required before the building can be used.

C. Inspection

C.1 Under the Building Act 1984, the Building authorities may appoint an inspector, upon giving a 24 hours' notice, to enter and inspect any dwellings in the United Kingdom to check whether the dwellings comply with the building standards.

APPENDIX II

**FITNESS RATING IN THE UNITED KINGDOM -- HEALTH AND SAFETY
HAZARDS AND RELATED MATTERS**

A. Health and Safety Hazards and Related Matters

A.1 A list of the main hazards in and around the home and the matters that may need to be assessed for each is shown in Table 10.

Table 10 : Fitness Rating – Health and Safety Hazards and Related Matters

| Health/safety hazards | Relevant matters to be assessed |
|-----------------------------------|---|
| Space & privacy | Design & layout (ceiling heights), and disrepair |
| Risk of falls | Design and layout, disrepair, structural stability, and lighting |
| Fire safety risks | Fire-separation, fire-precautions, means of escape, and landfill gas |
| Exposure to cold & excessive heat | Heating system & controls, insulation & heat loss, disrepair (energy rating, if needed) |
| Burn & scald hazards | Design and layout, heating systems & controls, and disrepair |
| Electric shock | Disrepair (services etc), outlets, and heating system |
| Mould growth & damp | Ventilation, heating & insulation, design and Disrepair, and drainage (surface water) |
| Indoor air pollutants, CO etc | Ventilation, design and layout, and disrepair (appliances) |
| Exposure to lead | Water supply, disrepair, and (old paint & wiring) |
| Asbestos & other pollutants | Disrepair (services etc), outlets, and heating system |
| Personal hygiene | Bath/shower & washbasin, hot & cold water supply, design and layout, and disrepair |
| Food safety | Kitchen facilities, hot & cold water supply Design and layout, and disrepair |
| Other sources of infection | Infestation, design and layout, disrepair, and refuse containment |
| Exposure to noise | Sound insulation, design and layout, and disrepair |
| Crime & fear of crime | Basic security, design and layout, lighting, and disrepair |
| Injury from doors & windows | Design and layout, disrepair (architectural glass), and lighting |
| Sanitation & drainage | Water closets, design and layout, disrepair, and Drainage |
| Lighting (depression etc) | Design & layout, disrepair (natural & artificial light) |

A.2 How the assessment of hazards might be translated into a fitness rating is illustrated in the examples below. After inspecting all the relevant elements and aspects of the dwelling the environmental health officer or surveyor would determine the severity of each health and safety risk by assessing the probability of any defects causing a hazardous event against the likely health outcome of that event. The officer would then ring a score on, say a 4 by 4 matrix, to give the severity score for that particular hazard. The scoring system would place the emphasis on the highest risks and unhealthiest dwellings, a very high (say 1 in 10) probability of a fatal outcome representing a million times more serious risk than a low probability (say 1 in 10 000 chance) of relatively minor harm. (See example 1.)

Example 1 : Determining the score for individual hazards

A.3 A house with a long straight flight of stairs with a broken stair tread, but good handrail and well lit, might be assessed as giving only a low probability of a fall but, because the defect is at the top of the flight, a likely severe health outcome; and therefore a severity score against “Risk of falls” of 100. However, if the same house has adequate fire precautions and good means of escape, it would probably score zero or near zero against “Fire safety risks”. See worked examples below:-

| Health/ safety hazards | Relevant matters to be assessed | Likely health Outcome | Probability of harm occurring due to any defects | | | | Zero risk | Score for hazard |
|------------------------------|------------------------------------|-----------------------------|---|---------|----------|-------|--------------|------------------------|
| | | | Very high | High | Moderate | Low | | |
| Risk of falls | Design and layout | Fatal | 1 000 000 | 100 000 | 10 000 | 1 000 | | |
| | Disrepair | Severe | 100 000 | 10 000 | 1 000 | 100 | | 100 |
| | Structural stability | Moderate | 10 000 | 1 000 | 100 | 10 | 0 | |
| | Lighting | Minor | 1 000 | 100 | 10 | 1 | | |
| Fire safety risks | Fire-separation | Fatal | 1 000 000 | 100 000 | 10 000 | 1 000 | | |
| | Fire-precautions | Severe | 100 000 | 10 000 | 1 000 | 100 | | 0 |
| | Means of escape | Moderate | 10 000 | 1 000 | 100 | 10 | 0 | |
| | Landfill gas | Minor | 1 000 | 100 | 10 | 1 | | |

A.4 As all hazards are rated in terms of the probability and severity of harm to an occupant, there is no need to weight the individual hazard scores. The overall rating for the dwelling would be the sum of all the scores, the overall health and safety number of hazards present.

