

Legislative Council Panel on Housing

Marking Scheme for Estate Management Enforcement in Public Housing Estates

Purpose

This paper briefs Members on the Marking Scheme for Estate Management Enforcement in Public Housing Estates (Marking Scheme).

Background

2. To strengthen enforcement measures against hygiene-related offences in public rental housing (PRH) estates, in 2003 the Hong Kong Housing Authority implemented the Marking Scheme. The Marking Scheme currently covers 28 misdeeds, categorised by severity of their impact on environmental hygiene or estate management (see **Annex** for details). Tenants who are found to have committed misdeeds in their estates will be allotted points which will be valid for two years. An accumulation of 16 points within two years will trigger action for termination of tenancy by means of a Notice-to-Quit (NTQ) issued by the Housing Department (HD).

3. We briefed the Legislative Council Panel on Housing in January 2010 on the proactive measures we are taking to tackle unauthorised dogs and throwing objects from height, which were of general concern to PRH tenants. In this paper, we will report to Members on the effectiveness of the measures to address the above problems, as well as the progress in tackling the nuisance caused by water dripping from air-conditioners (A/C).

Overall Enforcement Results

4. The Marking Scheme is an effective mechanism to tackle misdeeds related to hygiene and estate management and has been well received by tenants generally. Returns from the Public Housing Recurrent Survey (PHRS) 2010 show that 97% of the tenants are aware of the Marking Scheme and 72% of them considered the penalty reasonable. Since 2004, tenants' satisfaction level towards the overall cleanliness and hygienic conditions of estate common areas has been at a high level of 70%, compared to only 46% and 52% in 2002 and 2003 respectively.

5. Up to March 2011, we have recorded some 16 000 point-allotment cases involving 14 800 households, with about 6 000 cases (38%) remaining valid.

6. About 840 out of the 14 800 household mentioned above (6%) have accrued ten points or more for committing two or more misdeeds and 38 households have accrued 16 or more points. Among them, the HD has issued a total of 27 NTQs, approved withholding the issuance of NTQs on nine cases on special grounds and recovered two voluntarily surrendered PRH flats. The misdeeds of "littering" and "smoking or carrying a lighted cigarette in estate common area" continue to be the most frequently committed offences involving 5 500 and 5 400 cases respectively.

Water dripping from A/C

7. Tenants committing this misdeed for the first time will be issued a written warning prior to allotment of points. To facilitate the discharge of condensation water emitted from the A/C, in 2010 the HD completed the A/C drain-pipe installation programme for some 330 blocks of 78 PRH estates that were built before 1996 without such fittings provided. According to the PHRS, 93% of the tenants supported the inclusion of this misdeed. The fact that only some 20 tenants have been allotted penalty points out of the 220 written warnings issued since its implementation in 2009 demonstrates the deterrent and educational effect of including this misdeed in the Marking Scheme.

Throwing objects from height

8. Starting from 2006, to further deter the throwing of objects from height, tenants would be allotted seven or 15 penalty points depending on the seriousness of the misdeed. In addition, for offences that may cause serious danger or personal injury, the HD would terminate the tenancy of the subject household pursuant of the Housing Ordinance with immediate effect.

9. In view of the public concern about the throwing of objects from height, we have implemented a three-pronged strategy to tackle the issue. The measures include –

- (i) intensified publicity through various channels, viz. radio and television broadcast, Housing Channel, banners, posters and leaflets, to promote the message of anti-throwing objects from height;
- (ii) deployment of additional Mobile Digital Closed Circuit Television sets and Special Operation Teams (SOTs) to detect suspected offenders; and

- (iii) strengthened patrols and inspections by estate staff under the monitoring of a Task Force set up at the Headquarters (HQ) level.

10. With implementation of the above measures, we allotted seven and 15 points to 190 and ten households respectively for committing the misdeed in 2010, compared to some 80 and ten correspondingly in 2009. Amongst these, four households were issued with an NTQ. The significant increase in point-allotment cases for the year demonstrates that the department has been proactive in tackling the misdeed and promoting tenants' awareness of their civic responsibility.

Control of dog keeping

11. Keeping dogs may adversely affect the environmental hygiene in the densely populated PRH estates. Tenants are not allowed to keep dogs in PRH estates except dogs permitted under the 'Temporary Permission Rule' (TPR); service dogs for the visually impaired tenants; and those with strong special needs for the companionship of a dog for mental support. Those tenants found keeping dogs without permission will be allotted five penalty points without warning under the Marking Scheme.

12. Given tenants' concerns on unauthorised dog keeping, we have implemented some enhanced measures to tackle the problem, including –

- (i) stringent control on dog licence renewal required under the TPR;
- (ii) intensified patrol and enforcement actions at estate level;
- (iii) flexible deployment of the SOTs by the HQ Task Force to detect unauthorised dog keeping; and
- (iv) enhanced publicity.

13. As a result of the above measures, we have allotted penalty points to 580 tenants for unauthorised dog keeping in 2010. There are now some 8 300 TPR dogs. The HD will continue to take the enhanced enforcement measures against unauthorised dog keeping in PRH estates in order to maintain a clean living environment for our tenants.

Way Forward

14. The Marking Scheme has achieved substantial improvement in enhancing environmental hygiene and estate management since its implementation. We will continue to step up publicity through the Estate Management Advisory Committees, Housing Channel, estate newsletters, posters and notices to appeal for tenants' support and participation in maintaining a decent living environment in PRH estates.

15. Members are invited to note the latest position of the Marking Scheme.

Transport and Housing Bureau
April 2011

List of Misdeeds under the Marking Scheme (since 1.1.2009)

Category A (3 penalty points)

A1*	Drying clothes in public areas (except in areas designated by the HD)
A2*	Utilising laundry pole-holders for drying floor mop
A3*	Putting dripping flower pots or dripping laundry at balconies
A4*	Dripping oil from exhaust fan

Category B (5 penalty points)

B1	Littering
B2	Disposing of domestic refuse indiscriminately, such as improper disposal in lift lobbies or inside bins without cover
B3	Keeping animal, bird or livestock inside leased premises without prior written consent of the Landlord
B4	Allowing animal and livestock under charge to foul public places with faeces
B7*	Obstructing corridors or stairs with sundry items rendering cleansing difficult
B8	Boiling wax in public areas
B9*	Causing mosquito breeding by accumulating stagnant water
B10	Smoking or carrying a lighted cigarette in estate common area
B11*	Causing noise nuisance
B12	Illegal gambling in public places
B13*	Water dripping from air-conditioner

Category C (7 penalty points)

C1	Throwing objects from height that jeopardise environmental hygiene
C2	Spitting in public areas
C3	Urinating and defecating in public places
C4	Dumping or disposing of decoration debris indiscriminately at refuse collection point, within building or in other public areas
C5*	Denying HD staff or staff representing HD entry for repairs responsible by the HD
C6*	Refusing repair of leaking pipes or sanitary fittings responsible by the tenant
C7*	Damaging down/ sewage pipes causing leakage to the flat below
C8	Using leased premises as food factory or storage
C9	Illegal hawking of cooked food
C10	Damaging or stealing Housing Authority's property
C11*	Accumulating a large quantity of refuse or waste inside leased premises, creating offensive smell and hygienic nuisance
C12	Using leased premises for illegal purpose

Category D (15 penalty points)

D1	Throwing objects from height that may cause danger or personal injury
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* Warning System is in place for these misdeeds. Penalty points will only be allotted if the offender ignores one written warning and repeats the same misdeed for the second time and onwards.