A.5 However, the scoring system would be such that a single high probability of a fatal or severe health outcome would result in a higher overall fitness rating than a multiplicity of less severe hazards – except in extreme cases of the latter. Total scores could range from 0 to several millions but, in order to avoid placing too much emphasis on exact numbers, would be converted into, say ten, ‘rating bands’ (J to A) – to indicate dwellings ranging from a zero or near zero health risk to those posing an extreme threat from one or more hazards. (See Example 2.)

Example 2: Determining the overall fitness rating

A.6 If the stair defect in example 1 was the only problem in a dwelling, it would have a total score of just 100 and thus fall in rating band “H” – indicating a relatively low overall health and safety risk probably well short of any enforcement action level. See below:-

| | | | | | | | |
|--|-------------------------|------------|----------|----------|----------|----------|----------|
| OVERALL FITNESS RATING (Total score for all hazards – 10 bands) | Rating bands | A | C | E | G | I | H |
| | | 1 000 000+ | 20 000 + | 2 000 + | 200 + | 10 + | |
| | | B | D | F | H | J | |
| | | 100 000 + | 10 000 + | 1 000 + | 100 + | <10 | |

A.7 Where there is more than one separate defect under a heading (for example, under “Risk of falls,” an unsafe upper floor window as well as defective main flight of stairs) each would be assessed separately and the various scores summed to give the total rating for that hazard.

A.8 Rating a dwelling would rely on professional judgement, but to aid uniformity in the interpretation of the new standard, guidelines on fitness rating would cover the severity of the health and safety risks posed by the more common defects found in the housing stock. The actual fitness rating would be independent of the particular occupants in a similar way to the current standard. However, where appropriate, action could be related to the specific needs of households by considering the severity of any health and safety hazards in relation to the particular vulnerabilities of the occupants to those hazards.

Source: Department of the Environment, Transport and the Regions, *Housing Fitness Standard: A Consultative Paper*, 17 February 1998

Appendix III

LICENSING OF HOUSES IN MULTIPLE OCCUPATION IN THE UNITED KINGDOM

A. Current Controls Over Houses in Multiple Occupation (HMOs)

A.1 Local authorities have a range of powers to take action to improve standards in HMOs. These are set out in the Housing act 1985 as amended by the Housing Act 1996. An authority can use this to require a landlord to carry out works to ensure that the kitchen, washing and toilet facilities and the means of escape from fire and other fire precautions are adequate for the number of occupants in an HMO.

A.2 In addition to, or instead of, serving a works notice, an authority may issue a direction limiting the number of occupants in an HMO. Authorities have separate powers to serve overcrowding notices limiting the number of occupants where they feel that there are too many occupants for the number of rooms available as sleeping accommodation.

A.3 In circumstances where the living conditions in the house threaten the health, safety or welfare of the occupants are at serious risk, an authority may make a control order which enables it to take over the management of a HMO. However, because of the time and resources involved with the use of this power, in practice it is very rarely used.

A.4 Housing Act 1996 includes provisions which enable local authorities to adopt one of two model HMO registration schemes. The notification scheme simply allows authorities to compile information about HMOs in their area. The scheme containing control provisions enables the authority to refuse to register an HMO which is unsuitable. The authority may also make registration conditional on work being completed, or certain management conditions being observed.

A.5 Local authorities' powers to require work notices under the 1985 Housing Act, and their powers under control registration schemes are subject to a right of appeal to the county court. Failure to comply with works notices or conditions of registration schemes is a criminal offence. The maximum fine for offences can be up to £2,500. Where a landlord fails to complete the required works, the authority can also do the works themselves and recover the cost from the landlord.

B. Problems with Current HMO Controls

B.1 The Department of the Environment, Transport and the Regions (DETR) remarked that the current definition of an HMO is very wide, and has given rise to a number of grey areas. Not all shared houses and all houses with lodgers meet this definition. Such properties will not fall within the definition if the group sharing a house, or the landlord and his family and their lodgers, are living as a single household. For instance, a house shared by a group of students is deemed not to be an HMO as the students are living as a single household.

B.2 There are also doubts over the meaning of “house” and this has caused much case law over the years. It is the DETR’s view that HMO specific controls are not intended to apply to purpose built blocks of flats where the problems associated with multiple occupancy do not usually arise. But there is an element of doubt as to whether such premises may be registered as a “house”. The DETR remarked that similar sort of premises should also fall within the HMO definition.

B.3 The standards applied through these powers will also vary. The DETR issued guidance to local authorities on the sorts of standards they should be enforcing in HMOs in 1992. Furthermore, authorities have discretion to require higher or lower standards where they think fit. DETR is aware that a number of authorities, and groups of authorities, have published their own standards.

B.4 In addition, there are limits to what can be achieved through serving a works notice. Only works to the fabric and fixtures or fittings of the building can be required. An authority cannot, for example, use this power to require a landlord to remove old foam filled furniture in reducing fire risk in HMOs.

B.5 In specifying the works notice, the only factors that an authority can only take into account are the physical conditions and characteristics of the premises and the number of occupants. Particularly in the case of fire safety, this may not lead to the most appropriate specification for the risk posed. In fact, the fire risk will depend on a number of other factors. For example, the risk in a two storeys house shared by six, able bodied, cognisant adults would be much less than that in a similar house occupied by the same number of mentally or physically disabled or elderly persons.

C. The Way Forward

C.1 The DETR plans to introduce a national mandatory licensing scheme for HMOs to ensure that they are safe and provide acceptable basic living conditions. However, in order to be effective, the scheme will need to address the deficiencies that have been identified with the current controls. The DETR also intends to take the opportunity to review the existing HMO controls.

C.2 It is the intention that the licensing scheme should be backed by published national standards which are related to risk. The standards will need to be consistent with two other initiatives. These are proposals for a new housing fitness rating which would replace the existing fitness standard, and proposals for new fire safety legislation which could apply in all premises.

Source: Department of the Environment, Transport and the Regions, *Licensing of Houses in Multiple Occupation – England Consultation Paper*, 9 April 1999

Appendix IV**PUBLIC HOUSING AND ALLOCATION SCHEME
IN THE UNITED KINGDOM****A. Public Housing in the United Kingdom**

A.1 The local authority is responsible for assessing local needs and producing comprehensive housing strategies, in partnership with tenants, residents and other members of the local community. In 1996, in England, there were 3.3 million households (or 7.4 million persons) living in local authorities' housing; whereas 905 000 households (or 1.9 million persons) lived in registered social landlords¹⁷ (RSLs) dwellings. In other words, a combined total of 4.24 million households (or 9.34 million persons) were public housing tenants, which accounted for 19.0% of the population.

B. Allocation Scheme

B.1 The local authority has a duty to allocate tenancies only to people included on a housing register¹⁸ (or waiting list) and in accordance with a published allocation scheme. Some people are excluded from the register by law (e.g. people subject to immigration control); outside of these groups it is open to a local authority to decide who does or does not qualify.

B.2 The allocation scheme must give priority to certain specified households. As shown in the Housing Act 1996, local authorities should give preferences to:

- people occupying insanitary or overcrowded housing or living in unsatisfactory housing conditions;
- people occupying housing accommodation which is temporary or occupied on insecure terms;
- families with dependent children;

¹⁷ RSLs, which are non-profit-making, are the suppliers of new low-cost housing for rent and for sale to those on low incomes and in the greatest housing need. The Housing Corporation is the statutory organization of RSL in England. In 1998-99, the Housing Corporation has received £600 million in grants from the central government.

¹⁸ To go on the housing register, a person needs to complete an application form. These are available from the local housing services department. Once a person has completed and returned the form, the details will be inputted into the computer. The housing allocations staff will visit the applicant to verify the detail.

- households consisting of or including someone who is expecting a child;
- households consisting of or including someone with a particular need for settled accommodation on medical or welfare grounds; and
- households whose social or economic circumstances are such that they have difficulty in securing settled accommodation.

B.3 The London Boroughs of Bromley, Camden, Islington and Ealing use points based register and applicants will be made offers of public housing in accordance with their position on the register. The groups in priority and the applicants staying longer on the register will get more points. An applicant may have to wait for from two to three years in securing permanent public housing, depended on the demand and supply of public housing.

Appendix V**HOUSING STANDARDS OF PRIVATE DWELLINGS IN JAPAN****A. Minimum Facilities**Water Supply Equipment

A.1 Water supply equipment is required by the Building Standard Law to function safely and hygienically in accordance with the quality, temperature and other properties of water. In addition, such water supply equipment is to be kept safe and reliable against wind pressure, soil pressure, water pressure, and vibration and impact forces at the time of earthquake. This requirement is included as part of the Building Standard Law and is legally binding on all housing units.

Lavatories

A.2 The Building Standard Law requires that all lavatories shall have toilets of flush type with the soil pipes connected to public sewerage having a terminal treatment plant. If the sewerage of lavatories is to be drained into a place other than the public sewerage having a terminal treatment plant, wastewater purifiers has to be installed.

B. Environmental StandardsNatural Lighting

B.1 All housing units in Japan must have windows and other openings for natural lighting, and the ratio of the effective area for natural lighting to the floor area shall not be less than $\frac{1}{7}$. Besides, this requirement is included as part of the Building Standard Law and is legally binding on all housing units.

Ventilation

B.2 According to the Building Standard Law, all housing units in Japan must have window and other openings for ventilation, and the ratio of the effective area of ventilation to the floor area shall not be less than $\frac{1}{20}$, or otherwise ventilation equipment must be installed so that rooms can be sufficiently ventilated. Moreover, ventilation equipment must be installed in rooms that may be used to support burning, such as kitchen and bathroom.

Height of Ceilings

B.3 The Building Standard Law requires that the height of the ceilings of all housing units in Japan must be at least 2.1m.

Sound Blocking

B.4 The Building Standard Law also requires that the separation walls between each housing unit must be of a structure that is effective in sound insulation.

Habitable Rooms in Basement

B.5 The Building Standard Law prohibits the provision of habitable rooms of houses and bedrooms of dormitories in basements, unless these rooms are provided in a dry area.

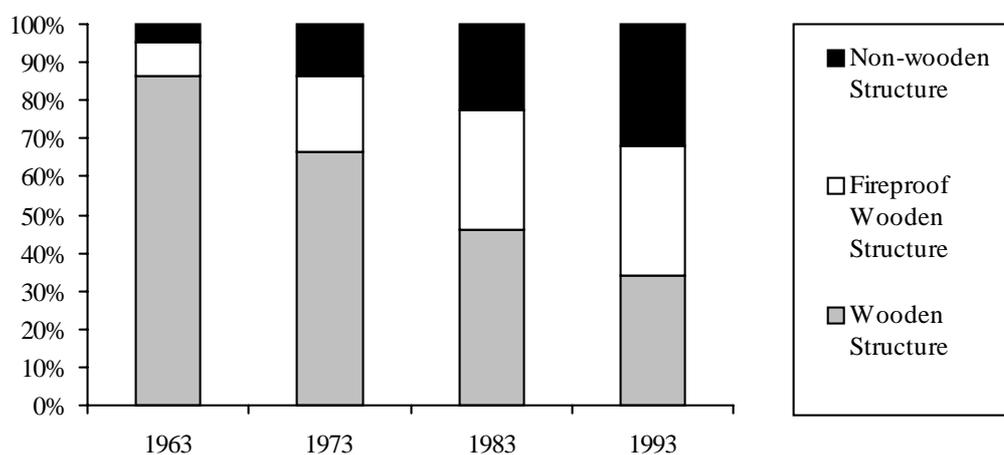
C. Fire Safety Standards

C.1 Fire safety standards in Japan are prescribed in the Building Standard Law. It must be noted that the fire safety standards in Japan are established taking into account the common use of wooden structure for housing units (Table 11 and Figure 2). However, the use of non-wooden structure and fireproof wooden structure became more widespread while the use of wooden structure fell significantly over the years. Although these fire safety standards may not seem to be of direct relevance to Hong Kong where buildings are built of concrete materials, such standards may serve as reference for cubical apartments.

Table 11 - Structure of Housing Units (%)

| | 1963 | 1973 | 1983 | 1993 |
|----------------------------|------|------|------|------|
| Non-wooden Structure | 4.7 | 13.8 | 22.6 | 31.9 |
| Fireproof Wooden Structure | 9.1 | 19.7 | 31.3 | 34.0 |
| Wooden Structure | 86.2 | 66.5 | 46.1 | 34.1 |

Source : The Building Center of Japan, *A Quick Look at Housing in Japan*

Figure 2 - Structure of Housing Units (%)

Source : The Building Center of Japan, *A Quick Look at Housing in Japan*

C.2 The basic concept relating to fire safety in buildings outlined in the Building Standard Law consists of two major parts:

- fire protection standards; and
- fire evacuation standards.

Fire Protection Standards

C.3 Fire protection standards aim at preventing buildings from catching fire from adjacent buildings, and preventing the outbreak, growth, and spread of fire within the building. The relevant provisions can be divided into the following:

- construction of buildings of different materials; and
- fire separations.

Construction Of Buildings Of Different Materials

Restrictions on Principal Building Parts of Large-scale Wooden Buildings

C.4 In order to reduce the danger of fire spreading to and from adjacent buildings, the principal building parts¹⁹ shall not be made of wood if the building has:

- a height of more than 13m, or
- eaves at a height of more than 9m, or
- a floor area of more than 3 000m².

Restrictions on Construction of Special Buildings

C.5 Special buildings are defined as buildings that are intended to be used by many and unspecified people such as theatres, grand-stands and department stores, as buildings where many people sleep such as apartment houses, hotels and hospitals, and so on. It is prescribed that these special buildings are obliged to be either fireproof buildings²⁰ or quasi-fireproof buildings²¹ in order to prevent their destruction by fire and to ensure safe evacuation.

Fire Separations

C.6 The Building Standard Law requires that buildings must be divided with floors or walls of fireproof materials or fire doors for the purpose of minimizing the damage by confining fire within a separated area. These fire separations have the following categories.

¹⁹ Principal building parts of a building refer to walls, posts, floors, beams, roofs and stairs.

²⁰ The Building Standard Law defines fireproof buildings as buildings which possess excellent structural stability in fire and excellent fire preventive performance.

²¹ The Building Standard Law defines quasi-fireproof buildings as those whose fireproof property is quasi-equivalent to that of fireproof buildings.

Area Separations

C.7 Area separations are arranged to prevent the horizontal spread of fire within a building. They involve the use of walls and floors of fireproof materials as well as fire doors. Besides, wooden buildings having a floor area of more than 1 000m² that are neither fireproof buildings nor quasi-fireproof buildings, must be effectively divided with fire walls.

Shaft Enclosures

C.8 Vertical spaces (such as staircases, hoistways and pipe spaces) passing through several storeys, must be divided with fireproof or quasi-fireproof floors, walls or fire doors to prevent the rapid travel of fire and smoke and to ensure safe evacuation.

Fire Evacuation Standards

C.9 Fire evacuation standards are provided to ensure safe evacuation of occupants from the buildings in the case of a fire. The relevant provisions are categorized as follows:

- evacuation facilities;
- smoke exhaust equipment;
- emergency lighting apparatus; and
- emergency entrances and emergency elevators.

Evacuation Facilities

Stairways

C.10 Stairways connecting the upper floors or the basement to the ground must be provided for prompt escape. Moreover, special buildings must have two or more stairways in case one of them cannot be used. Furthermore, the two or more stairways must be arranged as far as possible so that people can escape towards different directions.

Escape Stairways

C.11 In high-rise buildings, buildings with basement floors, or buildings used by many people such as department stores, the stairways mentioned above may not be sufficient to ensure safe evacuation. Therefore, these buildings must have escape stairways. These escape stairways have safer performance against fire and smoke than normal stairways.

Smoke Exhaust Equipment

C.12 Smoke exhaust equipment must be provided in special buildings in order to effectively eliminate smoke and gas generated from combustible materials thus ensuring safe evacuation.

Emergency Lighting Apparatus

C.13 Emergency lighting apparatus must be provided in special buildings to ensure safe evacuation during a power failure.

Emergency Entrances and Emergency Elevators

C.14 For buildings up to 31m in height, emergency entrances must be provided for the third floor and above. For buildings with a height exceeding 31m emergency elevators must be provided for emergency use by firemen.

D. Other Safety Standards

Periodic Inspection and Periodic Report System

D.1 The owners of special buildings and the owners of such building equipment as escalators and elevators must have another qualified person inspect the conditions of their buildings and building equipment, every year to every three years, and must report the results of inspections to the Special Administrative Agency of the Ministry of Construction. The aim of this periodic inspection and periodic report systems is to ensure the safety of buildings including elevators and equipment after their construction by the inspections of experts rather than owners.

D.2 Moreover, the Building Standard Law prescribes that owners or managers of buildings must maintain the buildings in the required conditions. In particular, owners or managers of the buildings must prepare maintenance schedules.

Buildings in Violation

D.3 In order to rectify buildings in violation of the Building Standard Law, or orders and ordinances based upon it, the Special Administrative Agency is empowered with the measures necessary to order the building contractors or the building owners to demolish them or to prohibit their use.

Appendix VI

**DEVELOPMENTS OF LIVING SPACE AND
LIVING DENSITY STANDARDS ON PUBLIC RENTAL HOUSING**

| | |
|--------------------|---|
| Pre-1973 | <p>Group A Estates (i.e. Government Low Cost Housing and Housing Authority estates): The allocation standard was that the Net Living Area (NLA) which is the net living space excluding kitchen, toilet and balcony would not be less than 35 sq. ft. (3.25m²) per person. Children were counted as adults or, for those under 10 years of age, to be counted as half an adult.</p> <p>Group B Estates: The allocation standard was that the NLA would not be less than 24 sq. ft. (2.23m²) per person.</p> |
| November 1973 | The Housing Authority decided to adopt a uniform system for allocation of all accommodation. An allocation standard should be 3.25m ² . |
| 1974/75 to 1981/82 | The NLA would steadily increase beyond the standard of 3.25m ² per person and reached an average of 4.43m ² per person in 1981/82. |
| 1982 | Following a review on the allocation standards, the Housing Authority decided to relax the standards and to raise the allocation standard to 4.0m ² per person NLA or 5.5m ² Internal Floor Area (IFA) per person. The Housing Authority considered it impracticable to adopt this new standard for the immediate and total improvement of the living conditions of existing tenants. |
| 1987 | The Housing Authority further relaxed the allocation standard for new lettings to provide each person with no less than 4.2m ² per person NLA or 5.5m ² per person IFA. |
| 1991 | Following a review, the Housing Authority approved in September 1991 the dual allocation standard; i.e. all tenants would be given a choice of two allocation standards with two correspondingly different Median Rent-Income Ratio (MRIR) limits. Hence, a tenant could choose between the allocation standard of 5.5m ² per person IFA with rent set at the MRIR limit of 15% or a new standard of 7m ² per person IFA with MRIR limit at 18.5%. |
| 1992 | After reviewing the dual allocation standards, the Housing Authority decided that the allocation standards of 5.5m ² per person IFA and 7m ² per person IFA should remain unchanged. |

Source: Office of the Commissioner for Administrative Complaints, *Report of the Investigation on Overcrowding Relief in Public Housing*.

Appendix VII

BEDSPACE APARTMENTS : CODE OF PRACTICE

FOREWORD

This Code of Practice sets out technical details for the guidance of operators, owners and other parties concerned in the operation of bedspace apartments. Compliance with the provisions of this Code is a primary way of satisfying the requirements for building safety, fire safety, and sanitation under Part V of the Bedspace Apartments Ordinance. This, however, is not the only way of satisfying such requirements. Other alternatives may also be acceptable if they fulfill equivalent performance.

1. Introduction

- 1.1 Part V of the Bedspace Apartments Ordinance requires that “A licensed bedspace apartment shall comply with such standards and requirements relating to building and fire safety and sanitation as are provided for in Section 18 of the Ordinance”.
- 1.2 The Authority deals with each case on its merits after full consideration of the circumstances. Nothing herein contained must be taken as in any way derogating from the powers of the Authority to secure reasonable and adequate standards of building and fire safety, and sanitation.

2. Interpretation

For the purpose of this code, unless otherwise stated,

- 2.1 “Authority” means the Bedspace Apartments Authority.
- 2.2 “Exit door” means a door from a storey, flat or room, which door gives access from such storey, flat or room on to an exit route.
- 2.3 “Exit route” means a route by which persons may reach a place of safety outside the bedspace apartment and may include a room, door-way or corridor, other than the internal passageways between bunks.
- 2.4 “Flat” has the same meaning as given in the Bedspace Apartments Ordinance.
- 2.5 “Fire resisting period” (FRP) means the period for which any element of construction, door or fire shutter is capable of resisting the action of fire when tested in accordance with British Standard 476 : Parts 20 to 24 : 1987.
- 2.6 “Travel Distance” means the distance required to be traversed from any point in a storey of a building to either:-
- (a) the fire resisting door in the staircase enclosure; or
 - (b) if there is no such door, the first stair tread of the staircase.
- 2.7 “BSA” means a Bedspace Apartment and has the same meaning as defined in the Bedspace Apartments Ordinance.

- 2.8 “Compartment” means an enclosed space in a BSA that is separated from all other parts of the BSA by enclosing construction having a fire resisting period of not less than 1 hour and any doors therein having a fire resisting period of not less than ½ hour.
- 2.9 “Room-sealed gas water heater” means a gas water heater which, when in operation, has the combustion air inlet and the combustion products outlet isolated from the room or place in which the gas water heater is installed.
- 2.10 “Soil fitment” means a water-closet fitment, a trough water-closet or a urinal.
- 2.11 “Fire service installation or equipment” has the same meaning as defined in Fire Services Ordinance, Cap. 95.

3. Application

- 3.1 The principles laid down in this Code of Practice are applicable to all BSAs as defined in the Bedspace Apartments Ordinance.
- 3.2 Where the occupation of the BSA constitutes a special hazard the Authority may require such alterations to the standards laid down in this Code of Practice as in his opinion may be necessary.

4. General Requirements

- 4.1 All means of escape and fire service installations or equipment within the BSA shall be subject to proper maintenance and to ensure that they are free from obstruction and in good working order at all times.
- 4.2 Fire-resisting self-closing doors shall not be held in the open position by hooks, wedges or other similar device.
- 4.3 No storage of any description which may jeopardize the escape route(s) is allowed. Escape routes must be kept clear for means of escape purposes and free from any possible source of fire.
- 4.4 All externally hung signs for or on the premises shall not obstruct any approved exit route outside the BSA and shall be regularly and frequently maintained and any indication of danger or dilapidation should be remedied immediately.

- 4.5 All fire service installations or equipment shall be installed by a registered contractor as defined by the Fire Service (Installation Contractors) Regulations (Cap. 95 sub. leg.) of the appropriate class and a certificate (FS 251) issued under the Fire Service (Installations and Equipment) Regulations (Cap. 95 sub. leg.) shall be submitted to the Authority.
- 4.6 All portable fire fighting equipment shall be kept in efficient working order at all times and inspected by a registered contractor as defined by the Fire Service (Installation Contractors) Regulations (Cap. 95 sub. leg.) at least once every 12 months and a certificate (FS 251) issued under the Fire Service (Installations and Equipment) Regulations (Cap. 95 sub. leg.) shall be submitted to the Authority.
- 4.7 No storage of dangerous goods exceeding the exempted quantity will be permitted, i.e. for kerosene - 20 litres; for LPG - 130 litres aggregated nominal water capacity. All such shall be properly stored in the kitchen.
- 4.8 All electrical wiring and installation shall be installed and maintained by registered electrical contractors.
- 4.9 Only single beds or double bunks shall be provided.
- 4.10 The void space in any false ceiling, shall not be used for storage purposes.
- 4.11 All unauthorized building works shall be completely removed and the building made good in accordance with the plans approved by the Building Authority.
- 4.12 Single beds or double bunks shall be properly secured to the floor as necessitated by the circumstances.

5. Fire resisting construction

- 5.1 The following walls shall have a FRP of not less than 1 hour and any openings thereto shall be provided with self-closing doors having a FRP of not less than ½ hour:
- 5.1.1 between the BSA and adjoining flats.
- 5.1.2 between the BSA and common areas.
- 5.1.3 between adjoining compartments within the BSA.
- 5.1.4 enclosing hazardous uses.

- 5.2 Any opening in a wall required by 5.1 to have an FRP for the passage of air-conditioning ducts, ventilation ducts, electrical trunking, conduits, pipes and wires or holes left after construction should be protected with fire dampers or other suitable form of fire stop to maintain the required FRP of that compartment wall or floor. Where ducts, pipes, wires and any insulation passing through the wall is of combustible material, such material should be contained within an enclosure having an FRP corresponding to that of the surrounding structure. Where access openings are provided to the enclosure, such opening shall be provided with self-closing doors or securable covers having an FRP of not less than half that of the enclosure.

6. Fire Service Requirements

- 6.1 Portable fire extinguisher(s) shall be provided in accordance with the following scale:
- (a) Where the BSA occupies only one flat, one 9L CO₂/water or one 4.5 kg CO₂ or one 2 kg dry powder fire extinguisher is to be provided in the sleeping area in a readily accessible position. Where the BSA occupies more than one flat, the number of fire extinguisher is to be increased in proportion to the number of flats.
 - (b) One fire blanket (Minimum size 1.44m²) and one 4.5 kg CO₂ or one 2 kg dry powder fire extinguisher are to be provided in every kitchen.
- 6.2 A notice in Chinese on the operation method of fire extinguisher(s) and fire blanket shall be prominently displayed at the location where such equipment is provided.
- 6.3 Additional manual fire alarm call points are to be located at strategic locations of the BSA, e.g. outside the kitchen and near to the exit(s).
- 6.4 Where the maximum floor area of any one compartment exceeds 230 square metres an automatic sprinkler system covering the entire premises shall be provided and installed in accordance with the Rules of the Loss Prevention Council unless Fireman's access is provided either directly from ground/podium floor level or via open balconies on upper floors to the satisfaction of the Authority.

7. Means of Escape

- 7.1 All internal passageways and doors in passageways shall have a minimum width of not less than 750 mm and be kept free from obstruction at all times. Internal passageways must be inter-communicable at the ends.
- 7.2 The maximum travel distance from the farthest point of BSA to the main exit door or to the point where escape is possible in two directions shall be not more than 18 m.
- 7.3 The exit route width shall be not less than 900 mm throughout.
- 7.4 The clear height in the exit route(s) shall be not less than 2 m.
- 7.5 Where a BSA comprises more than one flat or one compartment, exit signs shall be provided to the satisfaction of the Authority.
- 7.6 Where the population of the BSA exceeds 50 all doors across exit routes shall open in the direction of exit.
- 7.7 Notwithstanding 7.6 no metal security gate shall open across an exit route from another part of the building.
- 7.8 Exit doors should be openable from the inside without the use of a key.

8. Kitchens

- 8.1 Every BSA shall be provided with a kitchen enclosed by fire resisting construction having an FRP of not less than 1 hour and openings shall be provided with self-closing doors having an FRP of not less than ½ hour.
- 8.2 The kitchen shall be provided with a:-
- (a) cooking slab unless the cooking is to be done by gas, or electricity;
 - (b) sink and fittings for the supply of water.
- 8.3 The door to the kitchen shall not be located adjacent to an exit from the BSA.
- 8.4 The kitchen shall have all internal wall surfaces, to a height of at least 1.2m from the floor, faced with glazed tiles.

- 8.5 All cooking shall be carried out inside the kitchen. Only food warming and water boiling using electricity will be permitted outside the kitchen.
- 8.6 All kerosene stoves should be kept inside the kitchen.
- 8.7 No bathroom, water closet or communal toilet shall open directly onto a kitchen.

9. Lighting and Ventilation

- 9.1 Every room used for habitation or as a kitchen shall be provided with natural lighting and ventilation.
- 9.2 Such natural lighting and ventilation shall be provided by means of one or more windows having an aggregate area of glass of not less than one-tenth of the area of the floor of the room; and which can, to an extent at least equal in the aggregate to one-sixteenth of the area of the floor of the room, be openable in such manner that the top of the opening of each window is at least 2 m above the level of the floor.
- 9.3 No part of any room used for habitation shall be more than 9 m from a window.
- 9.4 Where a room-sealed gas water heater serves a bathroom or is installed in any place in a BSA other than in the bathroom, an adequate aperture in an external wall shall be provided to the satisfaction of the Authority, to provide direct access to the external air.
- 9.5 Every room containing a soil fitment or waste fitment shall be provided with a window having an aggregate area of glass which is not less than one-tenth of the area of the floor of the room; and a part thereof, not less in area than one-sixteenth of the area of the floor of the room, can be opened directly into the open air. The top of the opening portion of the window shall be not less than 2 m above the level of the floor of the room.

10. Enclosed bedspaces

Where bedspaces are enclosed the following will apply:

- 10.1 The enclosure shall be constructed of non-combustible material.
- 10.2 An opening having a width of not less than $\frac{1}{2}$ length of the bedspace and a height of the full height of the enclosure shall be provided on the side of the bed facing the passageway.

11. Provision of Sanitary Requirements and Plumbing

11.1 In every BSA

- (a) the number of watercloset fitments provided shall be not less than the number specified in Table I;
- (b) the number of lavatory basins and baths or showers provided shall be not less than the number specified in Table II;

TABLE I

| No. of persons residing or likely to reside in the building | No. of watercloset fitments |
|---|-----------------------------|
| 1-8 inclusive | 1 |
| 9-20 | 2 |
| For every additional 15 persons or part thereof | 1 additional fitment |

TABLE II

| No. of persons residing or likely to reside in the building | No. of lavatory basins | No. of baths or showers |
|---|------------------------|-------------------------|
| 1-8 inclusive | 1 | 1 |
| 9-20 | 2 | 2 |
| For every additional 15 persons or part thereof | 1 additional fitment | 1 additional fitment |

- 11.2 (a) Water supply points may, subject to the provisions of sub-paragraphs (b) and (c) be provided in lieu of lavatory basins and baths or showers.
- (b) The number of water supply points so provided shall be not less than the number of lavatory basins, baths or showers required, by paragraph 11.1(b).
- (c) Such water supply points shall be provided in a separate cubicle, not less than 0.75 m² in area, or in a water closet.
- (d) For the purposes of this paragraph, any supply of water provided for a sink in any kitchen shall not be a water supply point.
- 11.3 All plumbing works and materials shall be in accordance with the provisions of the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations (Cap. 123 sub. leg.).

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